

Fatal Officer Involved Shooting of Rony Parras

Los Angeles Police Department

Officer Ko Kim, #41359

J.S.I.D. File #18-0515



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

March 10, 2022

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: Fatal Officer Involved Shooting of Rony Parras
J.S.I.D. File #18-0515
F.I.D. File #F069-18

DATE: March 10, 2022

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the December 31, 2018, fatal shooting of Rony Parras by Los Angeles Police Department (LAPD) Officer Ko Kim. We have determined that Officer Kim acted in lawful self-defense when he used deadly force against Parras.

The District Attorney's Command Center was notified of this shooting on December 31, 2018, at approximately 5:23 a.m. The District Attorney Response Team responded to the scene and was given a briefing and walk-through by Lieutenant Jeff Wenninger.

The following analysis is based on reports and other materials, including body-worn video (BWV), photographs, and interviews of witnesses submitted by the LAPD Force Investigation Division. The compelled statement of Officer Kim was not considered in this analysis.

FACTUAL ANALYSIS

On December 31, 2018, at approximately 4:00 a.m., Parras returned to the apartment where he lived with his mother, sister, aunt, and cousin located at the 13000 block of Vanowen Street. Parras had left the apartment at approximately 10:00 p.m. the night before. Parras woke up his mother who was sleeping in the living room of the two-bedroom apartment. Parras was acting strange and told his mother that he had consumed mushrooms. Shortly thereafter, Parras told her, "Don't turn off the lights because we are all going to heaven." In fear, Parras' mother woke up her 10-year-old daughter and took her into a bedroom shared by her sister and six-year-old niece. Parras' mother suggested they exit through the bedroom window. Parras entered the bedroom and grabbed his mother and aunt by the hair.

The 10-year-old girl ran to an apartment on the second floor asking for help. The girl told Brandon O. that someone was hitting her mother. Brandon O. grabbed a frying pan and went

downstairs. Brandon O. saw Parras hitting his mother and aunt as they tried to escape from their apartment. The women exited the apartment, went upstairs, and left Brandon O. in the hallway with Parras.

Brandon O. had known Parras for many years and they were friendly toward each other. Brandon O. attempted to calm Parras, who was “slurring” his speech and “definitely intoxicated[.]” Parras took the frying pan from Brandon O. and struck Brandon O. with it multiple times on the head. Parras followed Brandon O. as he exited out the main gate toward the street. Brandon O. attempted to close the gate to keep Parras inside, but Parras placed Brandon O. in a “headlock” and shoved his fingers into Brandon O.’s eyes. Traumatic injuries to Brandon O.’s head and eyes were photographed by investigators. A frying pan was also photographed on the ground near the front gate inside the apartment complex.

A young woman who lived on the first floor told investigators that she heard Parras’ mother “screaming her lungs out” for help. She went outside and saw Parras holding Brandon O. in a headlock by the front gate. The woman attempted to help Brandon O. Parras released Brandon O. and attempted to punch the woman, who then struck Parras on the right thigh with the handle of a large wooden fork that she had taken from her apartment. The woman stated that Parras then returned to his apartment and she heard items being broken before she heard the police arrive. She heard the police officers announce their presence, yell commands, and then she heard three shots fired.

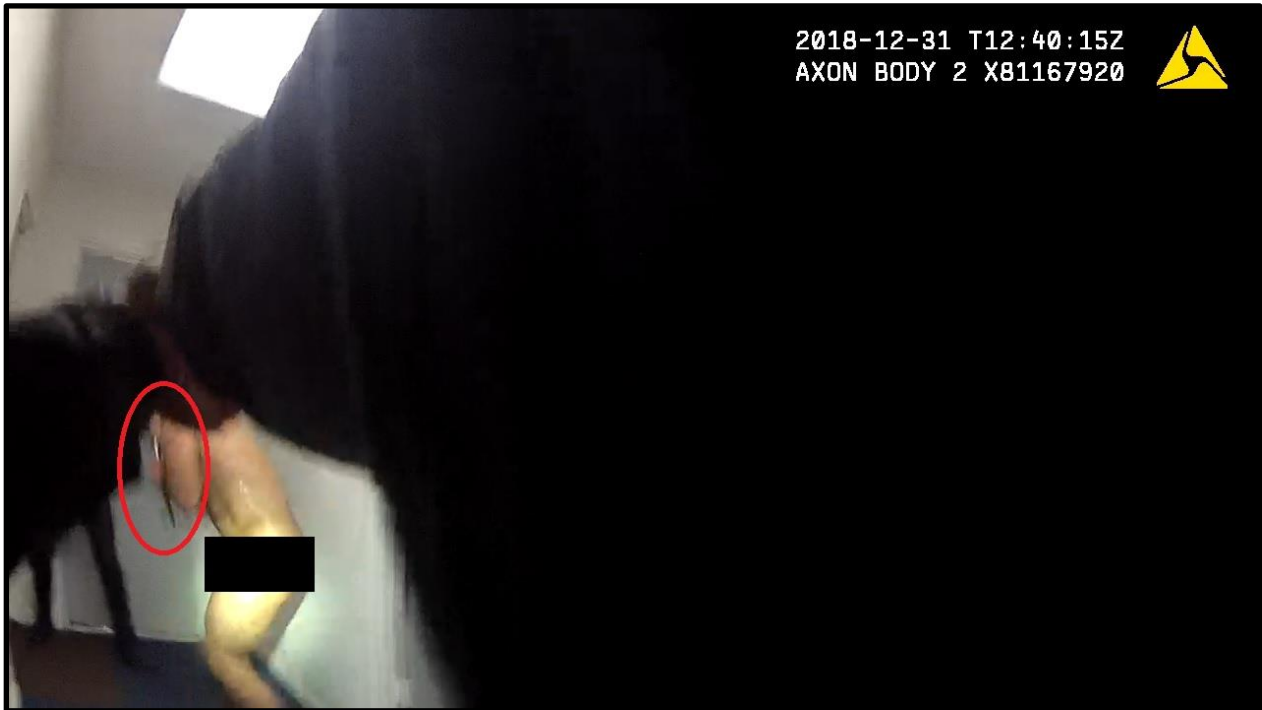
Several residents of the apartment complex called 9-1-1. At approximately 4:30 a.m., a woman who lived on the second floor reported she heard fighting between a man and a woman in Parras’ apartment on the first floor. She stated that the woman was yelling, “Help! Help!” A man called 9-1-1 and relayed to the operator what another woman was telling him. He told the operator that a drunk person was hitting someone outside and threatening to kill people. Another woman reported two men fighting by the gate at the front of the apartment and that one of the men was choking the other.

At approximately 4:33 a.m., Kim and his partner, Officer Engel, responded in a marked police vehicle to the apartment complex. Both officers were dressed in uniform and equipped with BWV cameras. Kim was the passenger. Communications from the police vehicle’s Mobile Digital Computer indicated that a man was “assaulting people” and “threatening to kill unknown person at location.” Radio communications broadcast further information about the call relating to “screaming women” that an “ADW just occurred.”¹ When the officers arrived at the apartment complex, they attempted to make entry through the front gate, which was locked. They saw and made a reference to the frying pan on the ground. At approximately 4:37 a.m., the officers entered through another gate in the front of the complex.

BWV from both officers showed them approach Parras’ apartment, which had been identified by 9-1-1 calls and police communications. The officers appeared to listen as they stood quietly outside of the door. Officer Kim knocked on the front door. BWV captured sounds of movement, grunting, and items breaking. Kim announced, “Police Department!” Parras yelled

¹ “ADW” is the acronym for assault with a deadly weapon. BWV captured Engel repeat the information to Kim while driving to the location.

something unintelligible and additional sounds of items breaking are heard on BWV. Shortly thereafter, Parras opened the door, naked and holding a large knife pointing outside the doorway. Both officers yelled, "Let me see your hands!" and Parras dropped the knife. The officers continued to yell, "Let me see your hands! Step Out! Turn around!" Parras quickly picked up the large knife with his left hand as the officers yelled, "No! No! Drop the knife!" Kim walked backward a few feet to the corner end of the hallway as Parras transferred the knife to his right hand and charged quickly toward Kim. Parras approached to within a few feet when Kim fired three rounds in quick succession from his service weapon at Parras. Kim moved around Parras as he fell to the ground in the location where Kim was standing when he fired his service weapon. Kim moved Parras' knife from his right hand away from his body before handcuffing and positioning Parras on his side.



A photo still from Engel's BWV shows Parras charging at Kim with a knife immediately before Kim began firing his duty weapon.



Parras' knife photographed in the hallway of the apartment complex.

On January 2, 2019, an autopsy was conducted, and the medical examiner determined that Parras died as a result of multiple gunshot wounds. Toxicological analysis detected the presence of marijuana. The medical examiner requested additional testing for LSD and psilocin, the active ingredient in "Magic Mushrooms." Lab results did not detect the presence of either. The medical examiner advised that psilocin is unstable and can degrade quickly in the body. Therefore, the absence of its detection in the blood does not necessarily mean that Parras did not consume it.

LEGAL ANALYSIS

California law permits any person to use deadly force in self-defense or in the defense of others if he actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. CALCRIM No. 505. In protecting himself or another, a person may use that amount of 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 imminent injury. *Id.*

In California, 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.4th 1125, 1146.

In evaluating whether a police officer's use of deadly 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 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with 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.

When Parras arrived home, he was acting strange and told his mother that he had consumed mushrooms. Parras' subsequent violent and erratic behavior substantiated his assertion that he was under the influence of a mind-altering substance. In response to several 9-1-1 calls, officers responded to the location. Kim and his partner were informed that a person had committed an assault. The officers responded to the specific apartment number associated with incident. Officer Kim knocked and clearly announced the police presence. Parras opened the door armed with a large kitchen knife. Although Parras initially dropped the knife, he immediately retrieved it and charged toward Kim, who backed into the end of the hallway. Parras' assault with the knife in the enclosed space left Kim with no time or distance to deescalate the situation.

Parras' actions with the knife posed an imminent and deadly threat to Officer Kim. Kim fired his service weapon in direct response to Parras' actions and stopped the actual deadly threat Parras posed.

CONCLUSION

We conclude that Officer Kim's use of deadly force was legally justified in self-defense.