

Non-Fatal Officer Involved Shooting of Jarron Edmond
Los Angeles Police Department

Officers Kurt Lockwood #38804

J.S.I.D. File #19-0320



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

April 24, 2023

MEMORANDUM

TO: CAPTAIN RICH GABALDON
Los Angeles Police Department
Force Investigation Division
100 West First Street, Suite 431
Los Angeles, California 90012

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

SUBJECT: Non-Fatal Officer Involved Shooting of Jarron Edmond
J.S.I.D. File # 19-0320
L.A.P.D. File # F035-19

DATE: April 24, 2023

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the July 26, 2019, non-fatal shooting of Jarron Edmond by Los Angeles Police Department (LAPD) Officer Kurt Lockwood. We find that there is insufficient evidence to prove beyond a reasonable doubt that the involved officer did not act in lawful self-defense and in defense of others.

The District Attorney's Command Center was notified of the shooting on July 26, 2019 at approximately 10:30 p.m. The District Attorney Response Team (DART) responded to the location. They were given a briefing of the circumstances surrounding the shooting and a walk-through of the scene.

The following analysis is based upon the recorded interviews of witnesses, body worn video (BWV) footage and reports prepared by the Los Angeles Police Department (LAPD), submitted to this office by Detective John Macciarella of the Force Investigation Division. The compelled statement of Lockwood was not considered in this analysis.

FACTUAL ANALYSIS

On July 26, 2019, at approximately 9:41 p.m., 77th Street Patrol Division Gang Enforcement Detail (GED) officers Kurt Lockwood and Andrew Castanon were in foot pursuit of Jarron Edmond, who was armed with a handgun. During the foot pursuit an Officer-Involved-Shooting (OIS) occurred when Edmond turned a corner while holding a handgun in his left hand and a cell phone in his right hand. Lockwood shot Edmond in the right hand and the right flank.

Lockwood and Castanon were conducting extra patrol around Vermont Square Park located at 1256 West 47th Street, Los Angeles, California. Lockwood was specifically assigned to monitor the Rollin' 40 Crips gang and Vermont Square Park is a known gathering location for the Rollin' 40s. Both Castanon and Lockwood were in a marked hybrid black and white Ford Crown Victoria police vehicle and were wearing ballistic vests. When they arrived at Vermont Square

park, Castanon observed 100-200 people gathered. Castanon and Lockwood got out of their police vehicle to conduct consensual encounters. Castanon said that he observed multiple people drinking alcohol and smelled the odor of marijuana.

Castanon said that as he and Lockwood walked through the park, his attention was momentarily focused on a vehicle parked inside the park when he observed Edmond running. Castanon also began to run in the same direction and followed Lockwood through the park and on to Budlong Avenue.

According to Castanon's BWV, at 9:41p.m., Castanon asked Lockwood, "Is he running?" Lockwood replied, "Yeah." Castanon said he then observed Edmond running towards the apartment complex south of Vermont Square Park. Castanon observed Edmond slip while he attempted to flee. Edmond regained his footing and continued running with Lockwood behind him. Castanon said, "It appeared that his hands were, or his hands or his arms were close to his center of his body near his waistline area."

According to Lockwood's BWV, at 9:41 p.m., Edmond ran into a multi-family apartment complex on South Budlong. While running behind Edmond, Lockwood yelled, "Let me see your fucking hands right now!" and "Get on the ground or I'm going to shoot you." Lockwood continued chasing Edmond and just as Edmond turned a corner into an open courtyard, Lockwood fired his weapon. Lockwood ran with his weapon pointed forward and, with a flashlight, continually illuminated Edmond. Lockwood fired four times at Edmond.

According to Castanon's BWV, seconds before Lockwood fires his weapon, Castanon can be heard broadcasting a request for back up stating, "415 man with a gun."

According to Lockwood's BWV, at 9:42 p.m., as Edmond was falling, an object that appears to be a handgun is shown laying on the ground where Edmond was last standing. After the shots were fired, Edmond falls to the ground and then turns over and puts his hands up. Edmond says, "I don't have nothing man." Lockwood tells Edmond, "Do not reach."

According to Castanon's BWV at 9:42 p.m., as he approached Edmond and handcuffed him, a black gun was visible on the ground near Edmond's upper torso.

Edmond suffered gunshot wounds to his back and right hand. One bullet entered the right mid back through the posterior abdominal wall and lodged in the vertebra and the other traveled through Edmond's right hand.

The gun was a blue steel .38 caliber Smith and Wesson revolver. The handgun was loaded with five live cartridges of .38 caliber ammunition. The handgun was previously reported stolen during a residential burglary in September of 2009¹.

¹ The gun was swabbed for DNA but due to the limited amount of data in the profile, the sample was unsuitable for interpretation. Detectives also tried to lift prints from the gun but no latent prints were developed.



Photograph of the cellphone and gun.



Photograph of handgun.



Photograph of cellphone.

BODY WORN CAMERA STILL PHOTOGRAPHS



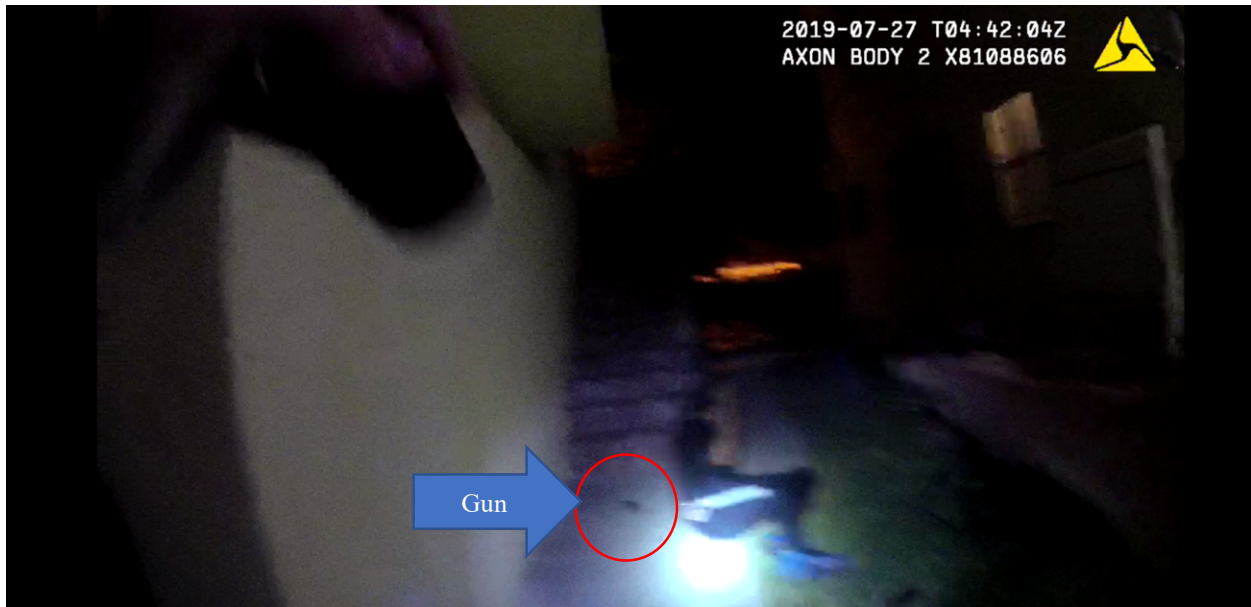
BWV still photograph showing Edmond running and stumbling during the initial portion of the foot pursuit.



BWV still photograph showing Edmond running with something in his hand.



BWV still showing Edmond turning the corner into the courtyard just prior to the OIS.



BWV still photograph showing a gun on the ground as Edmond also falls to the ground.



BWV still photograph showing both the gun and cellphone on the ground immediately after the OIS.

WITNESS STATEMENTS

██████'s Statement

On July 27, 2019, shortly after midnight, FID personnel and DART personnel interviewed ██████ (██████) at the OIS scene. ██████ stated that she was inside her residence when she heard two gunshots. She looked out her window and saw people scattering everywhere. She ran to another

window that faces her backyard and saw two officers standing over Edmond. She said Edmond was bleeding and said she heard him say he couldn't breathe. [REDACTED] observed the officers turn Edmond over on his side as though they were looking to see where he was injured. [REDACTED] said that the paramedics came approximately ten minutes later.

[REDACTED] stated that she did not see Edmond in possession of a weapon.

[REDACTED]'s Statement

On July 27, 2019, shortly after midnight, [REDACTED] ([REDACTED]) was interviewed on scene by FID personnel. DART personnel were also present for the interview. [REDACTED] was detained after climbing over a fence and coming near the scene of the OIS. [REDACTED] said that the people that were gathered in the park were there after a wake. Officers arrived on scene and started telling people to lift up their shirts and the people who had gathered scattered and ran.

[REDACTED] said he was looking through an opening in the fence when he saw Edmond turn toward the officers with his hands up. [REDACTED] said the officers then shot Edmond three times. [REDACTED] said he did not observe the actual shooting and was not sure which of the two officers shot, but he heard the gunfire. [REDACTED] said he did not see Edmond with a gun. [REDACTED] said he filmed the incident using his cellphone. When [REDACTED] was detained, the phone was confiscated. [REDACTED] said when the phone was returned to him, the videos were deleted.

On July 30, 2019, [REDACTED] was interviewed telephonically. The interview was recorded. [REDACTED] told an FID investigator that he may have been mistaken and he did not record any video related to the OIS. He said it was possible that he thought he pressed record when he had actually pressed stop. With [REDACTED] consent, a Police Service Specialist from the Technical Investigation Division did a forensic examination on [REDACTED] phone and determined that there was no video from the OIS ever recorded on [REDACTED] phone.

JARRON EDMOND'S STATEMENT

Jarron Edmond was interviewed on July 27, 2019 at 2:33 a.m. at California Hospital by LAPD Detectives Chavez, Huff, and Brown. The interview was audio recorded. Edmond was Mirandized prior to the interview. Edmond stated that he was at the park with approximately 30 individuals for a "wake pass" for Demario Lovely who died July 5, 2019 in a car accident. Edmond said he walked away from the group because he was going to buy a CD from an individual named "[REDACTED]" who was wearing a backpack and shorts. Edmond followed [REDACTED] through the apartment complex into the courtyard. Edmond said he was just "standing there," facing away from the police when he was shot. Edmond said he never ran from the police and he never had anything in his hands. Edmond said he never had a gun. Edmond said he never heard the police tell him to stop.

Edmond said it was not until after he was shot that the police identified themselves as police. Edmond said his friend "[REDACTED]" was with him the entire time. Edmond said "[REDACTED]" was still standing next to him after he was shot and while he was being handcuffed. Detectives told Edmond there was BWV of the incident showing Edmond running from the park alone. Edmond

maintained he never ran and was walking with “[REDACTED]” the entire time. Edmond also maintained he did not have anything in his hands not even his phone.

Edmond was charged with felon in possession of a firearm in case BA479864. On January 29, 2020 Edmond entered a plea of no contest and was sentenced to three years of formal felony probation and 32 days of county jail.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if it reasonably appears to the person claiming the right of self-defense or the defense of others that he actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. Penal Code § 197; *People v. Randle* (2005) 35 Cal.4th 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4th 1172, 1201); *People v. Humphrey* (1996) 13 Cal.4th 1073, 1082; *see also*, CALCRIM No. 505.

“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 protecting himself or another, a person may use all the 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 the injury which appears to be imminent. CALCRIM No. 3470. If the person’s beliefs were reasonable, the danger does not need to have actually existed. *Id.*

“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, 589.

Once an officer reasonably believes deadly force is necessary, the officer does not have an obligation to stop firing the weapon until the threat has ended. “If lethal force is justified, officers are taught to keep shooting until the threat is over.” *Plumhoff v. Rickard* (2014) 134 S.Ct. 2012.

If a person acted from reasonable and honest convictions, he cannot be held criminally responsible for a mistake in the actual extent of the danger, when other reasonable men would alike have been mistaken. *People v. Jackson* (1965) 233 Cal.App.2d 639. The test of whether the officer’s actions were objectively reasonable is “highly deferential to the police officer’s need to protect himself and others.” *Munoz v. City of Union City* (2004) 120 Cal.App.4th 1077, 1102.

BWV and the presence of a handgun at the scene supports a conclusion that Edmond fled from officers while armed with a handgun. Radio calls for assistance with the pursuit of a man with a gun demonstrates that Lockwood and the other officers believed Edmond was armed. Additionally,

Castanon stated, “It appeared that his hands were, or his hands or his arms were close to his center of his body near his waistline area.” Footage from the BWV shows that as Edmond turned the corner of a building, an object that was later determined to be a cell phone appeared to be in his right hand. Absent review of Lockwood’s compelled statement, the basis of his decision to fire remains unknown. However, given the known presence of a firearm, it cannot be proven beyond a reasonable doubt that Lockwood did not reasonably fear for his safety, that of his partner and that of the occupants of the apartment complex that Edmond was running through.

CONCLUSION

Given the totality of the evidence it cannot be proved beyond a reasonable doubt that Lockwood failed to act in lawful self-defense and in the defense of others at the time he fired his weapon.