Non-Fatal Officer Involved Shooting of Julio King Los Angeles County Sheriff's Department

Detective Jeremy Edwards #514211 Deputy Jesus Chamorro #531088

J.S.I.D. File #21-0398



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

September 24, 2024

MEMORANDUM

TO: ACTING CAPTAIN ARTURO R. SPENCER

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: Non-Fatal Officer Involved Shooting of Julio King

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L.A.S.D. File #021-15868-1123-055

DATE: September 24, 2024

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the September 22, 2021, non-fatal shooting of Julio King by Los Angeles County Sheriff's Department (LASD) Detective Jeremy Edwards and Deputy Jesus Chamorro. It is our conclusion that the deputies acted in lawful self-defense at the time the weapons were fired.

The District Attorney's Command Center was notified of this shooting on September 23, 2021, at 12:47 a.m. The District Attorney Response Team was given a briefing and walk-through of the scene by LASD Lieutenant Brandon Dean at approximately 3:15 a.m.

The following analysis is based on reports, interviews, body worn camera video (BWV) footage, audio recordings, and residential surveillance submitted to our office by LASD Homicide Bureau on July 19, 2022. The LASD vehicles were not equipped with video recording systems. The voluntary statements of both deputies were considered as part of this analysis.

FACTUAL ANALYSIS

On September 22, 2021, at approximately 7:52 p.m., arrived at the Lancaster station to report that the father of her child had been sleeping in his vehicle outside of her residence with a gun in his lap. She said that the subject, later identified to be Julio King, had made several threats. Later that evening, called 9-1-1 to report that King was back at the location.

At approximately 9:41 p.m., several LASD deputies responded and found King sitting in his vehicle in front of ______.'s residence. From a distance, deputies began giving King commands to show his hands and exit the vehicle. King refused all commands and lifted a rifle, without pointing it at the deputies, to show that he was armed. During the interaction, deputies learned that King was using his phone to live broadcast the incident on a social media platform. He displayed the rifle and made several "suicide-by-cop-related" comments.

At approximately 11:12 p.m., King raised the rifle and started pointing it in the deputies' direction. After King raised the rifle, an officer-involved shooting occurred, and King was struck once in the torso.

Initial Incident and Subsequent 9-1-1 Call

On September 22, 2021, at approximately 7:52 p.m., arrived at the Lancaster station to report an issue with King who is the father of her child. The deputy taking the report was equipped with a BWV and captured the interaction. told the deputy that King had threatened her. King said that if law enforcement showed up, there would be a "shoot out." King also said that he did not care if he had to leave their children orphaned. He also said that if he went into her house and anyone got hurt, that it would be said that for the past two nights, King had been sleeping in his vehicle in front of her residence and had a rifle on his lap. She believed that King was on drugs.

Later that evening, _____ called 9-1-1 to report that King was back at the location and was threatening to shoot her child's friend. She explained that she had been at the station about an hour earlier. She requested for units to respond without lights and sirens.

Deputy Jesus Chamorro's Statements

On September 23, 2021, detectives interviewed Deputy Jesus Chamorro. The interview was audio recorded. Chamorro said that he and his partner were finishing a call for service when they received a radio dispatch regarding a disturbance call. The call stated a suspect, later identified as King, was outside of the location on West Avenue J-12 in the City of Lancaster. The call indicated King was possibly armed with a rifle and wanted to commit suicide by means of law enforcement.

Chamorro said the call was given an emergent status and they responded with lights and sirens to the area of Elm Avenue and Avenue J-12. Chamorro started coordinating with assisting units as they staged nearby. Detective Jeremy Edwards arrived, and they drove to the location without activating any lights or sirens. Chamorro said there was no outlet for Avenue J-12 east of the location.

When the deputies drove east on Avenue J-12, they activated their high beam lights and saw King's vehicle parked on the south side of Avenue J-12, facing west. Chamorro said the license plate of the vehicle matched the one given in the call. Chamorro exited the passenger side of the patrol vehicle, took out his firearm, and pointed it at King who was reclined in the car seat.



Figure 1: The position of King's reclined seat taken after the incident.

Chamorro said he did not initially activate his spotlight, but eventually turned it on and illuminated King in the vehicle. He also utilized his tactical light attached to his pistol to illuminate King. When Chamorro asked King to show his hands, King said that the deputies were going to have to kill him. King told deputies, "Shoot me." Chamorro did not immediately see King with a gun. Based on King's actions, Chamorro thought the encounter was going to be lengthy. Chamorro requested additional resources to the location including the Special Enforcement Bureau, the Mental Health Evaluation Team, the Crisis Negotiation Team, and a K-9 unit. He also requested less-lethal weapons and an armored recovery vehicle (ARV). Chamorro said that he requested the ARV for the safety of uniformed personnel, as well as using it as a possible tactic to entice King to surrender.

Chamorro continued to give King commands until additional deputies and the ARV arrived. Chamorro said that King sounded angry, agitated, and suicidal. Other deputy personnel activated the Public Address (PA) system and started broadcasting to King. While deputies were attempting to negotiate with King, Chamorro heard King yell, "I'm on live!" Chamorro searched Facebook and located a live video stream of King. King was broadcasting from inside his vehicle. Chamorro estimated that the video had already been playing for 45-60 minutes. On the video, Chamorro observed King display the gun he had in the vehicle. Chamorro saw the receiver and pole stock of the weapon. King said that he, "…ain't fucking playing." Chamorro informed the other deputies that King was armed with a firearm.

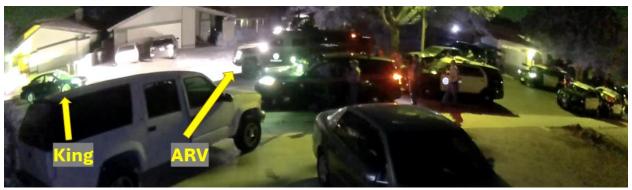


Figure 2: King's vehicle and the ARV.

King kept his right hand below the dashboard of the vehicle and said, "I have an AR rifle in the car." King said that the deputies were going to have to shoot him. Chamorro requested for other deputies to evacuate residents in the homes along the south side of the street. He also discussed with other deputies a contingency plan if King exited his vehicle and walked toward the home nearby. Chamorro was aware that King was in front of the residence where he had made threats earlier in the day. The plan involved having a deputy ready and armed with a 40mm Arwen weapon which shoots rubber bullets.

Chamorro stated that he and several deputies continued to give King commands. King was not receptive and said that he would not engage in a conversation that would, "Get us out of the situation." While speaking with King, Chamorro said he saw King display the gun above the steering wheel. Chamorro could see the gun was the same gun he observed on the Facebook live video stream. King said, "See I wasn't fucking playing." Chamorro could see the gun's receiver and a tube-end butt stock on the gun. The gun appeared to have a 30-round magazine.

Chamorro said King appeared to begin a countdown based on the percentage of battery life left in his phone. King then sat back in his car seat, glared in the direction of deputy personnel, and became quiet for the first time. Chamorro said that King appeared to sniff some type of narcotic and placed it back down. Chamorro said he was at a heightened level of fear. At the time, Chamorro was standing on the step rail on the passenger side of the ARV with the front door open.



Figure 3: Passenger-side of the ARV.

Chamorro saw King slouch back in his seat and raise the gun up. King lifted the gun up while laying back in the car seat and pulled up the gun, causing the barrel to rise above the dashboard. Once King raised his gun, Chamorro said he shot two or three times. After the shots were fired, King was still moving inside the vehicle and disappeared near the passenger side of the vehicle. Chamorro said he thought King had shot his gun. Chamorro feared King was going to shoot through the front windshield toward deputies.

Chamorro noticed that King had stopped talking and was only breathing. King's left foot was sticking out the driver's side door of the vehicle. In the livestream video, Chamorro saw King display a gunshot wound in his stomach. Chamorro feared that King was trying to bait deputy personnel to approach him. At that point, the livestream video went black.

A rescue team was formed and they approached King. They were able to retrieve the gun from the passenger side and started rendering aid to King.

Chamorro had used a 9 mm Smith and Wesson pistol. Chamorro said that his gun was loaded with 17 live rounds in the magazine and one live round in the chamber at the beginning of his shift. Detectives removed the magazine and counted one live round in the chamber and 14 live rounds in the magazine. Detectives concluded that he fired three rounds during the incident.

Detective Jeremy Edward's Statements

On September 29, 2021, detectives interviewed Detective Jeremy Edwards. The interview was audio recorded. On September 22, 2021, Edwards said that he was working his assignment as a gang investigator. Edwards responded to the location after receiving a call regarding a man with a rifle. He met with Chamorro at the scene, and they drove their patrol vehicles to the location.

Edwards parked his vehicle 10-45 feet north-west of King's vehicle and north of Chamorro's vehicle. King was seated in his vehicle in front of the location and parked facing oncoming traffic. Edwards said that King's driver's door was partially open. They did not immediately approach King's vehicle.

Edwards positioned himself in the driver's door jamb of his vehicle and was armed with an AR-15 rifle. Edwards said he used his vehicle as cover and pointed the rifle at King. King was yelling that he had a gun, that the deputies would have to kill him, and that he was going to get into a gun battle. After about twenty minutes, an ARV arrived and a female deputy began to give King commands over the PA system. King's vehicle was illuminated with spotlights from Edward's vehicle, the ARV, and a helicopter that was overhead. Edwards said he had an unobstructed view of the inside of King's vehicle. For about 45-60 minutes, deputies told King to give up, reminded him of his children, and requested for him to exit the vehicle.

During the encounter, Edwards said that King was moving around inside of his vehicle. At times, King would inform the deputies of his movements. For example, King advised that he was going to lift his left hand to raise his phone, and then would do so. It appeared that King was using the recording feature on his phone. At times, King responded to the PA commands while also talking into his phone. Edwards believed that King was possibly livestreaming the activity.

Over the radio, Edwards heard a deputy broadcast that the deputy observed the barrel of a gun. Edward's partner, Deputy James Phillips, also broadcasted that he observed the butt stock of a weapon inside the vehicle. Edwards also observed what he thought was possibly the butt stock of a weapon inside King's vehicle.

Edwards saw that King was either counting to himself or was taking deep breaths as he displayed the gun by holding it upright in his lap. Edwards could see from the tip of the barrel to the end of the firearm and saw that it was a short-barreled rifle. To Edwards, it seemed like King was preparing to engage deputies in some action or possibly commit suicide.

Edwards explained that his fear for his life and the lives of other deputy personnel became heightened because King was holding an AR-15 pistol with a high-capacity magazine. King said that he was not going back to jail and the standoff was going to end in a gun battle or with deputies killing him. As King kept announcing the percentage of the battery life on his phone, Edwards felt like it was a countdown. Edwards said that King then partially exited the vehicle, with his head exposed over his vehicle. Edwards had concerns for surrounding residents who might be home. Edwards requested that additional deputies try to clear the homes on the south and east sides of King's vehicle. Edwards then requested extra magazines and his armored helmet.

Edwards gave his own commands and said, "Let me see your hands." King yelled that he was not giving up. King had the phone in his left hand and the pistol in his right hand. Edwards said that King swung the pistol from the north to the west, toward Edward's position. Edwards said he could see the gun's barrel, but it was not perfectly level. Edwards feared for his own life as

well as the lives of other deputy personnel around him. Edwards fired three rounds from his rifle and then reassessed the situation.

While King was inside his vehicle and below the dashboard, Edwards could no longer see the rifle. When Edwards ordered King to show his hands, King lifted his hands without holding any items. A plan was formulated for the ARV to approach King to render medical treatment. After the ARV was moved, King was detained and the fire department personnel that were staged nearby responded to provide further medical treatment.

Edwards used a .223 Colt M4 rifle. Edwards told detectives that the gun was loaded with 28 live rounds. Detectives counted 23 live rounds in the magazine and one live round in the chamber of the gun.

Deputy Efrain Godoy's Statements

On September 23, 2021, detectives interviewed Deputy Efrain Godoy. The interview was audio recorded. Godoy said on September 22, 2021, at approximately 10:00 p.m., he was at the station when he heard a request for an ARV. Godoy responded with the ARV to the location. When he arrived at the location, deputy personnel cleared the street to allow him to park the ARV near King's vehicle. Godoy saw that King's vehicle was illuminated by the patrol vehicles' spotlights and he was able to observe King sitting in the driver's seat of a black sedan. Godoy said he was guided into a position about 20 feet in front of King's vehicle and had an unobstructed view of King.

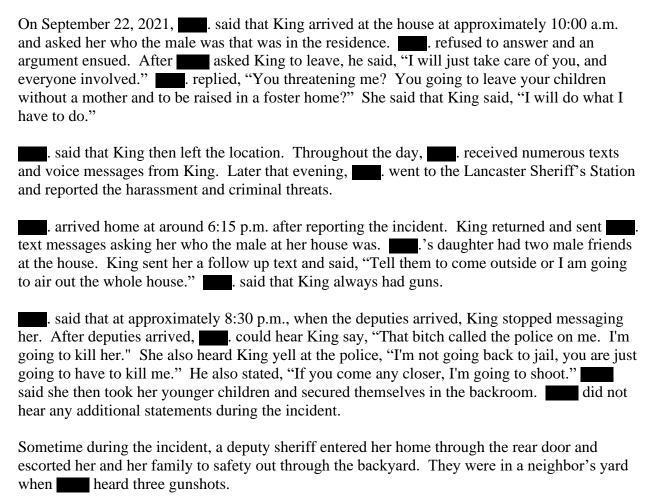
Godoy said deputies gave King commands and requested additional resources. Godoy said King raised what appeared to be an assault rifle from inside his vehicle. Godoy was able to observe half of the assault rifle and described a collapsible stock. Godoy said King was leaning forward and raising the weapon with his right hand.

After King displayed the firearm, Godoy moved the ARV approximately five feet forward and angled the vehicle to provide better cover for deputy personnel. Deputies continued to give King commands, but King did not comply.

Godoy said King raised the firearm and his body up. It appeared that King was going to exit his vehicle. Godoy said King's driver's door was in the open position and when King raised the firearm, Godoy believed King was going to point the weapon at deputy personnel. After King raised the firearm a second time, Godoy heard approximately five gunshots.

Witness 's Statements

On September 23, 2021, detectives conducted an interview with _____. The interview was audio recorded. _____ and King were in a five-and-a-half-year relationship but had been separated for the past year. They have a four-year-old and a 1-year-old together. _____ said that she allowed King to keep clothing at her home and, at times, allowed him to shower and change there.



Detectives checked ...'s cellular device and found a message from King saying, "You can close all the doors in the motherfucker you want, bullets still go through doors."

Body Worn Camera Video (BWV)

The responding deputies were all equipped with body worn video (BWV). Several of the deputies' BWVs captured the conversation between deputies and King. From 9:41 p.m. until the shooting at 11:12 p.m., numerous deputies gave King commands to surrender and attempted different negotiation tactics. Throughout the encounter, King made several uncooperative statements including, "Tonight is the night to die," and, "Tonight, I die."

King's livestream was also audible in several BWVs. In the livestream, King made similar defiant comments. After the shooting occurred, King could be heard yelling unintelligibly through the livestream broadcast.

Based on the BWV's audio, the shooting occurred at 11:12 p.m. During the shooting, there was a deputy that was positioned at the turret above the ARV. Right before the shooting, the deputy could be heard yelling, "Gun in hand!" Thereafter, a volley of shots could be heard.

Due to the positioning of all the BWVs and the fact that King's vehicle was lit by spotlights, his movements were not captured by any footage.

Julio King's Statements, Wounds, Toxicology, and Charges

Approximately a week after the incident, detectives visited King in the ICU at the Antelope Valley Hospital to conduct an interview. After he was advised of his Miranda rights, King agreed to speak to the detectives.

King said that he arrived at the location because it was his home and his children lived there. King said that he went home after working security. King admitted that he had not been sleeping in the home for the past year. King said that he and had been having issues because he did not want "gang bangers" around his children. That night, King arrived and saw that there was a male in the house. He became upset and said that he was willing to wait all night for the male to leave.

The next thing he knew, law enforcement arrived at the location. King said that he was not going to back down. King said, "That's all I know," and "I guess today is the day I die." King said that he was not going to run away. King said that if he had wanted to shoot at the deputies, he could have done it when they had turned the corner and then taken off. When asked why he did not cooperate with the deputies, King said, "I'm not backing down, bro. I can't do it." King also said, "It's gonna work out for me or it's not gonna work at all."

King denied ever pointing the gun at the deputies. He said that he had the gun pointed down. King said that even when he had it in his hand, he held it by the stock to use it as a hand weight. King said that he never held the rifle in a threatening matter.

Detectives asked King where he obtained the rifle and King said that he made it himself. King said that he had test fired it at a shooting range earlier that night to make sure it worked. King explained that the rifle was a single-fire capacity without a safety because he, "Does not have time to be safe." When asked if he wanted to die, King said that he did not but, "It's gonna go how it's gonna go."



Figure 4: King's rifle.

King said that he smokes "weed" all day and might have had a little cocaine on the day of the shooting.

King sustained a single gunshot wound to the upper torso.

On March 3, 2022, King plead no contest to assault with a firearm upon a peace officer in violation of Penal Code section 245(d)(1) in case number MA082062 and received a sentence of four years in state prison.

Items from King's Vehicle

Deputies retrieved the rifle from the vehicle and identified it as a black AR-15 style semiautomatic pistol. It was an unknown make and model with no serial number.

Deputies recovered King's phone from the driver's seat and a glass vial containing a white powdery substance on the front passenger seat. Lab testing later identified the white substance as cocaine.

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, 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) and (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).

The evidence in this case from recordings, law enforcement statements, and ____.'s statements shows that King was armed with an assault rifle and made life-threatening remarks prior to the shooting. There is supporting evidence from the BWVs and the deputies' statements that just before the shooting, King pointed the rifle in the deputies' direction.

CONCLUSION

We conclude, based on the totality of the evidence provided, that Deputy Chamorro and Detective Edwards reasonably believed that the use of force was necessary to defend against an imminent threat of death or great bodily injury.