

**Fatal Officer-Involved Shooting of Laron James
Los Angeles Police Department**

**Officer Joseph Dominguez, #31216
Officer Howard Ng, #30405**

J.S.I.D. File #22-0137



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

April 8, 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 Laron James
J.S.I.D. File #22-0137
L.A.P.D. File #F014-22

DATE: April 8, 2024

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the May 3, 2022, fatal shooting of Laron James by Los Angeles Police Department (LAPD) Officers Joseph Dominguez and Howard Ng.

We have concluded that Officers Dominguez and Ng acted in lawful self-defense and defense of others at the time they fired their service weapons, reasonably believing, based on the totality of the circumstances, that deadly force was necessary to defend themselves and others against an imminent deadly threat.

The District Attorney's Command Center was notified of the shooting on May 3, 2022 at 1:15 p.m. The District Attorney's Response Team responded and was given a briefing and walk-through of the scene by LAPD Lieutenant Anthony Ljubetic.

The following analysis is based on the 9-1-1 recordings, radio calls, body worn camera video (BWV), investigative reports, audio recordings and transcripts of witness interviews, crime scene diagrams and photographs, autopsy and toxicology reports, and surveillance video submitted to this office by LAPD Force Investigation Division (FID) Detectives Nicholas Pikor and John Macchiarella on May 17, 2023.

The compelled statements of Dominguez and Ng were not considered as part of this analysis.

FACTUAL ANALYSIS

9-1-1 Calls and Radio Traffic

On May 3, 2022, at 7:56 a.m., a 9-1-1 caller reported to the Los Angeles Fire Department (LAFD) that Laron James, age 52, was having a panic attack, was possibly having suicidal ideations, and may have consumed drugs and/or alcohol. The caller reported that James did not

have access to a weapon. LAPD officers and LAFD personnel were dispatched to the scene to investigate a possible attempted suicide.

LAFD paramedics arrived first and found James behaving belligerently in a 5th floor hallway of an apartment building. LAFD called LAPD and asked to have the call upgraded to a “backup” call. LAPD officers then responded with lights and sirens.

When officers arrived, they conversed with fire personnel who reported that James was on methamphetamine, was altered, was behaving belligerently, and needed to be sedated and transported to the hospital.

Officers saw James inside an apartment holding what appeared to be a steak knife. A witness told officers that James did not have access to a gun. As officers were negotiating with an incoherent James, who had thrown various objects at the officers, he suddenly produced a handgun and pointed it at the officers and fire personnel. An officer yelled, “He’s got a gun!” The fire department personnel and the officers moved away from the door of the apartment doorway.

The officers and fire personnel retreated, contained the location, evacuated civilians in the immediate area, and notified the LAPD Special Weapons and Tactics (SWAT) team and the LAPD Crisis Negotiation Team (CNT) to respond and assist.

While waiting for SWAT personnel to arrive, officers continued to communicate with James to calm him and negotiate a peaceful surrender, but James became increasingly agitated.

SWAT Response

At approximately 10:15 a.m., SWAT personnel arrived at the scene and were briefed that James was barricaded in the apartment, was belligerent, and had pointed a gun at police and fire personnel. LAPD SWAT Officers Joseph Dominguez and Howard Ng were designated as snipers and positioned themselves in an apartment building across from James’ apartment building where they could observe him through a window. At the same time, “body bunkers,” a Shockwave taser, and area “denial bags” were deployed in the 5th floor hallway near James’ apartment to assist SWAT officers in containing James and protecting themselves if James emerged from the apartment or otherwise fired his gun down the hallway.

Crisis Negotiation Team (CNT) Response

After SWAT personnel had the scene and James contained, they turned the scene over to the Crisis Negotiation Team. The team attempted to communicate with James via a speaker system and by calling James’ cellular telephone. James did not respond so the CNT announced to James that force could be used to detain him, and they turned the incident back over to the SWAT team.

Use of 40mm Less Lethal Rounds

The SWAT team fired a 40mm less lethal round at James’ door to get his attention. Ng, who was able to see into James’ apartment from his position across the street, saw James move. Officers ordered James via a loudspeaker to come out with his hands up. A second 40mm round

was then fired at James' door but it did not appear that James moved nor did he comply with the officers' orders to surrender.

Use of the T5 Robot

SWAT then deployed a robot to open James' door and gain a visual of James and the apartment interior. The robot was able to gain a partial view of the inside of the apartment but James was not observed and did not respond to pleas from the officers via a speaker on the robot to surrender. The negotiation with James to surrender was at an impasse so the officers decided to deploy gas munitions to effect James' surrender.

Gas Munitions

James was warned again to surrender peacefully. He did not respond so an officer fired four gas rounds into the apartment. James said, "Who is it? Who is it?" Using the speaker system on the robot, an officer explained the situation and ordered James to surrender. James did not comply despite having appeared to have been affected by the gas. He showed himself at the apartment window facing Ng and Dominguez. At that point James was naked, did not have anything in his hands, and was wiping his face and gasping for air. More gas was fired into the apartment as the CNT continued to try to communicate with James and coax him into the hallway to surrender peacefully. James did not comply and was attempting to defeat the gas by breathing out of the open apartment window. More gas was deployed into the apartment as James climbed out of the window and on to a ledge, as shown in the still photograph of surveillance below:



Figure 1-Still Photo of Surveillance Video of James on His Apartment Window Ledge Gasping for Air as Gas Munitions Emit from the Window.

The Shooting

At approximately 12:27 p.m., as James was on the window ledge and yelling and gasping for air, he reached into the apartment and armed himself with a gun in his right hand and fired a round indiscriminately in the direction of the apartment building across the street. Three seconds after

James fired his first shot, and in a rapidly unfolding sequence of events, James waved the gun out of the window and Ng and Dominguez each fired a round at James simultaneously, killing him. James dropped his gun to the street below. Medical and police personnel entered James' apartment and found him deceased. The moment that James fired a round is shown in the still photograph of surveillance below:



Figure 2- Still Photo of Surveillance Video Showing James with a Gun in His Right Hand, Circled in Red, and Firing a Round.

The moment that James displayed the gun a second time when Ng and Dominguez fired at him is shown in the still photograph of surveillance below:



Figure 3-Still Photo of Surveillance Video at the Moment Ng and Dominguez Fired, Showing James with a Gun in His Right Hand.

James' Gun

James was armed with a loaded 9mm semiautomatic “ghost gun” (gun manufactured by an unlicensed subject) that was located on the street below James’ apartment window. A discharged cartridge casing was jammed (“stovepiped”) in the ejection port, and a live cartridge was being fed into the chamber. This is consistent with James firing a round and the gun jamming and preventing him from firing a second round. A photo of the gun in the condition it was found is shown below:



Figure 4- Photo of James' Gun with “Stovepiped” Casing.

Autopsy

On May 5, 2022, Los Angeles County Deputy Medical Examiner Lawrence Nguyen, M.D. performed an autopsy of James' remains. Dr. Nguyen attributed James' death to two gunshot wounds to the torso. Toxicology testing was performed and detected the presence of marijuana, methamphetamine, and PCP in James' blood at the time of his death.

LEGAL ANALYSIS

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 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) and (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).

Analysis

There is compelling evidence in this case, including surveillance video of the shooting itself and BWV of the events leading up to the shooting, that James was threatening, belligerent, and behaving erratically, consistent with one under the influence of methamphetamine, marijuana, and PCP, when he pointed a gun at LAPD and LAFD personnel who were trying to provide him with medical and mental health assistance.

All attempts to de-escalate the situation and negotiate James' peaceful surrender were ineffective, as James continually refused to comply with the officers' repeated commands to surrender.

Ultimately, James produced a handgun a second time and fired it indiscriminately out of his apartment window, in a populated urban area and in the direction of an apartment building across the street.

When James brandished the gun a third time and appeared to be ready to fire again, Officers Ng and Dominguez responded. Based on the totality of the circumstances, the evidence demonstrates that Officers Ng and Dominguez could reasonably believe that the use of deadly force was necessary to defend against an imminent threat of death or serious bodily injury to an officer or other persons.¹

CONCLUSION

For the foregoing reasons, we find that Officers Dominguez and Ng's use of deadly force was reasonable under the circumstances, and they acted lawfully in self-defense and in defense of others.

¹ Considered in this analysis is the fact that an officer unrelated to the shooting made the comment "happy hunting" before the shooting and was disciplined internally by LAPD for making an improper remark. That officer's comment does not change the analysis in this case.