

**Non-Fatal Officer Involved Shooting of Christopher
Camarena**

Los Angeles Police Department

Officer Michael Beyda, #38269

J.S.I.D. File #21-0165



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

May 20, 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: Non-Fatal Officer Involved Shooting of Christopher Camarena
J.S.I.D. File #21-0165
L.A.P.D. File #F026-21

DATE: May 20, 2024

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the April 28, 2021, non-fatal shooting of Christopher Camarena by Los Angeles Police Department (LAPD) Officer Michael Beyda.

We have concluded that that Officer Beyda acted reasonably believing, based on the totality of the circumstances, that deadly force was necessary to defend himself against an imminent deadly threat.

The District Attorney's Command Center was notified of the shooting on April 28, 2021, at 4:05 p.m. The District Attorney's Response Team responded and was given a briefing and walk-through of the scene by LAPD Lieutenant Damien Gutierrez.

The following analysis is based on investigative reports, audio recordings of witness interviews, photographs, radio traffic, and surveillance video submitted to this office on July 20, 2022 by LAPD Detective Nicholas Pikor.

Beyda provided a compelled statement to LAPD investigators. That statement has not been reviewed as part of this evaluation.

FACTUAL ANALYSIS

Summary

On April 28, 2021, at approximately 2:25 p.m., LAPD Officer Michael Beyda was off duty, at his residence in a condominium complex, and preparing to drive to work to start his shift as an LAPD officer.

Beyda's personal automobile, a Subaru, was parked in his garage located within a common, secured underground parking garage. Photos of those garages and Beyda's Subaru are shown below:

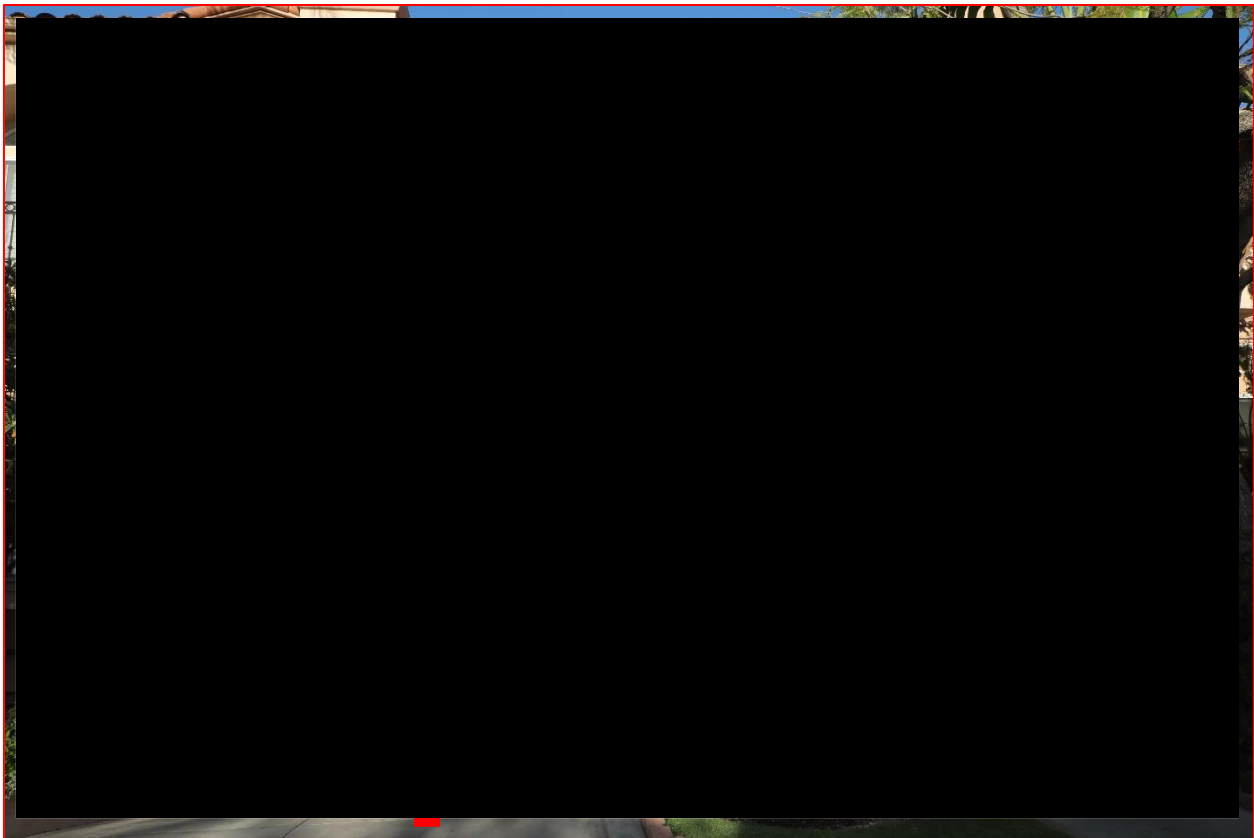


Figure 1- Photo of the Exterior of Beyda's Condominium Complex and Entrance to the Underground Parking Garage.

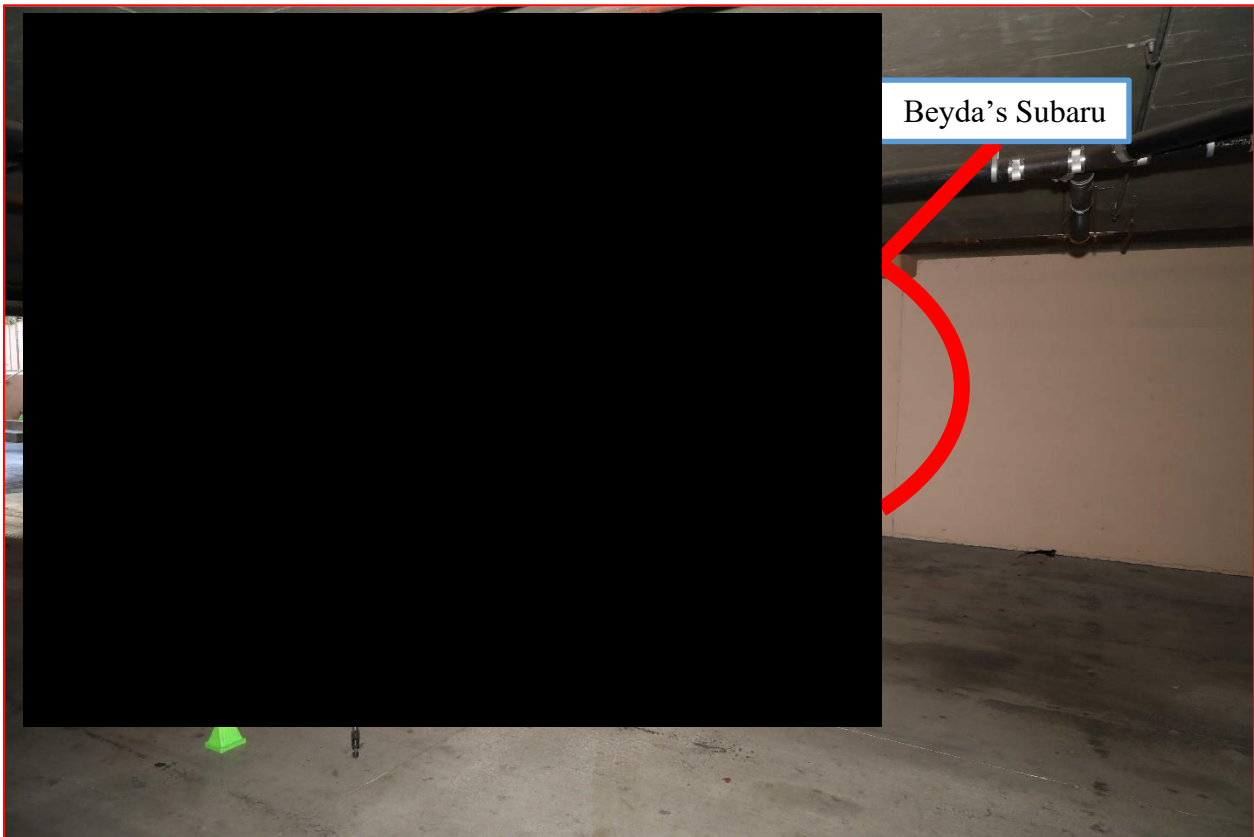


Figure 2- Photo of Beyda's Garage and Subaru.

Beyda left his interior garage door open and his Subaru unlocked as he transited back-and-forth between his adjacent condominium and car to load his LAPD gear, including his ballistic vest and one of his service weapons, into the Subaru. Beyda was armed with a second service weapon as he loaded his car.

As Beyda was exiting his residence he observed a stranger, later identified as Christopher Camarena, in his Subaru. Camarena, who was later found to have the presence of opiates and amphetamines in his blood at the time of the incident had donned Beyda's ballistic vest and armed himself with one of Beyda's service weapons, a .40 caliber Glock semiautomatic handgun.

Beyda confronted Camarena, drew his firearm, and ordered Camarena to exit the Subaru. Camarena refused and said Beyda would have to kill him. A gun battle ensued, Beyda fled, and Camarena pursued Beyda as the two exchanged gunfire.

In total, 26 rounds were fired and Beyda and Camarena were both seriously injured. The gun battle began in the underground parking lot where six rounds were fired, proceeded out of the parking lot and upstairs adjacent to a swimming pool where another round was fired, past the pool, and down a confined sidewalk area adjacent to the complex and a side street where 19 rounds were fired, as depicted below:

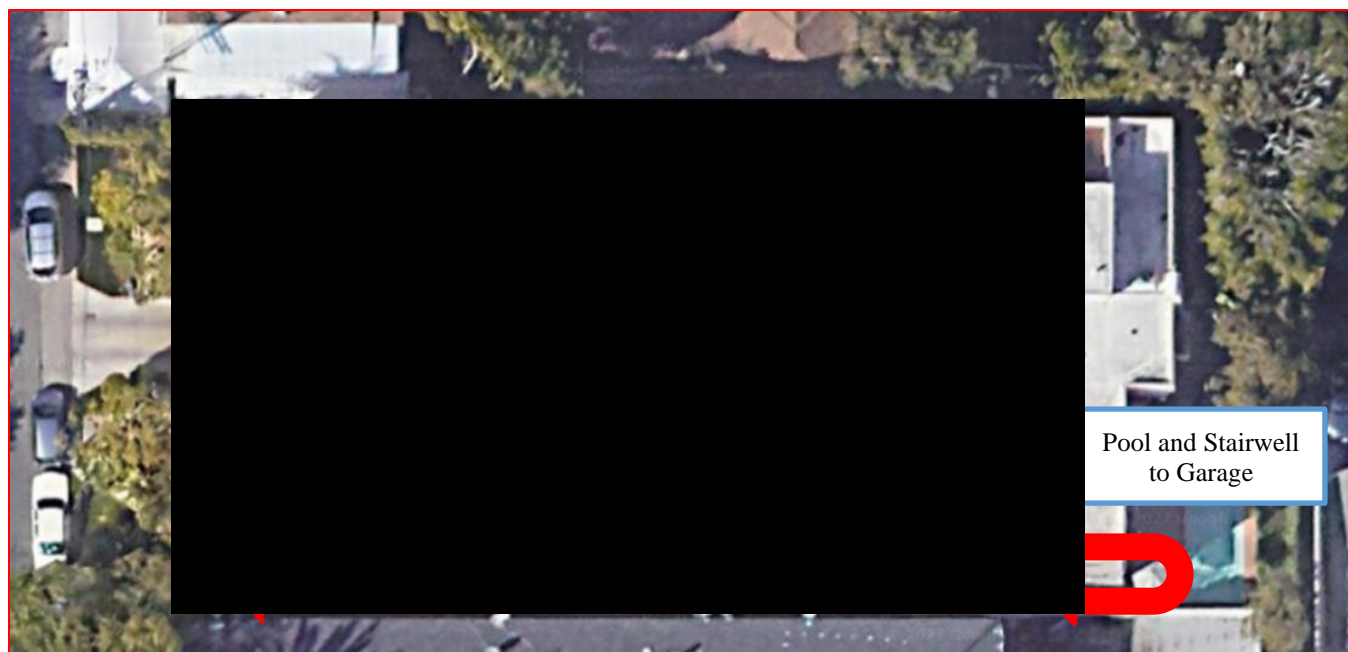


Figure 3- Aerial Photo of Beyda's Condominium Complex and Route of Gun Battle.

Camarena was shot and disabled in the gun battle and Beyda disarmed him as shown in the photo below:



Figure 4- Photo of Beyda Detaining and Disarming Camarena.

Beyda and Camarena were both transported to the hospital and treated for multiple gunshot wounds.

Camarena has been charged with attempted murder, robbery, possession of a firearm by a felon, and resisting an executive officer with force in case number LA094718. That case is pending preliminary hearing.

Statement

██████████ is Beyda's ██████████. ██████████ and Beyda were preparing to leave Beyda's residence at the same time. ██████████ was transiting back-and-forth between her automobile and the residence and preparing to leave, and she left Beyda's garage door open while doing so. ██████████ was inside the residence when she heard Beyda, who had exited the residence and was in the garage, exclaim, "What the hell? Why is my door open?" ██████████ looked in the garage area and saw Beyda pointing his gun at the Subaru. ██████████ heard Beyda state, "What are you doing here? Get out! What are you doing here?" ██████████ heard another male voice (Camarena) state, "No. You're going to have to kill me! I'm not getting out!" Beyda warned Camarena again to exit the Subaru and then ██████████ heard multiple gunshots and people running. She did not see the shooting.

Christopher Camarena's Statement

Camarena told investigators he entered the garage, broke into Beyda's Subaru, and removed Beyda's equipment bag. Beyda confronted him and unholstered his gun. Camarena located a gun

in the Subaru. Beyda fired at him and Camarena returned fire. Beyda ran away and Camarena chased him and fired at Beyda as “payback” for Beyda shooting at him. Beyda ran backward and fired at Camarena again. Camarena stated, “I probably shot like five of them. And I missed a couple. I think I probably shot him once or twice. I hope I shot him in the leg that way it’s an assault. I hope it’s not an attempt or none of that shit. Cuz he started it. And I understand that I was probably in his parking lot. I was trying to aim at him, like or at his hip or some shit. And, like, I guess the gun has a fucking bam! Like goes up. So, I don’t know where I shot him. But I wasn’t trying to kill him or nothing. I was trying to shoot him back.”

Officer Beyda’s Statement

Beyda provided a compelled statement that has not been reviewed as part of this evaluation.

Firearms Evidence

Camarena was armed with Beyda’s .40 caliber Glock Model 27 semiautomatic, service weapon.

Beyda was armed with his .40 caliber Glock Model 22 semiautomatic service weapon.

A total of 26 discharged .40 caliber cartridge casings were recovered from the scene. Forensic testing of the casings and subject firearms determined that Camarena fired ten rounds and Beyda fired 16 rounds.

Casings from each gun were found in Beyda’s garage, in the common area of the garage, at the stairs leading out of the garage, and in the walkway along the side of the building.

Video Evidence

In an obstructed surveillance video, based on clothing descriptions, and when viewed in real-time, Camarena can be seen chasing Beyda out of the garage and toward the walkway along the complex.

Injuries

Camarena was shot in the right shoulder, right wrist, right hand, right thumb, and right leg. He also had lacerations to the back of his head.

Beyda was shot in the chest, pelvis, and right thigh resulting in a hemopneumothorax, a fractured left scapula, and fractured rib.

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

The evidence presented in this case shows that Camarena, who had opiates and amphetamines in his blood, had armed himself with Beyda’s .40 caliber semiautomatic firearm, donned Beyda’s ballistic vest, and was in the process of burglarizing Beyda’s Subaru, inside a residence, when confronted by Beyda.

The fact that Camarena donned Beyda’s vest, armed himself, and chased Beyda while firing at him indicates that Camarena was the aggressor and had prepared to engage in a gun battle. Camarena also admitted that he was armed and fired at Beyda. The cartridge casings and their locations are consistent with the gun battle starting as Camarena was in Beyda’s Subaru and progressed into a running gun battle with Camarena pursuing Beyda. Ultimately, 26 rounds were fired and Beyda and Camarena were both being struck by gunfire.

The evidence supports a reasonable belief by Officer Beyda that it was necessary for him to fire his service weapon at Camarena to protect himself from an imminent deadly threat.

CONCLUSION

For the foregoing reasons, we find that the use of deadly force by Officer Beyda was reasonable under the circumstances.