

**Fatal Officer Involved Shooting of Anthony W.
Los Angeles County Sheriff's Department**

Deputy Gregory Van Hoesen, #551798

J.S.I.D. File #18-0063



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

April 13, 2023

MEMORANDUM

TO: CAPTAIN ANDREW D. MEYER
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

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

SUBJECT: Fatal Officer Involved Shooting of Anthony W.
J.S.I.D. File #18-0063
L.A.S.D. File #018-00965-0375-013

DATE: April 13, 2023

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the February 4, 2018, fatal shooting of Anthony W. by Los Angeles County Sheriff's Department (LASD) Deputy Gregory Van Hoesen. We have determined that there is insufficient evidence to disprove Van Hoesen acted in lawful self-defense. We have also determined that Deputy Manuel Escobedo was not involved in the deputy involved shooting.

The District Attorney's Command Center was notified of this shooting on February 4, 2018, at approximately 10:32 p.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, photographs, recorded interviews, and other audio and video recordings submitted to this office by the LASD Homicide Bureau. Voluntary statements by Van Hoesen were also considered as part of this analysis. Deputy Van Hoesen was not equipped with a body worn camera.

FACTUAL ANALYSIS

OVERVIEW

On Sunday, February 4, 2018, Deputies Van Hoesen and Escobedo of the South Los Angeles Station responded to West 107th Street in the County of Los Angeles in response to a radio call regarding an assault with a firearm. Upon arrival, the deputies walked toward the rear of the apartment complex and encountered Anthony W., who matched the suspect's description; he was in the company of a young woman. In response to commands, Anthony W. raised his hands and Van Hoesen immediately observed a handgun with unique features tucked in Anthony W.'s front waistband. Anthony W. turned and fled through an adjacent hallway toward the interior courtyard of the apartment complex. During the ensuing foot pursuit, which ended in a

courtyard, Deputy Van Hoesen reported Anthony W. reached toward his front waistband and a fatal deputy involved shooting occurred.

Within a short time, numerous residents emerged from their apartments surrounding the courtyard. They formed a crowd around the deputies, which deputies reported prevented them from securing the crime scene and searching Anthony W. When the crime scene was later secured, a handgun was not found. However, in the weeks following the shooting, a handgun matching Van Hoesen's description was found in a residence frequented by Anthony W.

INVESTIGATION

9-1-1 Assault Report by Anonymous Caller

On February 4, 2018, at approximately 7:40 p.m., an unidentified man called 9-1-1 to report he had just been assaulted with a firearm while driving his vehicle in South Los Angeles. The caller stated he had turned onto West 107th Street from Budlong Avenue when he saw a young, light-skinned black man walk onto the street and toward his driver-side window. The man approached the caller and pointed a handgun at his head. The caller quickly drove away and contacted 9-1-1 when he reached a safe location. The caller refused to identify himself out of fear of retaliation.

Interview of Deputy Gregory Van Hoesen¹

Van Hoesen stated that on February 4, 2018 at 7:40 p.m., he and his partner Escobedo heard a radio broadcast stating that a man described as approximately 19 years old, wearing a black shirt and blue jeans, exited a residential complex near West 107th Street and Budlong Avenue, and assaulted a passing motorist with a handgun. Van Hoesen and Escobedo responded to the call, arriving at the location at 8:14 p.m.² Seeing no individuals matching the description in the area, they parked their patrol vehicle in front of two adjacent apartment complexes near Budlong Avenue. The locations were known to the deputies as gang "hangouts" for 107 Hoover gang members.³ Van Hoesen had responded to the location on multiple prior occasions for calls related to criminal street gang activity.

Based on their knowledge that gang members often congregated in the rear parking area to avoid law enforcement detection, Van Hoesen and Escobedo walked southbound on a driveway of the apartment complex, along a wood fence separating the two buildings. Due to the darkness of the evening and limited ambient lighting around the complexes, the deputies utilized flashlights.⁴ As they neared the rear portion of the properties, Van Hoesen observed through an opening in the

¹ Deputy Van Hoesen was interviewed at 1:27 a.m. on February 5, 2018, in the presence of his attorney.

² The reporting party had left the scene and the call was deemed non-emergent. The deputies handled higher priority calls before responding to 107th Street.

³ According to Los Angeles Police Department (LAPD) gang experts, the "107 Hoovers" are members of the 107th Street set of the Hoover Criminals Gang (HCG), a criminal street gang. The apartment complex on West 107th Street lies within the territory claimed by the 107 Hoovers. HCG members have common symbols and hand signs. Among them, members of the 107 Hoovers commonly display an extended thumb and index finger to form a "7" to represent the 107 Hoover set.

⁴ Van Hoesen indicated he and Escobedo used flashlights, while Escobedo stated they used the tactical lights on their weapons.

wood fence⁵ an approximately 20-year-old woman, later identified as [REDACTED], talking to a person who generally matched the description of the suspect described in the 9-1-1 call. This individual was wearing an unzipped black hooded sweatshirt, a black t-shirt, and blue jeans. The man was later identified as 16-year-old Anthony W. Upon contact, [REDACTED] and Anthony W. were approximately two feet apart and facing each other, providing Van Hoesen a profile view of each individual.

Van Hoesen immediately ordered them to show their hands, and both [REDACTED] and Anthony W. complied. As Anthony W. raised his hands and turned toward the deputies, Van Hoesen reported observing a handgun tucked in Anthony W.'s front waistband, with his shirt tucked behind it. From a distance of approximately five to ten feet, Van Hoesen said he recognized the firearm in Anthony W.'s waistband to be a Smith & Wesson M&P semiautomatic pistol. He also observed the weapon to be modified with black "Talon" grips and a red dot sight.⁶ Van Hoesen drew his service weapon and illuminated Anthony W. with his weapon light. He ordered Anthony W. not to move and warned, "If you move, I'll shoot you!" Van Hoesen felt a heightened sense of danger due to Anthony W.'s modified weapon⁷ and their proximity. As Van Hoesen held him at gunpoint, Anthony W. turned and fled in an easterly direction through a narrow hallway, which led to the interior courtyard area of the property.



Figure 1. Aerial photograph of the apartment complex on West 107th Street viewed from the rear of the property, taken several weeks after the incident. The blue arrows depict the

⁵ The opening consisted of several missing boards. See Figure 2, below.

⁶ Van Hoesen was familiar with this type of firearm as he regularly carried a department-issued Smith & Wesson model M&P handgun. The unique "fish-scale" serrations on the weapon's slide and the standard hand grip pattern are easily identifiable features of standard Smith & Wesson M&P handguns. From his training and experience, Van Hoesen was also familiar with optical aiming devices, including red dot sights, which are mounted at the top rear section of a handgun slide and have a characteristic square shape. See Figure 7, below. Van Hoesen noted Anthony W.'s gun appeared to be supported in his waistband by both the pistol grip and the frame of the red dot sight.

⁷ Van Hoesen explained that red dot sights enhance rapid target acquisition.

deputies' path down the driveway, followed by their pursuit of Anthony W. through the hallway toward the central uncovered courtyard.



Figure 2. Crime scene photograph showing the opening through which Van Hoesen saw Anthony W. and [REDACTED]. The lighted hallway leading to the courtyard is visible in the background.

Note: The aerial photograph depicted in Figure 1 was taken several weeks after the incident and shows the fence in an alternate state of repair.

As Van Hoesen initiated pursuit, he heard Escobedo briefly contact [REDACTED] behind him and then follow in pursuit. Van Hoesen followed Anthony W. through the hallway and ordered him to stop. Anthony W. continued running and turned left at the end of the corridor, continuing in a northerly direction into the well-lit courtyard. During the pursuit, Anthony W.'s hands were "in the air" and empty. Van Hoesen again ordered Anthony W. to stop as he ran through the center of the courtyard. At that time, Anthony W. turned his upper body and looked back toward Van Hoesen, "like he was acquiring me in his sights." Van Hoesen reported Anthony W. suddenly moved his right hand down toward his front waistband, where Van Hoesen had seen the handgun moments earlier. "Terrified that [Anthony W.] was reaching for a firearm," and believing that Anthony W. would kill him and Escobedo, Van Hoesen said he fired a continuous succession of rounds at Anthony W. until Anthony W. fell to the ground.⁸

Anthony W. fell forward and face down onto the concrete ground in the entryway at the north end of the courtyard; he continued moving and at some point turned onto his back. The situation was very tense and, not knowing where the gun was, Van Hoesen considered Anthony W. to be a continuing threat. Van Hoesen approached and verbally commanded, "Let me see your hands!" Anthony W. extended his hands to either side and Van Hoesen could see he was not holding a weapon at that time.

⁸ Van Hoesen estimated he was following Anthony W. at a distance of approximately five to ten feet. He stated their proximity would have made it very easy for Anthony W. to shoot Van Hoesen.



Figure 3. View from the south wall of the open courtyard toward the gated entrance facing 107th Street. The covered entryway inside the gate is seen in the distance with a green LASD barrier marking where Anthony W. lay.

Van Hoesen broadcast that a deputy involved shooting had occurred and requested additional units and an airship. Almost immediately people emerged from their apartments and appeared very upset. Van Hoesen stated that “in a short time,” hostile residents were both on the upper deck overlooking the courtyard, as well as on the ground floor around the courtyard. He heard women screaming, and then began hearing shouts of “Fuck the police!” Van Hoesen observed Escobedo pointing his firearm at the surrounding angry residents, and repeatedly yelling, “Get back!” Van Hoesen knew of a gang presence in the building and feared gang members would emerge with weapons. “Within a short time,” the deputies found themselves surrounded by approximately 30 persons.⁹

Anthony W. continued moving on the ground, but because of the exigency presented by the growing crowd, Van Hoesen was unable to physically search under or around Anthony W. for the firearm. He alternated his focus between Anthony W. and the encroaching residents and saw that a group of people had also formed in the street beyond the unsecured front gate. Van Hoesen noted that by the time backup units began arriving people were running through the entryway despite deputies’ commands to stay back. It took a “significant amount of time” for the additional units to disperse the various groups and secure the scene.

⁹ In Van Hoesen’s broadcast of the deputy involved shooting, the sound of dozens of people screaming in close proximity to Van Hoesen is clearly heard.

At the conclusion of the interview, investigators examined Van Hoesen's Glock 17 handgun and magazine. Based on the magazine and firearm capacity, and the number of remaining rounds, they determined he fired 13 rounds.¹⁰

Interview of Deputy Manuel Escobedo¹¹

Escobedo and Van Hoesen heard a call for service regarding a suspect who had brandished a gun at a passing motorist at 107th Street and Budlong Avenue. The deputies arrived at the apartments and saw no one matching the description of the suspect. According to Escobedo, he and Van Hoesen walked down the driveway, illuminating their path with the tactical lights on their service weapons. Escobedo suddenly heard Van Hoesen yell, "Don't move! Let me see your hands!" Escobedo turned and saw a young man and woman, later identified as Anthony W. and [REDACTED], on the far side of an opening in the fence.

From a position behind Van Hoesen, Escobedo saw Anthony W. raise his hands and turn toward the deputies. Anthony W. matched the description of the suspect. With Van Hoesen illuminating Anthony W., Escobedo said he immediately observed a "very obvious" black semiautomatic handgun tucked in Anthony W.'s front waistband, in front of a tucked shirt.

As Van Hoesen began to approach Anthony W. through the opening in the fence, Anthony W. turned and opened a door behind him, and then fled out of view through a hallway. Van Hoesen pursued him. Escobedo contacted [REDACTED] briefly to ensure she was not armed; he then followed Van Hoesen. Escobedo saw Anthony W. turn left at the end of the hallway as Van Hoesen was approximately ten feet behind him. Escobedo was approximately 15 feet behind Van Hoesen when he joined in the pursuit. Van Hoesen reached the end of the hallway and turned left, and then ran out of view. Within three seconds, Escobedo heard approximately eight gunshots. Escobedo entered the courtyard and saw Anthony W. lying on the ground, ten feet beyond Van Hoesen. Van Hoesen had his weapon trained on Anthony W. but he did not fire any additional rounds. Escobedo estimated the events from the initial encounter to the shooting occurred in less than ten seconds. Escobedo did not fire his service weapon.

Van Hoesen broadcast over the radio that a deputy involved shooting had occurred, and requested additional resources. Several residents began emerging from their units almost immediately after the shooting and began yelling profanities, including, "Fuck police!" Fearing the group would increase in size and retaliate against the deputies with violence, Escobedo ordered them at gunpoint to return to their residences.¹² Within a short time he saw people in all directions; some were yelling and others were running on the stairs. Escobedo saw several individuals who appeared to be gang members and feared they would retrieve firearms from their apartments and "ambush" the deputies who were exposed in the open courtyard below. He believed an attack was imminent. As Escobedo primarily focused on his and his partner's safety,

¹⁰ Only 12 shell casings were recovered at the scene. See discussion below.

¹¹ Escobedo was interviewed on February 5, 2018, at 2:49 a.m. in the presence of his attorney.

¹² Escobedo was asked whether there were any people in the courtyard other than Van Hoesen and Anthony W. when he first entered. He stated "there were people on the stairway" and on the first floor, followed by many more people who came out of various apartments. In the larger context of the statement, not fully documented above, it is unclear whether he meant the people were present when he entered the courtyard, or that they were the first to emerge after the shooting, followed by many others. The latter interpretation is consistent with other evidence.

the integrity and security of the crime scene was a secondary concern. Escobedo did not see the gun after his initial observation near the fence.

Reports of Assisting Law Enforcement Personnel¹³

Over a dozen units from LASD, LAPD, Hawthorne Police Department (HPD) and Gardena Police Department (GPD) arrived at the location in response to the deputy involved shooting. All assisting units described an extremely tense situation in which large and unruly crowds yelled profanities toward law enforcement personnel, making frequent references to the Hoover Criminals Gang.¹⁴ Personnel also described seeing multiple people running in and out of the courtyard area where Anthony W. lay.

LASD Deputies J. Ortiz and E. Chappell

Deputies Ortiz and Chappell were the first assisting unit on scene, arriving within one minute of Van Hoesen's radio broadcast. Upon their arrival at the location, they observed a crowd of 40 to 50 residents on the street and sidewalk in front of the apartment complex and saw two to three men running eastbound on 107th Street from the complex. Five people stood over Anthony W. inside the entryway, yelling at Van Hoesen and Escobedo. A large and angry crowd was also gathering inside the courtyard to the south of the entryway.

Ortiz and Chappell attempted to secure the front gate to prevent entry from the street. The crowd on the street grew larger and increasingly uncooperative as the deputies gave orders to move away from the building. Several individuals yelled racial slurs and postured as if challenging the deputies to fight. One man removed his shirt, threw his arms in the air, and walked toward Ortiz yelling, "Fuck the police!" Fearing for his life, Ortiz immediately drew his firearm and pointed it at the man, ordering him to stay back. The man responded, "Shoot me, motherfucker! You fucking pig!" Two other men grabbed the man and held him back.

Several persons in the crowd continued to yell, "Fuck the police! Fuck y'all, this is Hoover!" Others yelled, "You ain't gonna find no gun!" As the only assisting unit on scene at the time, Ortiz and Chappell were unable to gain control of the crowd, which was growing in size and in hostility. After several additional LASD units and officers from neighboring agencies arrived, they were able to move the crowd away from the building, and established a perimeter to allow medical personnel to safely enter the location and render aid to Anthony W.

LASD Deputies B. Corrigan and C. Quinones

Deputies Corrigan and Quinones described a similar scene of 20 to 40 people outside the location yelling profanities at deputies, and ten to 15 individuals running in and out of the location. Several other persons ran eastbound from the location toward Budlong Avenue. As Corrigan and Quinones attempted to secure the front entrance of the building, one individual in

¹³Assisting units submitted written reports and were not interviewed.

¹⁴ As with Van Hoesen's broadcast, the subsequent radio broadcasts of responding units documented the sounds of large groups of agitated individuals; several of the recordings are difficult to understand due to the intensity of the ambient noise.

the crowd yelled, “Fuck you! We gonna kick your ass!” Another man yelled, “On Hoover, kill these fucking pigs!” Several other men moved toward Corrigan and Quinones as they tried to secure the location where Anthony W. lay.

Due to violent threats and lack of cooperation, the deputies said they were unable to secure the crime scene. As they stood at the front entrance, they saw several angry individuals who appeared intent on fighting the deputies. The noise from the crowd intensified, making it difficult for the deputies to hear radio broadcasts and communicate with other deputies on scene. Corrigan believed that an attack by the large crowd was imminent. Unable to move the crowd from the front gate of the location, Quinones initiated an emergent request for additional deputies from nearby stations. Officers from HPD and LAPD, and deputies from Compton, Carson, and Lomita Sheriff’s Stations and Transit Services Bureau arrived, and were able to move the crowd back. They established a perimeter around the front of the apartment complex.

Corrigan said he then observed “dozens more hostile and angry individuals” inside the courtyard, converging on Van Hoesen and Escobedo, who were attempting to secure the breezeway area where Anthony W. lay. It took the coordinated effort of the multiple agencies approximately twenty minutes to completely secure the crime scene. Afterward, as Corrigan attempted to speak to an individual in the courtyard, an unknown man yelled, “You ain’t going to find shit!”

LASD Deputy R. Beck

Deputy Beck observed a large, angry crowd shouting obscenities at responding deputies and refusing to disperse. As Beck and other deputies moved the crowd out of the crime scene, an unidentified man wearing all red clothing and with numerous tattoos on his neck and forearms refused to comply with Beck’s commands and then stated, “You ain’t going to find a gun on him. I know that!” He then stated the deputies “shot [Anthony W.] for no reason.” Another individual said, “We already got video.”¹⁵

Deputy J. Estrella

LASD Deputy Estrella added that he entered the front gates and saw Van Hoesen and Escobedo attempting to keep an extremely unruly group of 15 to 20 people in the courtyard away from Anthony W., who was lying in the entryway. The group continued to yell and curse at Van Hoesen and Escobedo from a distance of three to four feet, and refused to comply with orders to back away from Anthony W. Estrella stated the situation was “extremely tense as the crowd of people surrounded us and we were unable to keep them at bay.” Deputies were unable to render assistance to Anthony W. and Estrella was afraid to turn his back to the hostile group.

As they attempted to keep the people away from Anthony W., Estrella saw approximately ten men and women exiting the courtyard through a rear passageway. Estrella and additional units attempted to prevent the potential witnesses from leaving, but they became belligerent and several individuals left the location. Due to the lack of personnel to contain the situation, Estrella saw several groups of people leave the courtyard area and premises.

¹⁵ No video of the incident was provided to investigators at any time.

Hawthorne Police Department Officers

HPD Officers A. Godoy and D. Carmona joined HPD Officers B. Arth and J. Yoshida who were attempting to form a skirmish line with GPD officers and LASD deputies. Arth reported, “Several unruly subjects flooded the street, sidewalks, apartment walkways, driveways, and apartment carports in the immediate area” and yelled profanities including, “Fuck the police!”

Other Witnesses

Deputies canvassed the neighborhood for witnesses and other evidence. Several residents in the apartment complex were interviewed and stated they heard between four to ten gunshots, but no one saw the shooting. One resident walked out of her apartment after the gunshots and saw two deputies standing near Anthony W. who was lying on the ground. Another resident described approximately four gunshots followed by a short pause, and then approximately six additional gunshots.¹⁶

Crime Scene Documentation

LASD crime lab personnel documented the crime scene under the direction of LASD Homicide Investigators Richard Biddle and Francis Hardiman. See Figure 4, below. The crime scene investigators reported the following:

The location of the deputy involved shooting is a large square residential complex consisting of 20 units on two levels. All units surround a central uncovered courtyard on the ground level. External stairways at each of the four corners of the courtyard lead to the upper level apartments. Several of the units were unoccupied on the date of the shooting. The front entrance is secured by a metal security gate. A short breezeway leads from the front entrance to the central courtyard.

A driveway extends along the west side of the property leading to a carport at the south end of the complex. On February 4, 2018 the carport was covered with gang graffiti, including “Hoover 107” and related graffiti on multiple trash dumpsters, and “fuck the cops” inscribed in multiple locations. A wood fence along the driveway was found to be missing boards in three locations, resulting in three openings along the west border. The southernmost opening was located directly in front of a hallway at the south end of the building, adjacent to the rear carport area. The hallway connects the driveway to the central courtyard area of the complex. At the junction between the courtyard and hallway is a storage unit. The door to the storage unit was determined to have been closed at the time of the deputy involved shooting.

¹⁶ No other witnesses in the initial stages of the investigation described a pause in the series of gunshots.

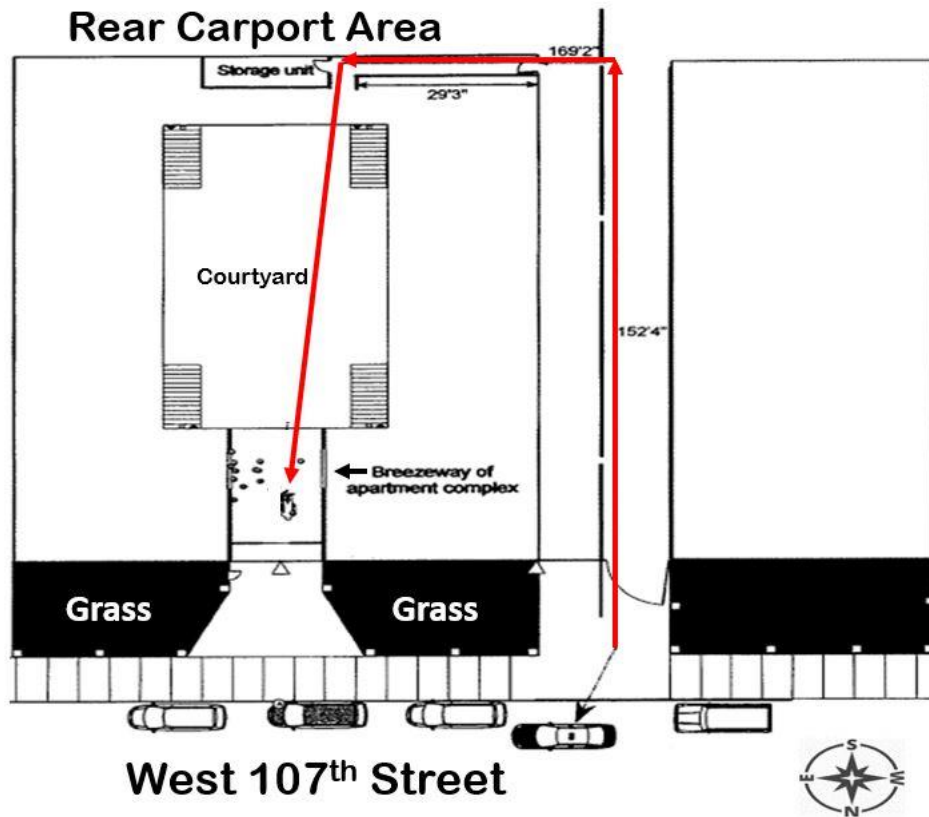


Figure 4. LASD schematic diagram of premises. Red arrows show the deputies' path from the patrol vehicle into the courtyard. In the breezeway are depicted the position of Anthony W. and the shell casings.

Twelve expended shell casings were recovered along the east wall and south border of the breezeway, near Anthony W., who lay near the center of the breezeway. One fired bullet was found within the folds of Anthony W.'s shirt, and a possible bullet impact was identified in a vehicle parked along the south curb of 107th Street directly in front of the entry gate. An Apple iPhone was recovered from Anthony W.'s right front pants pocket. No handgun was found on or near Anthony W., who was pronounced dead at the scene by Los Angeles County Fire Department personnel.

Interview of [REDACTED]¹⁷

Investigators spoke with Anthony W.'s father, [REDACTED], in the early morning hours of February 5, 2018. According to [REDACTED], Anthony W., also known as "A.J.," had gone to watch the Super Bowl at a friend's residence on 107th Street. Twenty-four-year-old [REDACTED], with whom Anthony W. had a young child, came to [REDACTED]'s residence as the game was ending, and at some point left to pick up Anthony W. according to pre-arranged dinner plans.

Sometime later, [REDACTED] called [REDACTED] and told him Anthony W. had been shot. She explained to [REDACTED] that Anthony W. left one apartment building and went to another to retrieve a sweater. As he came from the second building, and as [REDACTED] was walking to

¹⁷ All interviews by LASD were audio recorded unless otherwise indicated.

her parked car, the police arrived. She stated, “There were two or three guys around here when the cops pulled up.” Anthony W. and one of the men ran “but A.J. wasn’t with the other guy, and then A.J. got shot.” [REDACTED] was on the sidewalk of 107th Street when she heard the gunshots.

When asked if he knew of any witnesses whom the investigators could interview, he said no one would be cooperative because everyone was angry with the deputies. He also advised them that individuals from Black Lives Matter were at the scene trying to escalate hostilities between the crowd and the deputies. At one point, [REDACTED] took a rifle away from a man in the crowd because he believed the man intended to shoot deputies at the scene.

Investigators asked [REDACTED] whether he had knowledge of Anthony W. possessing a gun on February 4, 2018. [REDACTED] responded, “I know he didn’t have it on him when he got shot, and I know he didn’t throw it.”

Interview of [REDACTED]

[REDACTED] was interviewed by investigators in the early morning hours of February 5, 2018. [REDACTED] told Biddle and Hardiman that she and Anthony W. had been in a dating relationship since September 2017. She stated she was with Anthony W. when the shooting occurred.

According to [REDACTED], on February 4, she and Anthony W. were together “all day” watching the Super Bowl at her apartment, located on the same block as the complex where the deputy involved shooting occurred. She stated that they watched the game but periodically went outside in front of her apartment building. After the game ended,¹⁸ they walked to the complex where the deputy involved shooting occurred because Anthony W. had left his jacket hanging on the rear security gate. He put his jacket on as they talked alone in the back hallway, and they then walked through the side exit to return to [REDACTED]’s residence. From the driveway near the back hallway they noticed a patrol car on the street, and suddenly two deputies emerged from the neighboring property.

¹⁸ According to multiple official sources, the game ended at 7:17 p.m., Pacific Standard Time.



Figure 5. View of the patrol car in the distance on 107th Street from the rear section of the driveway, shown with artificial camera illumination. The fence opening (upper left) and hallway security gate (right) are visible in the foreground.

The deputies surprised them with guns and flashlights, yelling, “Put your fucking hands up! Don’t fucking move or we’ll shoot the both of you!” One deputy told Anthony W. repeatedly, “Don’t reach for it! Don’t reach for it! Don’t reach for it!” [REDACTED] stated she did not know whether Anthony W. had a weapon on his person at that time,¹⁹ but Anthony W. kept his hands up and she did not see him make any reaching movements. With his hands raised, Anthony W. suddenly turned and fled through the hallway behind him and the first deputy chased after him.²⁰

[REDACTED] stated she was “stuck” in fear from the time she first saw the deputies. When the first deputy ran after Anthony W., the second deputy pointed his gun and light at [REDACTED]. She again found herself “stuck” in fear, certain he was going to shoot her; however, he turned and ran after his partner. Within approximately three seconds from the time Anthony W. ran, [REDACTED] heard at least five gunshots; she did not hear Van Hoesen say anything prior to the gunshots. [REDACTED] stated that “from the sound of the shots, it sounded like both of [the deputies] were shooting,” and she “knew instantly he was gone.” [REDACTED] stated she did not see the shooting because she remained “stuck” at the fence; she never entered the hallway and never went to the courtyard to see what had happened. Rather, immediately after hearing the

¹⁹ On May 8, 2018, [REDACTED] told investigators that immediately after the shooting, [REDACTED] ran up to him and said deputies shot Anthony W. When asked why, she replied, “He had a gun...They seen a gun.”

²⁰ As [REDACTED] began to discuss the details of the encounter, Hardiman asked her: “You understand that right now is the time that’s most important for people to tell the truth about things?” She replied, “Yeah.” In a subsequent video-recorded interview on December 8, 2018 with a private citizen, [REDACTED] made statements that significantly conflicted with her original statement to the investigators. See discussion below.

gunshots, she ran home. As a result, [REDACTED]. did not know whether residents came out of their apartments to confront the deputies.

At the conclusion of the interview, [REDACTED]. stated she had never seen Anthony W. with a gun, but believed if he had a gun he would never display it to her because her younger brother had been killed by a firearm and she did not like guns. She also said she did not believe Anthony W. was a gang member. [REDACTED]. became emotional several times in the interview and stated she believed Anthony W. was “a good person” and did not deserve to be shot by the deputies. When asked if she knew why Anthony W. ran, [REDACTED]. stated, “Everybody run[s] from the police.”

Investigation of Facebook Live Video

On February 5, 2018, LAPD investigators notified Biddle and Hardiman that they had information related to the deputy involved shooting. They stated that on Friday, February 2, two days before the shooting, LAPD gang officers were monitoring the Facebook account of [REDACTED] a known member of the 107 Hoovers gang, with the moniker “[REDACTED].”²¹ [REDACTED]. had uploaded a seven-minute Facebook Live video taken with his cell phone depicting him with Anthony W. and several other individuals in an upstairs apartment of the complex where the deputy involved shooting would later occur.

In the video, Anthony W. is initially seen rapping and dancing to music. He yells out, “West Side Hoover!” and then throughout the course of the video displays gang signs with other identified gang members. At one point, [REDACTED]. turns the camera on himself and produces a black handgun from his waist area, pointing it briefly at the camera. The handgun is black with a silver threaded barrel, and equipped with a red dot sight.²² When [REDACTED] displays the handgun, the two men watching him from the couch next to him make unintelligible comments and laugh. Anthony W. immediately enters the frame a few feet from [REDACTED]. and also makes an unintelligible comment and laughs. The men in the video then move outside to the upstairs landing, and the courtyard is visible in the background.

²¹ Further investigation revealed [REDACTED] had an additional moniker of “[REDACTED].”

²² The firearm is consistent with the description given by Van Hoesen of the gun he observed in Anthony W.’s waistband on the night of the shooting.



Figure 6. [REDACTED] displaying a black semiautomatic handgun with stainless steel barrel and red dot sight. Anthony W. is directly to the right of the frame, out of view.

[REDACTED] then records himself walking down through the courtyard and to the front gate where the deputy involved shooting would occur. After a short time, he returns to the apartment and the video ends.

LAPD gang officers conducted a parole search of the location on February 2, 2018, a few hours after the video was uploaded live to [REDACTED]'s Facebook account. Six individuals, including [REDACTED], as well as a man named [REDACTED] and a woman named [REDACTED], discussed in further detail below, were at the location at the time of the search. Neither Anthony W. nor the gun was found in the apartment.

LAPD detectives notified Biddle and Hardiman of the investigation at approximately 10:00 p.m. on Monday, February 5, 2018, after they learned about the deputy involved shooting that occurred the prior evening.²³ LAPD gang detectives also informed Biddle and Hardiman that Anthony W. had a gang moniker of "Tiny Rag."

Interview of Unnamed Juvenile

On February 7, 2018, Biddle and Hardiman interviewed a local school employee who claimed a student (Juvenile Doe) conveyed information to him potentially relevant to the investigation.²⁴ Juvenile Doe had told the employee that he was with Anthony W. and others on February 4, 2018, doing "dumb stuff" with a gun before the deputies arrived.²⁵

²³ This notification was made after Van Hoesen provided a statement to investigators that included details about the gun he said Anthony W. was carrying.

²⁴ Both the school employee and student were identified but are not named for confidentiality reasons.

²⁵ Juvenile Doe also allegedly stated he was with Anthony W. at the rear of the building when officers confronted them, but that they had "put the gun away" somewhere by that time. The latter statements are directly contradicted by the statements of Van Hoesen, Escobedo, and [REDACTED]

On February 8, 2018, Biddle and Hardiman identified and interviewed Juvenile Doe in the presence of his mother.²⁶ He stated he knew Anthony W. was a member of the 107 Hoovers – who were also known as the “Selos” – with a moniker of “Tiny Ragger” or “T.R.” Juvenile Doe denied that he himself was a gang member. As the interview progressed and the investigators asked about his knowledge of Anthony W. having a gun, Juvenile Doe’s demeanor changed from calm to anxious. He denied being with Anthony W. at the location on Super Bowl Sunday and stated that he only learned about the incident afterward.

Interview of Anonymous 9-1-1 Caller

On February 12, 2018, eight days after the shooting, the 9-1-1 caller who anonymously reported the initial assault by Anthony W., contacted Biddle and Hardiman. The man stated he saw recent news coverage reporting no gun was recovered from Anthony W., raising concerns that Anthony W. was unarmed during the deputy involved shooting. The man sought to provide information to affirm that Anthony W. was armed a short time prior to the shooting. The man spoke on the condition of anonymity and is hereafter referred to as John Doe.

Doe had never seen Anthony W. prior to February 4, 2018, but came to know his identity from news broadcasts and social media posts after the deputy involved shooting. Doe stated that on February 4, 2018, he was driving westbound on West 107th Street from Budlong Avenue. As he approached the apartment complex on the left side of the street, where the shooting later occurred, there were some, but “not a lot,” of people in the area.²⁷ Anthony W. exited the front gate of the complex and walked into the street ahead of Doe. Believing Anthony W. was going to cross the street, Doe slowed his vehicle. Anthony W. walked directly to Doe’s driver-side door, and pointed a black semiautomatic pistol at Doe’s head, holding the gun directly outside of his closed window.²⁸ Fearing for his life, Doe immediately ducked and accelerated the vehicle forward. As he drove away, Doe looked in the rear view mirror and saw Anthony W. standing in the street, pointing the gun in Doe’s direction. Doe arrived at a safe location and called 9-1-1 to report the incident.

Doe remained in the area. Approximately fifteen minutes later, Doe heard several gunshots from the direction of the earlier encounter and feared Anthony W. shot someone on the street. Doe began searching social media sources and eventually learned that deputies shot Anthony W. at the apartment complex where the assault on Doe had occurred. The social media postings he viewed included the caption “RIP A.J.” beneath a photograph of Anthony W. Doe immediately recognized Anthony W. from the photograph as his assailant.

During the interview, Doe provided photographs and videos he had downloaded onto his cell phone depicting Anthony W.; he also showed investigators related media from the Internet. Doe identified Anthony W. in the images and videos as the man who pointed the gun at him on 107th Street.

²⁶ Juvenile’s mother insisted that she be included in the interview, during which she repeatedly interjected.

²⁷ In the 9-1-1 call, Doe stated that he saw a group of people in the background.

²⁸ Doe stated he was not familiar with guns but knew it was not a revolver. Due to the suddenness of the events and his emotional state, he did not notice additional details about the handgun.

March 7, 2018 Search of Residence of [REDACTED].

On March 7, 2018, deputies searched the apartment of [REDACTED] on West 107th Street,²⁹ pursuant to a search warrant for crimes unrelated to the deputy involved shooting. During the search, deputies seized numerous items, including six handguns. One of the handguns was a loaded 9mm Smith & Wesson Model M&P9 semiautomatic pistol (M&P9) with a stainless steel threaded barrel and a red dot holographic sight. The search team determined the M&P9 handgun matched the firearm observed by Van Hoesen during the February 4 deputy involved shooting, and they immediately contacted Biddle and Hardiman. The investigators arrived and interviewed several individuals present in the home about Anthony W. because of the modified M&P9 handgun found at the location. Afterward, the investigators presented the firearm to Van Hoesen, and he positively identified it as the weapon he had seen immediately before the shooting.³⁰



Figure 7. Images of the modified Smith & Wesson M&P9 recovered in a bedroom closet.

Interview of [REDACTED].

On March 7, 2018, [REDACTED] told investigators she lived at the residence with her two young children. On the previous evening, March 6, 2018, she spent the night with her boyfriend. [REDACTED] returned the next morning to find law enforcement searching her home. [REDACTED] denied any firearms were in the apartment when she left and stated the police must have placed the firearms in the residence to frame her or to “cover up” the shooting of Anthony W.

[REDACTED] stated she knew Anthony W. “from around the neighborhood” and acknowledged items in her home identified him as “Tiny Ragger.” She admitted that 107 Hoover gang members regularly visited her home.

²⁹ [REDACTED] and [REDACTED] lived in different units of the same apartment complex; the building was located on the same block as the deputy involved shooting.

³⁰ The six firearms, including the M&P9, appeared identical to six firearms depicted in an image found on Anthony W.’s cell phone. The photograph had been taken prior to the deputy involved shooting. See discussion below.

Interview of ██████.

On March 7, 2018, ██████. told investigators she had known “A.J.” since June 2017. When asked if she had any information about the shooting on February 4, she stated emphatically, “I was there during the shooting!” However, she clarified that she did not actually witness the shooting incident. ██████. explained that on the night of the Super Bowl, she was with approximately seven friends in an upstairs apartment of the complex where the shooting occurred.³¹ She stated she was outside at one point but then returned upstairs to order food. Sometime later, Anthony W. came to the apartment by himself and talked briefly with the occupants. He retrieved his “hoodie” that he had left on the couch earlier, and then left. Approximately five minutes later, ██████. heard gunshots outside. In a back-and-forth dialogue with Hardiman, ██████. explained, “We was just chilling. We was getting ready to order some food. [Then] some gunshots [occurred] outside, in that apartment [complex]. I went outside to go see, and I seen that A.J. was laying on the floor. That’s it. And the police [were] standing around him.”

██████. stated that when she went outside to see what had happened, the deputies told her and those with her to “go [back] up” to their apartment. She stated she “went back inside” the apartment. ██████. denied that “a bunch of people” emerged from their apartments or that people were yelling. She also stated she did not hear other police units arrive.

██████. stated she had “no idea” what gang controlled the neighborhood of 107th Street. She did not know Anthony W. to be a gang member and had never seen him “throwing up gang signs.”³² She also stated she had never seen him with a gun.

At the end of the interview, Biddle asked, “Have you heard anybody actually witnessed the shooting, when Anthony got shot?” She replied, “No,” and he continued, “Nobody’s told you they actually saw the shooting?” She again replied in the negative and Biddle stated, “Because we’re in search of the truth; if there’s a witness we’d like to talk to them.” ██████. again replied she knew of no such witnesses.³³

³¹ She described a unit at the top of the stairs toward the front of the building, which was either the apartment in which ██████. recorded the Facebook Live video, or the apartment directly across the courtyard. ██████. was one of the persons depicted in ██████.’s video, and, as noted earlier, was found by LAPD at the apartment a few hours after the video “went live.”

³² ██████. is a known 107 Hoovers associate and is documented in two videos, including ██████.’s video, in the presence of Anthony W. while he displays multiple gang signs. Investigators did not ask ██████. about ██████.’s Facebook Live video; it is unclear whether they realized at the time of the interview that she was depicted in the video.

³³ In September 2020, the District Attorney’s Office became aware of interviews conducted in February 2018 by private investigator Paul Ingels related to a civil lawsuit filed by the family of Anthony W. against the County of Los Angeles; see below. In one of the February interviews with Ingels, and then in additional interviews in November and December 2018 to a private individual known as “██████,” ██████. claimed she personally witnessed the shooting of Anthony W. Despite speaking with Biddle and Hardiman on March 7, 2018, for approximately 20 to 25 minutes about the deputy involved shooting, ██████. never stated she witnessed the event and clearly stated she was inside the apartment when it occurred.

Interviews of [REDACTED] and [REDACTED].

On May 9, 2018, LASD Homicide Sergeant Sandra Nava interviewed [REDACTED].’ two children in their respective foster homes. [REDACTED], age seven, stated that he, his sister, and their mother lived in their apartment. [REDACTED] viewed several photographs, including those of Anthony W. and a man identified by investigators as [REDACTED], a known 107 Hoover gang member with the moniker “[REDACTED]t.” [REDACTED] identified [REDACTED] as “[REDACTED],” and Anthony W. as “A.J.” or “Ragger.” [REDACTED] stated Anthony W. and [REDACTED] often came to their apartment to sleep.

Viewing several photographs of the guns recovered during the March 7, 2018, search of the apartment, [REDACTED] stated his mother and her friends regularly hid the guns in the apartment. He had also seen them retrieve them on occasion. [REDACTED] L. identified the modified Smith & Wesson M&P 9 with the silver barrel and red dot sight as a gun he had seen in the purse of his mother’s friend “[REDACTED].”³⁴ He further stated the gun belonged to Anthony W. He identified a Raiders backpack, in which one firearm was discovered, and stated it was primarily handled by Anthony W., [REDACTED], and an individual named “[REDACTED] [REDACTED].” [REDACTED] stated a brown-handled FEG pistol belonged to [REDACTED] and a revolver belonged to [REDACTED]. Both firearms were among the recovered weapons.

In a separate interview, [REDACTED], age four, viewed the photographs of individuals provided by Nava and identified: Anthony W. as “Ragger,” [REDACTED] as “[REDACTED]t,” and [REDACTED] as Anthony W.’s girlfriend. [REDACTED] stated [REDACTED]t and Anthony W. often came to the apartment together and sometimes stayed in [REDACTED]’s room. [REDACTED] said she had seen Anthony W. with the Raiders backpack, which Anthony W. claimed as his property.

[REDACTED] viewed photographs of the handguns and told Nava the silver-barreled Smith & Wesson M&P9 belonged to Anthony W. and a Hi Point C9 handgun belonged to her mother. [REDACTED] stated she had seen her mother place the Hi Point C9 under [REDACTED] bed when [REDACTED] pretended to be asleep.

Civil Lawsuit Interviews

In 2019, the family of Anthony W. filed a civil lawsuit in Superior Court (19STCV41875) against the County of Los Angeles and other parties. The civil lawsuit was dismissed without prejudice on May 20, 2021. In preparation for the filing, private investigator Paul Ingels interviewed several individuals independent of the investigation by Biddle and Hardiman. The District Attorney’s Office learned of, and requested, information pertaining to the interviews of [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED].³⁵ The items were received in September 2020 from attorneys associated with the case, over a year after the completion of LASD’s investigation.

³⁴ [REDACTED] was at the apartment on the evening of March 6 but left with [REDACTED]. [REDACTED] was not present during the search but later contacted investigators to retrieve her property that had been taken during the search.

³⁵ The law firm representing the plaintiffs provided the District Attorney’s Office with transcripts of the recorded interviews of [REDACTED] and [REDACTED]. The remaining interviews, which were unrecorded, were provided in summary form. [REDACTED] and [REDACTED], [REDACTED] were not percipient to the deputy involved shooting but both stated they viewed the crime scene and saw no gun in the vicinity of Anthony W. According to the firm, no other interviews were conducted.

Interview of [REDACTED] for Civil Lawsuit

On February 9, 2018, Ingels interviewed [REDACTED] telephonically. [REDACTED] stated that on February 4, 2018, she met with Anthony W. briefly at noon to provide him with lunch and a sweater. She visited her family during the day while Anthony W. watched the Super Bowl with friends. Later in the evening, [REDACTED] took their baby to Anthony W.'s home and then drove to the apartment complex on West 107th Street to pick up Anthony W. to go to dinner. They talked at the building entrance and he told her to meet him at the car because he had to retrieve something from the upstairs apartment of his friend.

As [REDACTED] began walking to her vehicle, she saw a patrol car arrive without lights or sirens activated. After parking, two deputies "jumped out of the car" and began walking down the driveway of the building to the west of the apartment complex; [REDACTED] "did not really think anything of it" and "just kept walking." Approximately one minute later, when she was near her car, she heard ten to 12 gunshots, at the sound of which she immediately began running to the back of the property adjacent to her vehicle. As she ran, she heard a brief pause of "a couple seconds" and then several additional gunshots. Someone came to her and told her "they had shot A.J." [REDACTED] ran back to the apartment complex and a deputy stopped her near the front gate. There were four deputies at the scene – two inside near Anthony W. and two outside the gate – and she could see Anthony W. lying on his back near the entrance. He was still breathing and she could see his hand moving. Several additional units arrived immediately afterward and a crowd began to form. She stated, "Everybody was outraged." [REDACTED] said the deputies would not allow anyone into the front gate and "there was no way anybody could get near A.J." [REDACTED] did not see Anthony W. in possession of a gun anytime that day.

Interview of [REDACTED] for Civil Lawsuit

[REDACTED] was interviewed telephonically by Ingels on February 20, 2018. According to a summary of her statement, [REDACTED] stated she and [REDACTED] drove to West 107th Street and parked approximately 100 feet to the west of the apartment building where the shooting occurred. [REDACTED] had taken a jacket to give to Anthony W., whom they contacted in an upstairs apartment in the company of friends. After speaking briefly with Anthony W. "near the area where he was [later] shot," [REDACTED] and [REDACTED] exited the front gate and walked to their vehicle. Before reaching it, they heard gunshots that sounded "very close" so they began walking back to the apartment complex. As they approached, they could see Anthony W. lying on the concrete just inside the front gate. [REDACTED] "recalled specifically that they were at the front of the gate in less than a minute and the only people she saw were the two deputies next to A.J. and they had their [guns] drawn. No one else was in the area of A.J." Within a short time another patrol vehicle arrived, followed by numerous additional units. [REDACTED] stated she did not observe Anthony W. with a gun when she spoke with him. She also stated that "at no time did anyone other than Sheriff deputies get near A.J."

Interview of [REDACTED] for Civil Lawsuit

[REDACTED] was interviewed by Ingels on February 22, 2018. According to [REDACTED], on February 4, 2018, she attended a Super Bowl party with several other individuals in an upstairs

apartment of the complex where the shooting occurred,. Anthony W. was at the apartment for an unspecified period until, at some point, he walked downstairs to meet his girlfriend [REDACTED], with whom he was planning to leave. Soon afterward, [REDACTED] learned that a police car was parked in front of the location. She went downstairs to warn Anthony W. of the deputies' presence because he was "drunk" and she feared he would say or do something foolish. When [REDACTED] reached the courtyard she saw him walking toward the back of the complex with [REDACTED].³⁶

[REDACTED] arrived at the back hallway and saw Anthony W. and [REDACTED] on the other side of the hallway gate with their hands raised. [REDACTED] could clearly see the deputies, and also observed they had their guns and flashlights directed at Anthony W. and [REDACTED]. The deputies warned, "Don't move or we will shoot you!" and Anthony W. "begged for his life" saying, "Please don't shoot me, man. Please." Anthony W. then ran through the gate and past [REDACTED], and [REDACTED] followed him into the courtyard. Moments later, the deputies ran past her and were standing by the rear stairway with their guns drawn as Anthony W. neared the front entrance. [REDACTED] did not know if one or both deputies fired their weapons, but "they" fired three rounds, paused for two to three seconds, and then fired a second volley of an unknown number of rounds. Neither deputy fired any additional rounds after Anthony W. fell "face forward" onto the ground. [REDACTED] stated Anthony W. was facing away from the deputies at all times during the shooting and did not turn back to look at them.

The deputies stood around Anthony W. as he lay on the ground and after "some minutes" of letting him lie on his stomach, they turned him onto his back. The two deputies were telling people to stay back but they did not have their guns drawn at that time. [REDACTED] watched continuously until the ambulance came. The deputies "turned [the medical personnel] down" and "then made us all go upstairs." [REDACTED] stated that at no time prior to the ambulance arrival did any persons other than sheriff's deputies go near Anthony W.

[REDACTED] said no one was outside other than her, and she remained standing toward the back of the courtyard. Later, "more people came around but the deputies were with them the entire time."³⁷ [REDACTED] stated she never saw Anthony W. with a gun during the incident. She further stated that the police did not interview [REDACTED] at any time that evening or thereafter.³⁸

³⁶ Both the investigator and the witness referred to [REDACTED] as "[REDACTED]."

³⁷ It is unclear whether [REDACTED] meant "the deputies were with *him* [Anthony W.] the entire time," or that other people "came around" later and deputies were with those people the entire time.

³⁸ Ingels stated in his report: "To date (February 27, 2018), not a single witness that we have interviewed was interviewed by law enforcement. This is especially noteworthy regarding [REDACTED] because the two officers present at the shooting no doubt know that she is an eyewitness to the confrontation between the officers at the rear gate and to the shooting. Yet, she has never been interviewed...So far, all of the witnesses seem credible and there is no sign that they are embellishing. This is especially true with [REDACTED] as she has presented herself as very articulate, straightforward and truthful." As noted above, in the recorded interview by Biddle and Hardiman on March 7, 2018, [REDACTED] gave a wholly inconsistent statement. At no time during the 20 to 25 minute discussion of the deputy involved shooting did [REDACTED] indicate she was in the courtyard or that she in any other way witnessed the event. Furthermore, at the conclusion of the interview Biddle asked her multiple times whether she knew of anyone who witnessed the shooting and she replied she knew of no witnesses to the event.

Interview of ██████. for Civil Lawsuit

█████. was interviewed by the private investigator on February 22, 2018. According to a summary of his statement, Anthony W. was ██████.’s friend, and ██████. is ██████.’s girlfriend. At the time of the shooting, ██████. was in the upstairs apartment, and he immediately ran outside and down the stairs to the area where the deputies were “standing over” Anthony W. The deputies had their guns drawn and they ordered him and the other individuals who later came outside to “stay back.” ██████. was one of the first persons to come outside and when he approached the deputies he saw ██████. standing in the courtyard looking toward the deputies and Anthony W. ██████. did not recall if Anthony W. “was drunk or not.” ██████. did not see Anthony W. in possession of a gun the night of the shooting or at any other time.

Jail Calls

Investigators discovered numerous jail calls relevant to the investigation. Several of those calls were made to Anthony W. before the shooting on February 4. The remaining calls occurred on the day of, and in the weeks following, the shooting.

The communicating parties include: inmate ██████., a known 107 Hoover gang member with the monikers “█████” and “█████r;” ██████.; ██████.,³⁹ a young man being held at a juvenile hall facility; and aforementioned 107 Hoover gang members ██████., known as “█████” and “█████,” and ██████., known as “█████.”

January 28 and 29, 2018 calls to Anthony W.

█████. called Anthony W. from jail on consecutive days and in the calls referred to Anthony W. as “my Tiny,” “Tiny Ragger,” and “T.R.” During the calls, both men repeatedly called out “Hoover,” “Hoov,” and “Selo,”⁴⁰ and frequently affirmed statements with the phrases “on the set” and “on Hoover.” They also referred to the neighborhood of the gang as the “Siete.”⁴¹

February 1, 2018 call to Anthony W.

█████ called Anthony W.’s phone and initially spoke briefly with ██████. who identified himself as “█████” and “█████.” Before speaking with Anthony W., ██████. spoke with an unidentified man with whom the following exchange occurred regarding the activity of the gang:

Unidentified:ready to get the gunners up. Opening doors, bro. Y’all n-ggas out there, brother... coming up to the gunners now.

█████.: Yeah! It’s that time. It’s that time.

Unidentified: Yeah, got a gangbanger [unintelligible] coming up to be gunners...

³⁹ There is a discrepancy between reports as to ██████’s last name. ██████., the designation used by Biddle and Hardiman, will be used hereafter for purposes of consistency.

⁴⁰ As mentioned above, the 107 Hoovers were also known as “Selos.”

⁴¹ Siete is Spanish for seven, in reference to 107th Street.

█████: Yeah, they need to get like my Tiny. On the real.

Unidentified: On Hoover, they do! He be doing his shit!

*February 4, 2018 call to █████.*⁴²

At 8:58 p.m., within an hour after the deputy involved shooting, █████. called █████. and the following conversation occurred:

█████: Hey, what happened?

█████: Man, T.R. gone, bro.

█████: You lying, groove... You said the police did it?

█████: Listen, it's some freaky shit, bro... The police... they hop up on T.R. and just crack on the homie, you know?

█████: When that happen? Just right now?

█████: Just now. If you were here you'd be proud of him. I can't even say what your boy does [unintelligible] over the phone...

█████. then describes his current observations of the scene, and states he can see Anthony W. "laid out" on the ground. Multiple people can be heard in the distance. █████. then describes the circumstances of the shooting:

█████: He was walking with his baby mama⁴³... He was walking at the █████⁴⁴... The police get the homie up, they point guns at him... come bust on me. It's on 107, man, I can't even. Man, this is bull-

█████: He had something on him?⁴⁵

█████: Yup.

█████: Damn, groove. They got my little n-gga, man...

█████: You would've been proud of him too, bro – 107. That's the crazy part. That's why I hate that you wasn't even there to see groove turn out the way, how [unintelligible] gunner. On Hoover, man, █████ was just talking about that.

█████: He was out there Loc'ing.⁴⁶

⁴² █████. was not identified during the call, but phone records verify him as the subscriber of the phone number; he also acknowledged the conversation in a later interview.

⁴³ In an interview on May 8, 2018, █████. stated Anthony W. was with █████. at the time of the shooting.

⁴⁴ Local residents commonly referred to the apartment complex where the shooting occurred as "█████."

⁴⁵ In the larger context of the call they are clearly talking about a firearm. In subsequent calls, █████. tells an individual what █████. had told him: "[Anthony W.] was coming out the █████.; baby mama came picked him up. I guess he had some shit on him and [the police] started cracking on him." To another he says, "Tiny Ragger ...had the little situation on him and [the police] started cracking on him."

⁴⁶ "Loc" or "Lok" is generally a reference to a gangster. To Crips it is recognized as an acronym for "Love of Crips" and "loc'ing" refers to being a gangster or doing work for and/or representing the gang.

Subsequent calls placed by [REDACTED] on February 4, 2018

In the two hours after speaking with [REDACTED], [REDACTED] placed calls to four people, relating to them his conversation with [REDACTED], whom he refers to as “[REDACTED].” The called individuals presented conflicting accounts, based largely on rumors, about how the incident occurred and whether Anthony W. had been armed at the time of the encounter with deputies.

One woman told [REDACTED] that as she had talked with people who speculated Anthony W. was unarmed, [REDACTED] indicated otherwise. She stated: “They say he didn’t even have nothing on him... That’s what they said. But when they was telling me he didn’t have nothing on him, [REDACTED] was looking at me like, you know. Like, [REDACTED] was giving me another kind of look though.”

[REDACTED] and the woman later discussed how Anthony W. had been “doing his thing,” and “putting in work” for the gang.

February 18, 2018 call to [REDACTED]

On Feb 18, 2018, [REDACTED] called [REDACTED]. [REDACTED] told [REDACTED] that on the evening of the shooting, she had gone to pick up Anthony W. to have dinner together with their baby. [REDACTED] told [REDACTED] she was “right there” at the time of the shooting and had just walked away from Anthony W. “a minute earlier.” She stated she initially did not know Anthony W. had been shot. Rather, she believed “[REDACTED]”⁴⁷ had a confrontation with the deputies because she knew “[REDACTED] had the burner.”⁴⁸ She stated “we”⁴⁹ had told [REDACTED] that the police were coming and he ran and “we” thought [REDACTED] had “got into it with [the deputies], and then someone came running telling me it was T.R.”

March 28, 2018 call from [REDACTED] to [REDACTED]

On March 28, 2018, [REDACTED] called [REDACTED] from Los Padrinos Juvenile Hall. In the call, [REDACTED] said that [REDACTED] informed her that no witnesses had come forward. [REDACTED] added, “but we got witnesses for the [civil] lawsuit.” [REDACTED] asked her if she is a witness, and the following conversation took place:

[REDACTED]: Yeah, I’m a witness. I’m not a witness to the actual shooting but I’m a witness to the before and after. And for our attorney purposes...I saw him earlier in the day with no gun,⁵⁰ saw him a minute before with no gun.”

⁴⁷ “[REDACTED]” appears to be an abbreviated form of “[REDACTED].” [REDACTED]’s phone number was found in [REDACTED]’s contact list under the name “[REDACTED].”

⁴⁸ “Burner” refers to a firearm.

⁴⁹ [REDACTED] did not clarify to whom “we” referred. As noted above, [REDACTED] indicated that she was with [REDACTED] immediately prior to, and during, the shooting.

⁵⁰ However, see discussion below. In text messages exchanged hours before the shooting, Anthony W. asked [REDACTED] to bring him several items of ammunition.

█████: And they didn't find no gun, so...

█████: And then █████

█████: Is it true that he did have a strap⁵¹ and really when he r...

█████: [interrupting] Well see, we cannot talk about this on a recorded line, sir.⁵²

█████: Oh. Oh, my bad. Shit.

█████: Your phone's recorded, and my phone's [unintelligible].

█████: Yeah, I take...

█████: My phone's recorded and your phone's recorded.

█████: Yeah, I'm taking that up.

█████: They tapped our phones. You know that.

█████: Yeah, I'm taking that [unintelligible] for sure [unintelligible].

█████: We'll talk details later. But we do have a witness – █████⁵³ – to the actual shooting.

█████: Oh, so we talking about █████?

█████: No no, the other one...with the red hair...She's █████, sorry...She saw the whole thing...She talked to our investigator...She already said she's gonna do it for us. She doesn't have a choice. I'm pressing them, all of them. I'm gonna press the fuck out of the Locs, and the Locs are gonna get them to cooperate...I don't think she's gonna back out...I'm not worried about her, I'm worried about others with cases because they might flip. So witnesses are me, Papa █████ his mama. That's it. We're the three main focus of the lawsuit.

April 7, 2018 call from █████.⁵⁴ to █████.

On April 7, 2018, █████. told █████. that investigators who interviewed him accused him of giving a gun to Anthony W., which was used in an assault on a vehicle. █████. said the investigators showed him his Facebook Live video with him and “█████,” which depicted him with a “toy gun.”⁵⁵ He told █████. that the video did not show Anthony W. with the gun.

⁵¹ A “strap” is street vernacular for a firearm.

⁵² All jail calls are monitored and callers are advised periodically that the calls are being recorded.

⁵³ “Lady” is often used to refer to the girlfriends or wives of gang members.

⁵⁴ Jail records establish the call was placed by █████. In this and other calls, █████. was referred to as “I█████” or “█████” by himself and those with whom he spoke. His arrest on April 1 is discussed below.

⁵⁵ █████. had admitted to the investigators on April 2, 2018, that the gun in the video was real. See below.

April 7, 2018 call from [REDACTED] to [REDACTED]

Later that day, [REDACTED] placed a jail call to [REDACTED]. [REDACTED] told [REDACTED] that she talked to "[REDACTED]" earlier and that law enforcement dropped the four attempted murder charges for which he was arrested, but were investigating him for "handing off a burner to T.R.... 'cause T.R. doing that shooting."⁵⁶ She then said, "I hope he bails out soon because we're not gonna talk about it...on the phone."

Interview of [REDACTED] on April 2, 2018

[REDACTED] was arrested on April 1, 2018, with [REDACTED] and two other men for a [REDACTED]-[REDACTED]. LASD Homicide investigators interviewed [REDACTED] on April 2, 2018. In the interview, [REDACTED] admitted he was a 107 Hoover Criminal gang member with the moniker "[REDACTED]k." He told investigators he had not been involved in gang activity for two years; however, when confronted with the Facebook Live video he created two months earlier, he stated he was in fact "on patrol and posted" while recording the video. He acknowledged the video was created on February 2, 2018, at the apartment complex where the shooting of Anthony W. occurred. He viewed the entire video and identified himself and Anthony W.

[REDACTED] stated he was friends with Anthony W., but did not know him well. He stated he did not know if Anthony W. was a gang member and did not know much about his personal life. He said he knew of [REDACTED] and [REDACTED], but did not know them well.⁵⁷

[REDACTED] watched portions of the video in which Anthony W. made verbal references to the 107 Hoover gang. He also watched Anthony W. display multiple 107 Hoover gang signs, including the "7" sign with his thumb and index finger. [REDACTED] acknowledged the sign represented the 107 Hoovers, but stated it did not necessarily mean Anthony W. was a gang member. [REDACTED] viewed himself displaying the same hand sign and repeating phrases such as "107," "Hoover," and "on the Siete," throughout the video.

[REDACTED] told Biddle and Hardiman that the handgun he pointed at the camera was a real firearm. He said the firearm was a "hood gun" used by various Hoover gang members, but refused to disclose how he came into possession of the gun that day, and stated he did not remember to whom it passed afterward. [REDACTED] confirmed that LAPD officers arrived at the apartment a few hours after the video was uploaded, and that, of the five men and two women who were in the apartment during the video, only Anthony W. was absent when the officers arrived. He also acknowledged the officers did not find the firearm at the location:

Hardiman: When the police showed up, the only guy that wasn't there was Anthony. You know what else wasn't there?

[REDACTED]: What? [begins laughing]

Biddle: Anthony took over the shift, huh?

⁵⁶ Based on the earlier call to [REDACTED], she is referring to the assault on Doe.

⁵⁷ In several jail calls between [REDACTED] and [REDACTED] in the first two weeks of April, [REDACTED] called [REDACTED] "sis[ter]" multiple times. In the calls he both confided in her and asked her for favors.

██████████: [In sarcastic tone] I don't know, man. I don't know [chuckles]. I can't tell you nothing, man. I don't know. I want to be so helpful.

Hardiman: We understand you can't tell us...

██████████: [With continued sarcastic tone] I want to be so helpful, but I can't.

When asked again later whether he gave the gun to Anthony W., he stated, "I don't know who I gave that gun to. It's not shown in the video."

Investigators showed ██████████ a photograph of the modified Smith & Wesson handgun found at ██████████'s home. ██████████ looked at the photograph and said, "I don't know what gun that is...It can't be the one I had in the video...because it don't look like that." Investigators retorted, "It looks exactly like it, dude!" ██████████ then responded, "I don't know if it's the same as that one, though." Pointing to the red dot sight in the photograph, Hardiman asked ██████████ if he knew what the optic was and ██████████ said, "No." When asked if the gun he had on February 2, 2018, had a glass "window that you look through," ██████████ said it did not. He then stated, however, "It looks like it did on that picture though," referring to a still frame image from the video showing ██████████ holding the handgun.

Investigators asked ██████████ about his knowledge of the deputy involved shooting. He replied that on February 4, 2018, he had taken an early morning bus to Las Vegas, where he usually stays with family members. After watching the Super Bowl, he was informed by telephone that Anthony W. had been shot by a deputy. He stated that from the time of the incident, "the whole city" had been talking about it, but to his knowledge no one claimed to have witnessed the shooting.

After concluding the interview, investigators returned ██████████ to his cell. As they parted, Hardiman said, "Hey, ██████████? That's a very unusual gun that you had, okay? It's a very distinctive looking gun...That's the gun that Tiny Ragger had when he got shot...You had it two days before. You live streamed it on your video...It's got that optic on it...It's just a very unusual looking gun...We know that that gun that Anthony had is the same gun that you had." ██████████ responded, "What that got to do with me, though?"

Recorded Jail Cell Conversations of ██████████

Investigators surreptitiously recorded conversations of ██████████ and his jail cellmate. ██████████ told his cellmate that the investigators confronted him with a video showing him with a gun. He admitted to his cellmate that he had the "distinctive looking gun" that Hardiman said Anthony W. possessed:

██████████: They saying that the gun he had, I had. They had a picture of me holding the gun just now...I went live [on Facebook]...I pulled it out, flashed it a little bit.

So they ain't charging me with the gun, they just trying to see if that's the same gun he had when he died...What they trying to say is that I had the gun first and I gave it to him and he got killed with it...What it was is, I had

video of the gun. The gun is like an original gun, it had the beam on it, scope and all that.

Cellmate: Damn...you had some high power shit.

██████████: Yeah, I had some-. Yeah [chuckling].⁵⁸ So I guess when the police shot the homie they said they seen the scope on the gun when they shot him. But even though they didn't find it, they said they seen it had a scope on it. So now they see the gun I had had a scope on it and they trying to say it was the same gun he had...But even if it is the same gun he had, what the fuck that got to do with me? ...On the video, yeah I got the gun. Yeah it's me. Y'all see it's clear as day right here. So what the f-. What? ...Even if I did give [unintelligible] to him, they can't charge me with no murder, right?

Later in the conversation, ██████████. responded affirmatively to his cellmate's statement: "That's why your homie [Anthony W.] was out there patrolling the hood."

Interview of ██████████ on April 18, 2018

On April 18, 2018, investigators interviewed ██████████. and seized her cell phone pursuant to a search warrant. Biddle and Hardiman asked ██████████. about the March 28, 2018 jail call with ██████████. ██████████. identified ██████████. as a juvenile gang member, and one of Anthony W.'s closest friends. ██████████. identified "██████████," mentioned in the call, as a woman with red hair named "██████████" or "██████████" who was one of Anthony W.'s friends.⁵⁹

In reference to the jail call from ██████████. on February 18, 2018, investigators asked ██████████. about her statement that she warned ██████████⁶⁰ that "One Time"⁶¹ was coming. She denied making the statement, and also denied making the statement that ██████████. had a gun or a "burner." ██████████. declined to listen to recordings in which those statements were made.

When asked about her knowledge of the deputy involved shooting, ██████████. stated she was not in the area until shortly before the shooting. She had parked her car on 107th Street two buildings to the west of the New Jacks apartment complex. Anthony W. was in the ██████████. courtyard alone – and not with ██████████. – when she called him over to her. ██████████. said she was with Anthony W. "right before the shooting" and had just left him at the front of the ██████████. complex and was walking to her car when the shooting occurred. ██████████. terminated the interview when the investigators asked where Anthony W. went when she walked to her car.

⁵⁸ ██████████. later said of the gun to his cellmate, "Everyone want[ed] that motherfucker."

⁵⁹ ██████████. had red hair and was called "██████████." She maintained a social media account under the name "██████████."

⁶⁰ See Footnote 45 above, identifying ██████████. as ██████████.

⁶¹ "One Time" is a reference to law enforcement.

Analysis of Cell Phones Belonging to [REDACTED] and Anthony W.

In July 2018, investigators received digital forensic evidence from the cell phones of Anthony W. and [REDACTED]. The contact in [REDACTED]'s cell phone listed as "[REDACTED]" was determined by phone records to be [REDACTED].

The cell phone analysis also revealed a text message exchange between Anthony W. and [REDACTED] in the late morning of February 4, hours before the deputy involved shooting. In that exchange, Anthony W. asked [REDACTED] to provide him with ammunition:⁶²

[REDACTED]: What else do you need baby?

Anthony W.: Can you bring me a box of 38 shells not 380 [but] 38.

[REDACTED]: I got you. Where you watching the super bowl? We still going to eat after?

Anthony W.: I'm probably [REDACTED]⁶³ house and yea [where] u gone b at while I watch the game and yea after the game we going to eat u buster but I need them shells ASAP like rocky.

[REDACTED]: Probably my uncles in Compton so I'll be close by! I'll head to you[r] house before the end of the game so I can be that way. Ok baby I'll head straight to get the shell!

Anthony W.: ...I need some 22 baby[,] them ones u got at first not short

[REDACTED]: Ok baby you need them today?

Anthony W.: Yea [like] ASAP.

In the late afternoon of February 5, less than 24 hours after the shooting, a contact named [REDACTED]⁶⁴ initiated the following exchange with [REDACTED]:

[REDACTED]: [REDACTED] take down the photos with all the gang banging. The police trying to tie him [Anthony W.] as a gang member.

[REDACTED]: I'm on it already.

[REDACTED]: Ok facebook. Too.

[REDACTED]: I'm working on getting back into Facebook.

In addition to text messages, investigators also discovered that Anthony W. had sent images of five handguns to [REDACTED] on January 26, 2018, nine days before the deputy involved shooting. Four of the depicted handguns appeared to match handguns found at the home of [REDACTED] during the March 7, 2018 search. The fifth image sent by Anthony W. depicted a handgun that appeared to match a Springfield Armory handgun found on March 7, 2018 during a related search of the apartment depicted in the Facebook Live video.

⁶² Anthony W. referred to three types of ammunition: .38, .380, and .22 caliber rounds.

⁶³ [REDACTED] was commonly referred to as "[REDACTED]."

⁶⁴ [REDACTED] and Anthony W. had the same last name. Their relationship, if any, was not determined.



Figure 8. Four images of handguns sent by Anthony W. to [REDACTED] on January 26, 2018 (left) matched four of the six handguns recovered from the home of [REDACTED] on March 7, 2018 (right), including the Smith & Wesson M&P9 (bottom right).

Additionally, investigators discovered a digital note on Anthony W.'s phone that read, "32 caliber automatic 2 boxes," dated June 26, 2017. They found images of Anthony W. in the company of other gang members, and images of Anthony W. alone displaying 107 Hoover gang signs.

Interview of [REDACTED] on May 8, 2018

When [REDACTED] was detained with [REDACTED] and two other men on April 1, 2018, he admitted to the detaining deputies that he, like [REDACTED], was an active member of the 107 Hoover Criminal gang, known by the moniker “[REDACTED].” The two other men admitted they were active members of the 92 Hoover Criminal gang. [REDACTED] was cited and released on a firearm charge, and then re-arrested on May 8, 2018, on a warrant obtained by Biddle. He was interviewed the same day. During the interview with Biddle and Hardiman, [REDACTED] verified his cell phone number, which matched both the phone records obtained by the investigators, as well as the contact information for “[REDACTED]” in [REDACTED]’s phone.

Investigators played the February 4, 2018 jail call from [REDACTED] to [REDACTED], which [REDACTED] placed shortly after the shooting. [REDACTED] initially told investigators that when he said “T.R.” was dead, he was referring to another T.R., not Anthony W. After listening to the recording, [REDACTED] said he did not witness the shooting but was in the driveway of an apartment complex near the [REDACTED] apartment. He heard several gunshots and began running eastbound toward the sounds. He crossed to the north sidewalk and looked south into the courtyard of the [REDACTED] complex, where he saw Anthony W. lying on the ground in the courtyard.

When asked about [REDACTED]’s question, “Did he have something on him?” and [REDACTED]’s response, “Yup,” [REDACTED] explained that his answer was based on information that he learned from “word on the street.” [REDACTED] then explained he believed [REDACTED] was with Anthony W. when he was shot. [REDACTED] saw her running immediately after the shooting and she told him, “They shot A.J.!” When [REDACTED] asked her why, she replied, “He had a gun...They seen a gun.” Investigators showed him a picture of the guns recovered from [REDACTED] S.’ apartment, including the modified Smith & Wesson M&P9 pistol. [REDACTED] denied having had access to any of the guns.

Recorded Jail Cell Conversations of [REDACTED]

After the interview, Hardiman escorted [REDACTED] to his jail cell and told him he had “a lot to think about” because they knew about Tiny Ragger, the 107 Hoovers, and the guns recovered from [REDACTED]’ apartment. [REDACTED] responded, “You got all that, why you need me, though?”

[REDACTED] was placed in a cell with another inmate, and investigators surreptitiously recorded conversations between the two men.

[REDACTED] introduced himself to his cellmate as [REDACTED]. He further referred to Anthony W. as “my young homie.” The cellmate said he had heard some news of the shooting incident and “the word” on the street was that during the foot pursuit Anthony W. threw the gun and “one of his homies” picked it up. [REDACTED] responded, “That’s what I heard,” but explained he was not present and did not learn about the shooting until the next day because he was working.⁶⁵

⁶⁵ This statement is contrary to his call with [REDACTED] on the night of the shooting, as well as his statement to investigators.

Additional Evidence Provided by ██████. in September 2019

In September 2019, ██████. provided Biddle with video-recorded witness interviews conducted by a private citizen whom ██████. knew as “█████.”⁶⁶ The interviewed persons included ██████. and ██████., who had previously provided statements to Biddle and Hardiman. A previously uninterviewed woman, who was not identified in the video, also provided a recorded statement. ██████. stated he was present at several of the interviews.

Interview of ██████. on December 8, 2018

In an interview conducted by ██████. on December 8, 2018, ██████. gave an account of the shooting that differed significantly in key parts from her law enforcement interview on February 5, 2018.

█████. stated that after the Super Bowl ended, she accompanied Anthony W. to the ██████. apartments. As they were at the fence near the southwest hallway, two deputies, both of whom appeared to be Hispanic, came through a hole in the fence and said, “Stop, or we’re going to shoot you!” ██████. and Anthony W. raised their hands but ██████. did not know they were law enforcement.⁶⁷ Anthony W. fled into the hallway and the two deputies ran in pursuit.



Figure 9. LASD crime scene photograph of the rear hallway, viewed from the fence area. At the end of the hallway is the storage room shown in an open state. The hallway opens only to the left into the courtyard (not visible, but see Figure 4 for reference).

⁶⁶ The man’s identity was not verified; he is hereafter referred to as ██████. An Internet search revealed ██████. to be the host of a YouTube page with citizen-produced videos primarily relating to purported police misconduct and racial injustice. The interviews by ██████. were highly problematic. The injection by ██████. of personal commentary, suggestive remarks, convoluted phrasing, and speculation made the witnesses’ answers difficult to interpret.

⁶⁷ In her initial interview, she stated she and Anthony W. saw the patrol car on the street and wondered where the deputies were just prior to the contact. She also stated that Anthony W. ran because “everybody run from the police,” indicating Anthony W. was aware of their identity at the time he fled.

Contrary to her repeated assertion in her first interview that she was “stuck” in fear at the fence and never entered the hallway, ██████ stated she followed the three men into the hallway and to the edge of the courtyard. She led ██████ to the hallway terminus where it connected with the courtyard, next to a storage room that was locked at the time of the pursuit.

██████ demonstrated her alleged perspective from the end of the hallway into the courtyard during the shooting. See Figure 10. She stated, “The first sheriff literally came in this corner and started immediate shooting,” and then ran into the courtyard. ██████ stated that she came to the corner and saw Anthony W. running north through the courtyard with his hands up, yelling, “Don’t shoot!” She further stated she did not see a gun in Anthony W.’s hands at any time, nor did she see him discard any object.⁶⁸



Figure 10. Still frame of interview video showing ██████’s purported view into the courtyard during the shooting.

Despite her alleged witnessing of the shooting, ██████ provided no meaningful details about the shooting, such as relative positions of the deputies and Anthony W., words or actions during the shooting, Anthony W.’s fall to the pavement, or the conduct of the parties immediately after the shooting.

Later in the interview, when they had walked to the front of the building, ██████ revisited the subject of the shooting and asked, “How many shots did you hear from when you were standing there [at the hallway opening]?” ██████ described four initial “boom” sounds – which she later modified to ten rapid, successive gunshots, in response to leading questions by ██████ – followed by a two-second pause, and then a second volley of ten successive gunshots. When she described the entire shooting event, ██████ asked ██████ if she saw both deputies shooting.

⁶⁸ This is inconsistent with ██████’s statement to investigators in which he said ██████ ran to him immediately after the shooting and said, “They shot AJ!” When ██████ asked why, she replied, “He had a gun...They seen a gun.”

She responded, “By then, I didn’t see it, but I heard it. It sounded like both of them were shooting.” █████ repeated her description with apparent surprise, emphasizing, “It *sounded* like.”⁶⁹ █████ claimed that she remained in her position during the entire shooting incident. She stated that after the shooting she did not enter the courtyard because the second deputy had turned and pointed his gun directly at █████ and “was waving his gun around at everyone.”⁷⁰ Sometime later, deputies ordered her back out of the hallway to the side of the building, and she walked to the sidewalk. She stated that from the sidewalk she watched the front entrance of the apartment complex and did not see anyone run out with a gun.

█████ saw at least ten people in the courtyard as police units began to arrive. She returned to her apartment complex and watched as additional units responded. An ambulance arrived approximately 30 minutes later but the medical personnel did not enter the premises; at one point, they walked to the gate and then returned to their vehicle. When asked for her final thoughts regarding the incident, █████ said of Anthony W., “He was an unarmed black kid that did nothing wrong.”

Interview of Unidentified Resident on Unspecified Date

In an undated video recording, █████ interviewed an unidentified female resident in the courtyard area of the apartment complex where the shooting took place.

The witness stated she was a decades-long resident of a downstairs unit near the courtyard. She was in her apartment when she heard one “load” of gunshots, followed by five gunshots approximately two seconds later. She did not hear any sounds of running, conversation, or verbal commands prior to the shooting. After calling 9-1-1, she ran out into the courtyard and, from a distance of approximately thirty feet, saw Anthony W. lying on the ground in the entryway, with a deputy standing nearby. “All [of Anthony W.’s] friends” were on the stairs yelling for deputies to render aid to Anthony W.⁷¹ The witness wanted to help Anthony W. as he struggled to breathe, but the deputy said, “Don’t get near him!”

The witness disputed deputies’ statements that forty people were in the courtyard, because “everybody was so terrified they stayed inside their house.” The witness initially said approximately five people were “down here,” but later said, “The only people that came out was myself and another neighbor...because our door is just right there.”⁷² The witness was never asked to identify or describe the neighbor.

⁶⁹ Because of the poor communication by both speakers, and █████’s qualifier “by then,” it is unclear whether █████ meant that she saw the first volley and for some reason did not watch the second volley, or that she did not see either volley. In context, when █████ asked if she saw both deputies shooting, he appeared to be asking about the entire shooting incident – both first and second volleys – which is consistent with his surprise when she said “it *sounded* like both of them were shooting.”

⁷⁰ █████ did not clarify the sequence of events or when “everyone” appeared.

⁷¹ The witness and interviewer did not clarify the number of friends or on which stairs they stood.

⁷² In context it is possible the witness included the deputies and Anthony W. in her assessment of five people in the courtyard, which is consistent with her later statement that only she and her neighbor came out of their apartments.

Interview of ██████. on November 24, 2018

On November 24, 2018, ██████.⁷³ was interviewed by ██████ in the courtyard of the apartment complex where the shooting occurred. ██████. stated that on February 4, 2018, she was in the apartment at the top of the northwest stairs near the building entryway. Shortly before the shooting, Anthony W. came to the apartment from a neighboring residence and retrieved a jacket he had left earlier at the residence. After Anthony W. went downstairs, ██████. went “to go get him to tell him come back into the house.”⁷⁴ ██████. then stated, “When [the deputies] came they already had their guns drawn out on him and they just kept telling him to put his hands up – and his hands was up – and they said, ‘Don’t move or I will shoot you,’ and that’s when he ran.” She said Anthony W.’s hands remained up as he ran and the deputies, without issuing any additional commands, “just started shooting once he was running.” Anthony W. fell to the ground when he was shot in the back.

When asked how she observed the shooting, ██████. said she was standing near the southwest flight of stairs when Anthony W. and the deputies ran past her. ██████. demonstrated her position between the southwest stairs and the hallway, as well as her orientation, facing east. She did not explain how or when she arrived at that position or how she observed the events that occurred at the fence.



Figure 61. Still frame of interview, in which ██████. demonstrated her position and orientation during the pursuit and shooting. The image perspective is from the position indicated by ██████. in Figure 10.

⁷³ In identifying herself in the video, ██████. pronounced her name “██████” in the same manner as ██████. in the jail call with ██████.

⁷⁴ ██████. did not explain in this interview why she wanted Anthony W. to return to the apartment. In the interview with ██████. ██████. did not provide a cogent, sequential statement, but rather gave a disjointed and undetailed account as presented below.

From the indicated position, [REDACTED] pointed directly in front of her and stated, “From this point they were standing right here, running and shooting” in a single continuous volley of 18-20 gunshots. She indicated the path of the pursuit northward toward the front entrance and said, “they just kept shooting until he fell.” [REDACTED] said deputies fired additional rounds when Anthony W. was on the ground. She also stated that at no time during her observations did she see Anthony W. with a gun.

[REDACTED] then said, “After that, everybody started coming outside but they were still on the stairway⁷⁵ and [the deputies] started already taping it off. Everybody was just yelling at them, saying profanity... They didn’t even let nobody get close to the body or nothing and they just telling us to back up and go in the house.” [REDACTED] was asked whether anyone tried to “attack the deputies from the behind or try to get the gun,”⁷⁶ and she responded they did not. She stated that “we” were only yelling, “Why did [you] do that to him?” “He’s a young boy!” and some exclaimed, “[Fuck] the police!” [REDACTED] said that as she remained near the hallway in the courtyard, the deputies did not say anything to her. She further stated that [REDACTED] “was still in the back. She never came out here.”⁷⁷

After the shooting, [REDACTED] entered the upstairs apartment and later came out to watch crime scene personnel document evidence in the courtyard. Residents were not allowed to leave the premises until approximately 8:00 a.m. the next morning, at which time people began arriving with candles, and the news media began reporting at the scene. [REDACTED] stated no law enforcement officers asked her about her observations; however, she was not asked by [REDACTED], nor did she explain on her own initiative, why she did not attempt to tell the many law enforcement personnel she was watching, or the news media that arrived, about her alleged observations of the shooting.

Interview of [REDACTED] on December 28, 2018

In a follow up interview with [REDACTED] on December 28, 2018, [REDACTED] stated that before the shooting occurred she was on her way to tell Anthony W. to return to the apartment. She learned deputies “just rolled up” to the location with no lights or sirens, and she “didn’t want him to get in any trouble.”⁷⁸

[REDACTED] stated Anthony W. was with [REDACTED], whom [REDACTED] knew from school. Anthony W. ran past [REDACTED] as she stood by the southwest stairs, and the deputies followed from the hallway.⁷⁹ Without any warning to Anthony W., the deputies “stopped in the middle of the courtyard and really just started shooting” at him as he ran. The deputies fired several rounds into his back, causing him to fall forward to the ground. He rolled over onto his back, and the

⁷⁵ [REDACTED] indicated the northwest stairs, partially visible beyond the stairs in the foreground of Figure 11.

⁷⁶ It is unclear whether [REDACTED] purposely referred to *the* gun, which appears to acknowledge the presence of a firearm.

⁷⁷ In this and the following interview, the context makes clear that [REDACTED] was conveying that [REDACTED] was “in the back” at the fence, as opposed to the back of the courtyard, as apparently misunderstood by [REDACTED]

⁷⁸ [REDACTED] again did not explain why she believed he would “get in any trouble.”

⁷⁹ As before, [REDACTED] provided a disjointed account and failed to provide details beyond the statements documented herein. [REDACTED] again did not explain how she had come to arrive at her position near the stairs, or whether she was with Anthony W. before he ran past her. Later in the interview, however, after a break in the recording, she stated she was at the fence when deputies confronted Anthony W. See discussion below.

deputies continued to shoot. They then stood in front of Anthony W. to prevent anyone from going near him. Later in the interview she stated that immediately after the shooting “they just ran to the body, taped it off...”⁸⁰

After approximately nine minutes of continuous interview footage, the video recording was edited. The video resumes eight minutes later⁸¹ with questioning by [REDACTED] in the same setting. In the ensuing portion of the interview, [REDACTED] stated in unequivocal terms that she was present at the fence, “standing there” with [REDACTED] when a light suddenly shone in [REDACTED]’s face. She said the deputies never identified themselves and she did not know they were law enforcement.⁸² [REDACTED] then stated she and Anthony W. “ended up in the courtyard...at the same time,” suggesting they ran together from the fence. However, in a statement that followed, she said, “I walked out and I was by the stairways and then A.J. was still running.”⁸³

At the conclusion of the interview, [REDACTED] stated she believed Anthony W. ran from the deputies because he might have been “a little drunk” and “under the influence” and was “probably scared for his life” when he saw the guns and the lights pointed at him. [REDACTED] stated she believed the deputies “executed” Anthony W. without cause.

There were several moments in [REDACTED]’s interview that do not appear to be consistent with her claim that she personally witnessed the described events. In one example, after clarifying that she was unsure whether Escobedo fired his weapon, but was certain of Van Hoesen, [REDACTED] asked for a basic physical description of Van Hoesen. [REDACTED] struggled to provide meaningful detail.⁸⁴ She described Van Hoesen as “Latino or something like that,” consistent with [REDACTED]’s description to [REDACTED] that both deputies appeared to be Hispanic. When asked for further detail, [REDACTED] offered that he was “like, tall, a little bit.” She could not remember any details about his hair. Van Hoesen, who is Caucasian, stands at a height of six feet and four inches, and had a cleanly shaved head on the night of the incident.

At another point in the interview, [REDACTED] stated that when Anthony W. fled, he got well ahead of the deputies because Van Hoesen had difficulty passing through the gate.⁸⁵ She began to say, “They said somebody got [caught]...” – speaking as if repeating an account that she had heard from others. She abruptly stopped herself, closed her eyes, and shook her head and then began again, “Somebody got caught on the gate,” reframing the account in an eyewitness perspective.

⁸⁰ [REDACTED] did not explain how Van Hoesen and Escobedo came to be in possession of crime scene tape without leaving the premises. Additionally, crime scene photographs show the crime scene tape encompassed the entire courtyard, not the area immediately around Anthony W. See Figure 3, above.

⁸¹ Based on video-recorded references to [REDACTED]’s cell phone, there is a period of approximately eight minutes for which there is no account. [REDACTED] made no reference to the break in the recording.

⁸² This is inconsistent with her statement earlier that she knew deputies had “rolled up” and that she was concerned that Anthony W. would “get in trouble” with law enforcement.

⁸³ It is unclear how [REDACTED] and Anthony W. could be together at the fence yet arrive in the courtyard at the same time if he ran and she “walked out” from the fence area.

⁸⁴ Prior to answering, [REDACTED] hesitated for five seconds, during which she shifted her eyes to and away from the camera, swallowed in a pronounced manner, and shifted her head and shoulder.

⁸⁵ It is unclear whether [REDACTED] was referring to the iron gate at the hallway entrance or the opening in the fence.

Additional Evidence Provided by [REDACTED] in January 2023

On January 6, 2023, [REDACTED] provided three additional videos to the District Attorney's Office. Two of the videos were duplicative of the video interviews by [REDACTED] of [REDACTED] and [REDACTED] described above. However, he also provided an internet link to a YouTube video interview entitled "AJ Witness 2023" on a YouTube channel entitled "[REDACTED]" and with a date of January 4, 2023.⁸⁶ The interview subject identified himself as [REDACTED]⁸⁷

[REDACTED] stated he remembered the deputy involved shooting "like yesterday," and explained that he had arrived in the area of the incident to go to a "friend's house."⁸⁸ He saw "A.J." with [REDACTED] [REDACTED].⁸⁹ and told them to be careful because they were walking to the store.⁹⁰ As he was walking up the stairs, he heard gunfire and stopped and wondered where it was coming from. He was concerned for Anthony W. and [REDACTED]. A few seconds later, [REDACTED], [REDACTED], and a few others were running and approached the apartment to tell [REDACTED] that "the police just shot A.J." [REDACTED] turned around and "started running back over there to look." He could see the police officer standing over Anthony W. "just firing."

The interviewer did not follow up on [REDACTED]'s statement that a deputy was standing over Anthony W. "just firing." Rather, he asked [REDACTED] whether he saw a gun on the ground or near Anthony W., to which he replied he did not. The interviewer asked [REDACTED] if he saw any patrol cars when he ran to the shooting location and he replied, "I didn't see no Sheriff cars. Like when me and him was..."⁹¹ [REDACTED] stopped and rephrased, "When I came up...I didn't see any Sheriff cars approaching. I would've told him don't even leave the gate at the moment till, let's see what they gonna do or what's going on."

[REDACTED] stated he did not hear any sirens and that "the only thing I heard when I was getting ready to go up the stairs was firing. And that's what made me stop in my tracks to look, like 'Where's that coming from?'" [REDACTED] stated he heard about five or six "steady going" gunshots. He remembered seeing Anthony W. and [REDACTED] "walking out the gate, so when I'm hearing the shots the only thing I can think about is 'they okay? Is anybody shooting at them?' It just so happened when I run back around, police officer firing at A.J." Again, the interviewer did not ask [REDACTED] whether he personally saw the deputy shooting at Anthony

⁸⁶ The interviewer appears to be the same individual known as "[REDACTED]" who conducted the latter interviews of [REDACTED] and [REDACTED]. No date is specified during the interview. The duration of the video is less than four minutes.

⁸⁷ The subject's identity was not verified by any official documentation in the video. However, the last name he provided is the same as that of [REDACTED] identified and discussed elsewhere in this memorandum. Detective Hardiman verified the individual appeared to be [REDACTED].

⁸⁸ [REDACTED] did not indicate whether the "friend's house" was the same apartment complex where the shooting occurred; however, elsewhere in the interview he stated he "ran back" to the apartments where Anthony W. was shot. [REDACTED] made several potential inconsistent statements in the interview, including that: he was coming from work, but also that he was getting ready to go to work; that he "pull[ed] up" to the location, but also that "my girl dropped me off from work," but also stated he was going upstairs because his "girl" was staying in an apartment upstairs.

⁸⁹ He referred to [REDACTED] as Anthony W.'s "little girl [REDACTED]"

⁹⁰ He did not explain why he told them to be careful.

⁹¹ The only other male that [REDACTED] mentioned up to that point in the interview, apart from the deputy, was Anthony H.

W., but only asked, “Now when he was standing over A.J., was he yelling out commands Pointing his weapon at everybody? Or what was the demeanor of the sheriff?” [REDACTED]. replied, “The only thing I heard was firing. I didn’t hear him tell him nothing...I just heard firing as I’m going up the stairs....I didn’t hear nothing, sir.” The video ended after the latter statement.

Press Releases

Several news sources provided ongoing coverage of the deputy involved shooting, commencing on February 5, 2018. As early as February 8, 2018, media sources reported the investigators’ belief that the handgun seen by Van Hoesen had been taken from the location by unknown persons.

Evidence of Anthony W.’s Gang Membership

According to LAPD gang experts, Anthony W. was a known Hoover Criminals gang member, with a moniker of Tiny Rag. Anthony W. was found to have had several tattoos on his body indicating membership in the 107 Hoovers gang. [REDACTED].’s cell phone contained images of Anthony W.’s gang tattoos and other evidence that Anthony W. associated with gang members, including [REDACTED]. and [REDACTED].⁹² Investigators also found evidence of Anthony W.’s gang affiliation in social media, including his Facebook account and [REDACTED].’s social media accounts.⁹³

FIREARMS AND DNA ANALYSIS

Van Hoesen’s service weapon was examined and determined to be functional. Test fire samples were obtained and compared with one bullet recovered at the scene and six bullets recovered during the autopsy of Anthony W. The seven recovered projectiles were determined to have been fired from Van Hoesen’s Glock pistol. No determination could be made regarding a severely damaged bullet jacket fragment found at the scene.

Each of the six firearms recovered from the residence of [REDACTED]. on March 7, 2018, was also examined and determined to be functional. Each firearm contained a fully loaded magazine with live rounds.

During the course of the investigation, reference DNA samples had been obtained from [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and Anthony W. Anthony W. was included as a contributor to the samples obtained from the zippers of the Raiders backpack. According to the DNA analysis: “The DNA profile is approximately 6×10^{10} times more likely if it originated from Anthony [W.] and three unknown individuals than if it originated from four unknown individuals. This analysis provides very strong support for the proposition that Anthony [W.] is a contributor to the DNA obtained from this sample.”

⁹² A text message sent from [REDACTED]. to “[REDACTED]” on February 1, 2018, read: “I just left. im with tiny ragger and bullet and bad.”

⁹³ The evidence consisted of written and verbal references to “Hoover(s)” as well as images showing Anthony W. displaying 107 Hoovers gang hand signs, including displays in the presence of [REDACTED] B.

MEDICAL EXAMINATION

The Los Angeles County Department of Medical Examiner-Coroner (Coroner) performed an autopsy of Anthony W. and identified 16 gunshot wounds (GSWs) and graze wounds.⁹⁴ Seven projectiles and one small jacket fragment were recovered during the medical examination.

The medical examiner identified four fatal GSWs, seven nonfatal GSWs, and five graze wounds.

There were three wounds to the front of Anthony W.'s body.

- GSW #1 was a fatal wound to the left chest. The projectile traveled front to back, slightly right to left, and slightly upward, penetrating the left lung, and terminating in the left back.
- GSW #2 was a nonfatal wound of the abdomen, one-half inch right of the midline, adjacent to the navel. The projectile traveled upward without penetrating any organs and terminated in the anterior central chest.
- GSW #3 was a fatal wound of the abdomen, three inches right of the midline. The projectile traveled upward, right to left, and slightly front to back, penetrating several vital structures including the liver, abdominal aorta, and left lung, terminating in the left clavicle area.

GSW #4 was a nonfatal wound of the left forearm, entering the posterior medial aspect and exiting the anterior medial surface.

The medical examiner identified 12 gunshot or gunshot-related wounds to the posterior side of Anthony W.'s body.

- GSW #5 was a nonfatal wound to the neck. The projectile entry wound was to the left posterior neck and the exit wound was behind the left ear with a separation distance of the wounds of approximately one and one-half inches. The direction of the wound is back to front, right to left, and upward.
- GSWs #6-8 were nonfatal graze wounds to the right back and posterior neck. The examiner opined that the alignment of GSWs #6-8 possibly indicates multiple injuries resulting from a single projectile traveling upward from the back to the posterior neck.
- GSW #9 was a nonfatal graze wound of the right lateral shoulder with unknown direction.
- GSW #10 was a fatal wound of the left upper back below the left scapula. The projectile traveled from back to front, slightly left to right, penetrating the left lung and exiting the left chest.

⁹⁴ The sequence of the gunshot wounds could not be determined, and the numbering does not suggest sequence. The findings were consistent with some of the projectiles causing multiple wounds.

- GSW #11 was a nonfatal wound of the lower right back. The projectile traveled back to front, right to left, and lodged in the first lumbar vertebra.
- GSW #12 was a fatal wound of the lower back, one-half inch left of midline. The projectile traveled back to front, right to left, and upward, penetrating the left kidney and left lung, terminating in the subcutaneous tissues of the left nipple area.
- GSW #13 was a nonfatal graze wound of the right hip. The probable direction was upward.
- GSW #14 was a nonfatal wound of the left buttock. The projectile traveled upward and terminated in the pelvic soft tissues.
- GSW #15 was a nonfatal wound of the posterior right thigh. The projectile traveled upward and slightly right to left, exiting the posterior/medial surface of the inner thigh. The examiner opined GSWs #14 and #15 were possibly associated with the same projectile.
- GSW #16 was a nonfatal wound of the right thigh. The projectile entered the right posterior/lateral surface and traveled upward, terminating in the right hip area.

No soot or stippling was detected in or around any of the wounds. The medical examiner determined the cause of death was complications from multiple gunshot wounds.

Gunshot Residue (GSR) Analysis

The Coroner's Office performed a GSR analysis on samples obtained from Anthony W. The analysis revealed that many characteristic particles of GSR were found both on the hands and face of Anthony W. The examiner concluded that, based on the findings: "The decedent may have discharged a firearm, been in the vicinity of the discharge of a firearm, or touched a surface with gunshot residue on it."

Sample swabs were also taken from the pants worn by Anthony W. at the time of the incident, including samples from the front waistband area where Van Hoesen stated he saw the handgun. The examination concluded: "Numerous particles characteristic of gunshot primer residue, and numerous particles consistent with gunshot primer residue, were detected on the samples collected from the interior waistband of the pants."

Toxicology Analysis

Toxicology analysis determined the presence of ethanol, cannabis metabolite, methamphetamine and MDMA in blood samples obtained from Anthony W.

LEGAL ANALYSIS

In civil actions alleging Fourth Amendment violations by police officers, the courts have employed an objective standard of reasonableness in evaluating a police officer's use of deadly force. "The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than the 20/20 vision of hindsight.... The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation." Graham v. Connor (1989) 490 U.S. 386, 396-397.

In California, the evaluation of the reasonableness of a police officer's use of deadly force employs the standard of a reasonable person acting as a police officer. People v. Mehserle (2012) 206 Cal.App.4th 1125, 1146 (holding that California law "follows the objective 'reasonable person' standard—the trier of fact is required to evaluate the conduct of a reasonable person in the defendant's position [citations omitted] . . . the jury should consider all relevant circumstances surrounding the defendant's conduct. This enables the jury to evaluate the conduct of a reasonable person functioning as a police officer in a stressful situation—but this is not the same as following a special 'reasonable police officer' standard.")

Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh in too nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. People v. Collins (1961) 189 Cal.App.2d 575. Rather, the right to employ deadly force in self-defense or in the defense of another exists if the person claiming the right actually and reasonably believed that he or another was in imminent danger of great bodily injury or death. People v. Randle (2005) 35 Cal.4th 987, 994; and People v. Mercer (1962) 210 Cal.App.2d 153, 161.

Where a person is confronted by circumstances which would cause a reasonable person in a like situation to believe the force was necessary, actual danger need not have existed to justify the use of deadly force in self-defense. The right of self-defense is the same whether the danger is real or apparent. In protecting himself or another, a person may use that amount of force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent imminent injury. CALCRIM No. 505; People v. Toledo (1948) 85 Cal.App.2d 577.

In this case, Van Hoesen and Escobedo claimed they observed a handgun tucked in Anthony W.'s front waistband. Van Hoesen described a series of events wherein, during the ensuing pursuit, Anthony W. looked back at Van Hoesen and reached toward his front waistband. Van Hoesen reported firing multiple rounds at Anthony W. out of fear for his life and the life of his partner.

██████████ and ██████████ challenged the deputies' accounts. They claimed Anthony W. was unjustifiably killed while simply fleeing. ██████████, in his most recent statement, appears to suggest he witnessed the deputy firing rounds as he stood over Anthony W., but does not provide information preceding the shooting to inform the analysis as to its justification.

As will be discussed in detail below, the evidence is consistent with the deputies' claim that Anthony W. was observed with a firearm tucked in his waistband. Van Hoesen presented a reasonable and credible account of the subsequent events leading to the shooting. The later accounts of [REDACTED], [REDACTED], and [REDACTED] that contradict Van Hoesen's account lack credibility. They contradict each witness's original statement to law enforcement, are incompatible with statements of other witnesses, and directly conflict with physical evidence.

[REDACTED].

[REDACTED] provided a statement to investigators a few hours after the deputy involved shooting, during which she acknowledged that "right now is the time that's most important for people to tell the truth about things." Despite her stated conviction that the deputies "did not have to shoot [Anthony W.]," [REDACTED] stated unequivocally that the shooting occurred beyond the corner out of her view, within seconds of the initial encounter while she remained "stuck" in fear at the fence. Ten months later, [REDACTED] provided a fundamentally different statement to [REDACTED] indicating that she personally saw the deputy involved shooting. She provided no explanation for the contradictory accounts.

[REDACTED]'s second account, which coincided with the preparation of a civil lawsuit by Anthony W.'s family, raises doubt as to its veracity due to its timing, as well as significant inconsistencies with her other statements and the physical evidence. In her subsequent account, [REDACTED] indicated that, while standing at the fence, she observed Van Hoesen begin "immediate shooting" from the hallway corner leading into the courtyard. This assertion is inconsistent both with her initial statement and with the shell casing evidence, the latter of which supports the deputies' accounts that the shooting occurred near the main entryway where Van Hoesen stated he saw Anthony W. turn and reach toward his waistband.

Furthermore, according to [REDACTED] and Escobedo's accounts, Escobedo ran ahead of [REDACTED] toward the courtyard. Escobedo arrived at the courtyard after the shooting concluded and did not see any of the shooting event. It is unlikely that [REDACTED], who always maintained that she was behind Escobedo, could have seen the shooting from the hallway as she claimed.⁹⁵

[REDACTED].

[REDACTED] provided four statements in 2018 regarding the deputy involved shooting. In the three statements to private investigators for the purpose of civil lawsuits – to Ingels in February and to [REDACTED] in November and December – [REDACTED] stated she personally witnessed the deputy involved shooting. In the first interview on February 22, 2018, [REDACTED] specifically stated to Ingels that she followed Anthony W. and [REDACTED] to the back of the apartment complex and saw the deputies confront Anthony W. She stated that Anthony W. "begged for his life" and that she followed him into the courtyard when he fled. [REDACTED] then said she observed the deputies

⁹⁵ While [REDACTED]'s accounts are also dubious – see discussion below – she also clearly stated that [REDACTED] never came to the courtyard but rather remained at the fence and then walked straight home.

fire three rounds, pause for two to three seconds, and then fire a second volley of unknown number of rounds.⁹⁶

However, when she spoke with law enforcement two weeks later on March 7, 2018, [REDACTED] stated that she, in fact, had not actually seen the shooting. The interview began with investigators asking [REDACTED] if she had any information about the shooting, and [REDACTED] responding emphatically, “I was there during the shooting!” However, she clarified that while she was present at the location, she did not actually witness the event. In her 20 minute back-and-forth conversation with Biddle and Hardiman, [REDACTED] never claimed she observed the relevant events. Rather, she specifically stated she remained inside the apartment after Anthony W. left to have dinner with [REDACTED], and came outside only after hearing the gunshots. At the end of the interview, Biddle directly solicited any information she might have about the shooting:

Have you heard anybody actually witnessed the shooting, when Anthony got shot? ...Nobody’s told you they actually saw the shooting? ...Because we’re in search of the truth; if there’s a witness we’d like to talk to them.

She responded to each of the questions in the negative and stated she knew of no witnesses. Throughout the course of the conversation, [REDACTED] denied three times that she had any personal knowledge of the events of the shooting.

[REDACTED]’s failure to convey an eyewitness account to Biddle and Hardiman similar to that provided for civil lawsuit purposes – especially in light of her friendship with Anthony W., her ties with the 107 Hoovers, and her anger at the perceived injustice of the shooting – casts doubt on her claim that she was an actual eyewitness.

In addition to the discrepancy with her account to law enforcement, [REDACTED]’s three statements to the private investigators are inconsistent with each other. [REDACTED] told Ingels that when she went downstairs to find Anthony W., she arrived at the hallway and observed Anthony W. and [REDACTED] on the opposite side of the metal gate, near the wood fence, being confronted by the deputies. She stated Anthony W. ran through the gate and passed her, and that she followed him into the courtyard.

In her statements to [REDACTED] however, [REDACTED] stated explicitly that she was at the fence with Anthony W. and [REDACTED], and claimed that the deputies flashed their lights in her face. This assertion not only contradicts her earlier statement that she was inside the hallway separated from the others by the metal gate, but is also contradicted by other evidence, including: the uniform accounts of [REDACTED], Escobedo, and Van Hoesen that only [REDACTED] and Anthony W. were at the fence with the deputies; and [REDACTED]’s statement that the deputies yelled, “Don’t move or we’ll shoot the *both* of you,” referring to Anthony W. and [REDACTED].

[REDACTED] also made several statements about post-shooting events that affect her credibility. These statements include her assertions that: people did not emerge from their apartments

⁹⁶ In her November interview with [REDACTED], she stated the shooting consisted of a single continuous volley of 18-20 rounds.

immediately after the shooting; the deputies “hurried up and taped [the entryway] off” and, immediately after the shooting, Van Hoesen and Escobedo “just ran to the body, taped it off...” [REDACTED] maintained that deputies, at all times, stood near Anthony W. and did not allow anyone near Anthony W. as he lay in the entryway.

These assertions, all of which were made after early press releases revealing that investigators believed the gun had been taken from the crime scene, are contradicted by: (1) the statements of multiple deputies and officers who described a riotous situation upon arrival, their inability to secure the scene for up to 20 minutes, and multiple people running through the crime scene and standing next to Anthony W. as they yelled at Van Hoesen and Escobedo; and (2) the radio communications clearly documenting the sounds of large and angry crowds, commencing with Van Hoesen’s initial broadcast almost immediately after the deputy involved shooting. Additionally, [REDACTED]’s claim that she remained in the courtyard area to observe the deputies prevent anybody from approaching Anthony W. is inconsistent with the most recent statement of [REDACTED] that [REDACTED] ran with [REDACTED] to tell [REDACTED] of the shooting.

Lastly, physical evidence and identification evidence also cast doubt on [REDACTED]’s eyewitness account. The shell casing evidence, found exclusively in the breezeway area, refutes [REDACTED]’s claim that she witnessed Van Hoesen begin shooting from the rear entrance and then continuously through the courtyard. Additionally, despite [REDACTED]’s claim that Van Hoesen passed directly in front of her and that she watched him chase Anthony W. across the open courtyard before shooting him, and that she watched Van Hoesen continuously after the shooting as he waited for other units to arrive, [REDACTED] was unable to accurately describe the most basic traits of Van Hoesen’s identity, including his race, his notable height, and the fact that he had a cleanly shaved head.

[REDACTED]

The January 2023 statement provided by [REDACTED] is consistent with other evidence to establish that [REDACTED] was present in the area during the deputy involved shooting. It is also consistent with his prior statement that [REDACTED] ran up to him immediately after the shooting to tell him Anthony W. had been shot by deputies. However, his statement that he saw a deputy standing over Anthony W. and firing rounds is inconsistent with all other evidence.⁹⁷ It also appears to be inconsistent with other portions of his statement that suggest the deputy involved shooting occurred outside his view: he stated he heard shots while walking up a flight of stairs and wondered if Anthony W. and [REDACTED], whom he had seen a short time earlier, were “okay;” and [REDACTED] and [REDACTED] ran to his location to tell him deputies had shot Anthony W., in response to which he ran to the scene.⁹⁸ For these reasons, [REDACTED]’s claim that he witnessed any part of the shooting lacks credibility. Furthermore, to the extent that he did not witness events preceding the shooting, his statement does not affect the analysis of whether the deputy involved shooting was justified.

⁹⁷ The statement is inconsistent with: the accounts of [REDACTED], [REDACTED], Van Hoesen, and Escobedo; [REDACTED]’s jail call to [REDACTED] shortly after the shooting; and [REDACTED]’s statement to investigators on May 8, 2018, and subsequent statements to his cell mate.

⁹⁸ At the conclusion of his statement, after saying he saw a deputy firing rounds, [REDACTED] reverted back to his original account, saying, “The only thing I heard was firing...I just heard firing as I’m going up the stairs.”

Evidence Connecting Anthony W.'s to the Smith and Wesson M&P9

According to [REDACTED] and [REDACTED], the multiple guns found in their home on March 7, 2018, were regularly maintained there for some time before the deputy involved shooting. Their mother regularly allowed her friends, including Anthony W., to “bring guns and hide them at our house.” The children further stated that the M&P9 belonged to Anthony W., and it was regularly kept in the home.

On January 26, 2018, nine days before the shooting, Anthony W. sent a picture of several handguns to [REDACTED], including the M&P9 identified by [REDACTED] and [REDACTED]. The picture sent by Anthony W. is evidence that he had access to the firearm nine days before the deputy involved shooting.

[REDACTED]'s Facebook Live video created on February 2, 2018, establishes Anthony W. had access to the M&P9 pistol two days before the shooting. When LAPD officers arrived within hours of the live feed, Anthony W. was the only individual missing and the M&P9 could not be found. The circumstances support the conclusion that Anthony W. took possession of the M&P9 and “took over the shift.”

On the morning of February 4, 2018, hours before the shooting, Anthony W. sent text messages to [REDACTED], asking her to provide him with ammunition “ASAP.” [REDACTED] agreed. She acknowledged to Ingels that she met Anthony W. at noon, providing [REDACTED] the opportunity to deliver the ammunition to Anthony W.

In addition to supporting the belief that Anthony W. had regular access to the M&P9 in the weeks and days leading up to February 4, 2018, the evidence also supports Van Hoesen and Escobedo's accounts that Anthony W. possessed it at the time of the encounter.

First, the conduct of Anthony W. and the deputies during the initial encounter corroborates the presence of a gun. According to [REDACTED], when Anthony W. raised his hands and turned, Van Hoesen immediately and forcefully commanded, “Don't reach for it! Don't reach for it! Don't reach for it!” suggesting he saw an object that he believed to be a weapon. After Van Hoesen initiated a foot pursuit, both deputies and [REDACTED] all confirm Escobedo confronted [REDACTED] instead of immediately following Van Hoesen in pursuit. Escobedo's actions are consistent with his claim that, having seen a “very obvious” handgun in Anthony W.'s waistband, he believed [REDACTED] might also be armed and capable of assaulting the deputies from behind as they pursued Anthony W.

The accuracy of Van Hoesen's detailed description of the unique features of the handgun – which would be borne out several weeks later when the firearm was recovered at the residence of [REDACTED] – and his high level of confidence in his description of the gun before it was ultimately recovered, also corroborate the presence of the gun during the contact, which in turn bolster the credibility of his account of the shooting. Two key factors – first, that Van Hoesen had carried the same model handgun for several years as his service weapon and, second, that the red dot sight was conspicuous not only for its uncommonness, but also for the fact that it

appeared to be the means by which the handgun was suspended on Anthony W.'s waistband⁹⁹ - provide a convincing basis for his detailed description of the gun.¹⁰⁰

Additionally, Doe's independent account corroborates the deputies' statements. Just 30 minutes prior to the deputies' encounter with Anthony W., Doe witnessed Anthony W. carrying – and using – a black semiautomatic handgun at the same location.¹⁰¹ Doe, who had initially refused to disclose his identity to the 9-1-1 operator for fear of retaliation, nonetheless contacted investigators when he saw news reports suggesting Anthony W. was unarmed on the evening of February 4, 2018.

Jail calls between various acquaintances of Anthony W. provide further support that Anthony W. was armed during the encounter with deputies. In a conversation with [REDACTED], less than one hour after the shooting, [REDACTED] affirmed that Anthony W. “had something on him” during the incident. [REDACTED] expressed no doubt about the fact, which suggests his personal knowledge of the information or his reliance on a trusted source. [REDACTED] also did not deny or question whether Anthony W. was armed at the time of the encounter with the deputies. In her conversation with [REDACTED], [REDACTED] asked her whether it was true that Anthony W. really “did have a strap” when he ran. [REDACTED] immediately halted the conversation saying, “Well, see, we cannot talk about this on a recorded line, sir.” [REDACTED] acknowledged his mistake, saying, “Oh, my bad. Shit.” Given her awareness that the phones were being monitored, it is revealing that [REDACTED] did not tell [REDACTED] that he was wrong about Anthony W. being armed. As with [REDACTED], [REDACTED]'s reaction to [REDACTED]'s statement suggests she either personally knew that Anthony W. was armed, or learned the information from a trustworthy source.

With regard to [REDACTED] and [REDACTED]'s belief that Anthony W. was armed, it is noteworthy that [REDACTED] acknowledged to Ingels that she met with Anthony W. at noon on February 4, 2018, to provide him lunch and a sweater. The meeting occurred shortly after he had requested ammunition “ASAP” and [REDACTED] replied she would “head straight to get the shell[s].” However, [REDACTED] had additional contact with Anthony W. closer in time to the deputy involved shooting.

⁹⁹ The highly visible stainless steel threaded barrel visible in later videos and photographs would have been obscured when tucked into Anthony W.'s waistband.

¹⁰⁰ A video on Facebook suggests that Van Hoesen somehow became aware of the M&P9 pistol either prior to the shooting or prior to his statement to investigators, and that he fabricated his account that Anthony W. was armed based on the information. There is no evidence to support such a claim. As discussed earlier, LAPD became aware of [REDACTED]'s Facebook Live video – in which the M&P9 and Anthony W. are both depicted – two days before the shooting but did not share the information with LASD until after they learned about the deputy involved shooting, and well after Van Hoesen's interview. Immediately after the shooting, Van Hoesen was isolated and observed, per protocol, until the time of his interview, which occurred at 1:27 a.m. in the presence of his attorney. There is no indication he performed research while he waited – or at any other time – that would have informed him of the gun to provide him the means by which to fabricate his account.

¹⁰¹ That Doe did not notice the red dot sight is not particularly problematic for his or Van Hoesen's account. Doe found himself suddenly confronted with a gun at very close range and, in his state of sudden surprise and fear, it is unsurprising that he did not notice specific features of the handgun. It is also reasonable that as he looked up toward the gun, his perspective was limited to the lower portion and muzzle of the gun, with the red dot sight obscured by the body of the gun itself. Doe's instinctive reaction to duck and immediately drive away would also have limited his perception.

The totality of the evidence indicates that Anthony W., [REDACTED], Juvenile Doe, and [REDACTED] were among several people who were at or in front of [REDACTED] West 107th Street at some time after the Super Bowl ended at 7:17 p.m. and before the deputies arrived at 8:15 p.m. Drawing from their statements, the evidence appears to establish that most, if not all, of these individuals may have been present during or shortly after the assault on Doe, and immediately prior to the arrival of Van Hoesen and Escobedo. According to Juvenile Doe, at some point before the deputies arrived, he, Anthony W. and unspecified others were doing “dumb stuff” with a gun close in time to Anthony W.’s assault on Doe at approximately 7:40 p.m.

In her statements to Ingels, and Biddle and Hardiman, [REDACTED] stated she arrived at the apartment complex shortly before the deputies arrived and interacted briefly with Anthony W. at the front gate before walking to her vehicle. However, she gave an account to [REDACTED] that indicates a more involved interaction. She stated that when she arrived, she saw Anthony W. and two other individuals nearby. She also saw “[REDACTED],” i.e., [REDACTED], with a gun, and “we” warned him that deputies were nearby. She stated that [REDACTED] fled, and also that Anthony W. and another person fled when the patrol car approached the location.¹⁰² Contrary to the latter account of the group’s efforts to avoid detection, [REDACTED] told Ingels that as she walked to her vehicle, she saw deputies arrive and “[jump] out of the car” but she “did not really think anything of it” and “just kept walking.” In their respective statements, [REDACTED] and [REDACTED] both said they were in the driveway of a complex further west of [REDACTED] West 107th Street when they heard the sound of gunshots. [REDACTED] said someone ran to her and told her Anthony W. had been shot. [REDACTED] stated that when he heard gunshots, he ran toward [REDACTED] West 107th Street, at which time [REDACTED] ran to him and told him the deputies shot Anthony W. because “he had a gun. They seen him with a gun.”¹⁰³

Gunshot Residue (GSR) Analysis

GSR particles were found both on Anthony W.’s hands and face, as well as in his front waistband. It is possible the GSR particles on Anthony W. were from being shot at multiple times and searched by deputies. However, this evidence also supports the conclusion that Anthony W. had handled and possibly discharged a firearm sometime prior to the deputy involved shooting and kept the handgun tucked in the waistband.

¹⁰² The fact that Van Hoesen and Escobedo did not observe anyone at the front of the location when they arrived is consistent with [REDACTED]’s statement that everybody walked or ran away from the location upon their arrival.

¹⁰³ [REDACTED]’s presence at the fence when deputies initially contacted Anthony W. strongly suggests she ran with him to the back area when the patrol car approached. Her statement that she and Anthony W. were together the entire day and that she walked with him to the “[REDACTED]” also suggests she may have been present with him in the street when deputies arrived, and also possibly witnessed the assault on Doe. As discussed above, the gun tucked in Anthony W.’s waistband was “very obvious” to all present at the fence. Based on the circumstances described here, it is reasonable that [REDACTED] may have been aware that Anthony W. was armed, contrary to what she told Biddle and Hardiman. [REDACTED]’s unambiguous statement to [REDACTED] that the deputies shot Anthony W. because “he had a gun...they seen him with a gun” indicates her awareness – at the very least when he raised his hands – that Anthony W. was armed.

Removal of the Firearm from the Scene

As discussed above, the statements of numerous law enforcement personnel from multiple agencies, and several recordings of radio communications, establish a period of highly charged unrest involving dozens of people immediately after the shooting. The frenzied response of residents escalated rapidly even as Van Hoesen was assessing Anthony W. while he lay on the ground.

The actions of the crowd prevented the deputies from properly securing the crime scene. As a result, individuals ran unrestricted through the crime scene for 20 minutes until additional units arrived to take control of the scene. Several individuals stood defiantly in the entryway directly next to Anthony W., shouting at Van Hoesen and Escobedo, as other individuals ran through the courtyard. At the same time, groups of people exited the premises from both the front and back entrances, and multiple individuals ran from the apartment complex to other locations. As the scene erupted into chaos, the opportunity arose for persons to remove the handgun from the premises without detection.

Evidence Relating to Justification of the Deputy Involved Shooting

The question remains whether the circumstances justify the use of deadly force. As stated above, the right to employ deadly force in self-defense or in the defense of another exists if the person claiming the right actually and reasonably believed that he or another was in imminent danger of great bodily injury or death.

Van Hoesen and Escobedo responded to [REDACTED] West 107th Street with information that an armed and dangerous suspect committed an assault with a firearm in the area. When they arrived at the location, they observed no one on the street in front of the apartment complex. The deputies proceeded cautiously to the rear of the building, utilizing tactical lights due to the poor lighting conditions. As they continued along the fence line, Van Hoesen suddenly saw Anthony W. and [REDACTED] through the fence opening, and he immediately believed that Anthony W. matched the description of the assault suspect. Concerned that Anthony W. might still be armed with the gun described in the crime broadcast, Van Hoesen said he forcefully commanded Anthony W. to show his hands. Anthony W. and [REDACTED] complied. As Anthony W. turned toward the deputies, Van Hoesen said he saw the firearm in Anthony W.'s front waistband. Van Hoesen then firmly ordered, "Don't reach for it! Don't reach for it! Don't reach for it!"¹⁰⁴ and warned, "If you move I'll shoot you!"

Rather than complying with the deputies' commands, Anthony W. fled. In so doing, he transformed the situation from one of control and opportunity to surrender peacefully, to one of great peril and uncertainty. Van Hoesen found himself in pursuit of an armed suspect whom he believed to have assaulted a passing motorist with the firearm a short time earlier.

Van Hoesen stated that as he pursued Anthony W. in the hallway, Anthony W. turned the corner and ran out of sight. With his weapon drawn, Van Hoesen pursued Anthony W. through the

¹⁰⁴ See statement of [REDACTED] to investigators on February 5, 2018.

courtyard and rapidly closed the distance. As Anthony W. neared the entryway, Van Hoesen said Anthony W. turned and looked back at Van Hoesen in a manner consistent with “acquiring [Van Hoesen] in his sights” as a target. Separated from Anthony W. by approximately ten feet at that moment, Van Hoesen stated Anthony W. then dropped his arm toward his front waistband, causing Van Hoesen to be “terrified that [Anthony W.] was reaching for the firearm” to kill him and his partner. Van Hoesen responded by firing several rounds at Anthony W.

The description provided by Van Hoesen is consistent with the evidence of the shell casings. Contrary to the interviews provided by [REDACTED] and [REDACTED], the evidence suggests Van Hoesen did not immediately begin shooting as he reached the end of the hallway; nor did he fire rounds as Anthony W. ran through the courtyard. It appears that Van Hoesen fired no rounds until he saw what he perceived to be a hostile act by Anthony W. near the entryway.

Whether Anthony W. intended to shoot and disable Van Hoesen or delay his pursuit by means of a threatening gesture, or toss the handgun, is not relevant. If Anthony W. did look back and then immediately reach toward his waistband, it would have been reasonable for Van Hoesen to believe Anthony W. intended to do grievous harm. Under such circumstances, Van Hoesen’s decision to employ lethal force would be justified as a lawful act in self-defense. The totality of the evidence is consistent with the circumstances described by Van Hoesen.¹⁰⁵

The final consideration in evaluating Van Hoesen’s account is the gunshot wound (GSW) evidence provided by the medical examiner. The Coroner’s Office reported multiple GSWs both to the front and back of Anthony W.’s body. The report identified four fatal wounds, seven nonfatal wounds, and five graze wounds; in some cases, multiple graze wounds appear to have resulted from a single projectile.

Of all the wounds, there were three GSWs to the front of Anthony W.’s body – one to his lower left chest and two to his abdomen; three GSWs to Anthony W.’s back – one to the upper left back and two to the lower back; and several less severe GSWs and graze wounds to Anthony W.’s neck, back, and lower extremities. The report also identified one graze wound to the right shoulder and one graze wound to the right hip, both of uncertain direction. Because of the dynamic nature of the shooting event – in which Anthony W. was described as running away from Van Hoesen, looking back, falling forward, and then moving on the ground and eventually rolling onto his back – and the many variables and uncertainties involved, it is not possible to conclusively determine the sequence of the wounds or the manner in which they were sustained, and caution must be exercised in drawing conclusions from the gunshot wound evidence.

However, to the extent that general conclusions can be drawn, none of the GSW evidence significantly or directly contradicts Van Hoesen’s account. Furthermore, none of the GSW

¹⁰⁵ Assuming, *arguendo*, that [REDACTED] was present in the courtyard at the time of the shooting, it is reasonable to argue that [REDACTED] could not have appreciated the situation to the same extent as Van Hoesen. Van Hoesen noticed Anthony W.’s backward look and quick hand drop from a short distance behind him because Van Hoesen was mentally attuned to such cues based on everything he knew and had experienced related to the situation. [REDACTED], on the other hand, was apparently unaware Anthony W. was armed, did not see the entire transaction at the fence, and would have been caught off guard by Anthony W.’s sudden flight and the ensuing events. The different contexts in which Van Hoesen and [REDACTED] were operating would have resulted in different perceptions: what was obvious to Van Hoesen might reasonably have been entirely missed by [REDACTED].

evidence compels a different conclusion than what has been stated. As long as Van Hoesen reasonably believed that Anthony W. posed an imminent threat, he was justified in employing lethal force.

As Graham states, “The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene,” who must make split-second judgments in circumstances that are “tense, uncertain, and rapidly evolving.” The totality of evidence supports Van Hoesen’s account that he reasonably believed he was in imminent danger of great bodily injury or death throughout the course of the deputy involved shooting. For reasons described above, the statements of [REDACTED] and [REDACTED], and any evidence consistent with their statements, are insufficient to overcome Van Hoesen’s account.

CONCLUSION

Based on all the available evidence and the foregoing analysis, we find that there is insufficient evidence to file criminal charges against Deputy Van Hoesen. We further find that there is no evidentiary basis for considering the filing of charges against Deputy Manuel Escobedo.