

Fatal Officer Involved Shooting of Aleksandr Rusanovskiy

Los Angeles Police Department

Officer Steven Pressler #38763

J.S.I.D. File #20-0298



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

October 6, 2022

MEMORANDUM

TO: CAPTAIN RICH GABALDON
Los Angeles Police Department
Force Investigation Division
100 West. First Street, Suite 431
Los Angeles, California 90012

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

SUBJECT: Fatal Officer Involved Shooting of Aleksandr Rusanovskiy
J.S.I.D. File #20-0298
L.A.P.D. File #F034-20

DATE: October 6, 2022

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the August 7, 2020, fatal shooting of Aleksandr Rusanovskiy by Los Angeles Police Department (LAPD) Officer Steven Pressler. It is our conclusion that Officer Pressler acted in lawful self-defense and defense of others.

The District Attorney's Command Center was notified of the shooting on August 7, 2020, at 7:18 a.m. The District Attorney Response Team responded and was provided a briefing, given a walk-through of the scene and interviewed civilian witnesses.

The following analysis is based on police reports, witness interviews, body worn video (BWV), crime scene photographs, medical records and the coroner's report submitted to this office by the LAPD Force Investigation Division. Pressler provided a compelled statement which was not considered as part of this analysis.

FACTUAL ANALYSIS

On August 7, 2020, beginning at 6:03 a.m., the LAPD Communications Division (CD) received eight 9-1-1 calls from citizens reporting a man walking on Reseda Boulevard holding a knife. At 6:06 a.m., CD broadcast that the man was walking in the middle of Reseda Boulevard at Oxford Street, in the City of Los Angeles, carrying a large kitchen knife. The man, later identified as Aleksandr Rusanovskiy, was wearing a white shirt and boxer shorts. The call was updated to indicate that the man was approaching Victory Boulevard waving a butcher knife and that he was being followed by his mother.

Uniformed LAPD Officers Steven Pressler and Adrian Ponce responded to the call from the LAPD West Valley Station. En route, Pressler told Ponce to retrieve the beanbag shotgun when they arrived to the scene. Pressler told Ponce they would keep their distance and try to

deescalate the situation as much as possible. Pressler also said the call could be a “suicide by cop.”¹

Pressler and Ponce observed Rusanovskiy as they were approaching Reseda Boulevard from eastbound Victory Boulevard. Rusanovskiy was walking northbound in the middle of Reseda Boulevard south of Victory Boulevard. According to Ponce, Rusanovskiy appeared angry and was walking in an aggressive manner. Rusanovskiy was barefoot, mouthing something Ponce could not hear and being followed on the west sidewalk by a woman, later identified as Rusanovskiy’s mother, [REDACTED]. Pressler parked the patrol vehicle at an angle, facing Rusanovskiy.

LAPD Officer Steven Pressler’s BWV

Pressler exited the patrol vehicle and stood behind the driver door. At the same time, Ponce exited and ran to the back of the patrol vehicle to retrieve the beanbag shotgun. Rusanovskiy immediately walked toward the patrol vehicle. Pressler unholstered his service weapon and told Rusanovskiy, “Drop the knife, man.”



Rusanovskiy walking toward Pressler as the officer first ordered him to drop the knife.

Pressler then yelled, “Drop the knife!” as he pointed his service weapon at Rusanovskiy. Pressler again yelled, “Drop the knife!” Rusanovskiy continued walking toward Pressler. A loud guttural scream is audible when Rusanovskiy is momentarily blocked from the camera’s view by the patrol vehicle’s frame. Pressler then fired one round from his service weapon.

¹ The conversation was captured on Ponce’s BWV.

Rusanovskiy reappears to the front of the patrol vehicle with his right arm raised by his head as Pressler fired a second round.



Rusanovskiy with the knife raised above his head at the approximate time of the second shot.

Rusanovskiy fell to the ground out of the camera's view. Pressler lowered his weapon and immediately broadcasted "Shots fired" and requested an ambulance.

Statement of LAPD Officer Adrian Ponce

Ponce did not notice the knife in Rusanovskiy's hand when he ran to retrieve the beanbag shotgun from the rear of the patrol vehicle. Ponce heard Pressler give multiple orders to Rusanovskiy to drop the knife. As Ponce opened the rear compartment, he looked up and saw Rusanovskiy waving a knife as he entered the intersection and walked toward the officers. Pressler continued to order Rusanovskiy to drop the knife. Ponce grabbed the beanbag shotgun and chambered a round. At that time, Ponce heard Rusanovskiy scream loudly and charge toward the patrol vehicle in Pressler's direction. Rusanovskiy lifted the knife over his head and closed the distance at a rapid pace.

Ponce ordered Rusanovskiy to drop the knife and was about to raise the beanbag shotgun toward Rusanovskiy when he heard gunfire. Ponce did not see Pressler fire his weapon. Rusanovskiy fell to the ground within five to seven feet of the patrol vehicle. Ponce tossed the beanbag shotgun into the rear compartment and unholstered his service weapon. Backup units arrived almost immediately. Ponce observed the knife on the ground to Rusanovskiy's side. Pressler slid the knife further away from Rusanovskiy with his foot. Rusanovskiy was taken into custody.

Ponce stated that he and Pressler never had the chance to deescalate the situation. Rusanovskiy closed the distance with the knife and everything happened quickly. There was no opportunity for Ponce to use less than lethal force. Ponce believed that Rusanovskiy would have caused serious bodily injury or death if he were allowed to reach Pressler with the knife.

LAPD Officer Ponce's BWV



Ponce's BWV captured the location the knife fell onto the roadway.

Statement of [REDACTED]

[REDACTED] was in his truck at the driveway exit of the McDonald's located on the southwest corner of Reseda Boulevard and Victory Boulevard when he observed Rusanovskiy standing in the street holding a 12-inch knife. Rusanovskiy was speaking to [REDACTED], who was standing on the west sidewalk.² Rusanovskiy gestured to [REDACTED] with his hands. [REDACTED] believed Rusanovskiy was telling [REDACTED] to leave him alone. Rusanovskiy appeared angry.

The police arrived on Victory Boulevard, at which time Rusanovskiy immediately turned in their direction and started walking casually toward them. Ponce went to the rear of the patrol vehicle and deployed his beanbag shotgun.³ When Rusanovskiy reached the east/west crosswalk at Victory Boulevard, Rusanovskiy began to scream "at the top of his lungs." Rusanovskiy then raised the knife to his head with the blade pointed forward and rushed toward Ponce. At that

² Rusanovskiy and [REDACTED] spoke in a foreign language and [REDACTED] could not understand what was being said.

³ [REDACTED] mistakenly believed the beanbag shotgun was a rifle.

time, [REDACTED]. heard two gunshots, a slight pause between them. Rusanovskiy fell to the ground. [REDACTED]. did not see who discharged their weapon. [REDACTED]. stated that the officer did not have any time to take any other approach than to shoot Rusanovskiy.⁴

[REDACTED]. took a photograph of the scene after the shooting and posted it to his Facebook page. The caption read, “Wow I just witness [sic] a guy getting shot on Reseda and Victory by a cop. The guy run [sic] up to cop with a knife. It was suicide by cop. #prayers.”

Statement of [REDACTED].

[REDACTED]. was at a bus stop near the northeast corner of Reseda Boulevard and Victory Boulevard when he observed Rusanovskiy walking south across Victory Boulevard near the McDonald's. Rusanovskiy was holding a large kitchen knife. Rusanovskiy spoke with [REDACTED]. and the police arrived a short time later. The police said something to Rusanovskiy which [REDACTED]. could not hear. Rusanovskiy stared at the officers, raised the knife then ran at the them. The officer shot Rusanovskiy moments later. [REDACTED]. believed he heard three to four gunshots.

Distance Traveled by Rusanovskiy

The investigation determined from the first time Pressler ordered Rusanovskiy to drop the knife until the time of Pressler's first discharge, Rusanovskiy traveled approximately 44 feet in approximately five seconds. Rusanovskiy was approximately 52 feet from Pressler at the first shot.

In the time between Pressler's first shot and his second shot, Rusanovskiy traveled approximately 23 additional feet in approximately one second. Rusanovskiy was approximately 29 feet from Pressler when he fired the second shot.

Weapon

Rusanovskiy was armed with a stainless-steel knife with a seven-inch fixed blade. [REDACTED]. believed the knife came from her kitchen.



⁴ [REDACTED]. did not see Pressler until after the shooting.

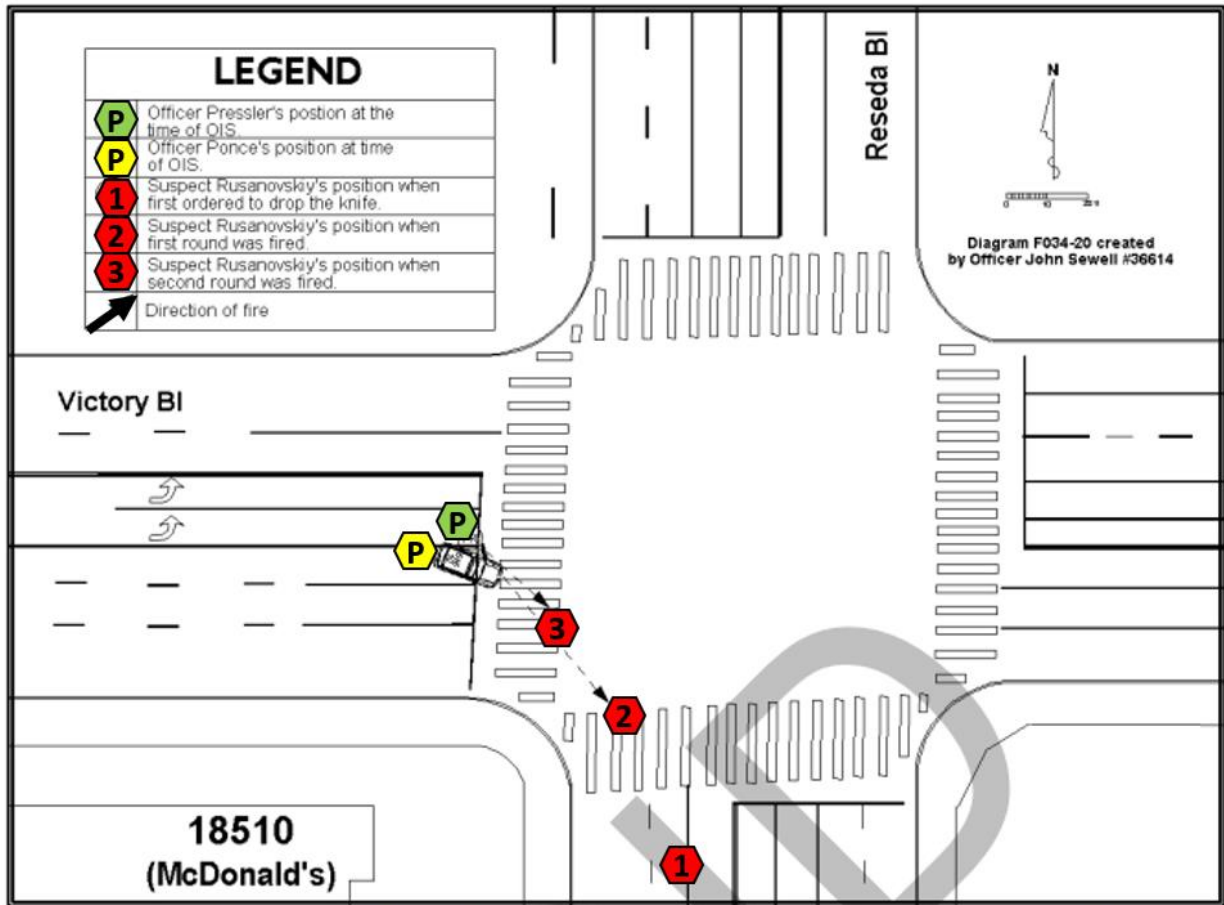


Diagram depicting the officers' and Rusanovskiy's position during the shooting.

Autopsy Report

Los Angeles County Deputy Medical Examiner Brice Hunt, M.D., performed a postmortem examination of Rusanovskiy on August 20, 2020. The cause of death was determined to be multiple gunshot wounds. Rusanovskiy sustained a gunshot wound to the head that entered his mandible. The gunshot fractured his mandible and hyoid bone. Rusanovskiy also sustained a gunshot wound to the left leg, fracturing the left femoral condyle.

Rusanovskiy was transported to Northridge Hospital Medical Center after the shooting. He experienced a cardiac arrest at the hospital. Spontaneous circulation was restored, but he was found to have anoxic brain injury as a result of oxygen deprivation. He was pronounced deceased on August 14, 2020. An examination of a section of Rusanovskiy's brain's frontal cortex was consistent with global hypoxic encephalopathy, oxygen deprivation.

Rusanovskiy's

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED].

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED] In the early morning hours of August 7, 2020, Rusanovskiy told his wife he was going to fix breakfast. She followed Rusanovskiy and saw him leave the residence wearing only a T-shirt and boxer shorts. His wife got dressed and looked for him on foot then in her vehicle. She was unable to locate him.

Statement of [REDACTED].

[REDACTED] was distraught after witnessing the shooting and was unable to provide many details about her observations. [REDACTED] followed Rusanovskiy on foot after he left their residence, dressed in a turquoise bathrobe. She observed Rusanovskiy at the intersection of Reseda Boulevard and Victory Boulevard after momentarily losing sight of him. [REDACTED] did not see the knife. [REDACTED] yelled for Rusanovskiy to stop, but does not know if he heard her. She asked a man in the McDonald's drive thru to use his phone, but he refused. The only detail she could provide about the shooting was that she heard two shots.⁵

THE LAW

A peace officer is justified in using deadly force upon another 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; 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).

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).

The decision by a peace officer to use force shall be evaluated from the perspective of a reasonable peace officer under the same situation, based on the totality of the circumstances known to or

⁵ [REDACTED] is visible on the BWV standing on the southwest corner of Reseda Boulevard and Victory Boulevard during the shooting.

perceived by the officer at the time, rather than with the benefit of hindsight. The totality of the circumstances shall account for occasions when an officer may be forced to make quick decisions about using force. Penal Code section 835a(a)(4).

In determining whether the use of deadly force is necessary, officers shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer. Penal Code section 835a(a)(2).

“Totality of the circumstances means all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of force.” Penal Code section 835a(e)(3).

The prosecution has the burden of proving beyond a reasonable doubt that a killing was not justified. Penal Code section 189.5; *People v. Banks* (1976) 67 Cal.App.3d 379, 383-384.

CONCLUSION

The evidence examined shows that Rusanovskiy was suicidal when he exited his parent’s house armed with a knife. The evening before the shooting, Rusanovskiy had been released from the hospital after a 72-hour psychiatric hold due to suicidal thoughts.

Rusanovskiy walked into traffic at a busy intersection holding the knife. Rusanovskiy’s actions resulted in multiple 9-1-1 calls to police. Rusanovskiy did not attempt to enter any vehicles. He did not attack any motorists or pedestrians. It appears from the totality of evidence that the purpose of Rusanovskiy’s behavior was to get a police response to his location.

Immediately upon the arrival of Pressler and Ponce, Rusanovskiy advanced toward the officers. He ignored multiple orders to drop the knife. Instead, Rusanovskiy let out a loud scream, raised the knife above his head and charged toward Pressler as the officer pointed his service weapon at Rusanovskiy.

Pressler fired two rounds from his service weapon. Due to the speed in which Rusanovskiy was closing the distance to Pressler with the knife raised over his head, it was reasonable for Pressler to fear that he and his partner officer were in imminent danger of serious bodily injury or death, and that it was necessary to respond with deadly force.

We conclude that Officer Steven Pressler was justified in the use of deadly force