

**Officer Involved Shooting of Alvin Furlow
Los Angeles Police Department**

Officer Sal Obaidee, #37305

Officer Nuria Vanegas, #39073

J.S.I.D. File #17-0180



JACKIE LACEY

District Attorney

JUSTICE SYSTEM INTEGRITY DIVISION

August 15, 2017

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 Alvin Furlow
 J.S.I.D. File #17-0180
 F.I.D. File #F076-11

DATE: August 15, 2017

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the August 25, 2011, non-fatal shooting of Alvin Furlow by Los Angeles Police Department (LAPD) Officers Sal Obaidee and Nuria Vanegas. It is our conclusion that the officers acted in lawful self-defense and defense of others.

The District Attorney's Command Center was not notified and the District Attorney Response Team did not respond as it was unknown at the time of the incident that Officers Sal Obaidee and Nuria Vanegas had shot and injured Alvin Furlow.¹

The following analysis is based on reports prepared by the LAPD Force Investigation Division submitted to this office by Detective Jack Forsman. The reports include photographs and videos. The compelled statements of Officers Obaidee and Vanegas were also considered in this analysis.

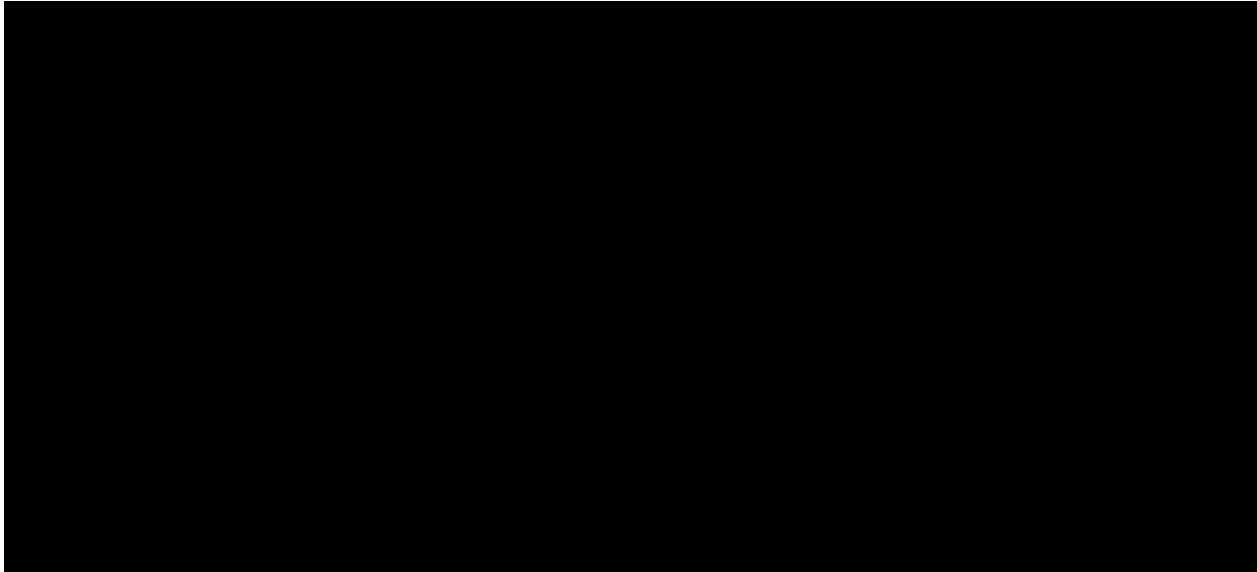
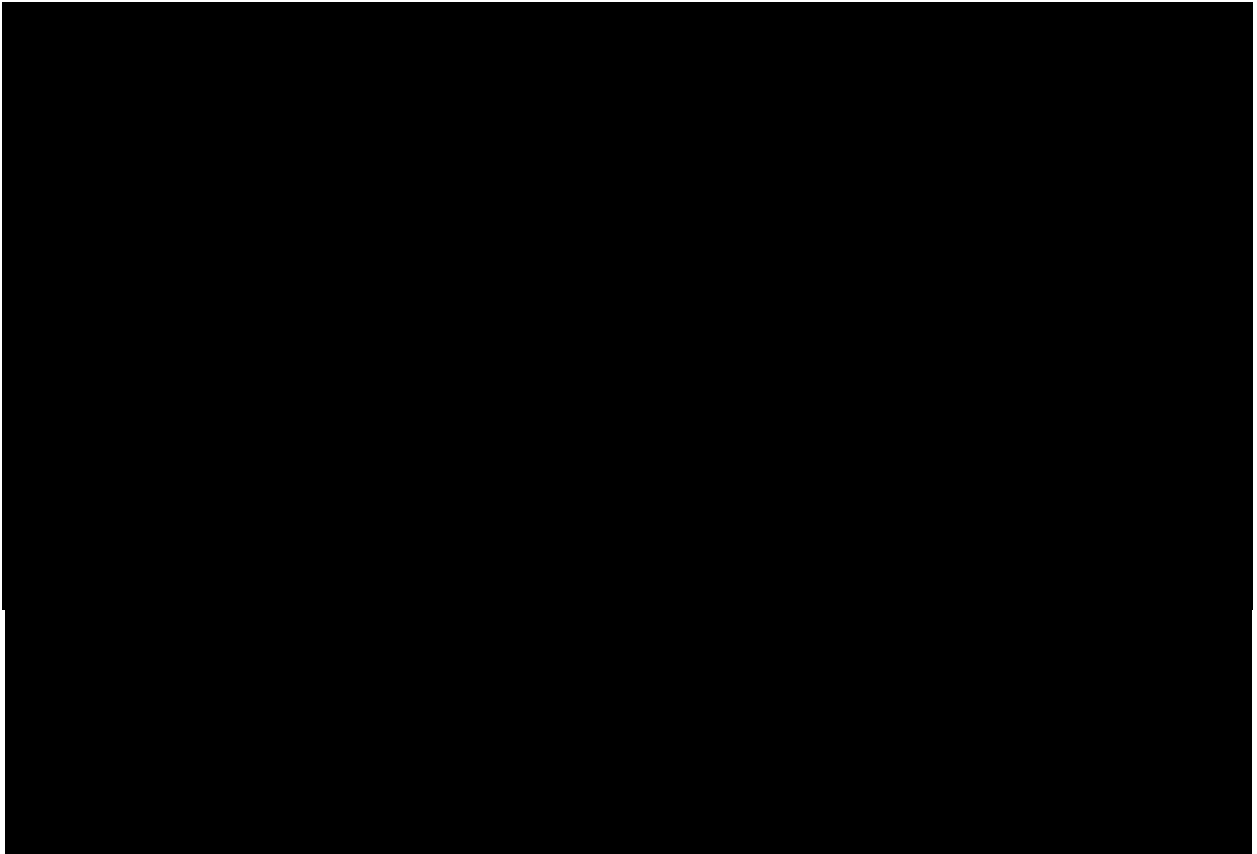
FACTUAL ANALYSIS

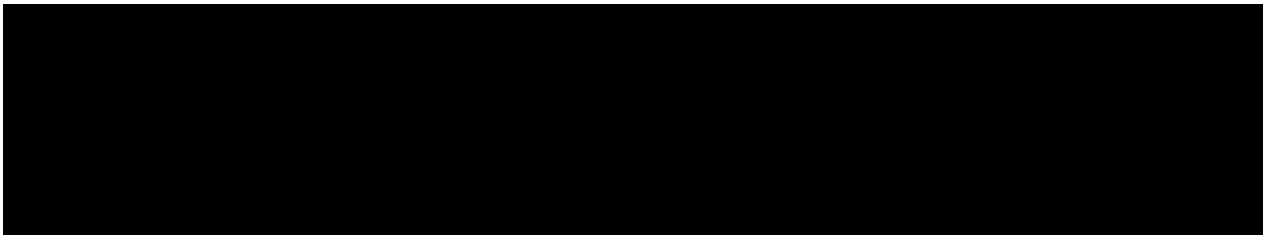
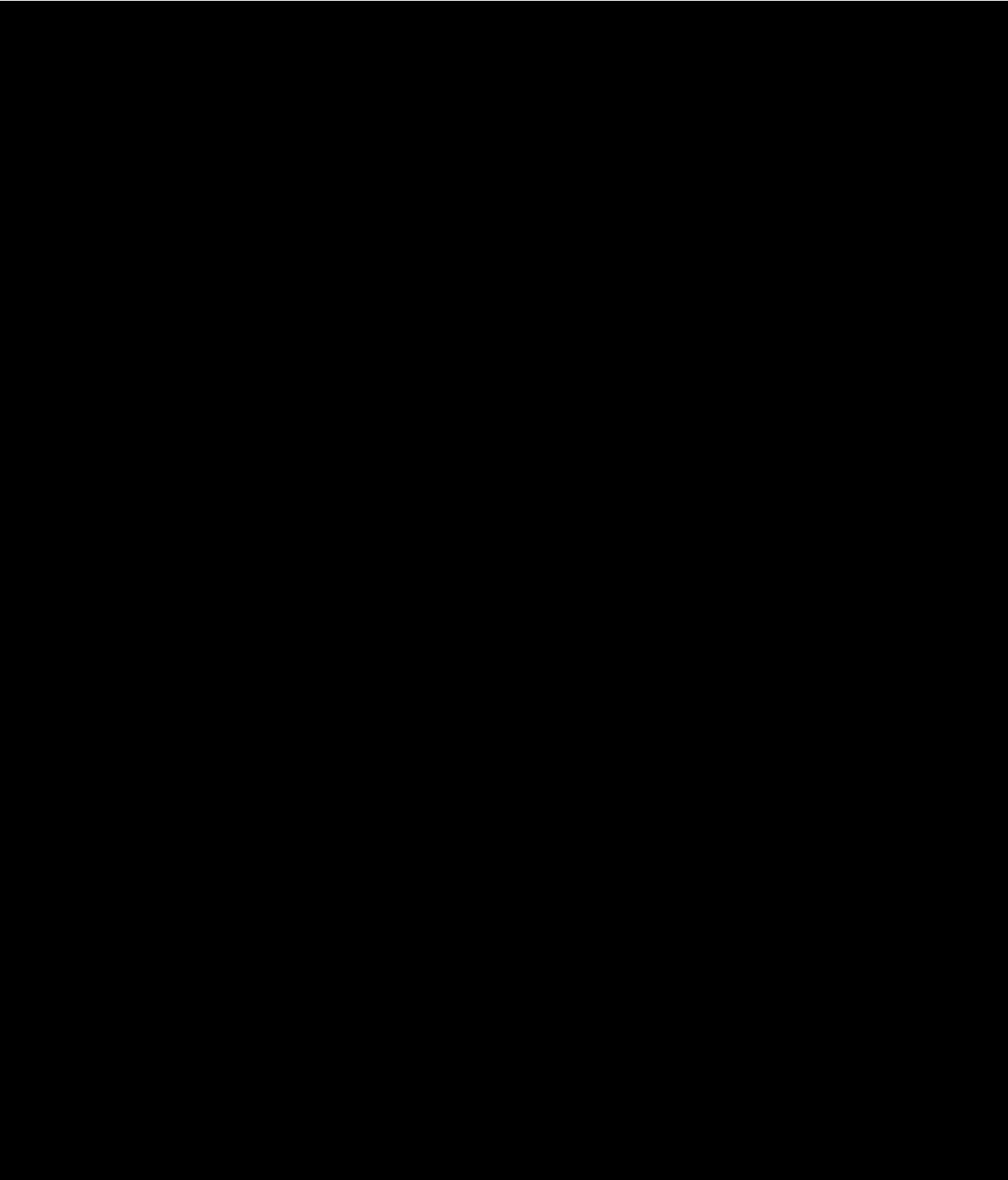
Introduction

On August 25, 2011, at approximately 2:42 p.m., LAPD Officers Sal Obaidee and Nuria Vanegas were driving on Florence Avenue toward the 77th Division police station, in the City of Los Angeles. The officers were dressed in full uniform and driving an unmarked police vehicle. Obaidee was driving and Vanegas was in the right, front passenger seat. As they approached the intersection at Florence Avenue and Western Avenue, Obaidee and Vanegas noticed several men in and around the intersection who appeared to be involved in a verbal altercation. Obaidee and Vanegas suspected that they may have come across criminal activity in progress. The officers drove through the intersection, looked behind them, and saw a man running down the street,

¹ The protocol for the District Attorney Response Team to be notified and respond is limited to incidents in which a peace officer, on or off duty, shoots and injures any person during the scope and course of employment.

holding his waistband. Suspecting that the man may be concealing a weapon, Obaidee made a U-turn to follow the man to investigate. Obaidee turned on Western Avenue, drove a short distance, made an immediate right turn on 70th Street, and was ambushed by a group of men, two of which were later identified as [REDACTED] and Alvin Furlow. [REDACTED] and Furlow were standing on the sidewalk and opened fire on Obaidee and Vanegas. Both officers returned fire from inside their vehicle. Obaidee was shot and injured. Furlow was grazed in the back by a bullet. Vanegas and [REDACTED] were uninjured.







Statement of Officer Joshua Pratt

At approximately 2:55 p.m., Officers Joshua Pratt and Andrew Gonzales responded to the help call broadcast by Obaidee. While in route, they monitored a radio broadcast of a perimeter being established and a suspect description. Upon arrival, Pratt and Gonzales deployed near the area of 71st Street and Denker Avenue. Pratt saw a man, later identified as [REDACTED], who matched the description of the broadcast, crossing 71st Street. [REDACTED] appeared to be in a hurry as he jogged across to the front of a residence on 71st Street. [REDACTED] attempted to open the gate of the location but it was locked. Pratt noticed [REDACTED] was wearing clothing similar to the description provided in the earlier broadcast. [REDACTED] was also breathing hard and was sweating profusely. Believing [REDACTED] was possibly involved in the shooting of Obaidee and Vanegas, Pratt and Gonzales approached [REDACTED]. [REDACTED] told Pratt and Gonzales that he was visiting with his uncle who lived in the area. When asked the last name of the uncle, [REDACTED] said he could not remember. Based on the circumstances, Pratt detained [REDACTED] and transported him to the 77th Street area police station for further investigation.

Statement of Witness Antoine S.

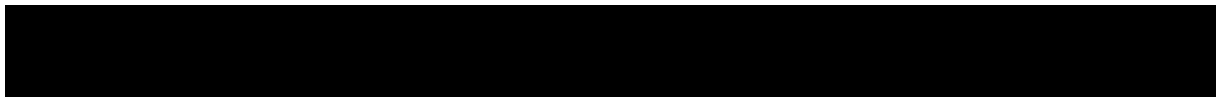
On August 25, 2011, Antoine S. stated he was walking with [REDACTED] on 70th Street. Antoine S. stated [REDACTED] was on a bike and saw him with a “big revolver” with a wooden grip in his left pocket. Antoine S. stated the only reason his “homeboy” would have shot at the police was because he thought they were the enemy.¹¹

Statement of Witness Armanin G.

Investigators interviewed Armanin G. in connection with statements made to her by Furlow. Armanin G. stated that Furlow told her he and some friends were walking down the street when a woman in a car started shooting at them. Furlow said he was armed with a gun and started shooting back. Furlow went on to tell her that he started running and dropped the gun. Furlow told Armanin G. he was shot as he ran away and showed her the injury to his back.

Statement of [REDACTED]¹²

[REDACTED] was arrested in connection with his involvement in this shooting, waived his Miranda rights, and provided a recorded statement to investigators. [REDACTED] stated he was going to meet some friends on Western Avenue and 76th Street. While in route, a vehicle occupied with



¹¹ Antoine S. is a documented “Eight-Tray Gangster.”

¹² At the time of the incident, [REDACTED] was five feet, six inches tall, weighed 200 pounds and was 25 years old.

possible rival gang members was driving on Western Avenue. The occupants of that vehicle had a verbal confrontation with his friends. ██████ was riding a 10-speed bicycle and Furlow was riding another bicycle. ██████ saw Furlow grabbing his waistband and holding a handgun as he rode his bicycle. When they reached 70th Street and Western Avenue, they turned right and began to travel in an easterly direction. At this time a beige colored vehicle pulled up and the occupants began to shoot at ██████ and Furlow. ██████ said he saw Furlow pull out a gun from the right side of his waistband and begin to shoot back at the vehicle.¹³

██████ was charged and pled guilty to one count of Penal Code section 664/187, attempted murder, and was sentenced to 12-years, 8 months, in state prison.

Statement of Alvin Furlow¹⁴

Furlow was arrested in connection with his involvement in this shooting, waived his Miranda rights, and provided a recorded statement to investigators. Furlow also known as “Boo Boo” said he was riding his burgundy beach cruiser eastbound on 70th Street with some friends. Furlow saw ██████ walking across 70th Street and began to yell, “Watch out for that car!” indicating a brown Buick which was turning right onto 70th Street. He then heard gunshots and saw a light skinned female in the passenger seat shooting in his direction. Furlow jumped off his bike and ran westbound on 70th Street to southbound on Western Avenue.¹⁵ Furlow stated he was struck in the back by gunfire.

Furlow was charged and pled guilty to one count of Penal Code section 664/187, attempted murder, and was sentenced to 22-years in state prison.

The Gun

A Smith & Wesson .357 Magnum Revolver was recovered from the area where Furlow and ██████ were standing when the shooting occurred.¹⁶ It contained six discharged cartridge casings.



¹³ ██████ described Furlow’s handgun as a “big chrome .357 revolver.” Due to his involvement in this shooting, detectives conducted an undercover operation and recorded ██████ while in custody. ██████ stated, “They didn’t get mine.” This statement is consistent with ██████ being in possession of a gun at the time of the shooting.

¹⁴ At the time of the incident, Furlow was five feet, eight inches tall, weighed 160 pounds and was 16 years old.

¹⁵ Furlow was shown a crime scene photo of the handgun next to his bicycle and was unable to explain why the handgun was near his bicycle, but stated that two days prior ██████ had given him the handgun to hold. Furlow described the gun as a “.357 with brown handles.”

¹⁶ Vanegas identified this gun as the same gun she saw shooting at her and Obaidee.

Injuries

Obaidee sustained gunshot wounds to the right side abdomen, right wrist and right index finger.

Furlow appears to have sustained a bullet graze wound to his lower back during the shooting.¹⁷ The injury was approximately one inch in length and linear shaped.

Firearms

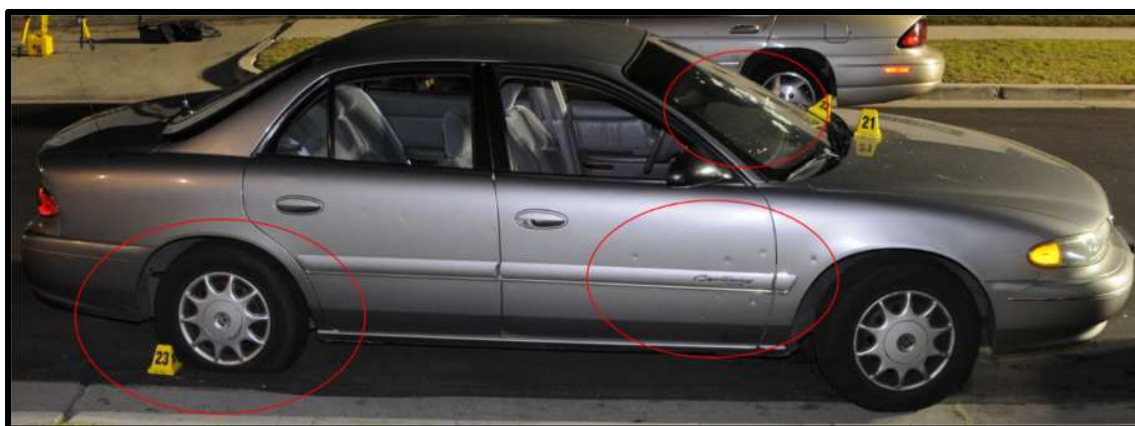
Obaidee was armed with a Glock, Model 21, .45 caliber semiautomatic pistol with a capacity of 13 rounds in the magazine and one in the chamber. An examination of Obaidee's service weapon determined that there was one round in the chamber and the magazine was empty, consistent with Obaidee firing 13 rounds during the incident.

Vanegas was armed with a Glock, Model 22, .40 caliber semiautomatic pistol with a capacity of 15 rounds in the magazine and one round in the chamber. Vanegas said she fired all 16 rounds. 16 cartridge casings from Vanegas' service weapon were recovered at the scene. Vanegas reloaded during the shooting but did not fire a second volley.

Firearms Analysis

An examination and analysis was conducted on the unmarked police vehicle, a grey 4-door Buick Century. Perforating impacts were located on the exterior rubber surface of the right rear and left rear tires. The pathways of the four impacts are consistent with a projectile traveling in a right to left direction. Two pathways were identified as being consistent with being made by projectiles traveling right (passenger side) to left (driver's side).

A total of 25 bullet impacts were identified, along with 20 associated bullet pathways. Fifteen of the 25 impacts were identified as being fired from within the vehicle outward. Nine of the impacts were identified as being fired at the police vehicle from a position on the south curb of 70th Street. One impact's direction could not be determined due to the condition of the impact and excessive damage surrounding the impact.



¹⁷ Furlow ran from the scene and was not detained until three days after the incident. There are no records of Furlow receiving any medical treatment, however, Furlow told detectives that he was shot during the incident. Detectives photographed the injury.



LEGAL ANALYSIS

California law permits the use of deadly force in self-defense and defense of others if the person claiming the right of self-defense actually and reasonably believed that he was 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.

In protecting himself, 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. 505.

“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. “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.

The evidence examined in this investigation shows that Officers Obaidee and Vanegas were returning to the 77th Street police station when they came across suspicious activity between two groups of men. Vanegas saw and advised Obaidee that one of the men was holding his waistband. As Obaidee and Vanegas turned onto 70th Street, they were ambushed by gunfire. In total, their vehicle sustained nine hits, and Obaidee suffered three gunshot wounds. In fear for their lives, the officers returned fire, wounding Furlow.

CONCLUSION

We conclude that Officers Sal Obaidee and Nuria Vanegas acted lawfully in self-defense and defense of another when they used deadly force against Alvin Furlow. We are therefore closing our file and will take no further action in this matter.