

**Fatal Officer Involved Shooting of John Holenbeck
Los Angeles County Sheriff's Department**

**Deputy Christopher Carmona, #652869
Deputy Alfonso Valenzuela, #653508**

J.S.I.D. File #21-0493



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

September 26, 2024

MEMORANDUM

TO: ACTING CAPTAIN ARTURO R. SPENCER
Homicide Bureau
Los Angeles County Sheriff's Department
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 John Holenbeck
J.S.I.D. File #21-0493
L.A.S.D. File #021-01549-6064-011

DATE: September 26, 2024

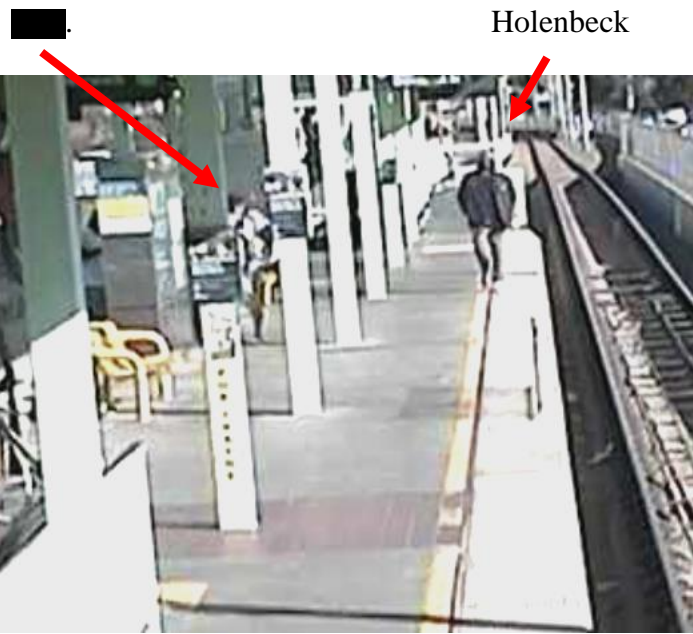
The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the November 21, 2021, fatal shooting of John Holenbeck by Los Angeles County Sheriff's Department (LASD) Deputies Christopher Carmona and Alfonso Valenzuela. It is our conclusion that Carmona and Valenzuela acted in lawful self-defense when they used deadly force.

The District Attorney's Command Center was notified of this shooting on November 21, 2021, at approximately 4:01 p.m. The District Attorney Response Team responded and was given a briefing and walk-through of the scene.

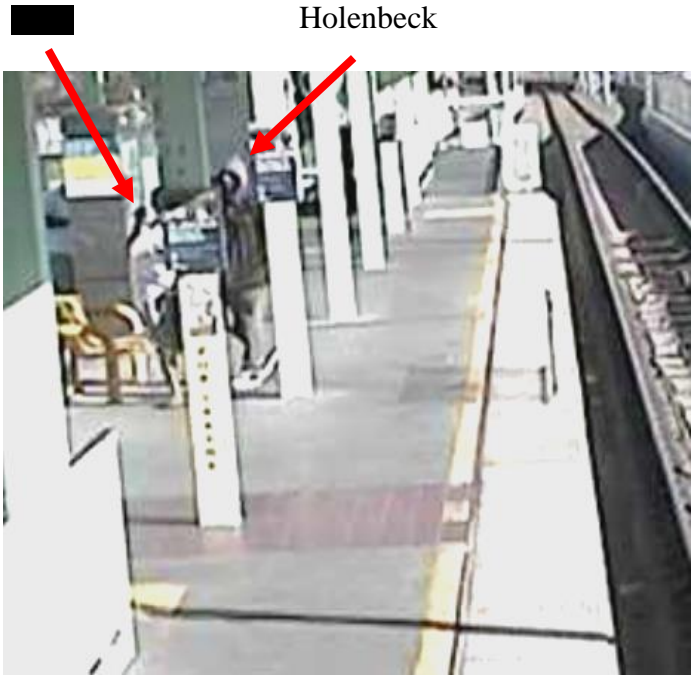
The following analysis is based on reports and surveillance videos submitted to this office on January 19, 2023 by Detectives Gail Durham and Roger Parga of the Los Angeles County Sheriff's Department (LASD) Homicide Bureau. No body worn camera video captured the incident.

FACTUAL SUMMARY

On November 21, 2021, [REDACTED] was standing on the Green Line Willowbrook train platform in Los Angeles. John Holenbeck approached [REDACTED] from behind and, without provocation, shot [REDACTED] in the back of the head, killing him.

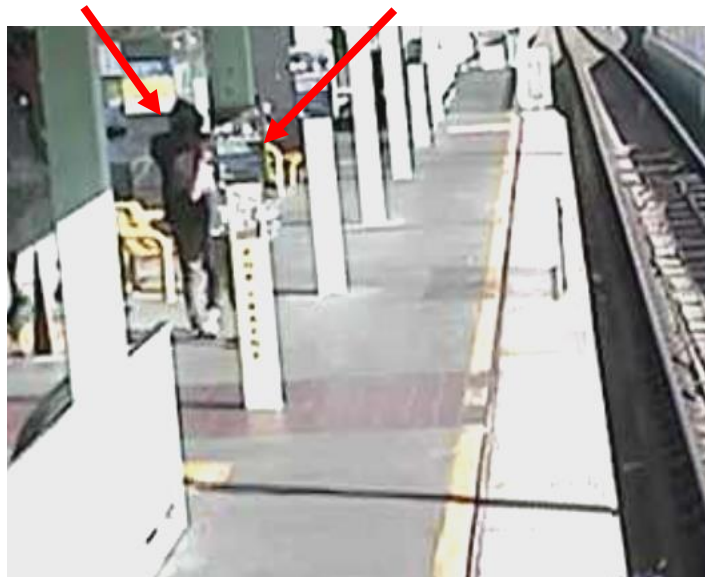


Video still showing Holenbeck walking towards ██████. on the train platform.



Video still showing Holenbeck approach ██████. from behind.

Holenbeck ██████ (partially obscured by post)



Video still showing Holenbeck pointing a pistol at the back of ██████'s head.

Holenbeck ██████.



Video still showing Holenbeck walking away after shooting ██████ in the head.

LASD Deputies Carmona, Valenzuela, Jennifer Cervantes, and Vivian Yu were the first law enforcement personnel to respond. Carmona, Valenzuela, Cervantes, and Yu were on the ground level of the Willowbrook Metro Station outside of an LASD sub-station. All four deputies were in full LASD uniform, consisting of a khaki shirt, green pants, and LASD insignia on their shoulders and chest pockets. An unknown witness approached them and told them that there had been a shooting on the third-floor train platform. All four deputies travelled up the stairs to the

Green Line platform on the third floor of the train station. Carmona and Valenzuela were the first up the stairs followed by Cervantes and Yu.

Carmona and Valenzuela reached the top of the stairs. Carmona observed [REDACTED]'s body lying on the platform in a puddle of blood. Carmona and Valenzuela observed Holenbeck standing on the edge of the train track platform. Holenbeck jumped down onto the train tracks and ran to the barrier separating the train tracks from the 105 Freeway.

Holenbeck



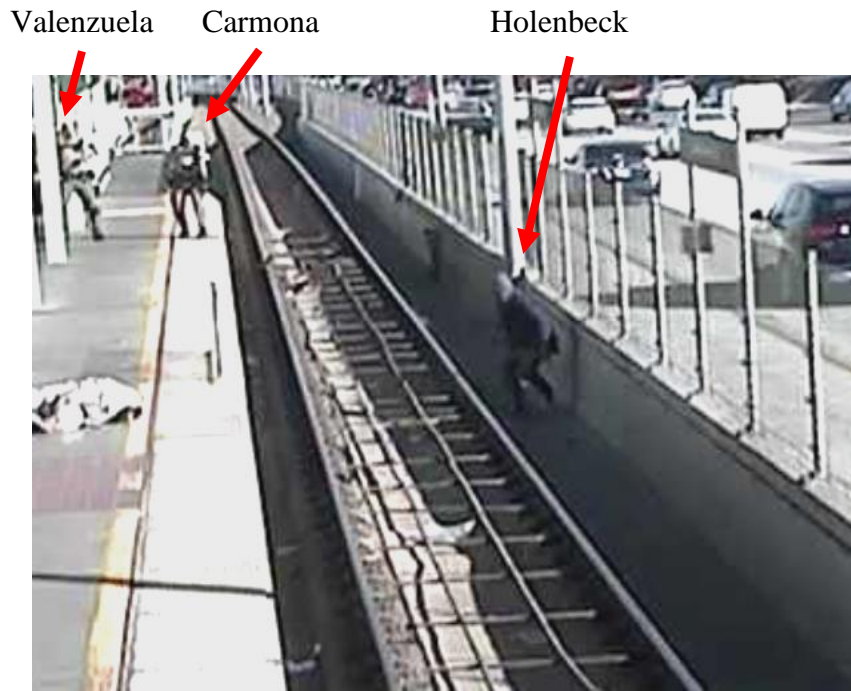
Video still showing Holenbeck jumping down onto the train tracks.

Carmona and Valenzuela attempted to detain Holenbeck at gunpoint. Carmona ordered Holenbeck to show his hands. Holenbeck ignored Carmona. Holenbeck crouched down and retrieved his pistol that had fallen to the ground between his legs.



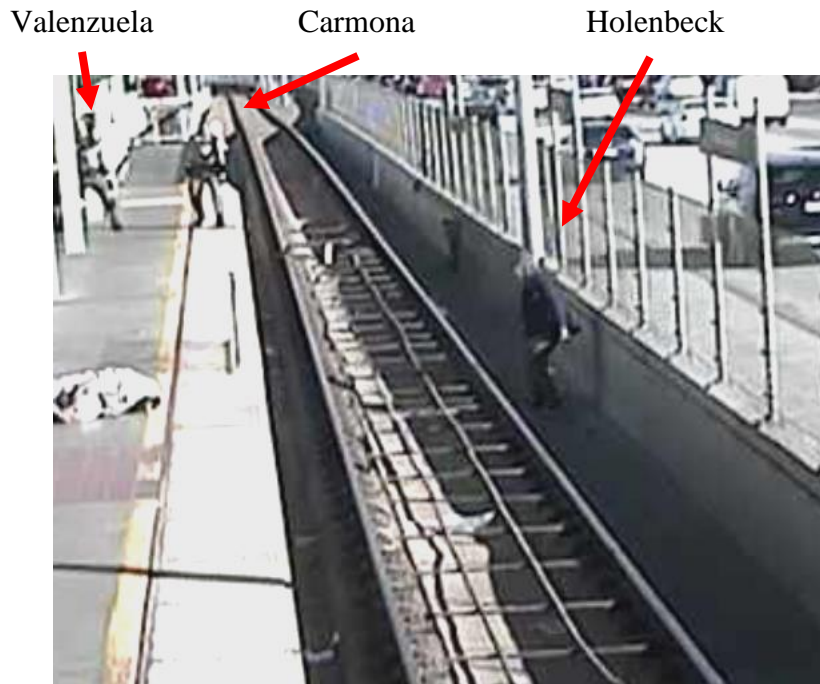
Video still showing Holenbeck reaching down to grab his pistol.

Holenbeck stood up and began to turn and point his pistol at Carmona and Valenzuela. Carmona ordered Holenbeck to drop the gun. Holenbeck continued to turn and raise his arm towards Carmona and Valenzuela.



Video still showing Holenbeck turning towards Carmona and Valenzuela.

Holenbeck fired a single round from his handgun. Carmona and Valenzuela both fired their weapons.



Video still showing Holenbeck as he fired a round at Carmona and Valenzuela.

Holenbeck was struck multiple times and fell to the ground on the train tracks.

Los Angeles Fire Department (LAFD) personnel arrived and began performing life-saving measures. Holenbeck was transported to St. Francis Medical Center in Lynwood. Holenbeck was treated by medical personnel and pronounced deceased on December 1, 2021.

On December 12, 2021, an autopsy was conducted, and the medical examiner determined that Holenbeck died as a result of a gunshot wound to the head. A toxicology analysis was conducted with negative results.

Carmona was armed with a Smith & Wesson M&P 2.0 9mm pistol. He discharged one round during the incident before his pistol jammed.

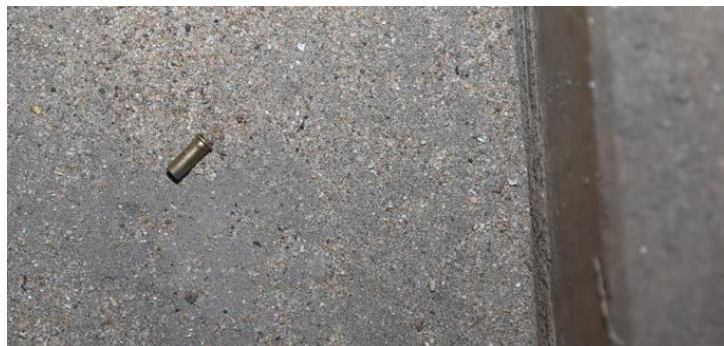
Valenzuela was armed with a Smith & Wesson M&P 2.0 9mm pistol. He discharged five rounds during the incident.

Holenbeck was armed with a Kel-Tec CNC Inc. .22 caliber pistol. He fired two rounds during the incident – the first striking [REDACTED] and the second at Carmona and Valenzuela.

Investigators recovered the Kel-Tec pistol on the train tracks directly next to Holenbeck's hand. Investigators also recovered two discharged .22 caliber cartridge casings. Firearms analysis determined that the casings were discharged from Holenbeck's pistol.



Still photo of the .22 caliber Kel-Tec pistol recovered on the train tracks.



Still photo of the discharged .22 caliber cartridge casing recovered on the train tracks.

Video surveillance from the train station captured the incident. Carmona, Valenzuela, Cervantes, and Yu were equipped with body-worn video cameras (BWV) but did not activate them prior to the incident.

OFFICER STATEMENTS

LASD Deputy Christopher Carmona

Carmona gave a voluntary statement to Durham and Parga on November 21, 2021. Carmona stated that he was walking to the Rail Operations Center (ROC) under the Willowbrook and Rosa Parks train station when his partner, Cervantes, yelled at him to come back. Cervantes, Yu,

and Valenzuela were walking towards the train station and were advised that an informant had told the deputies that there may have been a shooting on the train platform. Cervantes radioed to inquire whether any incident had been reported, but there were no calls about a shooting.

Carmona and Valenzuela ran up the stairs in the train station to the third floor. Carmona and Valenzuela unholstered their weapons. As he reached the top of the stairs, Carmona observed [REDACTED] lying face-down on the train platform in a puddle of blood. Carmona observed Holenbeck approximately 20 feet away. Holenbeck initially stepped towards the deputies, but then jumped down onto the train tracks. Carmona ordered Holenbeck to put his hands up. Holenbeck did not comply and crouched down on the tracks. Holenbeck reached down between his legs and picked up a pistol. Holenbeck dropped the pistol and picked it back up. Holenbeck stood up and Carmona observed the muzzle of the pistol. Carmona ordered Holenbeck to drop the gun. Holenbeck refused and continued to stand up, turning his right shoulder and raising the pistol towards the deputies.

Fearing for his life and the lives of the people around him, Carmona fired his duty weapon, striking Holenbeck. Carmona attempted to fire a second time, however his pistol felt like it jammed and Carmona felt no recoil from the pistol. Valenzuela fired almost simultaneously.

Carmona radioed that a suspect was down on the tracks and requested LAFD to stage for medical treatment of Holenbeck and [REDACTED]. When additional law enforcement personnel arrived, Carmona began to perform cardiopulmonary resuscitation (CPR) on [REDACTED] until he was relieved.

LASD Deputy Alfonso Valenzuela

Valenzuela gave a voluntary statement to Durham and Parga on November 21, 2021. Valenzuela was standing next to his police vehicle under the Willowbrook and Rosa Parks train station. A male informant approached and told Valenzuela that he (the informant) thought he had heard a gunshot and that a victim was lying on the ground. Valenzuela called to Carmona who was walking towards the ROC and asked Carmona to check on the radio for any reported incidents.

Valenzuela and Carmona walked up the train platform stairs followed by Yu and Cervantes. When they got to the top of the stairs Valenzuela observed Holenbeck standing on the train platform and [REDACTED] lying motionless just past Holenbeck. Carmona told Holenbeck to step away from the edge of the platform and show his hands. Holenbeck refused and instead jumped down onto the train tracks. Carmona told Holenbeck to show his hands and get back onto the train platform, but Holenbeck refused and walked on the train tracks towards the wall separating the tracks from the freeway. Holenbeck crouched down to the ground and reached towards his ankles. Holenbeck began to stand up and turn to the right, and Valenzuela observed the muzzle of a firearm pointing in his direction. Valenzuela fired his weapon approximately three to four times and Holenbeck fell to the ground. Additional deputies arrived and took Holenbeck into custody.

Valenzuela attempted to render aid to [REDACTED] until he was relieved.

LASD Deputy Jennifer Cervantes

Cervantes gave a voluntary statement to Durham and Parga on November 21, 2021. Cervantes was standing outside of her police vehicle speaking with Carmona and Valenzuela. An informant walked down the train station stairs and stated, "Somebody got shot upstairs!" Cervantes radioed to determine if a shooting had been reported. None had. Cervantes walked up the stairs of the train platform to the third floor along with Carmona, Valenzuela, and Yu. Cervantes was in the rear of the group of deputies with Carmona and Valenzuela in front.

Cervantes reached the top of the stairs and heard Carmona and Valenzuela shout, "Drop the gun! Don't move!" Cervantes looked between Carmona and Valenzuela and observed Holenbeck standing on the edge of the platform. Cervantes observed Holenbeck jump down onto the train tracks and turn his back to the deputies. Cervantes observed Holenbeck turn towards the deputies holding a dark object in his hands. Holenbeck pointed the object at the deputies. Cervantes heard a single gunshot and then heard a subsequent volley of gunshots. Holenbeck fell to the ground on the train tracks.

CIVILIAN STATEMENTS

■

■ gave a statement to Durham and Parga on December 2, 2021. ■ stated she and Holenbeck had been friends since she was 14 years old. On the date of the incident, she and Holenbeck met in the morning and took a bus towards Long Beach. They boarded a northbound train back towards Los Angeles and exited the train at the Willowbrook station. She and Holenbeck took the main stairs up to the third floor of the train platform and waited for the next train. ■ leaned against the cement barrier to the stairs and Holenbeck walked back and forth. ■ observed Holenbeck standing next to ■, heard a single gunshot, and observed ■ lying on the platform. Holenbeck walked back towards ■ and began "prancing around." Holenbeck had a gun in his hand and held the gun to his head. Law enforcement officers passed by ■ on the stairs and Holenbeck jumped down onto the train tracks. ■ heard the officers yelling at Holenbeck but could not hear what was being said. She observed the officers shoot Holenbeck and Holenbeck fall to the ground. ■ left the train station.

■

■ gave a statement to Durham and Parga on November 21, 2021. ■ stated he was travelling with two of his friends on the Blue Line train to go to a skate park and exited at the Willowbrook train station. He heard a "pop" and saw a man fall to the floor. ■ observed Holenbeck approach ■ near the stairs. Holenbeck was smiling. Holenbeck retrieved a gun from jacket pocket, held it, and put the gun back in his pocket. Holenbeck began to pace back and forth. ■ and his friends hid behind an elevator on the platform. Holenbeck walked towards ■ and said, "You guys are cool, don't worry." Holenbeck jumped down on the train

tracks. Three law enforcement deputies ran past [REDACTED] to the tracks. Shortly afterwards, [REDACTED] heard approximately five to ten gunshots.

[REDACTED]

[REDACTED] gave a statement to Durham and Parga on November 21, 2021. [REDACTED] stated he exited the Blue Line train at the Willowbrook station. He sat on a bench and waited for the next train. [REDACTED] heard two gunshots, looked around, and saw [REDACTED] lying on the ground behind him. [REDACTED] ran towards the end of the train platform and called 9-1-1. A few minutes later approximately six LASD deputies came up the stairs to the train platform. [REDACTED] observed Holenbeck on the train tracks. He observed a black firearm in Holenbeck's hands. The deputies attempted to detain Holenbeck at gunpoint but Holenbeck pointed his firearm at the deputies. [REDACTED] hid behind a pole on the platform. He heard a single gunshot, followed by approximately eight gunshots.

[REDACTED]

[REDACTED] gave a statement to LASD Detectives John O'Brien and Daniel Gore on November 21, 2021. [REDACTED] stated he was waiting for the train on the third floor of the Willowbrook train station with his friends. He heard a "pop" and saw a person fall to the ground. Holenbeck approached [REDACTED] and attempted to place a small, black handgun into his (Holenbeck's) jacket pocket. [REDACTED] and his friends ran to hide behind an elevator on the train platform. Holenbeck followed [REDACTED] and asked, "You all good?" [REDACTED] did not respond. Holenbeck walked back towards the train tracks and jumped down onto the tracks. Numerous LASD deputies came up the stairs. The deputies fired their weapons at Holenbeck. [REDACTED] believed he heard approximately ten to twenty shots. [REDACTED] did not see the handgun in Holenbeck's hands when the deputies fired their weapons.

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 § 197; *People v. Randle* (2005) 35 Cal. 4th 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal. 4th 1172, 1201); *People v. Humphrey* (1996) 13 Cal. 4th 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 §§ 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 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).

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 §§ 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 § 835a(a)(4).

The available evidence in this case indicates that Holenbeck murdered [REDACTED]. Carmona and Valenzuela were the first responding deputies to the scene. Holenbeck jumped down onto the train tracks and ignored Carmona's commands to show his hands. Instead, Holenbeck armed himself with a pistol, pointed the pistol at Carmona and Valenzuela, and fired a single round.

When Carmona and Valenzuela used deadly force against Holenbeck they reasonably believed that deadly force was necessary to defend against an imminent threat of death. Holenbeck had just fired a pistol at them and the force used in return was necessary and reasonable.

CONCLUSION

Carmona and Valenzuela acted in lawful self-defense and defense of others.