

**Fatal Officer Involved Shooting of Kenneth Vessell Jr.
Redondo Beach Police Department**

**Officer Joseph Rangel, #1288
Officer Christopher Bushman, #1329
Officer Lauren McNeely, #1312
Officer Angelica Chaires, #1375**

J.S.I.D. File #21-0354



GEORGE GASCÓN
District Attorney

Justice System Integrity Division
August 10, 2023

MEMORANDUM

TO: CHIEF JOE HOFFMAN
Redondo Beach Police Department
401 Diamond Street
Redondo Beach, California 90277

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 Kenneth Vessell Jr.
J.S.I.D. File #21-0354
R.B.P.D. File #21-5061
L.A.S.D. File #021-00094-3199-013

DATE: August 10, 2023

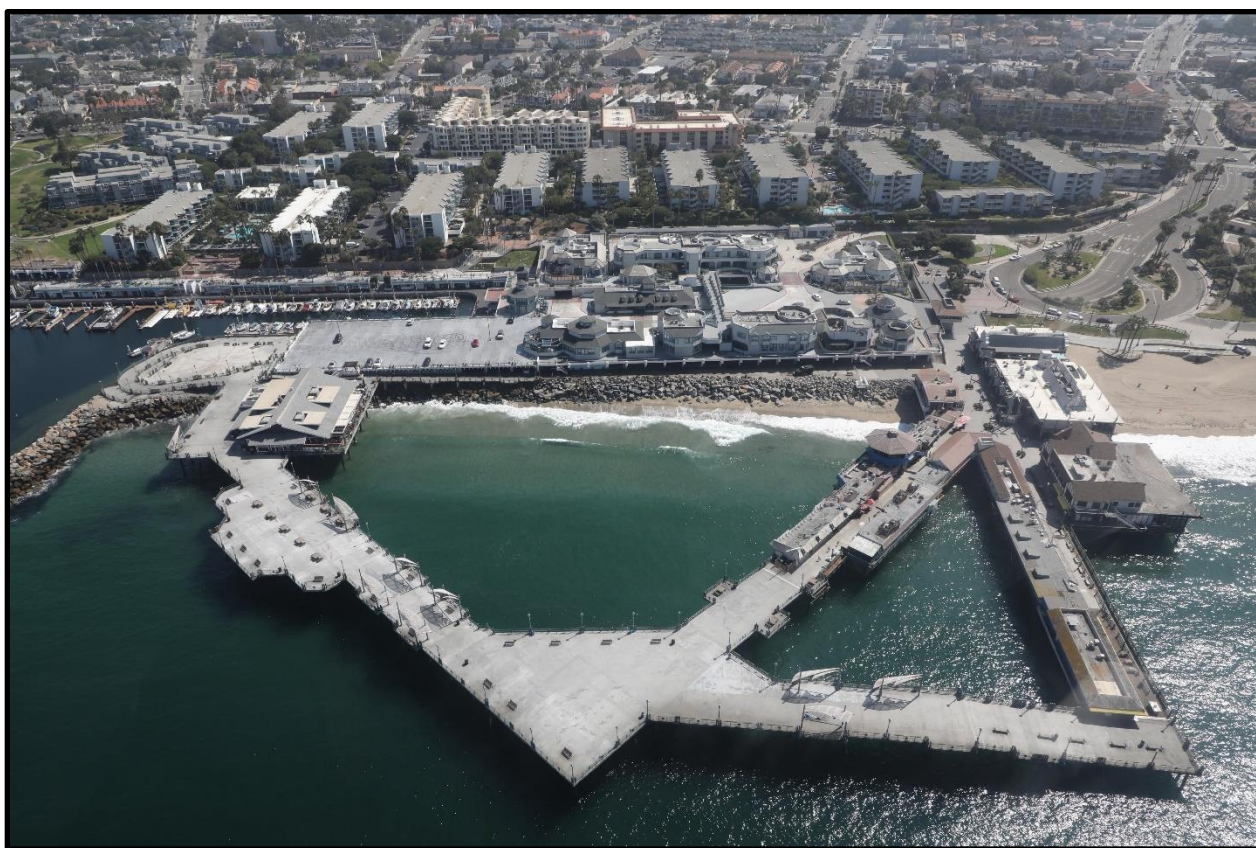
The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the August 25, 2021, fatal shooting of Kenneth Vessell Jr. by Redondo Beach Police Department (RBPD) Officers Joseph Rangel, Christopher Bushman, Lauren McNeely, and Angelica Chaires. We have determined that the evidence supports a reasonable belief by the officers that the use of deadly force was necessary in self-defense and/or the defense of others when they fired their duty weapons.

The District Attorney's Command Center was notified of this shooting on August 25, 2021, at approximately 11:16 p.m. The District Attorney Response Team responded to the scene and was given a briefing and walk-through by Lieutenant Brandon Dean.

The following analysis is based on reports and other materials, including recorded interviews, photographs, video recordings, body worn videos, and radio communications submitted to this office by LASD Homicide Bureau on June 24, 2022. No compelled statements were considered in this analysis – and the involved officers declined the opportunity to make voluntary statements to investigators.

FACTUAL ANALYSIS

On August 25, 2021, at approximately 8:20 p.m., Vessell Jr. (Vessell) walked past a group of three men and a 15-year-old boy on the Redondo Beach pier.¹ Vessell stated, “Do you guys have a problem?” The group ignored Vessell and continued walking. Vessell again yelled, “You guys got a problem?” Then, Vessell fired several rounds from a semiautomatic handgun at the group as they ran away from him. Vessell’s gunfire struck one of the men and the teenager, both of whom survived their injuries. One of the uninjured men called 9-1-1 and reported that two people had been shot. After shooting at the group, Vessell walked to the parking structure, where his GMC Yukon was parked. He fired several more rounds in the parking structure where he remained for several minutes before the police arrived. Several RBPD officers responded to the “active shooter” call.



Arial photograph of the Redondo Beach Pier with large rocks along the shore at Horseshoe Beach.

An off-duty United States Postal Inspector had been eating in a nearby restaurant when he heard the shooting on the pier. The federal agent was unarmed. He later told investigators that he looked outside the windows of the restaurant and saw Vessell holding and pointing a handgun. The agent exited the restaurant and followed Vessell on foot to be a “good witness.” Vessell walked nonchalantly and stopped along the walkway and fired across the water toward the pier.

¹ A manager of a restaurant on the pier, along with two receipts from purchases made by Vessell from the restaurant, established that Vessell was at the pier at approximately 4:00 p.m.

Vessell walked to his Yukon in the parking structure and fired his gun indiscriminately. At one point, Vessell walked quickly toward him and he believed Vessell fired another round, this time at him.² When the agent finally connected with RBPB via his cellphone, he gave Vessell's description and location. The agent saw Vessell take a shooting stance from the walkway toward arriving uniformed officers who had taken cover within the parking structure. The agent heard officers yelling, but it was unintelligible to him. Vessell was facing the rocks and "aggressively" squared up toward the officers. Vessell was facing away from him, but Vessell had his hands in front of him, not to his sides or up over his head. The agent was unable to see if Vessell was holding anything in his hands because the agent was looking at Vessell's back. The agent heard one gunshot followed by a volley of gunshots. He saw Vessell crawl into the rocks and out of view. The agent moved back into the parking structure where he directed a responding RBPB sergeant to Vessell's Yukon whereupon he also observed and directed the sergeant to a handgun on the ground near the Yukon.

One of the men who Vessell fired upon initially on the pier told investigators that he saw and heard police officers yelling commands to Vessell and saw Vessell "flashing" something in his hand before the police fired. Vessell went down to the walkway – then stood up and continued waiving his hands as he went to the rocks – then he heard more gunshots.

An employee from a restaurant was interviewed by investigators. He stated that he saw a man matching Vessell's description shooting at another man who was running away. Then, he saw the shooter go into the parking structure and fire an additional five times. He stated when RBPB officers arrived he heard an officer give the shooter commands as he ran from the parking structure toward the rocks. He saw the shooter raise his left arm in a threatening manner toward the officers while holding a dark blunt object. Based on the circumstances, he believed the shooter was holding a gun.

Approximately six and a half minutes elapsed from the initial radio communications regarding a man "shooting at people on the pier . . . and people are running" to radio communications indicating that the officer involved shooting had occurred. Four RBPB officers fired their weapons within a span of approximately 22 seconds. Rangel fired four shotgun rounds from his service shotgun. Four shot shell cases were later collected as evidence. Bushman, McNeely, and Chaires each fired their service rifles. Investigators collected six rifle cartridge cases from the scene.

Rangel activated his body worn video – which recorded him contacting several civilian witnesses before being directed to Vessell's location in the parking structure. His body worn video recorded him firing the first shot at Vessell as Vessell ran westbound from the parking structure toward the rocks. He fired his last round as Vessell was on the rocks, who remained on the rocks

² A man was sleeping in his car in the parking structure and woke up to the sound of gunfire. He saw Vessell running toward the postal inspector holding something in his right hand which he believed was a gun. When the police arrived, he saw Vessell run out of the parking structure toward the rocks. Another man who was with his girlfriend in the parking structure heard what he believed were fireworks. He told investigators that he confronted Vessell, who was armed with a gun and a knife. He stated that Vessell swung the knife at him approximately 10 times, but he created distance and was not injured as a result.

momentarily before disappearing from view. Rangel radioed, “He just rolled down the rocks towards Horseshoe Beach.”

Bushman, McNeely and Chaires also activated their body worn videos. Together, they approached the pier on foot and contacted several civilians along the way that described Vessell, gave his location, and informed them that Vessell was armed with an “automatic” handgun. The officers trailed Rangel and they ran northbound toward Vessell prior to the officer involved shooting. From the officers’ body worn videos, it appears Bushman fired three rounds, Chaires fired two rounds, and McNeely fired one round at Vessell when he was near or on the rocks. Vessell’s actions are difficult to see in the body worn videos as the officers were running and taking cover while Vessell was several feet away running from the parking structure toward the rocks. After Rangel began firing his shotgun, Bushman is heard yelling, “Drop the gun!” During the officer involved shooting, McNeely is also heard several times yelling, “Show us your hands!”



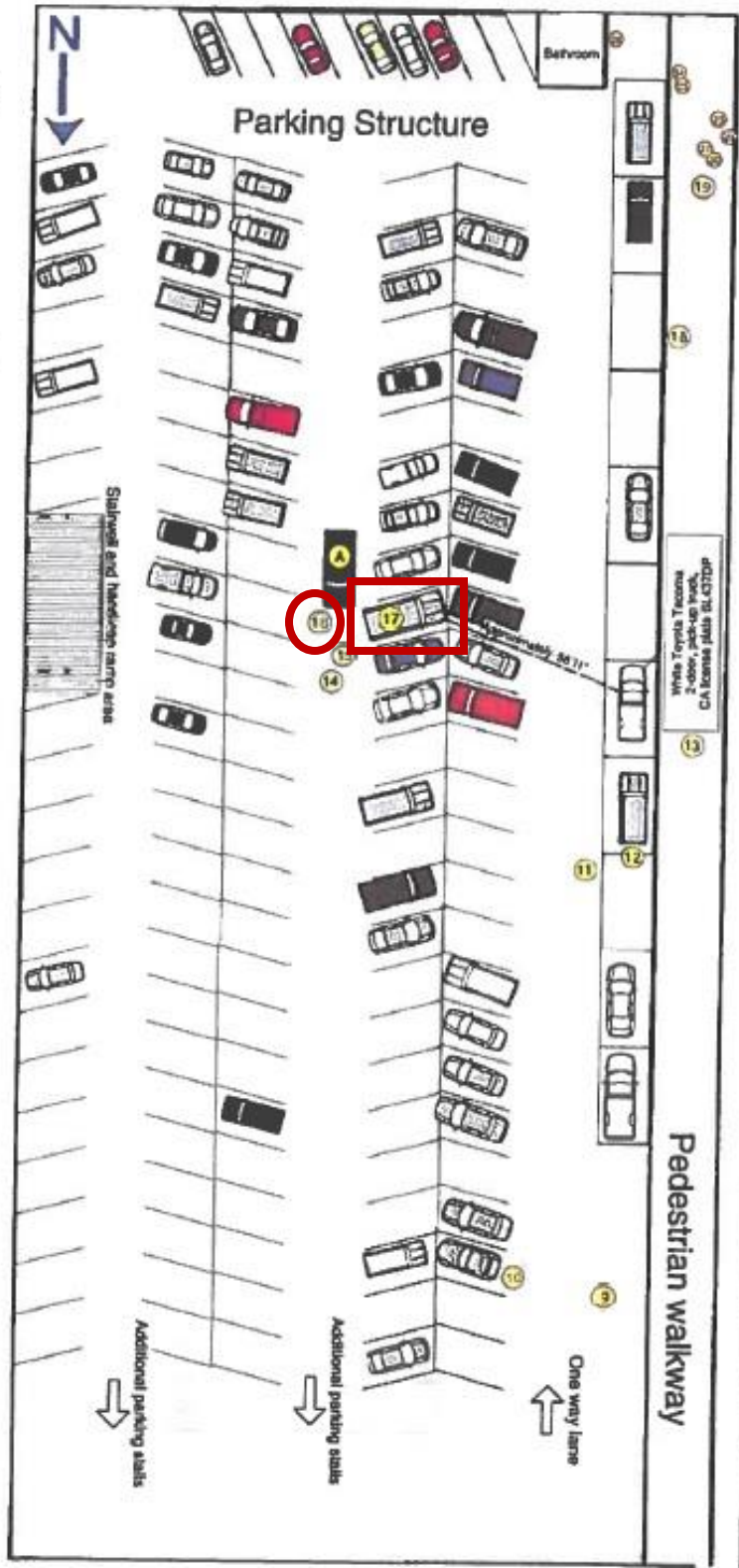
McNeely’s body worn video depicts Vessell (circled) on the rocks near the time of the last two rounds fired by Rangel, who is armed with a shotgun, and Chaires. Chaires and Bushman are also taking cover near Rangel’s position, out of view.

After the officer involved shooting, police used the assistance of a helicopter and drone to locate Vessell, who was discovered deceased lying on the sand beneath large rocks along the shore. A 9mm semiautomatic handgun was located inside the garage near Vessell’s Yukon. According to the evidence report, the handgun was “approximately 88’11” east of the west interior wall of the parking structure.” The handgun was not loaded.

021-00094-3199-013
LASD/ Homicide
101 West Torrance Boulevard,
Redondo Beach
F. Cruz (FC)
I/Os: Boskovich/ Bergo
Sketch completed: 08/26/21
Diagram completed: 10/05/21

17 = GMC Yukon, 4-door SUV,
Silver, California license plate [REDACTED]

A = Redondo Beach PD patrol vehicle,
black and white
SUV, 4-door,
CA exempt/ [REDACTED]

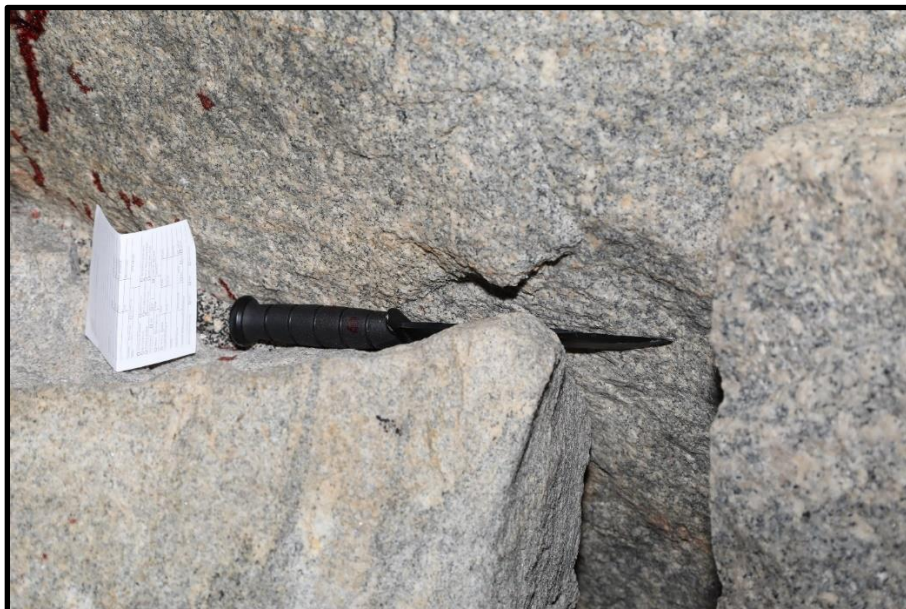


The diagram depicts where Vessell's handgun (circled in red) was retrieved in relation to his Yukon (boxed in red) and the pedestrian walkway adjoining the rocks.

An empty bloodstained handgun magazine was located within the rocks near Vessell. Fourteen live 9mm cartridges were located within Vessell’s pant pocket. Ballistics testing determined that 10 expended cartridge cases retrieved from the scene were fired from this handgun. Also, a bloodstained knife was retrieved by investigators by the rocks near Vessell’s body. DNA analysis provided “very strong support for the proposition that [Vessell] is a contributor to the DNA obtained from” the gun, the magazine, and the knife.



Vessell’s handgun was photographed in the parking garage near his car.



Vessell’s knife was photographed on the rocks near the sand and his body.

On August 31, 2021, an autopsy was conducted, and the medical examiner determined that the cause of Vessell’s death was “gunshot wounds.” “Toxicology testing was positive for

marijuana/THC and negative for alcohol and illicit drugs of abuse.” The report also noted that Vessell’s “past medical history was significant for bipolar disorder, schizophrenia, and erratic behavior when off medications.”³

LEGAL ANALYSIS

Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use objectively reasonable force to effect the arrest, to prevent escape, or to overcome resistance. A peace officer is justified in using deadly force upon another person only when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary to defend against an imminent threat of death or serious bodily injury to the officer or to another person, or 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 § 835a(b), (c)(1)(A), and (c)(1)(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 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 § 835a(e)(2).

“Totality of circumstances” means 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. 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 § 835a(a)(4) and (e)(3).

Vessell fired several rounds from a semiautomatic handgun at random persons on the pier. In response to an “active shooter” scenario with multiple known gunshot victims, and potentially unknown gunshot victims, several RBPB officers arrived at the scene looking for the shooter. At the time, the pier and the surrounding area was moderately populated – several civilians were seen running from the location on officers’ body worn videos. When the officers arrived, they identified Vessell as the gunman. It is reasonable for the officers to have believed Vessell continued to be armed and dangerous as it was only discovered after the officer involved shooting that Vessell’s handgun was laying on the ground in the parking garage. Also, the physical evidence indicated that Vessell was holding a knife and a gun magazine in his hands when he was shot – which lends additional support, similar to another civilian’s account, that the officers reasonably believed Vessel was armed with a handgun at the time of the officer involved shooting. In response, four officers fired their service weapons at Vessell, who died at the scene. The evidence supports a reasonable belief that the use of deadly force was necessary under the circumstances. It also supports a reasonable belief that Vessell continued to pose an imminent

³ In July 2013, LAPD officers contacted Vessell on Pacific Coast Highway. Vessell produced an object from his waistband and took a shooting stance, which resulted in an officer involved shooting. The District Attorney’s Office reviewed the matter under File # J13-0525.

threat under the circumstances and the officers confronted him to prevent further injury to any other civilians or officers, and to apprehend a fleeing felon who shot two persons at the pier and shot at one or more people in the parking garage.

CONCLUSION

We conclude that the evidence supports a reasonable belief that the use of deadly force was necessary in self-defense and/or the defense of others. In addition, we conclude the evidence supports a reasonable belief that the deadly force was necessary to apprehend Vessell under the circumstances because Vessell had indiscriminately shot other persons and the circumstances indicated that Vessell would shoot others unless immediately apprehended.