

**Fatal Officer Involved Shooting of Jordan Griffin  
Long Beach Police Department**

**Officer Aldo Decarvalho, 5364  
Officer William Johnston, 5672**

**J.S.I.D. File #19-0404**



**GEORGE GASCÓN**

**District Attorney**

**Justice System Integrity Division**

**June 24, 2021**

**MEMORANDUM**

TO: CHIEF ROBERT LUNA  
Long Beach Police Department  
400 West Broadway  
Long Beach, California 90802

FROM: JUSTICE SYSTEM INTEGRITY DIVISION  
Los Angeles County District Attorney's Office

SUBJECT: Fatal Officer Involved Shooting of Jordan Griffin  
J.S.I.D. File #19-0404  
L.B.P.D. OIS #19-003

DATE: June 24, 2021

The Justice System Integrity Division (JSID) of the Los Angeles County District Attorney's Office has completed its review of the September 19, 2019, fatal shooting of Jordan Griffin by Long Beach Police Department (LBPd) Officers Aldo Decarvalho and William Johnston. We have concluded Officers Decarvalho and Johnston acted lawfully in self-defense and defense of another.

The District Attorney's Command Center was notified of the shooting at approximately 2:53 a.m. on September 19, 2019. The District Attorney Response Team responded to the location. They were given a briefing regarding the circumstances surrounding the shooting and a walk-through of the scene.

The following analysis is based on investigative reports, firearm analysis reports, coroner's reports, photographs, surveillance video and witness statements submitted to this office by LBPd Detective Shea Robertson. No compelled statements were considered as part of this analysis.

**FACTUAL ANALYSIS**

On September 19, 2019, LBPd Officers Aldo Decarvalho and William Johnston were working as detectives with the Career Criminal Apprehension Team (CCAT), conducting surveillance on two suspects, later identified as Jordan Griffin and Devontae Moore. Griffin and Moore were identified as having committed at least seven armed robberies over the three-day period between September 15, 2019 and September 17, 2019. During each of the robberies, Griffin entered the location wearing a hooded sweatshirt covering his head and was armed with what appeared to be a semiautomatic handgun. A Nissan Altima was identified as being used as the getaway vehicle for the robberies and was distinguished by having a missing hubcap and cardboard covering the sunroof. The vehicle was located and determined to belong to Moore. CCAT members set up surveillance of the vehicle on September 18, 2019 and followed the vehicle and its occupants. A helicopter was utilized during portions of the surveillance to assist in tracking the vehicle.

Moore was identified as the driver of the vehicle and Griffin was identified as the front-passenger during much of the surveillance period.<sup>1</sup> On September 19, 2019, at approximately 11:07 p.m., Moore and Griffin exited a residence, got into the vehicle and drove past a 7-1-1 store located at 5103 Pacific Coast Highway in the City of Long Beach. The vehicle then made a quick U-turn and Moore drove southbound on Clark Avenue before making a quick eastbound turn on East Anaheim Road where he pulled to the south curb and turned off the vehicle's headlights. The area where the vehicle stopped was dark, making it difficult for CCAT members to observe the Griffin and Moore's movements.

As CCAT members attempted to position themselves to arrest the suspects, one of the members was able to observe Griffin near the trunk area of the vehicle fiddling with his waistband. This information was broadcast to CCAT members. The helicopter involved in the surveillance further advised members that the vehicle was driving slowly with the headlights off.

Johnston positioned himself at the apron of the 7-1-1 entrance off of Clark Avenue. He could see the entrance to the store, but his view of nearby streets was obstructed by a large storage container. Johnston heard one of the CCAT members broadcast that Griffin was heading towards the parking lot of the 7-1-1 wearing all black with a mask covering his face. Seconds later, the broadcast was updated to indicate Griffin was running towards the location.<sup>2</sup> Johnston was unable to get into position to stop Griffin before he observed him running into the 7-1-1.<sup>3</sup> Griffin ran through the front door of the 7-1-1, and ran immediately to the counter. Johnston observed Griffin pointing what appeared to be a black pistol at the cashier and two customers who were standing at the counter.<sup>4</sup>

Believing that the people inside of the 7-1-1 store were in immediate danger of being shot, Johnston jumped out of his vehicle and began running towards the door to the 7-1-1. As he got to the entrance of the store, Johnston observed Griffin pointing what appeared to be a black pistol at the clerk behind the counter. Griffin looked agitated and was motioning the weapon at the clerk and customers at the counter. Decarvahlo, having heard the broadcasts that Griffin was running toward the 7-1-1, was behind him. The officers did not have time to make a plan for entry due to the threat Griffin posed to those inside the store.

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<sup>1</sup> Two other individuals were rear passengers in the vehicle at one point, but did not appear to be involved in the robberies.

<sup>2</sup> The clothing, mask and running towards the robbery location are consistent with the modus operandi of the prior robberies. Griffin also matched the description given at the prior robberies in terms of size and appearance.

<sup>3</sup> The storage container blocked his view such that he only observed Griffin seconds before he entered the location.

<sup>4</sup> Surveillance video from the location captured these actions as well as the officer-involved shooting.



Surveillance Video Screen Shot of Griffin Pointing a Weapon at the Cashier and Customers

As Johnston walked through the door he yelled, “Police!” Decarvalho, who was on his left side, yelled, “Drop the gun!” twice.<sup>5</sup> Griffin did not comply. The officers were in close proximity to Griffin, who turned his pistol away from the clerk and in the direction of the officers. Both officers were wearing ballistic plate carrier vests, identified by a LBPD badge on the chest area and the word “Police” on the front and back of the chest. Johnston also wore his badge in clear view on his waistband.<sup>6</sup>

<sup>5</sup> Multiple witnesses heard the announcement that they were police officers and the commands to drop the weapon.

<sup>6</sup> The cashier and both customers at the counter recognized them as police officers based upon their clothing.



Surveillance Video Screen Shot of Griffin Pointing Weapon at Officers

In fear for his life as well as Decarvalho's, Johnston fired several rounds from his service weapon until he observed Griffin falling to the ground. At the same time, Decarvalho saw the weapon being raised in his direction and fired several rounds from his service weapon. A total of nine rounds were fired by the two officers.<sup>7</sup>

CCAT members rendered medical aid to Griffin prior to the arrival of paramedics who pronounced him dead at the scene. Griffin's weapon was recovered and determined to be a replica gun.<sup>8</sup>

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<sup>7</sup> The total number of rounds was determined by casings recovered from the location.

<sup>8</sup> All of the officers and civilian witnesses who saw the weapon believed it was a handgun.





Weapon used by Griffin

Moore was apprehended and interviewed regarding the series of robberies. After initially denying any knowledge, Moore admitted to being the getaway driver for the series of robberies identified by investigators. Moore identified Griffin as the individual who went inside each of the locations armed with a replica gun and demanding money. Moore was on the phone with Griffin during several of the robberies and heard him demand money. Moore also directed investigators to cash he received from the robberies that was located inside his vehicle.<sup>9</sup>

An autopsy was conducted on September 24, 2019, by Deputy Medical Examiner Dr. Kevin Young who ascribed cause of death to multiple gunshot wounds.

## LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if the person claiming the right of self-defense or the defense of others actually and reasonably believed

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<sup>9</sup> Moore was convicted in case NA112907 for his involvement in the robberies and sentenced to six years in state prison.

that he or others were in imminent danger of great bodily injury or death. Penal Code section 197; *People v. Randle* (2005) 35 Cal.4<sup>th</sup> 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4<sup>th</sup> 1172, 1201); *People v. Humphrey* (1996) 13 Cal.4<sup>th</sup> 1073, 1082; *see also*, CALCRIM No. 505.

A police officer may use objectively reasonable force to effect an arrest, prevent escape, or overcome resistance of a person the officer believes has committed a crime. Penal Code section 835a. An officer “may use all the force that appears to him to be necessary to overcome all resistance, even to the taking of life; [an officer is justified in taking a life if] the resistance [is] such as appears to the officer likely to inflict great bodily injury upon himself or those acting with him.” *People v. Mehserle* (2012) 206 Cal.App.4<sup>th</sup> 1125, 1146. A killing of a suspect by a law enforcement officer is lawful if it was: (1) committed while performing a legal duty; (2) the killing was necessary to accomplish that duty; and (3) the officer had probable cause to believe that (a) the decedent posed a threat of serious physical harm to the officer or others, or (b) that the decedent had committed a forcible and atrocious crime. CALCRIM No. 507, Penal Code section 196. A forcible and atrocious crime is one which threatens death or serious bodily harm. *Kortum v. Alkire* (1977) 69 Cal.App.3d 325, 333.

An officer has “probable cause” in this context when he knows facts which would “persuade someone of reasonable caution that the other person is going to cause serious physical harm to another.” CALCRIM No. 507. When acting under Penal Code section 196, the officer may use only so much force as a reasonable person would find necessary under the circumstances. *People v. Mehserle* (2012) 206 Cal.App.4<sup>th</sup> 1125, 1147. And he may only resort to deadly force when the resistance of the person being taken into custody “appears to the officer likely to inflict great bodily injury on himself or those acting with him.” *Id.* at 1146; *quoting People v. Bond* (1910) 13 Cal.App. 175, 189-190. The prosecution has the burden of proving beyond a reasonable doubt that a killing was not justified. CALCRIM Nos. 505, 507.

In protecting himself or another, a person may use all the 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 the injury which appears to be imminent. CALCRIM No. 3470. If the person’s beliefs were reasonable, the danger does not need to have actually existed. *Id.*

“Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh in too nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety.” *People v. Collins* (1961) 189 Cal.App.2d 575, 589. 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 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.

In the instant matter, Decarvalho and Johnston were aware that Griffin was potentially the suspect in a series of armed robberies. They observed him inside the 7-1-1 store pointing what appeared to be a handgun at the cashier and two patrons of the store. They did not have time to formulate a plan to stop Griffin as the threat to the people inside the store was grave and imminent. Upon entering the location, they announced their presence and ordered Griffin to drop the weapon. Rather than complying, Griffin turned and pointed the weapon at them. Although the weapon was determined to be a replica, it appeared to both civilian and law enforcement witnesses to be a real handgun. The manner in which Griffin used the weapon was also consistent with it posing a deadly threat as seen in the surveillance video. The fact that the weapon was later determined to be a replica does not change the lawfulness of the officers' actions under these circumstances. Given those circumstances, it was reasonable for both officers to use deadly force in self-defense and defense of each other.

## **CONCLUSION**

We find that Officers Decarvahlo and Johnston acted lawfully in self-defense and defense of another when they used deadly force against Jordan Griffin. We are closing our file and will take no further action in this matter.