

**Non-Fatal Officer Involved Shooting of Tyrell Harris
Long Beach Police Department**

Sergeant John Magallanes, #10123

J.S.I.D. File #24-0255



NATHAN J. HOCHMAN

District Attorney

Justice System Integrity Division

July 14, 2025

MEMORANDUM

TO: CHIEF WALLY HEBEISH
Long Beach Police Department
400 West Broadway
Long Beach, California 90802

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

SUBJECT: Non-Fatal Officer Involved Shooting of Tyrell Harris
J.S.I.D. File #24-0255
L.B.P.D. File #240039211/OIS 2024-005

DATE: July 14, 2025

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the August 7, 2024, non-fatal shooting of Tyrell Harris by Long Beach Police Department (LPBD) Sergeant John Magallanes. We have concluded Magallanes acted in lawful self-defense at the time he fired his service weapon, reasonably believing, based on the 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 the shooting on August 7, 2024, at 11:00 p.m. The District Attorney Response Team responded and was given a briefing and walk-through of the scene by LPBD Sergeant Robert Trout.

The following analysis is based on body worn camera video (BWV), Metrolink surveillance video, investigative reports, and audio recordings and transcripts of witness interviews submitted to this office by LPBD Detectives Juan Carlos Reyes and Sean Magee on January 15, 2025. No compelled statements were considered as part of this analysis.

INTRODUCTION

On August 7, 2024, at approximately 9:10 p.m., LPBD officers responded to a 9-1-1 call regarding a man with a gun on the Metrolink Blue Line train.¹ The man, later identified as Tyrell Harris, jumped from the platform onto the train tracks, while holding the gun.

LPBD Sergeant John Magallanes confronted Harris and ordered him to "freeze." When Harris turned and raised the gun towards Magallanes, Magallanes discharged his service weapon. Harris was hit in the shoulder by gunfire. He was transported to a hospital where he was treated for a single gunshot wound.²

¹ The gun was later determined to be a replica firearm.

² Harris was later charged in case 24LBCF00969 with one count of assault on a peace officer in violation of Penal Code section 245(c), and three counts of criminal threats in violation of Penal Code section 422(a).

FACTUAL ANALYSIS

On August 7, 2024, at 9:08:07 p.m., the LBPd received a 9-1-1 call from a passenger on the Metro Link Blue Line train reporting “a [man] with a gun.”³ The caller said the man, later identified as 35-year-old Tyrell Harris, took a gun out of his black backpack and placed it in his waistband. The caller described Harris’ clothing and told the operator Harris was yelling.

LBPd Officers Brian Craney, Joseph Garces, and Michael Gatliff responded to the location.⁴ LBPd dispatch informed them a man with a black backpack was carrying a concealed weapon. As they walked onto the train platform they saw a man with a black backpack fitting the description quickly walking away.

Garces, Craney, and Gatliff drew their service weapons. Garces ordered Harris to, “Stop right there! Get on the ground!” Harris refused to follow Garces’ orders. Harris initially walked away, then ran down the platform. (*Figure 1*)

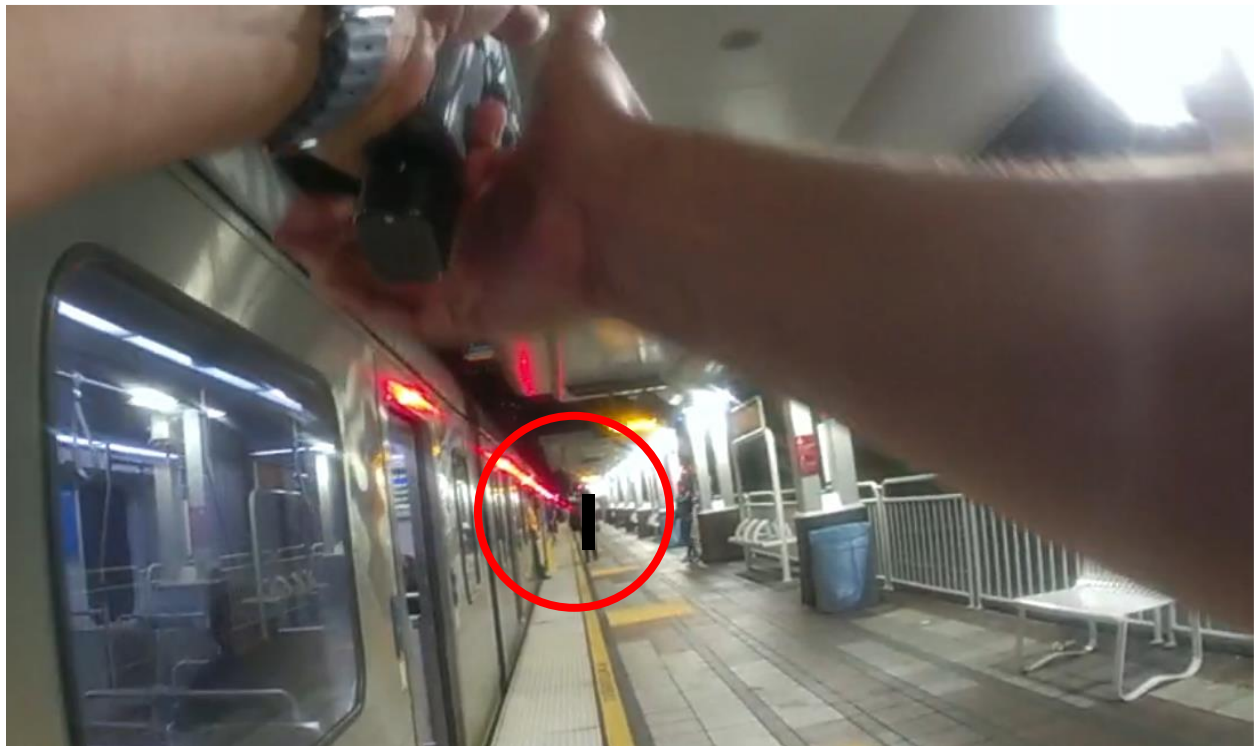


Figure 1: Garces’ BWV showing Harris on the train platform as he started walking away from the officers.

Garces cautioned the other officers about the risk of causing potential injury to bystanders, so they lowered their weapons and began chasing Harris, while continuing to order Harris to stop and get on the ground. Garces advised dispatch Harris was “running southbound while grabbing his waistband.”

³ The train was stopped at Long Beach Avenue between 5th and 6th Streets.

⁴ The officers were dressed in dark blue police uniforms with badges, nameplates, and LBPd patches on both shoulders. They arrived in marked black and white police vehicles with light bars.

Magallanes wrote a police report detailing his observations and actions. Magallanes heard dispatch relay, “Suspect took a firearm from his backpack and placed it in his waistband.” Magallanes “perceived this action by [Harris] to be preparing to quickly access the firearm for use.” Magallanes exited his patrol car on the street side of the train and began walking toward the south end of the train.

As Magallanes approached the train, he activated his BWV. Magallanes’ BWV captured the audio of officers on the other side of the train yelling at Harris to stop. When the officers began yelling, Magallanes heard the officers say, “He’s running southbound on the platform!” over the radio. Magallanes drew his service weapon.

As Harris ran southbound on the platform away from the officers, Magallanes approached the south end of the train. As Magallanes rounded the back of the train, he saw Harris jump from the platform onto the train tracks. Magallanes observed Harris matched the description of the armed man given by dispatch. Magallanes’ BWV caught Harris jumping from the platform onto the tracks while holding a gun in his right hand.

Magallanes pointed his service weapon at Harris while yelling, “Freeze! Get on the ground right now!”



Figure 2: Magallanes’ BWV depicting Harris holding the gun (circled in red) after Harris jumped down from the train platform.

Harris refused to follow Magallanes’ orders and continued walking. Magallanes observed Harris “reach for the right side of his body with his right hand and draw a black firearm from the right side of his waistband.” (Figure 2) Magallanes, “believed it was a firearm because of its shape and . . . two ‘points’ on the back of the firearm that I believed was a rear sight. The size and shape of the firearm made it appear that it was a 1911 style black semi-automatic firearm.”

Magallanes thought Harris was going to drop or throw the gun, so he waited before firing his service weapon. Magallanes observed Harris “rotate [the gun] toward the center of [Harris’] body, toward me.” Magallanes fired one round from his service weapon, striking Harris in the upper right arm.

Magallanes wrote in his report he believed “[Harris] posed an immediate, deadly threat to me that I had to address immediately. I did not want to get shot, seriously injured, or killed. I decided that the use of lethal force against [Harris] was necessary and the only option to defend my life. Because it was necessary to defend my life, I fired one round at [Harris] to prevent [Harris] from shooting me.” Magallanes estimated Harris was six feet away from him at the time of the shooting.

Magallanes’ BWV shows Harris, after he is hit, rolling onto his back and crossing his legs. Harris tells Magallanes, “I’m done.” When Magallanes realizes the gun is no longer in Harris’ hands, he radios dispatch, “I’m not sure I hit him.”⁵ Harris replies, “You did, in the shoulder. On my right side. You guys are good. Do your job. This is God’s will. I’m God’s son, just take care of me. Nobody loves me. I’m good. My right deltoid. Good job, no vital organs . . . You guys are doing a good job, let’s get the ambulance here. . . . this is for the Lord.” Harris is cooperative with the officers and tells them he “wanted to go home.”

Harris was transported to St. Mary’s Hospital where he was treated for a single gunshot wound to his upper arm. Harris was released a few hours later and transported to the LBPD station where he provided an interview.

Harris told investigators he was carrying a BB gun in his waistband and arguing with people he believed were gang members, on the train.⁶ Harris told investigators he recognized the uniformed officer [as a police officer] when Harris jumped off the platform. Harris said he raised the gun up because he wanted the officer to know it was only a BB gun.

█████1

█████1 told investigators she was standing next to her sister, █████2, and her cousin on the platform when she saw Harris pacing back and forth. Harris yelled at them, “You’re lucky I don’t shoot you right now! You are lucky I don’t kill you, you stupid bitch. You are lucky you are right here! Shut up!” █████1 and her sister kept talking to each other and ignored Harris. █████1 heard Harris say he had a “hot one.”

█████1 became frightened when she observed Harris remove a black handgun from his backpack and place the gun inside his waistband on his right side. Harris kept pacing back and forth and █████1 could see the exposed handle of the gun in Harris’ waistband. When another train car arrived, █████1 and her sister entered that train. They notified the Metrolink Security guards on the train Harris had a gun. She heard the Metrolink employees ask Harris to get off the train because he had a weapon. Harris become verbally aggressive with the Metrolink employees and

⁵ Magallanes wrote, “I did not immediately see injuries on [Harris and Harris] was not crying out in pain or clutching any part of his body.”

⁶ There was no evidence the 9-1-1 caller or her companions had any gang affiliation.

said something about getting ready for a fight. ■■■1 believed she heard Harris say something about a BB gun.

■■■1 saw police officers arrive and walk up the platform on the north side. (Figure 3) She saw Harris grab the right side of his waistband and run down the platform. Shortly after Harris ran from the police, she heard one gunshot and saw officers putting bandages on Harris.



Figure 3: ■■■1, ■■■2, and their cousin stood to the left on the train platform as officers arrived. Harris (on the right with a black backpack), turned towards the officers and then ran from them.

■■■2

■■■2 said Harris was standing approximately 20 feet away from them when she saw Harris look in her direction and tell her to, “Shut the fuck up!” ■■■2 asked, “Who? Me?” Harris responded, “You don’t want the smoke! You don’t want to fight!” Harris removed a black handgun from his backpack and placed it in his waistband while pacing back and forth. Harris began yelling obscenities at ■■■2 and her sister.

■■■2 called 9-1-1 when Harris boarded the train. ■■■2 tried to delay the train to prevent Harris from leaving before officers arrived. When the police arrived, ■■■2 saw Harris run from them. She heard the officers yell, “Stop! Don’t reach!” and heard a single gunshot.

■■■1 and ■■■2’s cousin was standing with the women when the incident occurred. His statements are consistent with his cousins’ statements.

Weapon

Harris was armed with a Daisy Powerline Model 415 CO2 semi-automatic BB gun. (*Figure 3*) The gun was collected by LBPd detectives and booked into evidence. LBPd Homicide Sergeant Robert Trout determined the BB gun was loaded and operable.



Figure 3: The replica firearm Harris was holding when he was shot by Magallanes.

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

A civilian witness called 9-1-1 reporting Harris had a concealed gun in his waistband and was threatening to shoot them. The caller told investigators she believed the gun was real and she feared for her life. This information was relayed to the LBPD officers who responded to the train station.

When officers arrived at the location, they saw Harris run from them while grabbing at his waistband. Harris’ movements led the officers to believe Harris was concealing a handgun in waistband. Despite their orders to stop, Harris ran from them.

Magallanes was the first officer to directly confront Harris. When he initially observed Harris at the train tracks, he told him to “Freeze!” Rather than stop, Harris jumped from the platform with a gun clearly visible in his hand. Harris was approximately six feet away from Magallanes when he raised and rotated the gun toward Magallanes.

Magallanes believed the weapon Harris was holding was a 1911 style handgun. Magallanes feared for his life because he believed Harris was holding an operable handgun and posed an immediate and deadly threat to his life. Magallanes fired his service weapon because he felt he needed to immediately respond to “defend his life.”

Under these circumstances, the evidence supports a reasonable belief by Magallanes that deadly force was necessary to defend against an imminent threat of death or serious bodily injury to himself or another person.

CONCLUSION

For the foregoing reasons, we find Sergeant Magallanes acted lawfully in self-defense and in defense of others.