

**Fatal Officer Involved Shooting of Brian Statler Jr.  
Inglewood Police Department**

**Officer Julien Baksh, #919**

**J.S.I.D. File #19-0138**



**GEORGE GASCÓN**

**District Attorney**

**Justice System Integrity Division**

**March 3, 2023**

**MEMORANDUM**

TO: CHIEF MARK FRONTEROTTA  
Inglewood Police Department  
1 Manchester Boulevard  
Inglewood, California 90301

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

SUBJECT: Fatal Officer Involved Shooting of Brian Statler Jr.  
J.S.I.D. File #19-0138  
I.P.D. File #2019-20361

DATE: March 3, 2023

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the March 27, 2019, fatal shooting of Brian Statler Jr. by Inglewood Police Department (IPD) Officer Julien Baksh. It is our conclusion that there is insufficient evidence to prove beyond a reasonable doubt that Officer Baksh did not act lawfully in self-defense and in defense of others.

The District Attorney's Command Center was notified of the shooting at approximately 5:45 p.m. on March 27, 2019. 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 investigative reports, audio and video recordings of interviews, surveillance video, firearm analysis reports, a recorded 9-1-1 call, DNA analysis reports, crime scene diagrams, photographs, an autopsy report, and witness statements submitted to this office by IPD Detective Michael Han.<sup>1</sup> Baksh's compelled statement was not considered as part of this analysis.

**FACTUAL ANALYSIS**

Between December 2015 and November 2016, ██████████. was in a dating relationship with Brian Statler Jr., and they resided together.<sup>2</sup> ██████████. and Statler were members of the Church of Scientology, and ██████████. worked for the church in the City of Inglewood. In November 2016, ██████████. accused Statler of choking her during an argument. ██████████. was pregnant with Statler's child at the time. ██████████. and Statler ended their relationship, and Statler was asked to leave the church. ██████████. gave birth to their child, a girl, in January 2017. Statler had never met or had contact with his daughter. On March 21, 2019, Statler called ██████████. at the

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<sup>1</sup> Involved IPD officers were not equipped with body worn video cameras, and the incident was not captured on video.

<sup>2</sup> IPD investigators conducted multiple interviews with ██████████. on March 27, 2019. The interviews were recorded.

Inglewood Church of Scientology (ICS) and told ██████. that he wanted to see her and their daughter, despite an active restraining order preventing him from having contact with ██████.<sup>3</sup> According to ██████., she told Statler that he could not see their daughter but that she would contact him at a later time to discuss the matter further. According to ██████., she did not intend on resuming a relationship with Statler but wanted to serve him with child support paperwork.

On March 27, 2019, Statler called the ICS and spoke to receptionist ██████.<sup>4</sup> According to ██████., Statler asked to speak with ██████. and said, “I may even come over today, and I’ll be packed. Because I’m getting tired of doing things and not getting anything done.”<sup>5</sup> ██████. interpreted that to mean that Statler may show up with a “weapon.” ██████. transferred the call to ██████.<sup>6</sup>

Later that day, Statler walked into the ICS lobby wearing a mask, sunglasses, black pants, black shoes, and a Japanese-style jacket and hat. Statler held a cane in one hand, a blue Japanese hand fan in the other, and had a samurai sword in a scabbard and a backpack on his back.<sup>7</sup>



*Figure 1 – Still image from Church of Scientology surveillance video depicting Statler entering the church.<sup>8</sup>*

Statler approached ██████. at the reception desk and told her he wanted to speak to ██████. ██████. called the church’s Director of Special Affairs, ██████., who was aware of the situation

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<sup>3</sup> ██████. had obtained a restraining order against Statler following a January 2016 domestic violence incident.

<sup>4</sup> ██████. knew Statler from when he was a member of the church. IPD investigators interviewed ██████. on March 27, 2019. The interview was recorded.

<sup>5</sup> ██████. R. was an “ethics officer” with the church. According to ██████., it would be consistent with church policy for Statler to get ██████.’s permission before speaking with ██████., given their history.

<sup>6</sup> IPD investigators interviewed ██████. on March 27, 2019. The interview was recorded. The call between ██████. and Statler was not discussed during the interview. ██████. did not respond to the IPD station for a follow-up interview.

<sup>7</sup> The cane was later determined to be a functioning stun gun.

<sup>8</sup> The church’s surveillance video has no audio.

between [REDACTED], and Statler and told [REDACTED] to call the police.<sup>9</sup> [REDACTED] called the police and requested they respond to the location as church employee [REDACTED]. [REDACTED] spoke with Statler.<sup>10</sup> According to [REDACTED], he told Statler that he would have to take the sword out of the church, and Statler replied that the sword “was part of [him]. I have it for protection because I know how you guys like to manipulate people. You’re not going to manipulate me.” [REDACTED] insisted Statler take the sword out of the church, and Statler went outside and put the sword in his car.

When Statler returned to the reception area, [REDACTED] and [REDACTED] were waiting for him. According to [REDACTED], he wanted to get Statler away from the public, so he directed him to the test evaluation area of the church and asked him to have a seat at a desk.<sup>11</sup> Once Statler sat down, [REDACTED] and [REDACTED] attempted to speak with him.

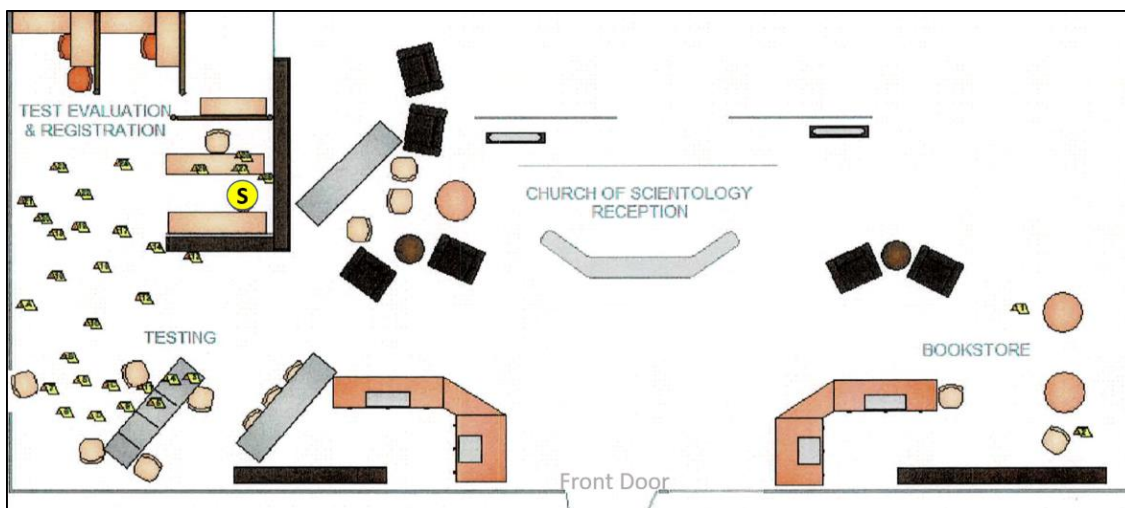


Figure 2 – Diagram depicting the interior of the ICS. Statler’s (S) approximate location while speaking with [REDACTED] and [REDACTED] is labeled in yellow.

According to [REDACTED], it was difficult to speak with Statler because he was acting “kind of strange” and “erratic.” Statler told him that he had “found a much better way to access the spiritual being.” [REDACTED] asked Statler how he could help him, and Statler replied that he wanted to see his daughter. According to [REDACTED], Statler responded “with too much force,” and [REDACTED] believed “it could get violent.”

Simultaneously, IPD Officer Jonathan Rivers arrived at the location and was met outside by [REDACTED]. Rivers was wearing a distinctive IPD uniform. According to [REDACTED], he told Rivers that [REDACTED] and Statler were previously in a romantic relationship in which Statler had physically abused [REDACTED], and he asked Rivers to remove Statler from the church. According

<sup>9</sup> IPD investigators conducted an unrecorded interview with [REDACTED] on March 27, 2019. A second recorded interview was conducted on July 26, 2019.

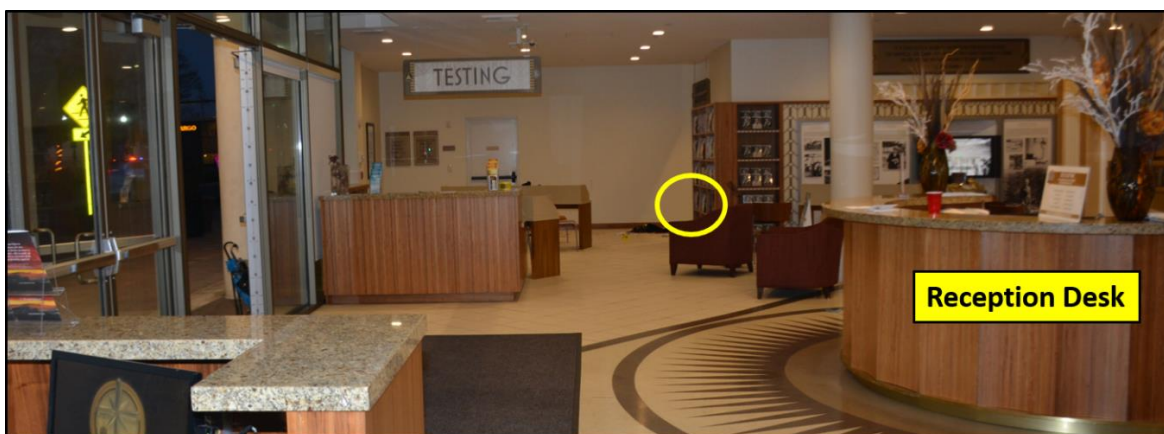
<sup>10</sup> IPD investigators interviewed [REDACTED] on August 27, 2019. The interview was recorded.

<sup>11</sup> There are no surveillance cameras in this area of the church.

to Rivers, ██████, told him Statler was becoming “erratic,” and Rivers saw a woman behind the reception desk acting “frantic,” pointing toward Statler’s location.<sup>12</sup>

Rivers entered the church and contacted Statler.<sup>13</sup> According to ██████, Rivers told Statler, “Put the stick down!” multiple times, and Statler did not respond. Rivers described Statler as “confused” when he contacted him and said he told Statler that he was not in trouble but that he needed to leave the location. According to Rivers, Statler mumbled quietly and incoherently before saying, “I’m Code-5!”<sup>14</sup> Rivers again told Statler he had to leave, but Statler ignored him and remained seated.

According to Rivers, Statler grabbed something off the desk he was seated at and put it in his pocket. Rivers was unsure what the item was and told Statler to keep his hands on the table. According to ██████, Statler had grabbed his cell phone off the table, and Rivers told him, “Put that down, or I’ll shoot you. I will seriously shoot you.” ██████ also recalled Statler taking his cell phone off the table and Rivers ordering Statler to put it down.<sup>15</sup> At this time, Rivers asked ██████ and ██████ to step away from the location. ██████ and ██████ left and stood by the reception desk with ██████.<sup>16</sup>



*Figure 3 – Photograph depicting the front door, reception desk, and approximate location of the incident (yellow circle).*

IPD Officer Julien Baksh arrived wearing his distinctive IPD uniform and joined Rivers and Statler in the test evaluation area of the church. ██████ could not see Rivers or Statler and

<sup>12</sup> IPD investigators interviewed Rivers on September 4, 2019. The interview was recorded. Rivers did not mention ██████, telling him about Statler’s history with ██████ during his interview.

<sup>13</sup> Multiple church employees described Rivers entering the church and contacting Statler with his duty weapon drawn. Church surveillance video depicts Rivers entering the church with his duty weapon holstered, and Rivers told investigators his hand was resting on his holstered firearm when he contacted Statler.

<sup>14</sup> “Code-5” is the police radio code for being on a stakeout.

<sup>15</sup> ██████ did not mention Rivers threatening to shoot Statler but said Rivers had his duty weapon drawn at this point. Rivers denied purposefully drawing his duty weapon during the incident.

<sup>16</sup> ██████, ██████, and ██████ stood near the reception desk during the officer-involved shooting, and their view was obstructed by furniture and a wall. ██████ and ██████ reported seeing brief portions of the incident, including the legs of the officers and Statler, once they were on the ground. Unless otherwise indicated, the details of the events immediately preceding the officer-involved shooting are derived from Rivers’ account of the incident, as Baksh’s compelled statement was not reviewed, and there were no other witnesses to a majority of the events.

was unaware of Baksh's presence but heard Rivers' "intensity level" rise as he told Statler, "Get up!" and ordered him to put his hands where he could see them. ██████ heard Statler responding and believed Statler was antagonizing Rivers but could not understand what he was saying.

According to Rivers, he informed Baksh that Statler had put something in his pockets and that he had not searched him yet. Baksh began to explain to Statler that he needed to leave the location when Statler suddenly reached toward his pockets. Rivers and Baksh immediately went to grab Statler to detain him and prevent him from accessing his pockets. As Rivers stepped toward Statler, Statler began to remove something from his left pocket.<sup>17</sup> Rivers grabbed Statler's left arm and wrist as Baksh grabbed Statler's right arm. According to Rivers, Statler stood up and "overpowered" him.<sup>18</sup> As Rivers attempted to employ a rear wristlock, Statler started "pulling" and "tugging" on his holstered firearm. Rivers saw Statler's hand on his gun and yelled, "He's going for my gun! He's going for my gun!"<sup>19</sup> Subsequent testing revealed the presence of Statler's DNA on Rivers' duty weapon.

Rivers stated he placed his right hand on his gun to prevent Statler from removing it from the holster. Statler looked down at Rivers' firearm as he attempted to remove it from the holster, and Rivers used his left hand to apply pressure to Statler's neck and jawline to push his head upward to prevent him from seeing his duty weapon. Rivers told Statler, "Stop!" before he realized Statler's right hand was now free and on his firearm. Rivers took his left hand from Statler's neck and placed it on his duty weapon to prevent it from being removed from its holster. Rivers noticed Baksh's arm wrap around Statler's head, and he, Baksh, and Statler fell to the floor. As Rivers fell to the floor, he felt the holster's retention lock disengage, and his duty weapon came out of its holster. According to ██████, she could see an officer's legs and tell he was lying on his stomach. She described the officer's legs as "kicking" and recalled hearing "struggling noises." ██████ could tell Statler was fighting the officer and not complying with their commands.

Rivers and Statler maintained their grip on Rivers' duty weapon, and Rivers heard Baksh yell, "Gun!" several times. According to Rivers, once his duty weapon was removed from his holster, he thought Statler was going to kill him. As he and Statler struggled for control of the firearm, Rivers heard a "bang," and Baksh yelled, "Fuck, I'm hit! I'm hit!" After the shot, Rivers' duty weapon fell to the ground near his feet, and Rivers intentionally kicked it a few "arms lengths" away from the group. Rivers began to stand up to retrieve his firearm, realized a bullet had struck him, and heard a second gunshot.<sup>20</sup>

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<sup>17</sup> A stun gun was later recovered from Statler's left front pocket.

<sup>18</sup> Statler was 30 years old, 5'11" tall, and weighed approximately 170 pounds. Rivers was 29 years old, 5'9" tall and weighed approximately 150 pounds. Baksh was 33 years old, 5'8" tall, and weighed approximately 175 pounds.

<sup>19</sup> Rivers' duty weapon was secured by a Safariland Model 6280 Mid-Ride Level II Retention Duty Holster. The Model 6280 prevents the firearm from being removed from the holster without first releasing the security "hood" by simultaneously pushing it down and moving it forward, <http://www.safariland.com/products/model-6280-sls-mid-ride-level-ii-retention-duty-holster-23292> (last visited Jan. 13, 2023).

<sup>20</sup> ██████ told investigators that it appeared both officers were trying hard to control Statler when he heard someone yell, "Shit!" He then saw Rivers on his knees or crouched, take a step back, and fire two rounds at Statler. ██████ told investigators she was focused on a phone call during the incident but believed Rivers was the shooting officer. Other evidence indicates Rivers did not discharge his duty weapon during the incident. Rivers' duty weapon

Rivers retrieved his service weapon and looked at Statler, who was now bleeding from his mouth and torso and no longer moving. Rivers had been shot in the right arm and noticed Baksh had been struck in the hand. IPD Officers Troy Wunderlich, Nicholas Bobbs, and Armando Ortiz arrived at the scene seconds after the shooting and observed Rivers, Baksh, and Statler with gunshot wounds. Bobbs broadcasted a request that an ambulance respond to the scene. Baksh walked over to Rivers and took Rivers' duty weapon, removed the magazine, ejected a chambered round, and placed the firearm on a nearby table.<sup>21</sup>

Wunderlich and Bobbs handcuffed Statler before conducting a pat down search in which they recovered a stun gun from his front left front pocket and an LAPD badge from his "pocket."<sup>22</sup> They then placed Statler in the "recovery" position while Ortiz applied a tourniquet to Rivers' right arm. IPD Officer Elias Alvarez arrived and began providing medical aid to Rivers, Baksh, and Statler until Los Angeles County firefighter-paramedics arrived. Rivers, Baksh, and Statler were transported to UCLA Westwood Hospital, where Rivers was treated for a gunshot wound to his right arm just above the elbow, and Baksh was treated for a gunshot wound to his left thumb. Statler was pronounced deceased at 4:33 p.m. by Dr. James Jiang.

### Ballistics Evidence

Three discharged cartridge casings headstamped "WCC+P+18" were recovered from the floor of the test evaluation area of the church. Ballistics testing determined these rounds were discharged from Baksh's Glock model 17, 9mm Luger caliber semiautomatic duty weapon. Two projectiles were recovered from the bookstore area of the church. One of the projectiles had impacted a DVD and fallen to the floor, and the other was recovered from the floor. Rivers' Glock model 17, 9mm Luger caliber semiautomatic duty weapon was recovered from a table in the testing area of the church. Rivers' duty weapon's fully-loaded magazine and one unfired bullet that had been ejected from his duty weapon's chamber were recovered from the testing area's floor.

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magazine was recovered fully loaded, and ballistics testing determined that the three casings recovered from the scene were discharged from Baksh's service weapon. Baksh acknowledged firing the rounds from his duty weapon in the public safety statement he provided following the incident.

<sup>21</sup> Rivers and Bobbs both reported Baksh taking Rivers' duty weapon and rendering it safe after the incident. Baksh also acknowledged rendering Rivers' firearm safe in the public safety statement he provided.

<sup>22</sup> Bobbs did not specify which pocket the badge was recovered from.

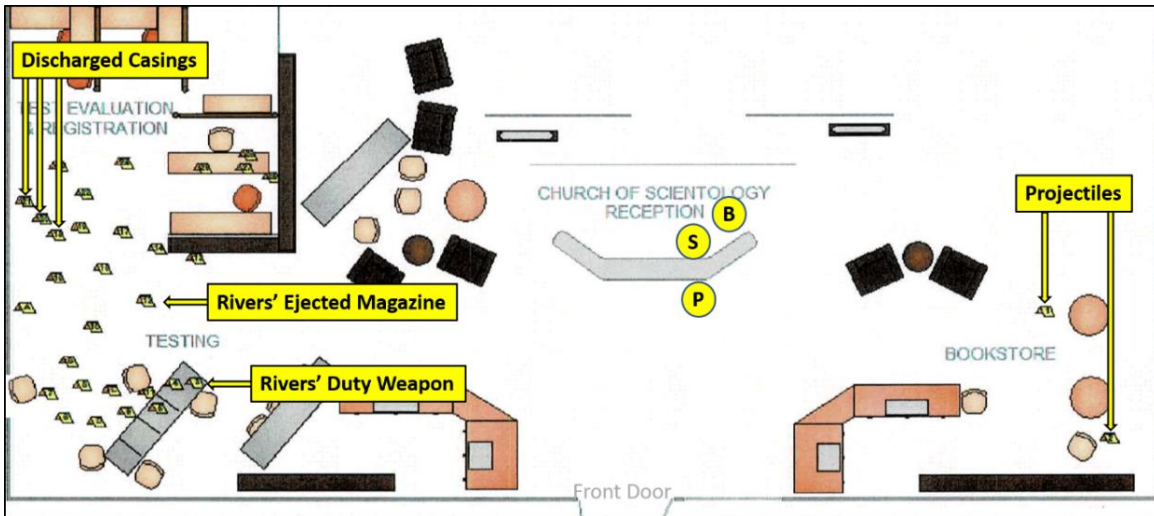


Figure 4 – Diagram depicting the ICS’s interior with the locations of ballistics evidence labeled. The approximate locations of [REDACTED] (P), [REDACTED] (S), and [REDACTED] (B) at the time of the officer-involved shooting are also labeled.

### Other Evidence Recovered

A black Vipertek stun gun was recovered from Statler’s left front pocket and determined to be functional. Statler’s fan, cell phone, and cane were recovered from the desktop where Statler had been seated in the test evaluation area. Investigators examined the cane and determined it was also a functional stun gun. A pink pouch containing a small canister of pepper spray was recovered from the floor of the test evaluation area.<sup>23</sup> Statler’s backpack was recovered in the test evaluation area, near where Statler had been seated. Within the contents of Statler’s backpack, investigators located a mini flashlight that also functioned as a stun gun by emitting an electrical charge. The backpack also contained a pair of handcuffs, keys, and other assorted paperwork, documentation, and personal items. A Los Angeles Police Department (LAPD) “Sergeant” badge was recovered from a table in the testing area.<sup>24</sup>

### Autopsy

An autopsy was performed on May 30, 2019, by Senior Deputy Medical Examiner Odey C. Ukpo. Doctor Ukpo ascribed the cause of death to a gunshot wound to the back of the head and collected samples for toxicological analysis. Toxicology results indicated the presence of marijuana in Statler’s blood at the time of the incident.

Doctor Ukpo noted two gunshot wounds, which he labeled “Gunshot wound #1” and “Gunshot wound #2.”<sup>25</sup> Gunshot wound #1 was an entrance wound on the mid-occipital scalp, three and one-half inches from the top of the head and five inches posterior to the left ear. Soot, unburned gunpowder particles, and stippling were not visible on the skin surrounding the wound.<sup>26</sup> The

<sup>23</sup> It is unclear where this item came from and how it ended up lying on the floor.

<sup>24</sup> According to the LAPD, the badge is “likely” fake.

<sup>25</sup> The numbering sequence was used for descriptive purposes and was not intended to convey an opinion as to the order in which the wounds were inflicted.

<sup>26</sup> The presence of soot or stippling is indicative of an extremely close-range shot.



bullet traveled from back to front, right to left, and downward. The range of fire was indeterminate.

Gunshot wound #2 was an entrance wound to the left upper back, eight inches from the top of the head, four and one-half inches left of the posterior midline, and four and one-half inches inferior and lateral to the base of the neck.<sup>27</sup> Soot, unburned gunpowder particles, and stippling were not visible on the skin surrounding the wound. The bullet traveled from back to front, left to right, and downward. The range of fire was indeterminate.

### DNA Evidence

On March 28, 2019, Senior Forensic Specialist Celeste Hewson collected biological swabs from multiple evidentiary items, including Rivers and Baksh's duty weapons and holsters and the stun gun recovered from Statler's front pocket.

On June 6, 2019, Brianne Henderson, DNA Specialist at the Glendale Police Department's Verdugo Regional Crime Laboratory, compared the samples taken from Baksh's duty weapon and holster to reference samples obtained from Rivers, Baksh, and Statler. Henderson determined the DNA typing results were not suitable for comparison due to the genetic complexity and insufficient genetic information. Regarding the DNA sample obtained from Rivers' holster, Henderson found Rivers to be a major contributor and the presence of two minor contributors. Henderson was unable to make a conclusion regarding the minor contributors due to the minor alleles being unsuitable for comparison. Statler was a major contributor to the DNA located on the stun gun recovered from his pocket.

On June 8, 2019, Catherine Nguyen, Laboratory Director of the Glendale Police Department's Verdugo Regional Crime Laboratory, compared the swabs taken from Rivers' duty weapon to reference samples obtained from Rivers, Baksh, and Statler. Rivers, Baksh, and Statler were included as possible contributors to the mixture DNA profile obtained from Rivers' duty weapon. According to Nguyen's report, "The probability of selecting an unrelated individual at random who could be included as a possible contributor to the mixture DNA profile is approximately 1 in 440 trillion."

### Witness Statements

Many church employees were in the vicinity of the officer-involved shooting and were interviewed by IPD investigators. The employees generally reported being unable to see the incident due to it occurring in a secluded section of the church but described hearing a "clatter," "scuffle," or "struggle." ██████████. opined that there were no employees in a position to clearly see the officers and Statler at the time of the officer-involved shooting.

Most witnesses either reported not hearing statements by the officers or Statler during the struggle or stated they could not understand what was being said. Multiple witnesses recalled hearing "shouting" and "yelling" generally. ██████████. told investigators she heard the officers' commands but was unsure what they were saying. According to ██████████., at one point during the

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<sup>27</sup> The spine is the human body's midline.

struggle, she heard an officer say, “I’m gonna shoot you if you don’t do this—whatever it was that he said.” ██████ said the officer’s tone fluctuated during the incident, and it was hard for her to hear what he was saying.

Witnesses’ estimations of the number of gunshots they heard ranged from two to five. Following the gunshots, ██████ said he heard someone yell, “I’m shot!” According to church employee Dillion W., he was walking upstairs from the basement when he heard gunfire and someone yell, “I just shot myself!”

## LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if the person claiming the right of self-defense or the defense of others 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.4<sup>th</sup> 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4<sup>th</sup> 1172, 1201); *People v. Humphrey* (1996) 13 Cal.4<sup>th</sup> 1073, 1082; *see also*, CALCRIM No. 505. 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.* A prior threat or harm to the person or others can be considered when determining whether a person’s conduct and beliefs were reasonable. *Id.* The People have the burden of proving beyond a reasonable doubt that the person did not act in lawful self-defense or the defense of another. *Id.*

Under California law on the date of this incident, the evaluation of the reasonableness of a police officer’s use of deadly force employs a reasonable person acting as a police officer standard, which enables the jury to evaluate the conduct of a reasonable person functioning as a police officer in a stressful situation. *People v. Mehserle* (2012) 206 Cal.App.4<sup>th</sup> 1125, 1146.

In evaluating whether a police officer’s use of force was reasonable in a specific situation, it is helpful to draw guidance from the objective standard of reasonableness adopted in civil actions alleging Fourth Amendment violations. The evaluation of reasonableness should look to “the facts and circumstances of each case, including the severity of the crime, the threat posed by the suspect, and whether the suspect is resisting or attempting to evade arrest.” *Graham v. Connor* (1989) 490 U.S. 386, 396. “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.” *Id.* at 396-397.

In the instant matter, ██████ called IPD and requested officers respond to the ICS after Statler entered the church with a samurai sword. Statler took the sword out of the church before the officers arrived, but Statler’s attire was peculiar, and church employees described his demeanor as strange and erratic. When Rivers arrived at the church, employees requested that he remove Statler. According to witnesses, Statler was acting confused, and Rivers stated Statler failed to respond when told to leave. At that point, Rivers had the church employees step away from the location, and

Baksh arrived. Rivers stated a struggle ensued while attempting to detain Statler after he moved his hands toward his pockets. According to Rivers, he and Statler struggled over his duty weapon, and Statler was eventually able to remove it from Rivers' holster. Rivers and Statler fought over possession of the unholstered firearm, and Baksh fired his duty weapon multiple times, striking Statler, Rivers, and himself.

The church did not have surveillance cameras where the officer-involved shooting occurred, and the employees were not in a position to clearly see the incident; therefore, Rivers' account of the event comprises most of the direct evidence.<sup>28</sup> The most relevant circumstantial evidence, namely Statler's DNA on Rivers' duty weapon, supports Rivers' account of the incident. Furthermore, Statler's arrival at the location with a sword, pepper spray, and three electrical shock devices suggests Statler anticipated possible violence and is further circumstantial evidence supporting Rivers' contention that Statler resisted the officers and attempted to gain possession of his duty weapon.

The prosecution has the burden of proving beyond a reasonable doubt that a killing was not justified. CALCRIM Nos. 505, 507. It is not a defendant's burden to prove that force was necessary or reasonable. The available evidence suggests Statler tried to obtain Rivers' gun, and the People would be unable to prove otherwise. Therefore, the People would be unable to prove beyond a reasonable doubt that Baksh's use of deadly force to stop the threat was unreasonable.

## **CONCLUSION**

We conclude that there is insufficient evidence to prove beyond a reasonable doubt that Officer Baksh did not act lawfully in self-defense and in the defense of others when he used deadly force against Brian Statler Jr.

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<sup>28</sup> [REDACTED]'s view was obstructed, and other evidence, including ballistics evidence, materially contradicted his perceptions.