

**Fatal Officer Involved Shooting of Reginald Humphrey
Los Angeles Police Department**

Officer Marco Ramirez, #43952, Officer Ronak Shah, #44487

J.S.I.D. File #22-0220



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

March 13, 2024

MEMORANDUM

TO: CAPTAIN OMAR BAZULTO
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 Reginald Humphrey
J.S.I.D. File #22-0220
F.I.D. File #F031-22

DATE: March 13, 2024

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the July 5, 2022, fatal shooting of Reginald Humphrey by Los Angeles Police Department (LAPD) Officers Marco Ramirez and Ronak Shah. We conclude the officers 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.

The District Attorney's Command Center was notified of this shooting on July 5, 2022, at approximately 11:11 a.m. The District Attorney Response Team responded to the location. They were given a briefing and walk-through by LAPD personnel.

The following analysis is based on body worn camera video (BWV), witness statements, and reports. The involved officers did not provide voluntary statements, and no compelled statements were considered. These materials were submitted to this office by the LAPD Force Investigation Division on July 5, 2023.

INTRODUCTION

On July 5, 2022, at approximately 9:49 a.m., Officers Ramirez, driver, and Shah, passenger, were on patrol in uniform and a marked patrol car when they responded to a reported shooting outside a donut shop. Ramirez and Shah canvassed the surrounding area and, at approximately 9:56 a.m., located Humphrey, who matched the shooter's description, walking in an alley holding a pistol.

When Ramirez and Shah exited their patrol car and ordered Humphrey to drop his pistol, Humphrey instead walked toward them and raised and pointed the pistol at Ramirez from an approximate distance of 77 feet. In response, Ramirez fired eight rounds and Shah fired seven rounds. Humphrey suffered gunshot wounds to the abdomen and flank. Paramedics transported

Humphrey to the hospital at approximately 10:05 a.m. He was pronounced dead by hospital staff at 2:39 p.m.

Investigators recovered a loaded pistol inside the alley later found to have Humphrey's DNA on it. BWV footage shows Humphrey appear to point a gun at Ramirez before officers fired. Investigators also recovered surveillance footage of Humphrey outside the donut shop appearing to fire a gun at two unidentified men who fled the scene before officers arrived.

FACTUAL ANALYSIS

BWV

At 9:49 a.m., (according to BWV timestamps) Ramirez and Shah arrive in front of the donut shop. Several bystanders confirm the shooting and describe the shooter (later determined to be Humphrey).

Ramirez and Shah search the surrounding neighborhood in their patrol car. About two blocks from the donut shop, they observe Humphrey walking down a residential sidewalk with his back to them. Humphrey ignores their commands to, "Put your hands up!" He walks to the corner, turns right, and enters a nearby alley.

According to BWV, they pursue Humphrey into the alley. Moments later, Shah says, "Does he have a gun in his right hand?" Ramirez responds, "He's got something." Shah exclaims, "He's got a gun!" The car stops. Both officers quickly exit, take cover behind its open doors, and point their duty pistols at Humphrey. Shah repeatedly shouts, "Put your hands up!" then, "Drop the gun!"

Meanwhile, Humphrey, who had been walking with his back to the patrol car, stops, turns around to his right, and faces Ramirez.



Figure 1: Ramirez' BWV; Ramirez exits car; Humphrey stops and turns toward Ramirez.

Humphrey drops two bags he had been carrying, one on his back and one in his left hand. He yells unintelligible words at the officers—he seems to yell “Kill me!”



Figure 2: Humphrey faces Ramirez with hands at his sides.



Figure 3: Humphrey points gun at Ramirez.

Shah continues to yell, “Put your hands up!” and, “Drop the gun!” Humphrey walks about four steps toward the officers, still yelling unintelligibly, and raises his right hand outward to chest level, appearing to point a gun at Ramirez (although the footage is grainy). Both officers fire several rounds. Humphrey falls to the ground on his back. The officers cease fire. No shots are heard after Humphrey falls. The shooting occurs at 9:56 a.m.

Humphrey lies on his back with his feet closest to the officers. He kicks his legs in the air, lifts his head, writhes, and rolls side to side on the ground. Shah and Ramirez repeatedly shout, “Drop the gun!” Other officers arrive. Ramirez tells one of them that Humphrey “pointed” a gun at them. Several minutes later, as Humphrey continues to move around on the ground, an officer fires two less lethal beanbag rounds. After the second, at 9:59 a.m., an officer says, “He dropped the gun but it’s still next to him.”

Humphrey finally complies with commands to roll his body away from the firearm (to create distance). At 10:05 a.m., officers arrest Humphrey and administer first aid to an apparent gunshot wound to his abdomen. He is conscious and responsive. Paramedics arrive and transport him to a hospital at 10:11 a.m.

Physical Evidence



Figure 4: Humphrey's firearm.

Investigators recovered from the alley an operable semiautomatic .380 pistol, loaded with one round in a magazine and no round in the chamber. Humphrey purchased the pistol in the State of Georgia on January 19, 2022, according to a Firearms Trace Summary conducted by the Bureau of Alcohol, Tobacco, and Firearms. DNA swabs from the firearm were compared with samples from Humphrey and found to match, and ballistics analysis determined that two .380 casings recovered from the donut shop parking lot by investigators were fired from Humphrey's pistol, according to reports from LAPD's Forensic Science Division.

According to casings recovered from the alley and post incident examinations of their duty weapons, Ramirez fired eight rounds during the incident and Shah fired seven rounds.

Medical Evidence

Humphrey was pronounced dead at 2:39 p.m. by hospital personnel.

On July 14, 2022, Dr. Brice L. Hunt of the Los Angeles County Medical Examiner's Office performed an autopsy of Humphrey's remains. Dr. Hunt ascribed the cause of death to a gunshot wound to the upper abdomen. The fatal round traveled front to back, right to left, and downward. Humphrey also suffered a superficial graze wound to the left flank. Toxicology testing revealed in Humphrey's blood the presence of Fentanyl, Marijuana, Ephedrine (a central nervous system stimulant), and Laudanosine (a metabolite of medical anesthetics).

Donut Shop Shooting

According to reports, two witnesses called 9-1-1 to report the donut shop shooting. Investigators later recovered surveillance footage from surrounding businesses that captures Humphrey standing in the large parking lot that the donut shop shares with neighboring businesses.

Humphrey appears to fire his gun at two men who were never identified. The men run away after the apparent gunshots.

Investigators recovered two bloody .380 casings from the parking lot, which (as mentioned above) were ballistically matched to Humphrey's pistol. According to DNA analysis, the blood was Humphrey's. The investigation did not determine how Humphrey's blood contacted the casings.

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

Officers Ramirez and Shah responded to a 9-1-1 call of a shooting outside of a donut shop. When they arrived at the scene, witnesses confirmed to them that a shooting occurred and provided a description of the suspect (later identified as Humphrey). About two blocks from the donut shop, Ramirez and Shah were driving in their patrol car when they observed Humphrey walking in a residential neighborhood. He ignored their commands to stop. As Ramirez and Shah pursued Humphrey down an alley in their patrol car, they observed Humphrey holding a gun, according to their contemporaneous statements, captured by BWV.

Ramirez and Shah exited their patrol car with their duty pistols drawn and took cover behind the patrol car doors. They yelled commands for Humphrey to drop his weapon. According to BWV, Humphrey ignored their commands and instead faced the officers, took several steps toward them, and raised his right hand to chest level, appearing to aim a firearm at Ramirez. According to BWV, both officers opened fire only after Humphrey appeared to take aim. They ceased fire as soon as Humphrey fell to the ground (although Humphrey continued to hold the firearm for several minutes afterward).

Considering the totality of the circumstances known to the officers at the time, including those leading up to the incident—Humphrey was armed and suspected in a shooting—it was reasonable for them to believe that deadly force was necessary to defend against an imminent deadly threat when Humphrey ignored their commands to drop his gun and instead walked toward the officers and raised and pointed a firearm at them.

CONCLUSION

For the foregoing reasons, we find that Officers Ramirez and Shah acted lawfully in self-defense when they used deadly force against Reginald Humphrey.