

Fatal Officer Involved Shooting of Anthony Ysaac
Los Angeles Police Department

**Officere David Torres, #41483, Officer David Orozco, #42770, and
Officer Brandon Prisk, #43869**

J.S.I.D. File ##20-0153



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

June 21, 2023

MEMORANDUM

TO: CAPTAIN RICH GABALDON
Los Angeles Police Department
Force Investigation Division
100 W. 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 Anthony Ysaac
J.S.I.D. File #20-0153
L.A.P.D. File #F019-20

DATE: June 21, 2023

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the May 14, 2020, fatal shooting of Anthony Ysaac by Los Angeles Police Department (LAPD) Officers David Torres, David Orozco, and Brandon Prisk. It is our conclusion that there is insufficient evidence to prove beyond a reasonable doubt that Officers Torres, Orozco, or Prisk's decision to use deadly force was unlawful.

The District Attorney's Command Center was notified of this shooting on May 14, 2020, at approximately 2:32 p.m. The District Attorney Response Team responded to the location. They were given a briefing and walk-through of the scene by LAPD Lieutenant B. Reynolds.

The following analysis is based on reports, recorded interviews, dispatch recordings, photographs, and body worn camera videos (BWV) submitted to this office by LAPD's Force Investigation Division (FID). No compelled statements of the involved officers were considered in this analysis. Ysaac's family members who witnessed the incident refused to be interviewed by investigators.

FACTUAL ANALYSIS

Summary

On May 14, 2020, at approximately 12:42 p.m., [REDACTED], [REDACTED], and [REDACTED] were inside their residence, when their neighbor, [REDACTED], knocked on the window in apparent distress, requesting that someone call 9-1-1. [REDACTED] told her neighbors that her son, Ysaac,

had a gun and was holding her daughter, [REDACTED], hostage inside their residence.¹ [REDACTED] called 9-1-1 and reported that her neighbor asked her to “call the cops because someone has a gun and is trying to kill her daughter.”² Minutes later, [REDACTED] called 9-1-1 herself and gave the phone to her daughter, [REDACTED]. [REDACTED] told the operator that [REDACTED] was in the residence with Ysaac, who fired a gun and “would not let her out.” [REDACTED] reported that she heard one gunshot but confirmed that [REDACTED] was not injured.³ [REDACTED] also stated that she thought Ysaac was under the influence but did not elaborate. The LAPD Communications Division broadcasted, “Southeast units, ADW suspect there now.” Approximately two minutes later, the broadcast was upgraded to a “possible shooting in progress.”

LAPD Southeast Patrol Officers Ralph Campos and Prisk were the first officers to arrive at the scene, a triplex located on West 123rd Street, in South Los Angeles. The Ysaac family occupied the unit farthest north from the sidewalk. A white sedan was parked in the long driveway that ran north to south along the west side of the triplex. A white fence lay to the north of the driveway, obscuring the view of the entrance to the Ysaac residence.

Campos and Prisk contacted [REDACTED] and [REDACTED] on the sidewalk in front of the triplex. [REDACTED], Ysaac’s brother, was also at the scene, sitting in a vehicle parked in front of the residence. [REDACTED] was crying, as she informed the officers that Ysaac was inside their residence with a gun, threatening her daughter, [REDACTED]. [REDACTED] told the officers that Ysaac had shot at the door and was on parole.⁴

The officers called for an Airship which arrived momentarily. Tactical Flight Officer (TFO) Manuel Gomez began communicating with the officers at the scene while establishing a containment. Meanwhile, Campos and Prisk continued to communicate with the Ysaac family as additional units responded, including a supervisor, Sergeant Erin Gabaldon.

At approximately 12:48 p.m., Officers Torres and Orozco arrived at the scene. Torres retrieved his department issued shotgun from his trunk while Orozco joined Prisk and Campos on the sidewalk. After loading his shotgun, Torres positioned himself behind a pillar on the sidewalk in front of the driveway, holding his shotgun in a two-handed shooting position, with the muzzle pointing north toward the long driveway. Torres remained in that position throughout the incident. Orozco, Torres and Prisk maintained strategic positions on the sidewalk, preparing for Ysaac to exit the residence.

While officers established a containment and took up tactical positions surrounding the triplex, Herrin asked [REDACTED] to call [REDACTED] on her cell phone. [REDACTED] then directed [REDACTED] to call [REDACTED]. [REDACTED] called [REDACTED] on his cell phone and upon contacting her, passed the phone to Campos. [REDACTED] confirmed that she was uninjured but that Ysaac was holding a

¹ The investigation never revealed a motive for why Ysaac was holding [REDACTED] hostage.

² [REDACTED], [REDACTED], and [REDACTED] did not witness the officer-involved shooting.

³ It is unclear how, at the time of the 9-1-1 call [REDACTED] confirmed that [REDACTED] was not hurt.

⁴ Officer Kaitlyn Herrin also responded to the scene and spoke with [REDACTED] briefly. Herrin’s BWV captures [REDACTED] stating that when she knocked on the door to get [REDACTED] out of the residence, Ysaac fired two gunshots, and [REDACTED] observed a bullet hole in the front door. Officers later confirmed that Ysaac fired one gunshot into the front door.

gun and preventing her from leaving the residence. [REDACTED] told Campos that Ysaac had fired his gun one time at the door. For approximately 15 minutes, Campos conversed on the phone, alternating between talking to [REDACTED] and Ysaac, in an attempt to persuade Ysaac to peacefully exit the residence. Campos relayed over the radio that he made contact on the phone with [REDACTED] and Ysaac, and Ysaac was holding a gun, preventing [REDACTED] from exiting. Campos also broadcasted that Ysaac had already shot one round. Campos instructed Ysaac to come out with his hands up, and to leave the gun behind. During the call, there were several times when Ysaac agreed to exit and the officers prepared to make contact, but Ysaac then changed his mind and failed to exit the residence. Campos advised the Airship and officers at the scene that Ysaac was being indecisive about exiting.

Sergeant Gabaldon notified the Southeast Patrol Division Watch Commander of the hostage situation and requested that SWAT be notified.⁵ TFO Gomez broadcasted, “This is going to be a barricade. The suspect fired a round per the PR and is still armed inside the residence.”

As the officers prepared for Ysaac to exit the residence, they formed a tactical plan for contact and arrest. As part of that plan, Torres was assigned “lethal,” armed with his shotgun. Prisk and Orozco were the arrest team, armed with duty pistols. Herrin was assigned the less-lethal, 40-milimeter launcher. Officer Patrick Fiedler carried a shield and his duty pistol. Officer Branden Mamrot retrieved ballistic helmets for the officers and took a position several feet west of where Torres, Orozco, Prisk and Fielder stood, armed with his duty pistol. Meanwhile, additional units arrived at scene, and TFO Gomez positioned them around the perimeter.

At approximately 1:03 p.m., [REDACTED], still on the phone with Campos, informed Campos that Ysaac wished to speak with their mother. Campos informed Ysaac that if he exited the residence, he could speak with his mother and hug her. Ysaac still did not exit the residence. At approximately 1:05 p.m., Campos gave the phone to [REDACTED]. [REDACTED] implored Ysaac to exit the residence and offered to get him help. Ysaac apologized to [REDACTED] and stated, “I’m going to die right now mom.”⁶ Campos got on the phone again and assured Ysaac that the officers were there to help him. Campos continued to speak with Ysaac, attempting to persuade him to exit the residence. He used two ruses: one, that Covid protocols meant Ysaac would not go to jail, and two, that Ysaac’s mother was ill and needed to go to the hospital. Still, Ysaac did not immediately come out.

At approximately 1:11 p.m., TFO Gomez made the following broadcast:⁷

The door is opening to the north. And, the suspect is behind the door. He’s taking cover behind the door, so heads up. He might be either setting up to get out front or just taking a peek. Coppers in the alley, heads up, heads up, heads, up...[.]The suspect is crouching down right now. Male Hispanic. Heads up guys, he’s coming out the back looks like, crouching down. Yeah, he’s got a gun in his hand guys. He’s got a gun in his hand. On the west side, he’s walking towards the front of the house right now. He’s walking

⁵ SWAT did not arrive before the officer involved shooting occurred.

⁶ The phone was on speaker and Ysaac’s statement was captured on Campos’ BWV.

⁷ TFO Gomez’s broadcast is captured on the South East Division’s Base Frequency recording.

towards the front of the house and he's got a female with him. Walking out to the front now guys. To the front. Male Hispanic with a gun in his hand right now.

Following Gomez's broadcast, Orozco and Prisk unholstered their pistols and held them in two-hand shooting positions with the muzzles pointed in a northerly direction, toward the driveway. Torres, who was still positioned behind a pillar on the sidewalk with his shotgun pointing toward the driveway, yelled, "Gun, gun!" Nearly simultaneously, Sergeant Galbadon yelled, "He's got a gun, he's got a gun!" Torres yelled, "I see him! I see him!" Orozco stated, "I see movement. I see movement." Torres then commanded, "Drop it!" but Ysaac did not comply.⁸ Torres, Orozco and Prisk fired their duty weapons at Ysaac.

Torres fired five rounds from his shotgun from an approximate distance of 45 ½ feet. Prisk fired six rounds from an approximate distance of 48 ½ feet. Orozco fired seven rounds from an approximate distance of 47 feet.⁹

Ysaac was struck by gunfire and fell to the ground. His gun landed on the ground beside him. [REDACTED] stood about 60 feet away from Torres and out of the line of fire. As the contact team approached Ysaac, Torres ordered [REDACTED] to move out of the driveway. Prisk and Orozco handcuffed Torres, who was motionless. A rescue ambulance was called. At approximately 1:22 p.m., paramedics arrived at the scene and pronounced Ysaac dead. As the officers cleared the Ysaac family residence, they noticed and documented a single bullet hole in the front door.

The officers involved in the shooting wore body worn cameras. The BWVs captured the shooting itself but due to the camera angles, distance between the officers and Ysaac, and the position of the white car in the driveway, it is impossible to distinctly see the firearm or discern Ysaac's hand movements right before the shooting.

⁸ Galbadon, Torres and Orozco's quoted statements are captured on the BWVs.

⁹ All 18 rounds were fired with 3.9 seconds. The number of shots each officer fired was determined by a ballistics analysis and round count.



Figure 1: Image from Prisk's BWV showing a view of the triplex looking north from the street. The entrance to the Ysaac unit is behind the white fence and not visible from the street.



Figure 2: Image from Prisk's BWV depicting seconds before the shooting.



Figure 3: Image from Orozco's BWV depicting where Ysaac's gun was recovered after the OIS.

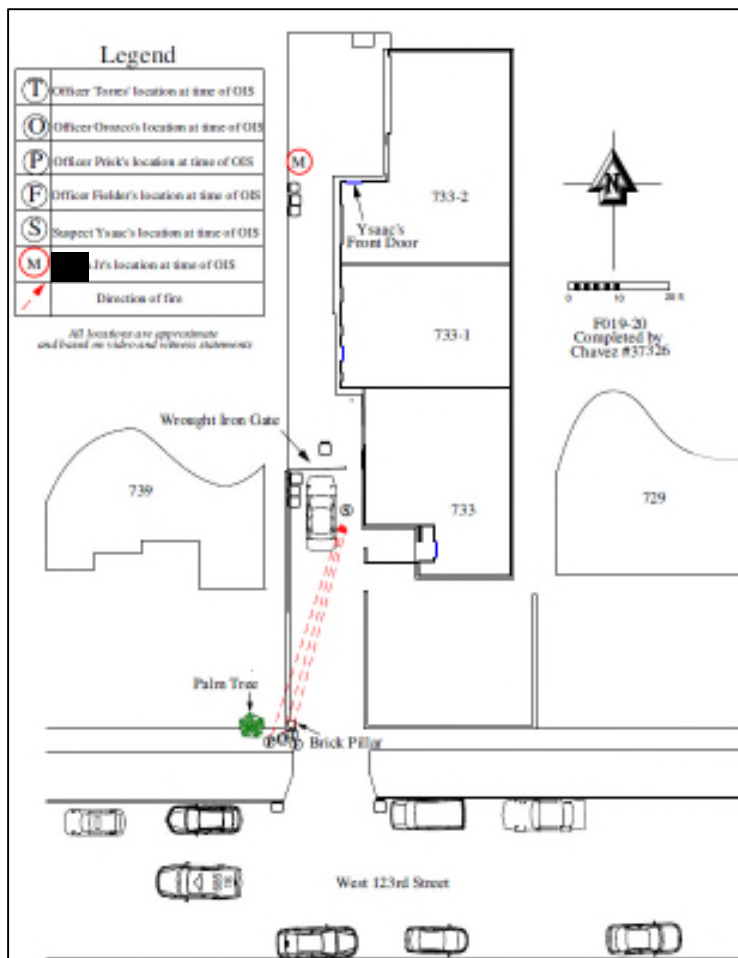


Figure 4: Diagram submitted by LAPD depicting location of the shooting and positions of relevant parties.



Figure 5: Image of the bullet hole officers observed in the front door of the Ysaac residence.

Ralph Campos's Statement

Campos was interviewed on May 14, 2020 by FID Detectives Brad Michel and Ubaldo Zesati. On the day of the incident, Campos was assigned to Southeast Patrol. Campos and his partner, Prisk, were notified via radio of an "ADW, shots fired" call and responded to the location as backup but arrived before the primary unit. The call indicated that the subject may be armed.

When they arrived at the location, Campos observed some individuals on the street who were later determined to be Ysaac's family members. Campos contacted Ysaac's mother, [REDACTED], who was crying. [REDACTED] told Campos that Ysaac was inside their residence with her daughter, [REDACTED], and Ysaac had fired a gun. Campos then spoke with [REDACTED], Ysaac's sister. Campos requested that J [REDACTED] call [REDACTED]'s cellphone and hand the phone to Campos once she made contact.¹⁰ Campos got on the phone and verified that he was speaking to [REDACTED]. [REDACTED] confirmed that she was in the home with Ysaac and that Ysaac had a gun. [REDACTED] relayed that a shot had been fired but she was not injured.

While on the phone with [REDACTED], Campos overheard yelling and cursing and ascertained that Ysaac was preventing [REDACTED] from exiting the residence. Campos relayed over the radio that

¹⁰ The BWV shows that Officer Herrin requested that [REDACTED] call [REDACTED]. [REDACTED] then asked [REDACTED] to call [REDACTED] on his phone, which [REDACTED] did. Once [REDACTED] answered, [REDACTED] gave his cellphone to Campos.

Ysaac was armed, preventing [REDACTED] from exiting, and had fired a shot but did not injure [REDACTED].

As Campos spoke to [REDACTED] on the phone, additional units arrived, including two sergeants who formed a tactical plan to take Ysaac into custody. Campos directed his attention to urging Ysaac over the phone to peacefully exit the residence. Campos tried two ruses to lure Ysaac out of the residence. First, Campos told Ysaac that he would not go to jail because of Covid, but that did not work. Then he told Ysaac that his mother was ill but that failed as well. Campos asked Ysaac numerous times to come out with his hands up, without the weapon.¹¹ Several times, Ysaac indicated that he would come out but then he failed to exit the residence. At one point, Ysaac asked to speak with his mother so Campos put [REDACTED] on the phone, hoping that hearing his mother's voice might persuade Ysaac to exit.

While Campos was on the phone, he heard the Airship broadcast that Ysaac was exiting the residence, armed with a gun. Campos rushed over to where the officers were positioned on the sidewalk in front of the residence when he heard gunshots. Campos saw that Ysaac was down in the driveway. He did not witness the actual shooting. Campos helped coordinate a tactical plan to take Ysaac into custody. Campos directed several officers to take Ysaac into custody and render the firearm safe. After that was done, officers cleared the residence.

Manuel Gomez's Statement

Gomez was interviewed on May 26, 2020 by FID Detectives Alberto Rosa and Detective Brad Michel. Gomez is a Tactical Flight Officer for LAPD. As such, he responds in a helicopter to "high priority incidents" and provides tactical insight and perspective to officers on the ground.

On May 14, 2020, Gomez and his partner, TFO Chad Reuser, were notified by dispatch that there was a possible shooting at a residence with the subject inside. Gomez and Reuser responded to the location in an Airship, with Reuser piloting and Gomez broadcasting his observations to the officers on the ground.¹² Gomez assumed responsibility for setting up the containment and calling in additional resources. While overhead the location, Gomez learned from officers on the ground that the subject was inside the house with a female, had already fired one shot, and was preventing the female from exiting. He broadcasted this information over the radio.

At the time of the officer involved shooting, the Airship hovered over the target location. Gomez observed the door to the northernmost unit open, as Ysaac exited the residence in a crouching position, his body against the west wall of the property in a "low crawl." He held a gun in his right hand. It appeared as though he was either holding the female or motioning to her with his left arm extended. At that time, Ysaac appeared to point the gun at the female with his right hand. As Ysaac advanced down the driveway, he pointed the gun in a southwest direction, toward the officers. Gomez could no longer see the female. Gomez did not see how she separated from Ysaac. Ysaac continued to move south, toward the officers congregated on the

¹¹ Campos' conversation with [REDACTED] and Ysaac is captured on his BWV, although the sound is not consistently clear due to the noise of the Airship overhead.

¹² TFO Gomez alternated between using his eyesight and binoculars while overhead.

sidewalk. Just before the officers fired their weapons, Ysaac “was pointing, had the gun up toward his chest and extended toward the officers and actually turned toward the officers. So he had his right hand extended in a southwesterly direction[.]” [REDACTED] was approximately 60 feet north of Ysaac, out of the line of fire. Gomez broadcasted over the radio that shots had been fired and the suspect was down.

Brandon Mamrot’s Statement

Mamrot was interviewed on May 15, 2020 by FID Detectives Zesati and Michel. On the date of the incident, Mamrot was assigned as a field training officer. He and his probationer, Patrick Fielder, heard the radio call broadcasting a possible shooting in progress, and responded to the location. When they arrived, Sergeant Galbadon was forming a tactical plan and the perimeter was being set up. Mamrot learned that Campos had established communication via cell phone with the individuals inside. Campos relayed information to the Airship, and Mamrot heard “bits and pieces.” Mamrot learned that it was a possible hostage situation and barricade. Mamrot retrieved ballistic helmets for the officers on the street, and then took his position on the street in front of the triplex, along with other officers. Mamrot stood several feet west of Torres, Orozco, Prisk and Fielder, using a palm tree for cover.

Mamrot heard the Airship broadcast that Ysaac had exited the residence and was crouching down, moving toward the street, with a gun in his hand. At that moment, Mamrot unholstered his duty firearm “due to the situation being a possible domestic incident, a shot already being made, and the Airship putting out that an individual was coming out armed with a gun.” Mamrot lacked a clear view northbound into the driveway, as the angle was cut off by the tree. However, he saw Ysaac’s reflection through a window that faced the driveway. Through that reflection, Mamrot observed Ysaac’s crouched body move down the driveway toward the officers, and then saw “possibly an arm or something coming up.” Mamrot heard the sound of a gunshot that seemed to emanate from Ysaac’s direction.¹³ Simultaneously, he heard gunfire coming from the officers stationed to his right. Mamrot did not shoot because he lacked a clear view of Ysaac.

Dwayne Teverbaugh’s Statement

Teverbaugh was interviewed on December 9, 2020 by FID Detective Blair Grabiak. Teverbaugh was Ysaac’s parole agent when the incident occurred. On May 13, 2020, Teverbaugh received a phone call from [REDACTED] stating that Ysaac was not doing well. [REDACTED] told Teverbaugh that Ysaac was “getting high” and “needs rehab.” She asked that Teverbaugh not tell Ysaac that she called. Teverbaugh told her that he would try to get Ysaac into rehab. Teverbaugh left messages for Ysaac and [REDACTED] the next day or day after, but neither returned his calls. At the end of May, Teverbaugh learned that Ysaac was killed in an officer involved shooting.

¹³ There is no evidence that Ysaac fired his gun right before the officer involved shooting.

Evidence Collected

Investigators recovered a .45 caliber Colt revolver next to Ysaac's body. The revolver was loaded with one live and two discharged cartridge cases in the cylinder. An LAPD criminalist test fired the revolver and determined it was functional.

On May 16, 2020, a resident who lived in a structure just north of the triplex found a projectile and notified LAPD detectives. A ballistics analysis determined that the projectile was fired from the revolver recovered next to Ysaac's body. The evidence supports that this projectile was likely fired by Ysaac when he shot through the front door before officers arrived at the scene.

Autopsy Report and Coroner's Test Results

Ysaac suffered multiple gunshot wounds, including fatal wounds to the skull, brain, heart, and right lung. Four projectiles/pellets entered through the left side of the head. Three projectiles entered through the left upper arm/shoulder area. An additional projectile entered through the upper left back area. Deformed shotgun pellets were recovered from the base of the neck, the left humerus and behind the right clavicle. One projectile entered the left side of the chest and one entered through the mid left back area. A deformed jacket bullet was recovered from the right arm. One projectile entered through the right upper arm.

The toxicology analysis determined that Ysaac tested positive for methamphetamine and marijuana.

LEGAL ANALYSIS

A peace officer is justified in using deadly force upon another person 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 to another unless immediately apprehended. Penal Code section 835a(c)(1)(A) & (B).

“A threat of death or serious bodily injury is ‘imminent’ when, based on the totality of 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 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 835(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).

The prosecution has the burden of proving beyond a reasonable doubt that a killing was not justified. CALCRIM Nos. 505, 507.

The evidence examined in this case indicates that Ysaac was holding his sister hostage with a firearm, which he had already fired once. Officer Campos attempted to deescalate the situation for approximately 15 minutes by calmly talking to Ysaac on the phone and allowing him to talk to his mother. Officer Campos instructed Ysaac multiple times to exit the residence without the gun and he would not get hurt, but Ysaac failed to comply. When Ysaac finally emerged from the residence, he was moving toward the officers, crouched against the side of the residence, holding a firearm in his right hand. Torres ordered Ysaac to drop the gun but Ysaac did not comply. Due to the distance between the officers and Ysaac, and the car parked in the driveway, the BWVs do not show a clear view of Ysaac pointing the gun at the officers; however, the officers were directly in Ysaac's line of fire. TFO Gomez, who had an aerial view over the location and binoculars to aid his sight, stated that Ysaac extended the firearm toward the officers and turned toward the officers when the shooting occurred. Officer Mamrot, who saw Ysaac's figure through a reflection in the window, saw Ysaac extend one of his arms right before the shooting, which corroborates Gomez's stated observations.

Considering the totality of the facts and circumstances known to the officers at the time, as well as Ysaac's conduct in advancing toward them with the firearm pointing in their direction, despite Campos telling him to come out without the gun and Torres commanding him to drop the gun, it was not unreasonable for the officers to believe that Ysaac would fire the gun at them. Ysaac's actions, furthermore, left the officers with insufficient time to safely use non-deadly resources or techniques. Accordingly, it was not unreasonable for the officers to conclude that deadly force was necessary to defend against the threat of imminent death.

CONCLUSION

We conclude that there is insufficient evidence to prove beyond a reasonable doubt that Officers Torres, Orozco and Prisk's decisions to use deadly force were unlawful.