

**Fatal Officer Involved Shooting of Adam Youines
Pasadena Police Department**

**Sergeant Milton White, #9366, Sergeant Maclaren Adesina, #0048,
Officer Alexander Contreras, #1541, Officer Carlos Martinez #5478,
Officer Alejandro Loeza, #5308, Officer Kenneth Prado, #7040**

J.S.I.D. File #22-0262



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

February 20, 2024

MEMORANDUM

TO: CHIEF EUGENE HARRIS
Pasadena Police Department
207 North Garfield Avenue
Pasadena, California 91101

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

SUBJECT: Fatal Officer Involved Shooting of Adam Youines
J.S.I.D. File #22-0262
P.P.D. File #2022-63631

DATE: February 20, 2024

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the July 30, 2022, fatal shooting of Adam Youines by Pasadena Police Department (PPD) Sergeants Milton White and Maclauren Adesina, and Officers Alejandro Loeza, Kenneth Prado, Carlos Martinez, and Alexander Contreras.

We conclude that White, Adesina, and Loeza acted in lawful self-defense at the time they fired their weapons, reasonably believing, based on a totality of the circumstances, that deadly force was necessary to defend against an imminent deadly threat and to prevent the escape of a violent felon posing an ongoing deadly threat.

Additionally, we conclude there is insufficient evidence to prove beyond a reasonable doubt that Prado, Martinez, and Contreras did not fire in defense of a third party and to prevent the escape of a violent felon posing an ongoing deadly threat.

The District Attorney's Command Center was notified of this shooting on July 30, 2022, at approximately 6:40 a.m. The District Attorney Response Team responded to the location. They were given a briefing and walk-through of the scene by PPD Robbery/Homicide Detective Jordan Ling.

The following analysis is based on reports, officer body worn video cameras (BWV), patrol car dashboard mounted cameras (dash cam), voluntary statements from Sergeants White and Adesina, photos, and medical records. These materials were submitted to this office by PPD on October 12, 2023. The involved officers' compelled statements, if any exist, were not obtained or considered as part of this analysis. Loeza, Martinez, Prado, and Contreras provided no voluntary statements.

INTRODUCTION

On July 29, 2022, at 11:30 p.m., PPD received a report of a carjacking at gunpoint. Three hours later, a marked Monrovia Police Department patrol car encountered the stolen vehicle. Adam Youines was driving the vehicle.

The police unit attempted a traffic stop, but Youines fled at high speed. He drove over 80 miles per hour on surface streets, through numerous red lights, and several times entered the wrong direction of traffic. The pursuit ended after 25 minutes, when Youines voluntarily stopped the van in a 7-Eleven parking lot in the City of Pasadena.

Marked PPD cars surrounded the van. Youines maneuvered the van to within two car lengths of a patrol car blocking a parking lot exit. White, Adesina, and Loeza, all in uniform, were taking cover behind the car, pointing duty rifles at the front of the van, toward Youines.

According to officers' statements, BWV, and civilian videos, Youines held a pistol to his head. He ignored repeated police commands to drop his gun, exit the car, and surrender peacefully. Officers were informed by dispatch that Youines was on a call with 9-1-1 saying he wanted to die.

Youines began lurching the van forward, toward the police car behind which White, Adesina, and Loeza were positioned. They repeatedly yelled "Stop!" and "Don't do it!" As Youines lurched forward, White and Adesina discussed their "threshold" and discussed that they could not allow Youines to escape. The van lurched forward several times, bringing it to within one car length of the police car.

At 2:57 a.m., the van lurched a final time, it's back end dipped, and it began to roll slowly toward the police car. White opened fire, followed by Adesina and Loeza. Uniformed Officers Prado, Martinez, and Contreras, positioned across the parking lot at various locations behind and to the side of the van, also fired their weapons. Youines sustained eight gunshot wounds, to his head, neck and upper torso, and was pronounced dead at the scene.

A civilian's video footage appears to show Youines still held the gun to his head at the moment of the shooting. In a 9-1-1 recording, Youines yelled "Shoot me!" several times just before a volley of gunshots are heard.

From their duty rifles White fired 11 rounds, Adesina 18, Loeza four, Prado two, and Martinez three. Contreras fired four rounds from his duty pistol.

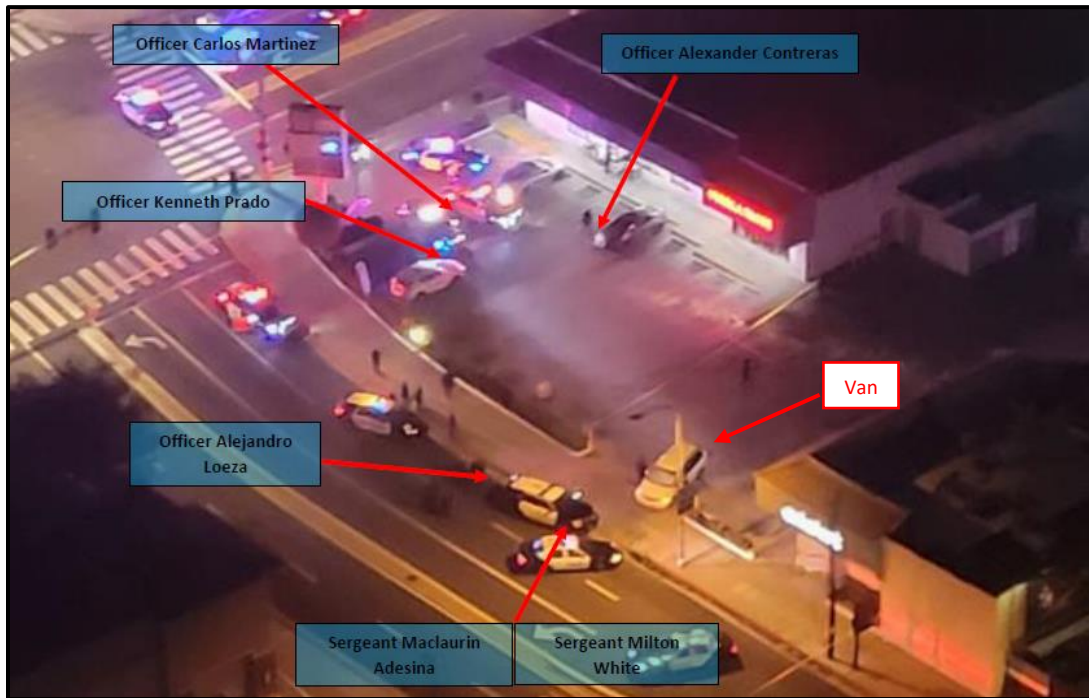


Figure 1: Aerial view of the scene shortly after shooting.

FACTUAL ANALYSIS

Carjacking Report

At 11:25 p.m., on July 29, 2022, a man reported to PPD that an unknown person approached him holding a gun across his chest and told him to get out of his car—the white van—then drove away in the car. The man was uninjured. Adesina and Contreras assisted on the carjacking report.

The man was unable to identify a suspect from a six pack photo array that included Youines. The man described the suspect as a male Hispanic, 25 to 28 years of age, medium build, short hair, wearing a black hat. On July 30, 2022, at 1:26 a.m. (one and one-half hours before the shooting), a red light camera in the City of Montebello captured an image of Youines driving the white van.

Video Footage

Footage of the incident was captured by patrol car dash cam, White's and Contreras' BWV, as well as the cellphones of two civilians located across the street from the parking lot. The other officers' BWV footage captured the sounds of the shooting but, due to officer positioning and visual obstructions, not imagery.

The footage shows that Youines held a gun to his head for about seven minutes while slowly rolling and lurching the van toward officers positioned at the parking lot driveway. An officer over a loudspeaker repeatedly tells Youines to drop his “handgun.” Various officers yell out that Youines has a gun to his head. Dispatchers can be heard reporting to officers at the scene that Youines called 9-1-1 and told dispatchers that he wanted to die.

According to dash cam and BWV, Youines voluntarily ends the high speed pursuit and stops the van in a 7-Eleven parking lot. Shortly after, PPD units surround his car and block the parking lot exits. Youines drives at a slow speed across the parking lot and stops about two car lengths from a parking lot driveway, which is at first partially blocked by one patrol car and later fully blocked by a second car prior to the shooting.



Figure 2: dash cam; Youines stops van in 7-Eleven parking lot.



Figure 3: Youines drives van toward officers blocking exit.

For several minutes Youines ignores officers' commands to surrender peacefully and, instead, incrementally rolls, stops, and rolls toward the blocked exit.

In a final sequence of movements, within a minute of the shooting, Youines escalates from rolling and stopping to *lurching* the van forward and abruptly stopping, about three times. Youines lurches the van to within a car length of White, Adesina, and Loeza. Various officers repeatedly yell "Drop the gun!" and "Don't do it!"

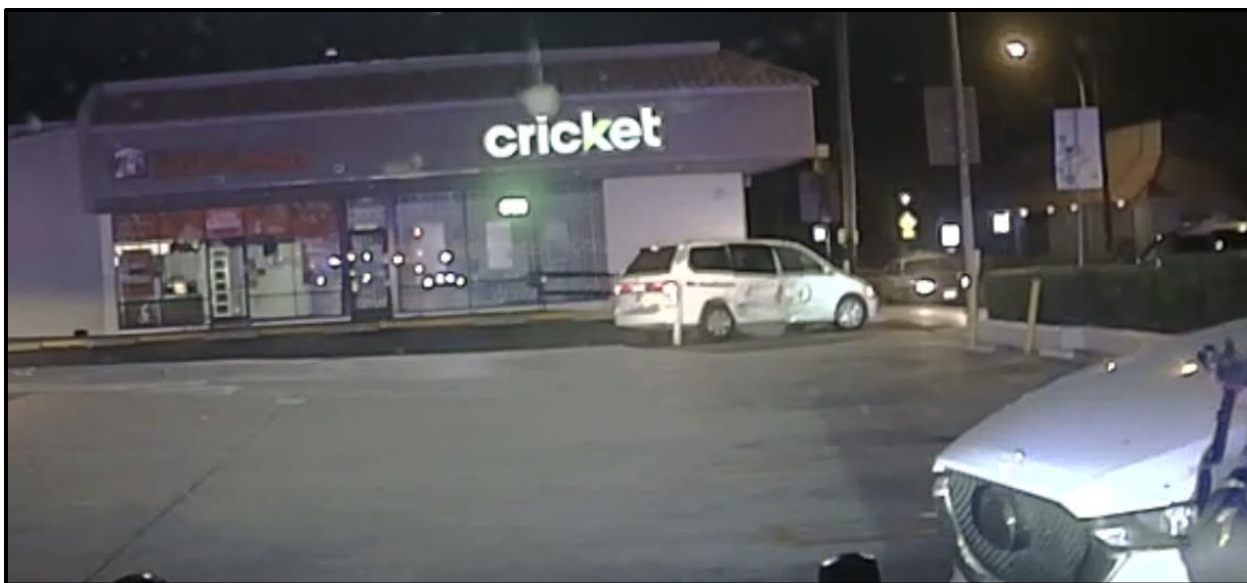


Figure 4: Youines stops van before his final lurch and roll forward, when officers open fire.

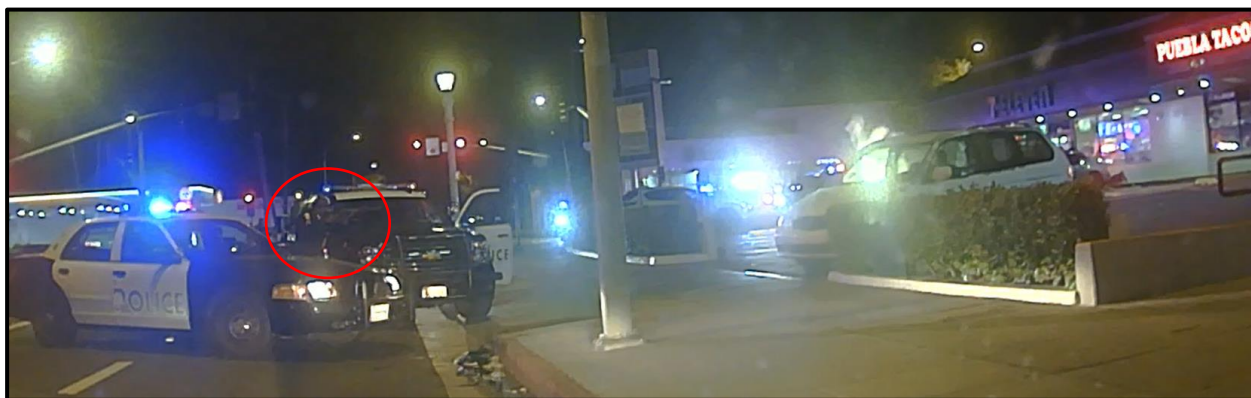


Figure 5: dash cam; opposite view from Figure 4; White (circled) opens fire.

Shortly before the shooting, Adesina is heard on BWV radioing that Youines has "the weapon to his head." Adesina tells White, "Can't let him get past us, buddy." White responds, "Yeah, we can't let him go." Seconds before the shooting, Adesina says, "Watch your threshold, Milt. [White]." White says, "Gotta do it!" White fires a rapid volley of rifle rounds into the van's windshield, followed by Adesina and Loeza. White shoots just after the van starts slowly

forward then lurches as its back end dips—indicating forward momentum—and it rolls slowly forward. The collective volley lasts about 3.9 seconds. The van rolls several feet forward, never reaching the mouth of the driveway, and stops. The gunshots continue for about one and one half seconds after the van stops.

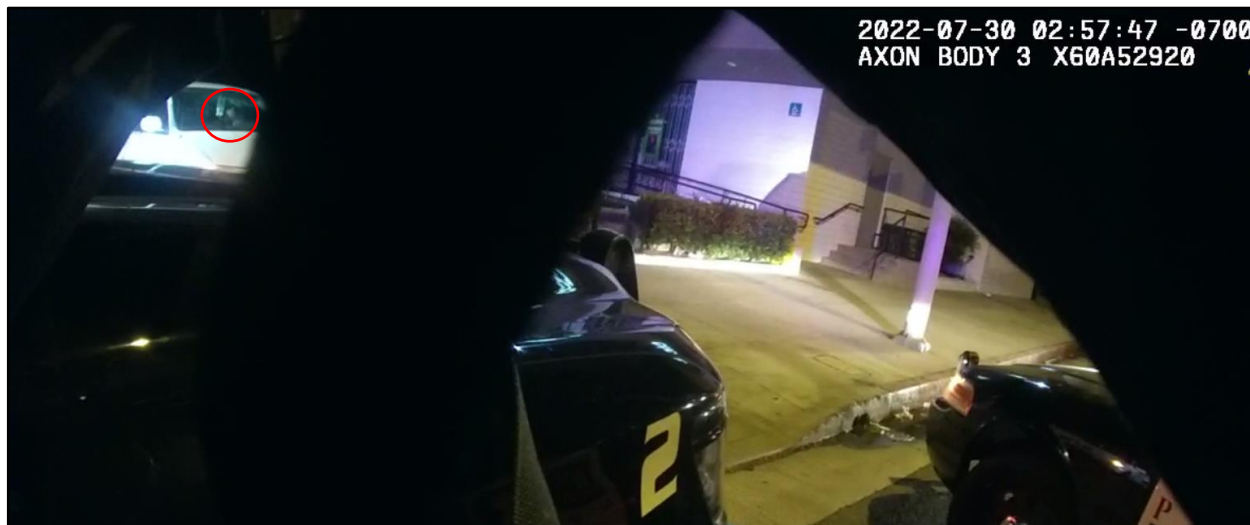


Figure 6: White BWV; White's view of Youines (circled) just before White fired first shot.

According to Loeza's BWV, he starts shooting after other officers had opened fire and stops as others continue to shoot. After Loeza ceases fire, three rapid shots from Contreras' pistol are heard (the pistol is distinct in sound from the rifles equipped with suppressors). Loeza waves toward Contreras and yells, "Hey!" A moment later, Contreras' final shot is heard, and Loeza yells, "Do not shoot! Hold your fire!"

During the standoff, Prado and Martinez are positioned across the parking lot perpendicular to Youines' van. They arrive seconds after Youines stops in the parking lot. Their rifles point at its passenger side. Their BWVs are blocked by their patrol cars but each can be heard and seen firing after the initial volley begins and ceasing fire simultaneous with White, Adesina, and Loeza.

Contreras is positioned across the parking lot. He also arrives seconds after Youines stops in the parking lot. Contreras faces the rear and passenger side of the van from a 45 degree angle. His pistol rounds are distinct in sound from the rifles, which are equipped with suppressors. Contreras opens fire two and one half seconds after the first rifle rounds are heard. He fires three rounds in less than one second. He pauses for about one second and fires a fourth round. This last round is heard a fraction of a second after the final rifle round and is the last shot of the incident. The van appears to be stopped at the time of Contreras' final round. It is unclear whether it is moving when he fires his first three rounds.



Figure 7: Contreras BWV; Contreras fires his first shot.

Civilian Videos

Two civilians positioned across the street from the parking lot filmed the incident. The footage clearly shows Youines holding a gun to his head in the minutes before the shooting. Youines appears to still hold the gun to his head as the officers open fire, although this is less clear because the footage becomes grainy.



Figure 8: citizen's video; Youines holding a pistol to his head seconds before the shooting.

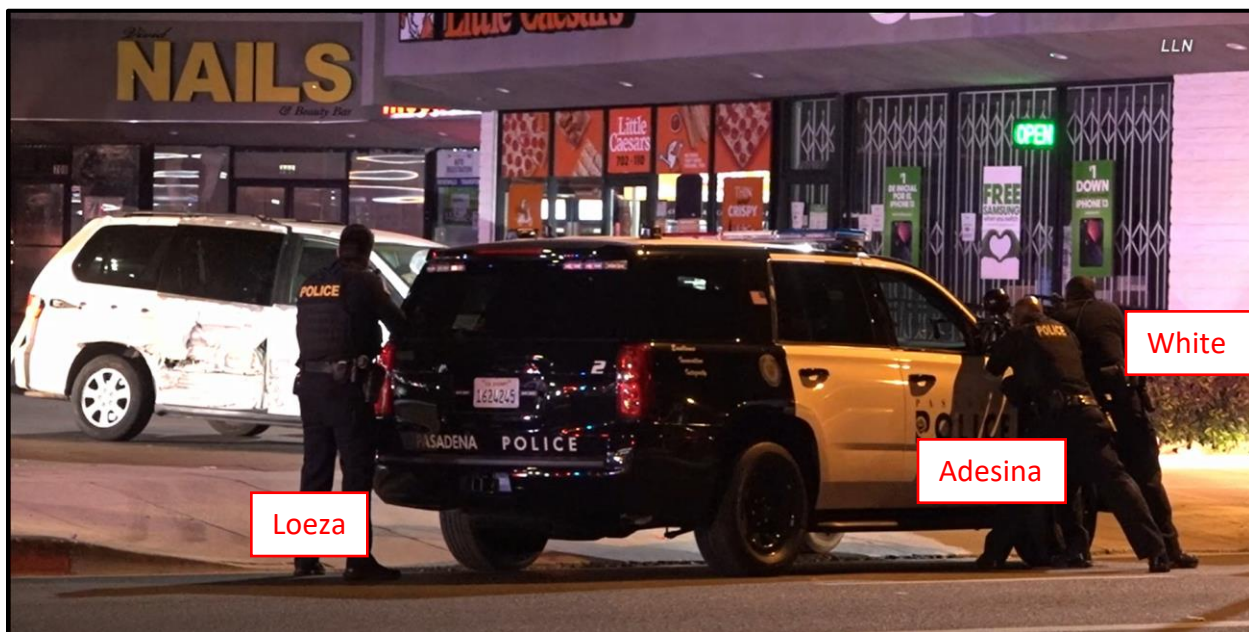


Figure 9: citizen's video; Youines lurching van toward officers seconds before shooting.

Adesina Statement

Adesina responded to the carjacking scene, according to his statement, around 11:00 p.m. Later, he joined the pursuit of the van. He was not the lead car but heard other officers describing Youines' reckless driving.

Adesina described the moments leading up to the shooting. He said that as Youines drove toward the parking lot exit where Adesina was positioned, a yellow pole at the edge of the sidewalk served as his "threshold." Adesina saw Youines holding a gun to his head. He fired when he saw Youines move the gun away from his head (this cannot be confirmed or contradicted by the footage). He also fired to prevent Youines from escaping and resuming his reckless driving.

White Statement

White said that he joined the pursuit of the van after hearing it had been reported stolen during a carjacking at gunpoint. At times during the pursuit, White became the lead car and observed Youines' reckless driving, including one instance when Youines made a U-turn and drove directly at White's vehicle before veering away, driving on the sidewalk, and entering the onramp to the Interstate 210 freeway (this sequence is captured on dash cam).

White said that he saw Youines holding a gun to his head during the standoff in the parking lot. He saw Youines looking around and believed he intended to make a last stand. White believed Youines risked killing someone if they allowed Youines to drive out of the parking lot.

As Youines drove toward them, Adesina asked White, “What’s our threshold?” which White understood to mean the distance at which the van would be close enough to strike the officers before they would be able to move out of the way. White opened fire because he believed Youines was within that threshold and that the officers were in danger of being run over by Youines’ van.

Physical Evidence



Figure 10: Youines's pistol.

According to BWV, moments after the shooting, Loeza reached into the van’s broken driver window and retrieved from inside the van an antique stainless steel revolver. Later inspected by investigators, the .44 caliber pistol was unloaded and inoperable.

Investigators determined the number of rounds each officer likely fired based on BWV, the number, type, and location of casings recovered at the scene, and post incident examinations of the officers’ duty weapons. From their 5.56 duty rifles, Adesina fired 18 rounds, White 11, Martinez three, and Prado two. Contreras fired four rounds from his 9mm service pistol.

9-1-1 Call

Youines called 9-1-1 with the carjacking victim’s cell phone. According to the recording of the call, Youines identifies himself to the dispatcher by name. He says, “I wanna die.” He says he wants to speak with his mother. The dispatcher offers to call his mother. Youines responds, “I don’t care. I don’t care. It’s done. I’m over. I’m done.” Seconds later Youines yells, “Shoot me! Shoot me! Shoot me!” Gunshots are heard in the background.

Autopsy

On August 8, 2022, Dr. Michael Harrell of the Los Angeles County Medical Examiner’s office conducted an autopsy of Youines’ remains and ascribed the cause of death as homicide resulting from multiple gunshot wounds. Youines suffered eight gunshot wounds, including three lethal

wounds to the head, one graze wound to the head, three wounds to the face and neck, and one wound to the right shoulder. Toxicology testing revealed the presence of methamphetamine and marijuana in Youines' blood.

THE LAW

A peace officer is justified in using deadly force when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for either of the following reasons: (1) to defend against an imminent threat of death or serious bodily injury to the officer or to another person; or (2) to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Penal Code section 835a(c)(1)(A) & (B).

Deadly force shall be used "only when necessary in defense of human life," and officers "shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer." Penal Code section 835a(a)(2).

"A threat of death or serious bodily injury is 'imminent' when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed." Penal Code section 835a(e)(2).

When considering the totality of the circumstances, all facts known to or perceived by the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force, are taken into consideration. Penal Code section 835a(a)(4) & (e)(3). The peace officer's decision to use force is not evaluated with the benefit of hindsight and shall account for occasions when officers may be forced to make quick judgments about using force. Penal Code section 835a(a)(4).

LEGAL ANALYSIS

Police units attempted a traffic stop of Youines because he was driving a van reportedly stolen at gunpoint hours earlier. Youines instead evaded officers for 25 minutes, endangering the public by driving over 80 miles per hour on surface streets, through numerous red lights, and at times in the wrong direction of traffic. Youines stopped the van in a 7-Eleven parking lot and, according to video footage and officer statements, held a gun to his head for seven minutes, ignoring officer commands to surrender. Youines called 9-1-1 and told dispatchers he wanted to die. Officers continued to issue commands to Youines until he drove the van, lurching and stopping, to within a car length of White, Adesina, and Loeza, causing them to fire at Youines.

The available evidence suggests that Youines intended to force officers to shoot him by holding a gun to his head and driving his car at them, creating an unacceptable danger of serious injury to the officers and danger that Youines would escape.

White and Adesina are heard on BWV discussing their “threshold,” or how close to them (and the parking lot exit) they can allow Youines to proceed before using deadly force to stop the van. White and Adesina faced the twin dangers that Youines would attempt to shoot them with the pistol he held or accelerate the van into the patrol car behind which they stood.

Separately, Youines, suspected of committing a carjacking at gunpoint and driving recklessly during a police pursuit, qualified as a *fleeing person for any felony that threatened ... serious bodily injury* and presented an ongoing threat of *serious bodily injury to another unless immediately apprehended*.

Accordingly, regarding White, Adesina, and Loeza, considering the totality of the circumstances known to the officers at the time, including those leading up to the incident, it was reasonable for them to believe that deadly force was necessary to defend against an imminent deadly threat and to apprehend a person for a violent felony who posed an ongoing deadly threat to the public.

Prado and Martinez were positioned perpendicular to the van, facing its passenger side. Contreras also faced the passenger side of the van but from the rear of the van at a 45 degree angle. Present for the entirety of the standoff, undoubtedly all were aware that Youines held a gun to his head and appeared bent on forcing a deadly confrontation. As best as can be determined by video footage, Prado and Martinez opened fire after White commenced shooting and ceased fire within a second of the van coming to a stop. Neither their BWV nor other available footage depict the van’s movements at the moment they fired.

Contreras opened fire later than Prado and Martinez, about two and one half seconds after the first shot, from White. He paused for one second between his third and fourth shots. According to the footage, the van was likely stopped when he fired his fourth shot, and may have been stopped at the time of his first three shots, although it is unclear.

While the above circumstances point to a dangerous and unpredictable situation, there may be some question whether at the time Prado, Martinez, and, particularly, Contreras chose to fire, Youines remained an *imminent* threat. When they fired, Prado, Martinez, and Contreras likely could not see what Youines was doing with the firearm inside the van. The threat that they could perceive, then, was that the van would injure White, Adesina, and Loeza, or that Youines would escape. But blocked in by two patrol cars, slowly rolling or stopped, and having been fired upon by three rifle-armed officers at close range, it is questionable whether Youines had the present *ability* or *opportunity* to cause injury or to escape.

Notwithstanding, considering the totality of the circumstances known to the officers at the time, including the carjacking at gunpoint, and Youines’ apparent suicidal intent to force a deadly

encounter with the police, there is insufficient evidence to prove beyond a reasonable doubt that Prado, Martinez, and Contreras' decision was not reasonable and necessary at the time they made it, taking into account that they were forced to make quick judgments without the benefit of hindsight.

CONCLUSION

For the foregoing reasons, we find that Sergeants White and Adesina and Officer Loeza acted lawfully in self-defense and to prevent the escape of a violent felon posing an ongoing deadly threat when they used deadly force against Adam Youines.

There is insufficient evidence to prove beyond a reasonable doubt that Prado, Martinez, and Contreras did not fire in defense of a third party and to prevent the escape of a violent felon posing an ongoing deadly threat.