

**Officer Involved Shooting of Abram Perkins
Los Angeles Police Department**

Officer Patrick Ruddell, #41941

J.S.I.D. File #17-0178



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District Attorney

Justice System Integrity Division

March 20, 2018

MEMORANDUM

TO: COMMANDER ROBERT A. LOPEZ
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: Officer Involved Shooting of Abram Perkins
J.S.I.D. File #17-0178
F.I.D. File #F025-17

DATE: March 20, 2018

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the April 7, 2017, non-fatal shooting of Abram Perkins by Los Angeles Police Department (LAPD) Officer Patrick Ruddell. We find that Officer Ruddell acted in lawful self-defense and defense of others.

The District Attorney's Command Center was notified of this shooting on April 7, 2017, at 12:58 p.m. The District Attorney Response Team responded to the scene and was given a briefing and walk-through by Detective Nicholas Pikor.

The following analysis is based on reports prepared by the LAPD Force Investigation Division, submitted to this office by Detectives Dimitri Kort, Alberto Rosa, and Jennifer Kim. The reports include photographs, audio-recorded interviews of witnesses, a Digital In-Car Video System recording (DICVS), Body Worn Videotape (BWV), and radio transmissions.

FACTUAL ANALYSIS

Introduction

On April 7, 2017, between approximately 11:53 a.m. and 12:00 p.m., LAPD officers responded to various 9-1-1 and radio calls reporting a man committing random knife attacks in the downtown Los Angeles area.

Numerous LAPD officers deployed to locate the man, who was later identified as Abram Perkins.

Four officers located Perkins as he was actively stabbing a man. The officers ordered Perkins to drop his knife, but Perkins did not comply and continued stabbing the man, who was seriously injured. Officer Patrick Ruddell fired his service weapon at Perkins to stop the attack. Perkins

was struck several times, stopped his attack, and survived. Ruddell was wearing a body camera, which recorded the attack and shooting. A frame from that recording is shown below:



Perkins was charged with two counts of attempted murder in case number BA456285. Criminal proceedings have been suspended as Perkins has been committed to a state mental hospital.

The First Stabbing

At approximately 11:53 a.m., Dennis H. was sitting on a sidewalk when Perkins approached him and asked for drugs. When Dennis H. told him to go away, Perkins became upset and started slashing him with a utility knife. Dennis H. was cut on several areas of his body, including a ten inch slash to his neck. Perkins ran away with “bugged out eyes.”

The Second Stabbing

A short time later, Perkins approached Sherman T., asked him for drugs, became enraged, and started slashing him with a utility knife. Sherman T. was cut on several areas of his body, including slash wounds to both sides of his neck and to his chest, which caused a collapsed lung. Perkins ran away.

The Shooting

Minutes later, Perkins approached Raydell C., who was sleeping on a sidewalk. Perkins suddenly started stabbing him. Ruddell and his partner, Officer Alvin Lee, saw Perkins attacking Raydell C. They stopped their patrol car, exited, drew their service weapons, and approached Perkins. Ruddell yelled, “Drop the knife! Drop the knife! Drop the knife!” Perkins ignored

Ruddell's commands and continued attacking Raydell C. Ruddell fired four rounds at Perkins, striking him several times and disabling him.

Raydell C. was treated for cuts to his torso and arm, including an eight inch cut to his ribcage.

Statement of Officer Alvin Lee

Lee and Ruddell were on patrol when they responded to the stabbing calls. They saw Perkins attacking a man who was on the ground. They stopped their vehicle, exited, drew their service weapons, and approached Perkins. Ruddell yelled, "Drop the knife! Drop the knife!" Perkins did not comply and continued to attack Raydell C. A second later, as Lee was ordering Perkins to drop the knife, he heard Ruddell fire two rounds. Perkins was still moving as Lee ordered Perkins again to drop the knife, as Ruddell fired two more rounds. Perkins dropped to the ground and crawled underneath a parked vehicle. Perkins was handcuffed and a rescue ambulance was called.

Statement of Officer Cesar Wences

Wences and his partner, Officer Angel Sandoval, were driving when they received a call about a suspect armed with a deadly weapon. Soon after, he witnessed a bloody man, later identified as Sherman T., running down the street. He also saw Perkins walking down the street, with blood on his shirt, carrying a knife in his right hand. Ruddell and Lee arrived in another patrol car. Wences and Sandoval followed Ruddell and Lee, approached Perkins, and saw him in the process of stabbing Raydell C. Wences, Sandoval, Ruddell, and Lee drew their service weapons. Ruddell and Lee yelled, "Drop the knife!" Perkins did not comply and continued to stab Raydell C. Wences heard four gunshots in quick succession and Perkins dropped to the ground. Perkins crawled underneath a vehicle while Wences helped Raydell C. get to safety.

Statement of Officer Angel Sandoval

Sandoval was the passenger in the unmarked police vehicle driven by his partner, Wences. Wences and Sandoval were in plainclothes. He saw Sherman T. with blood on his arm, running down the street, and he saw Perkins walking in the same area. Perkins was carrying a knife in his right hand and had blood on his clothing. Ruddell and Lee, who were in a marked patrol vehicle and in uniform, arrived soon thereafter and took a primary position. Sandoval and Wences directed Ruddell and Lee to Perkins' location, and provided backup. As the four officers approached, they saw Perkins stabbing Raydell C. Sandoval and the other officers drew their service weapons. One of the officers yelled, "Drop the knife! Drop the knife!" Perkins ignored the commands and continued to stab Raydell C. Sandoval heard three to four gunshots and saw Perkins fall to the ground and crawl under a vehicle. A rescue ambulance was called and Perkins was taken into custody.

Injuries

Perkins was treated for gunshot wounds to the armpit, right forearm, right wrist, right thigh, left buttock, left hip, and left hand. A toxicology analysis was performed and detected benzodiazepines and marijuana in Perkins' bloodstream.

Statement of Abram Perkins

Perkins was *Mirandized* and interviewed at the hospital. He did not remember carrying a weapon or getting into any altercations with anyone. He admitted he had been currently using marijuana. When asked if he had any previous mental episodes, Perkins did not know, but he was taking antidepressants and may not have taken his medications on the day of the incident. He said he did not remember being shot by the police officer.

The Knife

Perkins' utility knife was recovered from underneath the vehicle he crawled under at the time of the shooting. A photo of the knife, with apparent blood on the blade, is shown below:



Firearms Evidence

Ruddell was armed with his Smith and Wesson 9mm semiautomatic service weapon loaded with 17 rounds in the magazine and one round in the chamber. After the shooting, there were 13 rounds in the magazine and one round in the chamber. Four discharged cartridge casings were found at the scene, which is consistent with Ruddell firing four rounds during the shooting.

Digital In-Car Video System Videotape (DICVS)

Ruddell and Lee's patrol vehicle was equipped with a dash camera and it recorded the incident. The videotape shows Ruddell and Lee arriving and being directed to Perkins by Wences and Sandoval. As Ruddell and Lee stop their patrol car, Perkins is shown attacking someone on the ground as the officers exit their vehicle and draw their service weapons. A still frame from that videotape is shown below:



Body Worn Video (BWV)

Ruddell's body camera recorded Perkins attacking Raydell C. with a knife, and Ruddell and Lee ordering Perkins to drop the knife. A transcript of the audio from Ruddell's body camera, from the point Ruddell and Lee exited their vehicle, to the point that Perkins was handcuffed, is detailed below:

OFFICER: He's got something. Hey!

RUDELL: Drop the knife! Drop the knife! Drop the knife! (four gunshots)

RUDELL: Drop the knife! Drop the knife! Drop the fucking knife! Uh, watch...watch it. Watch it. Let's not shoot. Let's watch our...watch our background.

OFFICER: (unintelligible)

RUDELL: I can't...I can't see if he has a knife still. We are...we are gonna get it on (unintelligible).

OFFICER: Hey! Sir! Lay on the ground! Lay down on the ground!

RUDDELL: Hey, thanks for broadcasting. Guy just stabbing that guy.

OFFICER: Yeah, there was a victim, uh, big 'ol lacerations, shirtless, walking, uh, towards (unintelligible).

RUDDELL: Yeah, I know, I got that on the camera. He was stabbing that guy multiple times. Told him...told him to start dropping...told him to drop the knife and he wouldn't drop the knife.

OFFICER: Hey, put your hands behind your back! Behind your back!

LEGAL ANALYSIS

The Law

California law permits the use of deadly force in self-defense or in the defense of another if that person actually and reasonably believes that he or others are 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 505. 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. In sum, the United States Supreme Court has long held that, "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 the police 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.

Analysis

Officers Ruddell and Lee were aware that Perkins was likely a suspect in two prior stabbings when they saw him actively stabbing a third man, Raydell C., with a knife. Raydell C. was helpless and on the ground as Perkins stabbed and slashed him repeatedly, despite the officers' orders to Perkins to drop the knife. Perkins' actions posed an immediate and imminent deadly threat to Raydell C., and Ruddell reasonably used deadly force to end that threat.

CONCLUSION

Based on a review of the evidence in this case, Officer Ruddell acted reasonably and in lawful self-defense and defense of Raydell C. by shooting Perkins and ending his attack. We are closing our file and will take no further action in this matter.