

**Fatal Officer Involved Shooting of Dana Mitchell Young  
Los Angeles County Sheriff's Department**

**Deputy Kevin Walker #620976**

**J.S.I.D. File #20-0403**



**GEORGE GASCÓN**

**District Attorney**

**Justice System Integrity Division**

**July 20, 2022**

## MEMORANDUM

TO: CAPTAIN ANDREW D. MEYER  
Los Angeles County Sheriff's Department  
Homicide Bureau  
1 Cupania Circle  
Monterey Park, California 91755

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

SUBJECT: Fatal Officer Involved Shooting of Dana Mitchell Young  
J.S.I.D. File #20-0403  
L.A.S.D. File #020-08775-0375-013

DATE: July 20, 2022

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the October 15, 2020, fatal shooting of Dana Mitchell Young by Los Angeles County Sheriff's Department (LASD) Deputy Kevin Walker. We have concluded that Deputy Walker acted lawfully in self-defense, in defense of others, and/or in an attempt to arrest a person he believed to be a dangerous felon.

The District Attorney's Command Center was notified of the shooting on October 15, 2020 at approximately 6:11 a.m. The District Attorney Response Team responded to the location and 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, firearms analysis reports, dispatch recordings, crime scene diagrams and video, photographic evidence, coroner's autopsy report and witness statements submitted to this office by LASD Detective Jason Marx and Sergeant Stephanie Shrout. The voluntary statement of Deputy Walker was considered as part of this analysis.

### **FACTUAL ANALYSIS**

On October 15, 2020 at approximately 3:40 a.m., Los Angeles Police Department (LAPD) received a call of a possible kidnapping near the intersection of 103<sup>rd</sup> and Figueroa Streets in the City of Los Angeles. At approximately 3:49 a.m., LASD received a call of shots fired, assault with a deadly weapon at 127<sup>th</sup> Street and Budlong Avenue. The caller stated that the informant had been shot at and the suspect was last seen northbound on Normandie Avenue in a silver Volkswagen. The call was updated to add that the informant was following the suspect vehicle but was now parked at 120<sup>th</sup> Street and Normandie Avenue.

Deputies Leonardi and Walker were working in uniform and in a marked black and white Ford Explorer when they received a priority call advising of an assault with a deadly weapon that had just occurred. Walker and Leonardi were assigned to handle the call.

Walker and Leonardi were informed by dispatch that the victim of the assault was in a car, following the person who shot at her. When they arrived at 120<sup>th</sup> Street and Normandie Avenue, Walker and Leonardi observed the informant, [REDACTED], speaking to other deputies. [REDACTED] appeared to be hysterical and crying saying, “Help her! Help her! He kidnapped her! He took her! He’s going to kill her!”

Walker spoke to [REDACTED] and was able to calm her. [REDACTED] told Walker that her friend [REDACTED] had been kidnapped by a man, later identified as Dana Mitchell Young, in a silver Volkswagen SUV. [REDACTED] told the deputies she flagged down a car driven by [REDACTED], got in and tried to follow Young. At a roundabout, Young got out of the car and fired a gun at [REDACTED] and [REDACTED] three times. [REDACTED] said she ducked down so she did not see the gun, but she clearly heard three gunshots. She remembered that she had a GPS tracker application on her phone that was able to see [REDACTED] location, so she stopped following them. [REDACTED] showed the deputies [REDACTED] location using the “Life 360” application and then gave Walker her phone.

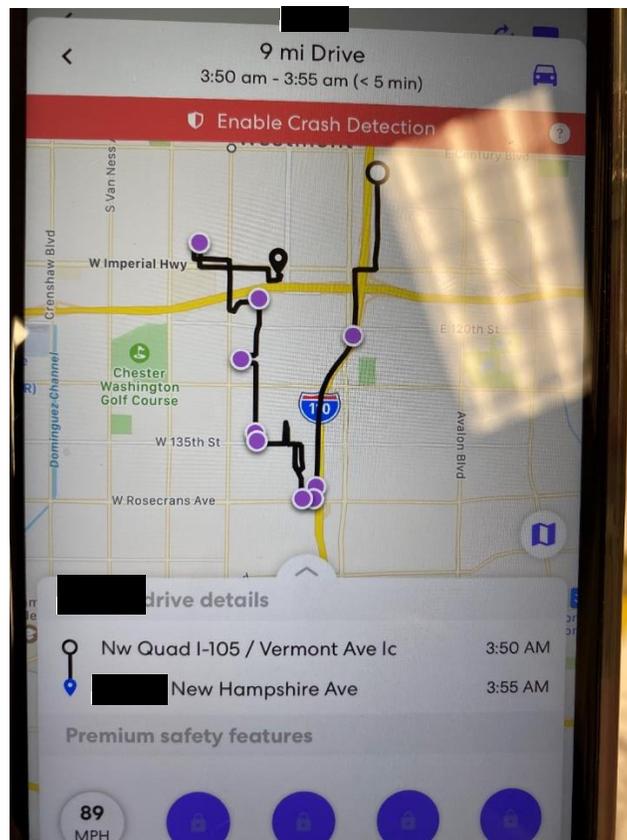


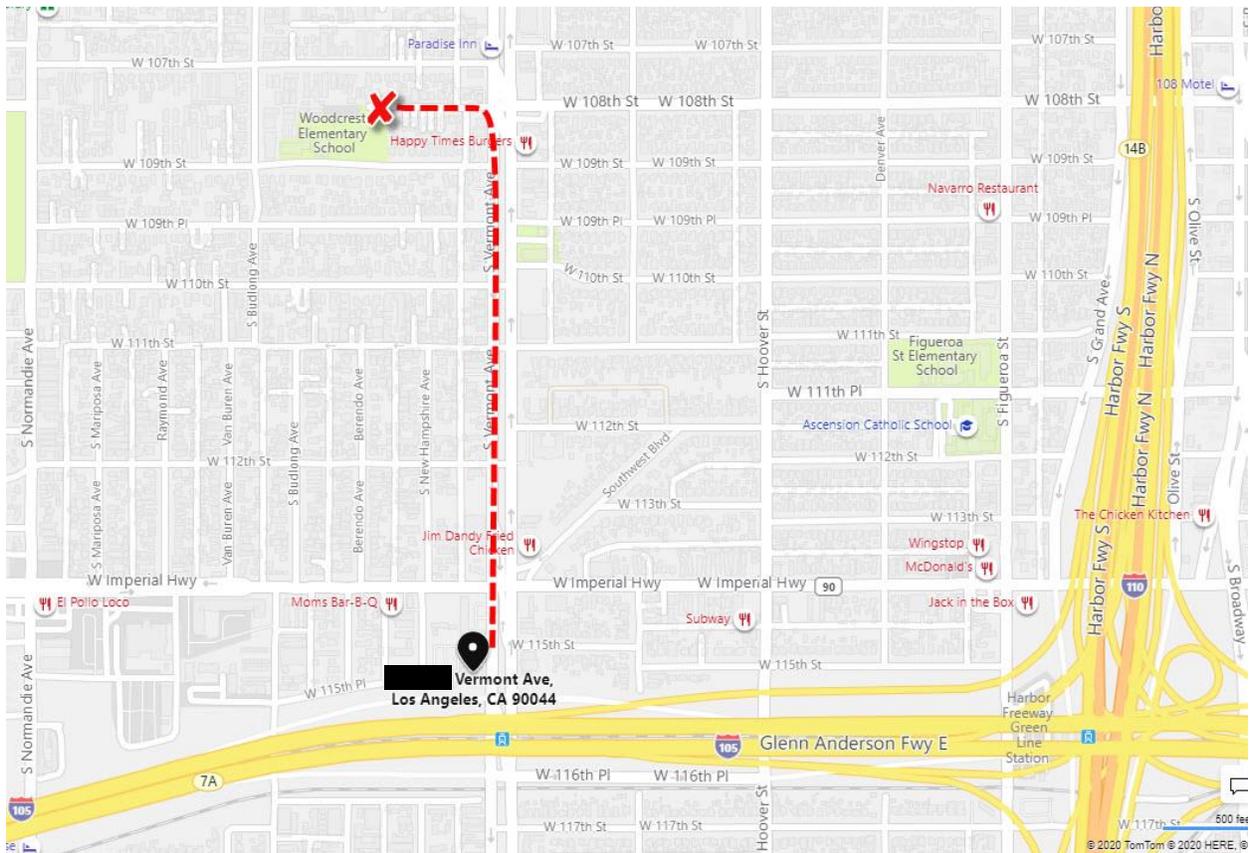
Photo of [REDACTED] phone showing the path taken from the point of kidnapping to the Park and Ride lot.

Deputies Ibarra and Cano were working patrol, in full uniform and in a marked black and white car when they responded to the location where [REDACTED] phone was pinging, which was near Imperial Highway and New Hampshire Avenue at a PAX (park and ride) lot. Cano drove into the lot and saw the silver Volkswagen, parked and backed into a stall. Cano and Ibarra approached the Volkswagen on foot. Cano walked across the front of the vehicle with his firearm drawn and with the firearm light illuminated. Through a small clearing in the fogged window, Cano was able to see a naked female in the backseat. Young was in the front seat. Young immediately started the car and started driving eastbound. [REDACTED] managed to put her underwear on before she jumped out

of the backseat of the moving car. At the same time, Walker and Leonardi, who were driving in the lot, got behind Young's vehicle and initiated a vehicle pursuit with lights and sirens activated.

Young drove north on Vermont Avenue and turned left onto 108<sup>th</sup> Street, which ends in a cul-de-sac. Young drove to the end of 108<sup>th</sup> Street and crashed into the fence of Woodcrest Elementary School. Young then got out of the car and ran around the cul-de-sac as Walker and Leonardi jumped out of their patrol vehicle. Young faced Walker and Walker stated he saw a black object he believed to be a gun in Young's right hand. Walker fired six shots, three of which struck Young. Leonardi put Young in handcuffs and Ibarra put out the call that there was a Deputy involved shooting.

Investigators found a black face mask in Young's right hand. A cell phone was in the other hand. A black and gray revolver was found on the floorboard beneath the driver seat of the silver Volkswagen Tiguan that Young was driving. The revolver was loaded with one spent cartridge case and five live rounds.



Map showing the path that Walker and Leonardi pursued Young. The path ends at the cul-de-sac on 108<sup>th</sup> Street.



Photo showing the revolver found on the floorboard of the car Young was driving.



Photo showing the fully loaded revolver. The white arrow points to the expended casing, indicated by the pin mark.

## WITNESS STATEMENTS

### Statement of [REDACTED]

[REDACTED] was walking on Figueroa Street at 101<sup>st</sup> Street when she heard rapidly approaching footsteps. Before she could turn around, Young pulled out a revolver, jammed it into her right ribs, and said, "Give me all your fucking money." [REDACTED] immediately handed over her money and her iPhone. Young took the money and continued walking, with the gun against her ribs, southbound on Figueroa towards 103<sup>rd</sup> Street until they reached an alley. [REDACTED] tripped as they were walking down the alley and Young pistol whipped her in the back of the head and said, "Keep fucking walking." He forced her southbound until they got to a silver car. Young pushed [REDACTED] into the car through the driver's door, over the console and into the passenger seat. Young told [REDACTED] "If you try to run, I'll kill you."

Young then began driving at a high rate of speed. [REDACTED] had no idea where they were going but at some point, Young noticed cars following them and he began shooting at the cars. Young said, "I don't know who they are, but I'm going to kill them too!" Young got out of the car, stood in the doorway of the vehicle, and fired the revolver twice towards the rear of his vehicle. He got back in the car and drove away.

[REDACTED] has a location tracking application on her phone called "Life 360." Her friend [REDACTED] tracks her location when [REDACTED] is working. [REDACTED] does the same for [REDACTED] when she is working and believed [REDACTED] was the one following them.

Young asked [REDACTED] if she wanted to live. [REDACTED] said, "Yes." Young said, "Then you are going to fuck the shit out of me." Young instructed [REDACTED] to remove her clothes, which she did, while he was driving with his left hand and holding the revolver in his right hand. They continued driving until they arrived at a parking lot on New Hampshire Avenue, just south of Imperial Highway. Young parked and both he and [REDACTED] moved to the back seat of the car.

Once in the backseat, [REDACTED] believed Young was going to rape her. Young then noticed police cars approaching. Young told [REDACTED] to duck and both went under the seats onto the floorboard. Young pressed the barrel of the revolver against [REDACTED] head and told her, "Don't fucking move." The police car lights shined into the car, but they were unable to see them. Young yelled at [REDACTED], "Stay the fuck down or I'm going to kill you." [REDACTED] complied and did not move.

The police cars appeared to leave the area. Young got out of the car and entered the front seat. As he did, an LASD deputy contacted Young. The deputy shined his light into the car and [REDACTED] took the opportunity to escape and jumped out of the car and ran away. [REDACTED] said she heard Young fire one shot from his revolver as he drove away.

The deputies got into their car and left the parking lot after they told [REDACTED] another unit would be there shortly. A short time later [REDACTED] heard what she believed to be more gunshots in the distance.

## Voluntary Statement of Deputy Kevin Walker

On October 16, 2020, Marx and Shrout interviewed Walker. Walker stated that he was working with his partner Deputy Leonardi on October 15, 2020. Walker said he spoke to [REDACTED], who told him that she and a male were following her friend, who had been kidnapped, by using a GPS locator application. [REDACTED] told Walker that while they were following, the male who kidnapped her friend shot at them. [REDACTED] gave Walker her phone with the GPS application. Walker gave the phone to Deputy Ibarra.

Walker went back to his patrol vehicle and brought up the Mapper on the Mobile Digital Computer, which allows him to track other patrol units via GPS. Walker and Leonardi followed Ibarra and Cano to the 115<sup>th</sup> Street and New Hampshire Avenue Park and Ride. Upon arrival, Walker saw Cano and Ibarra with their guns drawn on a Volkswagen. Walker said Cano and Ibarra seemed to be in control until the car peeled out making a loud noise. Cano and Ibarra went from seeming in control to looking very startled and shocked.

Walker said that Leonardi said he smelled gun powder. Walker did not smell gun powder, but he said that the look on Cano and Ibarra's faces as the car peeled out was consistent with them having been shot at. Walker radioed out that they were in full pursuit of a "245/firearm suspect" and potential kidnapping suspect.

Leonardi and Walker followed the Volkswagen as it "peeled out" onto Vermont Avenue. Walker said they were in full pursuit with lights and sirens activated. Young was traveling northbound in the southbound lanes of Vermont Avenue. Walker saw headlights from oncoming traffic coming towards them. Walker and Leonardi were still discussing whether or not Cano and Ibarra had been shot at. Walker did not know if [REDACTED] was still in the vehicle with Young.

When Young turned on 108<sup>th</sup> Street, Walker knew it was a dead end and anticipated they would soon be engaged with an armed suspect. Walker told investigators that based on the fact that Young had kidnapped a woman, shot at civilians, possibly shot at deputies, and was leading them on a high speed pursuit in wrong way traffic, Walker felt Young was a very high threat to him, his partner, and the public. The Volkswagen came to a crash at the end of a cul-de-sac.

Walker saw the driver step out of the car and the first thing he noticed was an unknown object in his left hand and a black object that Walker believed to be a firearm in his right hand. As Young was looking at the patrol vehicle, Walker moved backwards attempting to seek cover behind the police car. Walker said he thought Young was going to come around the car and shoot them. When Walker came up from behind the car, he was face to face with Young. As Young lifted his right arm, Walker believed a firearm was being raised. In fear for his life, Walker fired five to seven rounds in rapid succession. Walker saw his own gun firing and Young's body moving past him, continuing to move, and then becoming air born before finally striking the ground and sliding before coming to rest. Walker stated it was difficult to remember every detail after that moment. Walker still had his firearm pointed at Young as he and Leonardi got closer. It was then that Walker was able to clearly see Young's hands. At this time Walker realized the black object in his right hand was a face mask not a firearm.

Walker said all shots were fired in "one volley."

## Statement of Deputy Christopher Leonardi

On October 16, 2020, Marx and Shroul interviewed Leonardi at the South Los Angeles Sheriff's Station. Leonardi said he and Walker were responding to a 9-1-1 call that someone in a silver Volkswagen was firing shots at the 9-1-1 caller. As Leonardi and Walker approached the Vermont Park and Ride, Leonardi saw Ibarra and Cano holding a silver Volkswagen SUV at gunpoint with their weapons lights on. As Leonardi drove into the park and ride towards Ibarra and Cano, he saw them backing away rapidly. Leonardi's windows were down and as the Volkswagen SUV drove off at a rapid pace, swerving, Leonardi was under the impression that the car tried to hit the deputies. As the Volkswagen SUV drove off, Leonardi smelled gun smoke. Leonardi did not see muzzle flashes from where Ibarra and Cano were standing. Leonardi believed an assault on police officers had just occurred.

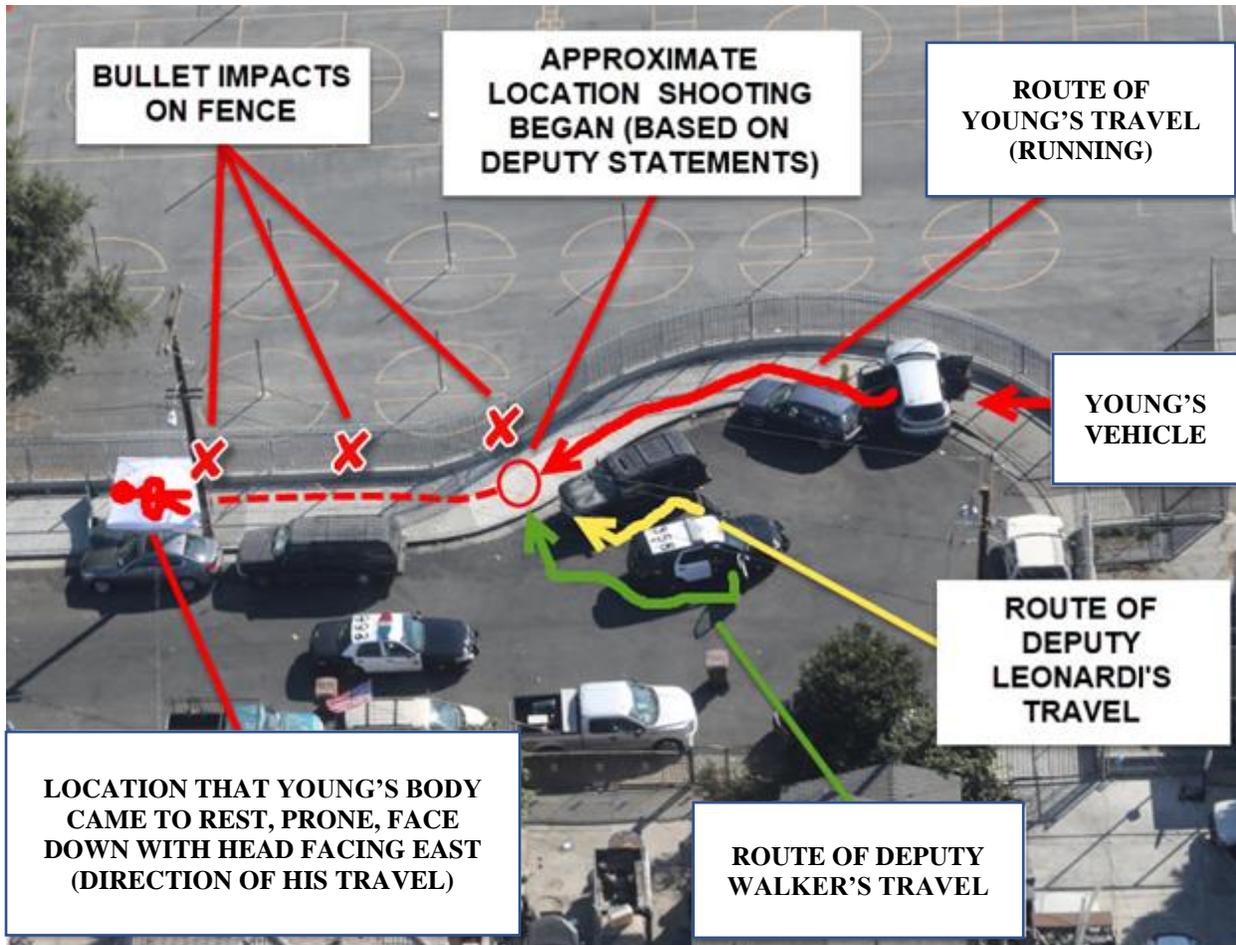
Leonardi and Walker followed the silver Volkswagen SUV through the parking lot to Vermont Avenue. Leonardi was pressing all the way down on the accelerator but the Volkswagen SUV was still pulling away from them. Young was driving at a high rate of speed and was going northbound in the southbound lanes. When Young approached 108<sup>th</sup> Street, he slowed down to make a left turn. This allowed Leonardi to close some of the gap between their vehicles. Leonardi was aware that 108<sup>th</sup> Street is a cul-de-sac.

When they arrived at the end of the cul-de-sac, Young turned slightly southbound and collided with a wall. Young's Volkswagen SUV came to rest with the driver side door facing Leonardi and Walker's vehicle. As Leonardi was putting the car in park and Walker was beginning to exit, Young opened his car door and exited the vehicle. Leonardi said Young's body was "squared" up to the deputies. Leonardi said Young was wearing blue shorts and he had a black object on his right-side waistband that Leonardi thought was a holster. Young immediately ran eastbound on the sidewalk behind a parked SUV.

Leonardi went to the rear of his patrol car and lost sight of Young. Walker was on Leonardi's left side. Walker's arms were extended outward with his firearm in hand. Leonardi then saw Young come back into sight as he made his way around the cul-de-sac to the front of the SUV parked on the curb. Young turned towards the deputies and Leonardi saw Young's hand go near his waistband where he had previously seen what he thought was a holster. While still attempting to gain a clear view of Young, Leonardi heard approximately six rapid gunshots.

Young continued running a short distance, then appeared to jump forward and become vertically airborne before landing on the sidewalk. Young's body slid on the sidewalk until it came to rest. Leonardi said he never fired his weapon because he never had a clear shot and was concerned he would hit Walker's arms. Leonardi then walked over to Young to detain him at gunpoint.

Leonardi said at the time of the shooting he was feeling fear and amplified adrenaline. He had seen two other deputies potentially get shot at and he had followed Young down what is normally a busy street as he was driving on the wrong side of the street at a high rate of speed. Young was believed to be a violent felony suspect that shot at other people already and he felt there was a high probability and likelihood that Young was going to shoot them. His expectation was that he and Walker were going to be in a shootout with Young.



Aerial photograph showing the relevant locations of the OIS.

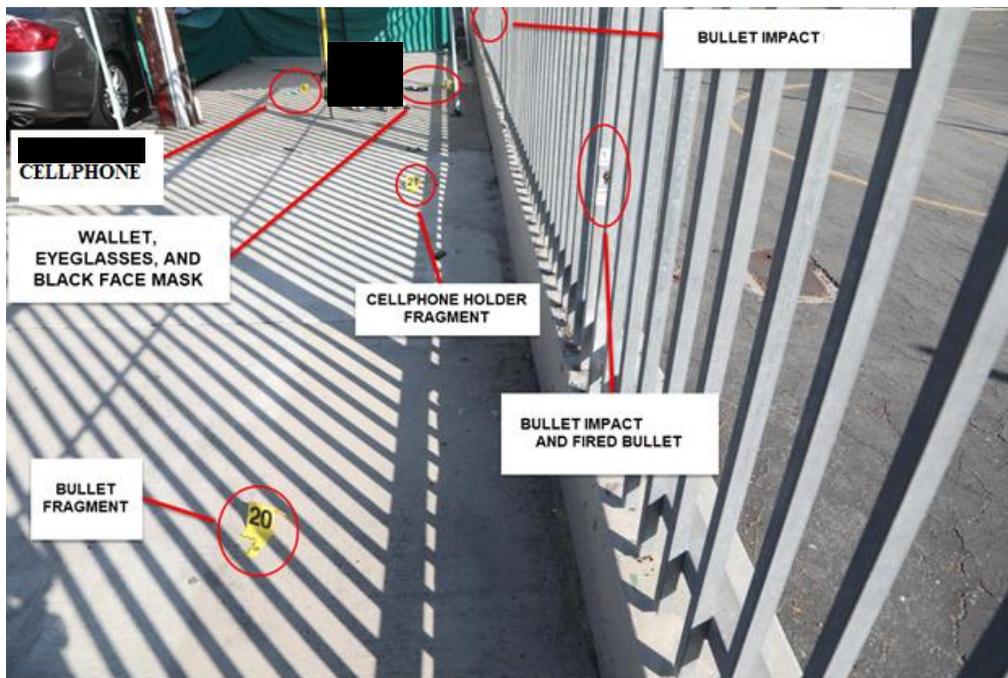


Photo showing where Young's body came to rest, items dropped, and bullet impacts.

## Coroner's Report

On October 23, 2020, Dr. Kevin Young conducted an autopsy on Young's body. Dr. Young determined the cause of death to be a gunshot wound to the head. Young sustained four gunshot wounds. All wounds traveled left to right and upward. The first gunshot wound was to the head and was determined to be fatal; the second gunshot wound was to the back and was determined to be potentially fatal; the third gunshot wound was to the lower abdomen and was determined to be non-fatal; and the fourth gunshot wound was through the penis and was determined to be non-fatal.<sup>1</sup> Dr. Young noted a 1/4<sup>th</sup> inch graze wound on Young's left thigh. Dr. Young noted several scattered abrasions to Young's face as well as scattered small abrasions to Young's left shoulder, forearm, left abdomen, both knees, right lower back, and right posterior hand. Soot, stippling, searing, or muzzle stamp was not seen on any of the gunshot wounds.

On June 14, 2022 the assigned DDA and Marx met with Dr. Young to discuss the autopsy. Dr. Young stated that it is not possible for him to determine the distance between the firearm and the deceased at the time of the shooting. The fatal gunshot entered Young's head from the left back side, two inches below the top of the head and one inch left of the midline. The bullet ricocheted off the right inner parietal skull and was recovered inside the right frontal lobe. The bullet traveled left to right and upward.

Young suffered a series of facial wounds including chipped upper central incisors, a large abrasion across the left forehead, two 2-inch abrasions down the left temple/cheek, nasal abrasions, and a 3/4-inch by 1/4 inch full thickness avulsion of the left upper lip consistent with sliding on concrete.

## **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 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 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, 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).

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

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<sup>1</sup> The numbering of the wounds is for identification only and does not indicate the order in which they were received.

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) & (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).

Under the current use of force law, the reasonableness of an officer's use of deadly force is analyzed using a reasonable officer standard, not the reasonable person standard that was previously applied and articulated in *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1147. 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 with 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.

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 investigation shows that Young robbed and kidnapped ██████████ pistol whipped her and planned to rape her before the deputies arrived. There is evidence to support Young may have fired at least one round from his revolver in the Park and Ride lot at Ibarra and Cano. ██████████ heard a shot and Leonardi smelled gun powder in the Park and Ride lot. The fact that an expended casing was found in the revolver adds support to this belief.

When Young exited the car holding a dark object, Walker stated that he believed that the object was a firearm. The evidence supports this belief and it was reasonable under these circumstances. Moreover, the evidence supports Walker's stated belief that Young had recently committed felonies that threatened serious bodily injury and unless immediately apprehended would cause death or serious bodily injury to him or others. Based on the totality of circumstances known to or perceived by Walker, it was reasonable for him to believe that the use of deadly force was necessary within the meaning of Penal Code section 835a(c) and therefore lawful. The fact that Young was later determined to be unarmed at the time Walker fired his duty weapon does not alter this conclusion.

## **CONCLUSION**

We find that Deputy Kevin Walker acted lawfully in self-defense, in defense of others, and/or in an attempt to apprehend a person he believed to be a dangerous fleeing felon when he used deadly force against Dana Mitchell Young.