

**Fatal Officer Involved Shooting of Barry Ross  
Los Angeles County Sheriff's Department**

**Deputy Trevor Moore #609945**

**J.S.I.D. File #21-0399**



**GEORGE GASCÓN**

**District Attorney**

**Justice System Integrity Division**

**October 21, 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: Fatal Officer Involved Shooting of Barry Ross  
J.S.I.D. File # 21-0399  
L.A.S.D. File # 021-15897-1186-013 and 021-15897-1186-055

DATE: October 21, 2024

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the September 23, 2021, fatal shooting of Barry Ross by Los Angeles County Sheriff's Department (LASD) Deputy Trevor Moore. It is our conclusion that the deputy acted in lawful self-defense at the time his weapon was fired.

The District Attorney's Command Center was notified of this shooting on September 23, 2021, at 7:00 p.m. At approximately 9:00 p.m., the District Attorney Response Team was given a briefing and walk-through of the scene by LASD Lieutenant Brandon Dean.

The following analysis is based on body worn camera video (BWV) footage, reports, audio recordings, interviews, and photographs submitted to our office by LASD Homicide Bureau Detectives Maria Maciel and Louie Aguilera on December 1, 2022, and supplemental material submitted on September 10, 2024. The LASD deputies were equipped with body worn cameras. Their vehicles were not equipped with video recording systems.

**INTRODUCTION**

On September 23, 2021, at approximately 4:10 p.m., LASD Antelope Valley deputies were notified of a subject with a firearm at a local park. The subject in question was later identified as Barry Ross. An LASD helicopter unit was first on scene and updated LASD deputies that Ross had left in a white BMW. Once the deputies located the vehicle, a pursuit ensued that ended at a property in the City of Lancaster. The property contained a motorhome, a trailer, an SUV, and other vehicles. The property was surrounded by a partial fence in the middle of desert land with no other nearby structures.

After parking, Ross got out of the vehicle with a firearm and pointed it at the helicopter. Deputies arrived at the location in an armored-recovery vehicle (ARV). A resident from within the property contacted Ross. The deputies made several commands to both Ross and the resident. Once the resident was close enough to the ARV, deputies escorted him into the vehicle.

Throughout the encounter, Ross pointed the firearm at the helicopter, the deputies in the ARV, and himself. Ross took a position behind an SUV and pointed the firearm at Moore. Moore fired a single round from his department-issued rifle and struck Ross in the head. Ross fell backward and medical units transported him to Antelope Valley Hospital where he was pronounced dead.

A black semi-automatic handgun was recovered from the scene.

## **FACTUAL ANALYSIS**

### **9-1-1 Call and Dispatch Information**

On September 23, 2021, at approximately 4:14 p.m., an anonymous party called 9-1-1 to report that there was a white male at the Eastside Park that was, "Acting really strange." The caller said that the male had a black handgun that he had taken out of his pocket and was pointing it at traffic going by. The caller said that the male was currently in the parking lot inside a BMW with a black top.

### **Responding LASD Helicopter Unit**

On October 7, 2021, investigators interviewed Helicopter Bureau Sergeant Patrick Morris. The interview was audio recorded. Morris said that on September 23, 2021, he was assigned to work as the pilot for the LASD helicopter unit. While working the area of Lancaster, he heard a broadcast stating that there was a man with a firearm in a white convertible vehicle with a black top, at Deputy Pierre Bain Park (also known as Eastside Park), in the City of Lancaster. The man was later identified to be Ross.

Morris and his partner orbited over the park and observed a white BMW vehicle with a black top. Morris saw Ross exit the vehicle and walk over to a group of people at the park. He appeared to have a conversation with them and then went back to his vehicle. Ross pulled into a parking stall and remained there for approximately one minute before driving northbound through the parking lot. Morris said that deputies arrived and attempted to stop Ross, but he was able to flee the location. Ross ran through stop signs, red traffic lights, and sped through traffic until he drove into a property located on Sierra Highway and West Avenue B. Morris said that the property was in the middle of the desert on approximately half an acre of land. The property was surrounded by a chain link fence. On the property was a motorhome, a trailer, and an SUV.



*Figure 1: Photo of property taken later in the evening on September 23, 2021.*

Morris said that Ross stopped inside the property and exited the vehicle. He walked over to a pile of items, threw an item, and then went back to retrieve it. Morris recognized the item to be a firearm after Ross pointed it at the helicopter. Ross then stepped out into the street and pointed the barrel of the firearm to the bottom of his chin. Morris said that Ross paced back and forth, was extremely angry, agitated, and continuously raised his right arm above his head to point the firearm in the direction of the helicopter and himself.

When deputies arrived in the area, they staged on Sierra Highway approximately half a mile from where Ross was standing in the street. Ross pointed the gun at deputies. Morris' partner broadcasted Ross' actions. An ARV arrived and Ross walked back into the property lot. Inside, Ross engaged with a resident, [REDACTED]. To Morris, it did not appear Ross and [REDACTED] knew each other. [REDACTED] made hand motions as if he wanted Ross to leave. Eventually, deputies entered the property and were able to take [REDACTED] into the ARV.

Morris said that Ross then ran around the SUV on the property, leaned on the front of it, rested his right elbow on the hood, spread his feet apart, and pointed the firearm at the ARV. Morris then saw Ross fall to the ground.

Morris said that deputies approached Ross and began to render aid until the fire department took over. Morris saw Ross' firearm was one-to-two feet away from where he lay.

### **Deputy Trevor Moore's Statements**

On September 29, 2021, investigators interviewed Deputy Trevor Moore. The interview was audio recorded. Moore said that on September 23, 2021, he was assigned to work patrol on day shift. While at the station, he heard emergent traffic broadcast that a male was brandishing a firearm at a local park. Moore and his partner were responding to the area when they heard the helicopter unit broadcast that Ross had left the park and had entered the driveway of a property.

Moore arrived at Sierra Highway and West Avenue B. where other deputies had gathered. Moore could hear the helicopter broadcast that Ross was pointing a firearm at the deputies, and

the deputies on scene took cover behind their patrol vehicles. While the deputies waited for an ARV, Moore said that Ross paced back and forth in the middle of the street in front of the property. Moore could see that Ross had a firearm and was pointing it in the deputies' direction.

The ARV arrived and Moore was designated as the deputy with a lethal weapon. He was armed with his department-issued patrol rifle. Moore entered the ARV and positioned himself in the ARV's turret.



*Figure 2: Moore positioned in the ARV's turret.*

Moore said that the helicopter unit broadcasted to the deputies that Ross had walked into the driveway of a property and contacted a resident, [REDACTED]. The deputies were concerned for [REDACTED]'s safety and drove the ARV toward the property. Ross stepped out of the property and into the middle of the street with the firearm in his hand. He walked toward the vehicle and deputies stopped approximately 75 yards from Ross. Ross extended his right arm and pointed the firearm at the ARV while advancing toward it. Moore said that the deputies inside the ARV made numerous commands using the Public Address (PA) system ordering Ross to drop the firearm and lay on the ground. Ross shook his head, "No," and refused to comply. The ARV retreated and Ross proceeded to go back onto the driveway of the property and contacted [REDACTED]. again.

Deputies moved forward with the ARV, entered the driveway, and stopped about 30 yards away from where Ross was standing. The deputies gave [REDACTED]. several commands in English and Spanish to try to get him into the ARV. [REDACTED]. eventually made his way to the back of the ARV and the deputies took him inside. Moore said that a deputy spoke to [REDACTED]. and attempted to ask if anyone else was on the property, but [REDACTED]. was too excited to provide information.

Ross started pacing back and forth between an RV and SUV on the property. The deputies continued to order Ross to drop the gun and lay on the ground, but he refused to comply and continued to shake his head, "No." Moore said that at one point, Ross placed the gun under his chin and took deep breaths as if he was going to pull the trigger.

Ross then walked to the front of the SUV on the property, spread his legs out, leaned across the hood of the vehicle, and appeared to be stabilizing his arms and the firearm. Moore said that Ross looked down the firearm's sights and aimed directly at Moore. Moore said that he feared for his safety and fired a single gunshot from his rifle. Ross fell to the ground and dropped the firearm approximately one foot away.

Deputies exited the ARV and began rendering aid until he was carried out to the street where medical aid was waiting.

Ross was asked to count the rounds from his weapon, a Colt M4 Carbine .223. He had 26 rounds in the magazine and one in the chamber. He said that he usually carried 28 rounds in the magazine and none in the chamber.

### **Deputy Nathan Ferrell's Statements**

On September 24, 2021, investigators interviewed Deputy Nathan Ferrell. The interview was audio recorded. Ferrell told investigators that on September 23, 2021, he was assigned to work patrol. While he was inside the station, he heard emergent traffic from his radio indicating that a helicopter unit was following a vehicle. The driver was suspected of brandishing a firearm.

Ferrell and his partner monitored the radio communications and arrived at the staging location. They both entered the ARV along with numerous other deputies. Ferrell sat directly behind the driver and was able to see out of the windshield while Moore took position at the turret. They traveled to the location where Ross was reportedly last seen.

When the deputies arrived at the property, Ferrell said that Ross and [REDACTED] were having a conversation on the street just outside the property. Ross turned, focused his attention at the ARV and pointed his firearm at it. The deputies ordered Ross to put down the firearm and to lay on the ground. Deputies also told [REDACTED] to go inside his mobile home. Another deputy took over the PA system and gave [REDACTED] commands in Spanish. [REDACTED] then walked into the property and away from Ross.

When the deputies gave Ross commands, he shook his head "no" while pointing the gun at the ARV. At one point, Ross advanced towards the ARV, and it retreated in reverse, but Ross continued to advance. Ross' attention quickly shifted back to the driveway and he started walking to where [REDACTED] was standing within the property. Ferrell said that the deputies feared a hostage situation and followed Ross. Ferrell said that Ross and [REDACTED] appeared to be having an "animated" discussion.

Deputies continued to give [REDACTED] commands and he approached the ARV, but then appeared to shift back to where Ross was. The deputies moved the ARV forward and were able to get [REDACTED] into the ARV. Once inside, [REDACTED] said that he did not believe the gun was real and that Ross had said that he wanted the deputies to kill him. [REDACTED] also said that no one else was on his property.

Ferrell said that Ross appeared more agitated and was laughing. At one point, Ross placed the gun to his own head. Ross then moved to stand between a motorhome and a parked SUV. Ross

leaned over the front of a vehicle and supported his forearms or the gun on the hood of the SUV. Ferrell saw Ross spread his feet apart and aimed the firearm upward toward Moore. Moore fired a single gunshot and Ross fell to the ground. The gun fell next to Ross.



Figure 3: View of the turret opening from the BWV of another deputy after the shooting and while deputies were clearing the rest of the property.

The deputies exited the ARV and approached Ross to render aid. Ross was picked up off the dirt, carried off the property, and transported to the hospital.

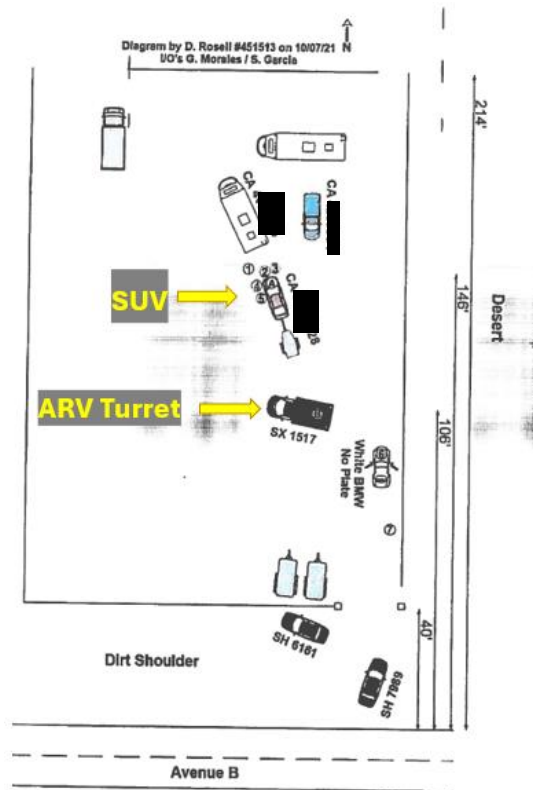


Figure 4: Diagram by the forensic specialist of the scene after the property was cleared.

## **Resident ██████'s Statements**

On September 23, 2021, investigators interviewed ██████. ██████'s interview was predominantly in Spanish and translated by a certified LASD interpreter. However, at times during the interview, ██████ responded in English and it was apparent he understood the questions before the translator had an opportunity to translate.

██████ said that Ross entered his driveway in a white vehicle, got out, and said, "I wanna kill me." ██████ saw that the police were outside of his property, but they were not approaching Ross. Ross also told the police to kill him. ██████ saw Ross point a firearm at the police and at one point, aimed the firearm upward.

When none of the police approached Ross, ██████ stepped out of his motorhome to help. ██████ told Ross to, "Put the gun down." Ross kept saying he wanted to kill himself. ██████ could also hear the police tell Ross to put the firearm down. ██████ said that Ross walked back and forth and acted "crazy." ██████ believed that Ross was under the influence of narcotics.

██████ was able to take the firearm from Ross and, after inspecting it, told Ross, "You don't have no bullets." ██████ was not able to describe how he took the firearm from Ross and could not explain how he checked to see if it was loaded. ██████ said that he knew it was not real because it was plastic. Ross then resumed pointing the firearm at the police. ██████ tried to tell the police that it was not a real firearm.

██████ was eventually taken into the ARV. ██████ said he never heard any gunshots.

After the interview, ██████'s daughter came to pick him up from the station. His daughter said that ██████ suffered from undiagnosed Alzheimer's or dementia.

## **Body Worn Camera Video (BWV)**

The responding deputies were all equipped with body worn video (BWV). Several of the deputies' BWVs showed that Moore positioned himself on the ARV's turret and Esswein was the driver. The BWVs also captured the helicopter unit's broadcasts indicating each of Ross' movements. The helicopter unit described several instances where Ross pointed the firearm towards it and the ARV. Moore could also be heard describing Ross approaching the ARV and pointing the firearm at it.

BWVs also captured the deputies' interaction from within the ARV. From inside, Esswein used the PA system and could be heard giving Ross several commands to, "Stop," "Put down the firearm," and, "Lay down on the ground." One deputy pointed out that Ross was shaking his head, "No." Several times, Esswein used the PA system to tell Ross, "Do not point the gun at us." Another deputy said, "Watch your backdrop. Tell that guy to go inside." Esswein turned his attention to ██████ and gave him commands to distance himself from Ross and to go inside the residence.



In between the commands, several deputies discussed having a less-lethal option ready, but also acknowledged, “We are too far for the 40, guys,”<sup>1</sup> stating that they were about 50 yards away. After several attempts to give commands in English, another deputy took over the PA system and started giving both Ross and [REDACTED]. commands in Spanish. A deputy could be heard saying, “I don’t want a hostage over there.”

While still in the ARV, some of the deputies sounded concerned over something that they were observing but was not captured on the BWVs. Esswein said, “What do we want? What do we want?” and, “He got that guy.” Esswein sounded frustrated. Another deputy said, “Get on him. Get on him. Get on him.” Another said, “Get on him. He’s on the other guy.” The deputies discussed that [REDACTED]. was not adhering to their commands to go back into the residence and discussed taking a different approach by telling [REDACTED]. to approach the ARV. The deputy gave [REDACTED]. commands to approach the ARV, and when he got close enough, deputies opened the back doors and brought [REDACTED]. into the ARV. Once inside, [REDACTED]. spoke to the deputies in Spanish and said, “He told me to tell you: just kill him. He want to die.” He went on to tell deputies that the gun was not real but could not elaborate why he thought so.

BWVs showed that as some of the deputies were getting information from [REDACTED]., others continued communicating amongst themselves. Esswein asked a deputy to request for a K9. Soon thereafter, Esswein said, “He’s taking cover behind that car.” Another deputy said, “He’s mounting up behind that car.” A popping sound could be heard and Esswein said, “He’s down.” Moore asked, “Is he still moving? The gun is about two feet to his east... the gun is within reach... looks like breathing slowly.” The ARV moved forward, and deputies continued discussing the next tactical approach. They then approached Ross, moved the firearm away from him, and started rendering aid.



Figure 5: The final position of the ARV and the SUV that Ross used.

<sup>1</sup> “40” refers to a 40-mm less-lethal launcher. The ammunition can be made from a variety of materials, including foam rubber, plastic, or wood.

Due to the positioning of all the BWVs, the shooting was not captured on video.

### **Ross' Firearm**

At the scene, deputies retrieved a black 9 mm semi-automatic pistol. The firearm did not have any marks to indicate the make, model, or serial number. The firearm was loaded with a clear magazine that had two live 9 mm bullets. Inside the chamber, there was a live 9 mm bullet.



*Figure 6: Ross' firearm.*

### **Medical and Corner Information**

After the shooting, Ross was transported to Antelope Valley Hospital where he received medical aid in the emergency room. The medical efforts were unsuccessful, and Ross was pronounced dead at 5:29 p.m. The coroner determined that the cause of death was a single gunshot to the head.

Laboratory tests showed that Ross was under the influence of methamphetamine, fentanyl, amphetamine, and marijuana.

### **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).

Here, the evidence from dispatch recordings, helicopter recordings, and law enforcement statements shows that Moore learned that Ross was brandishing a firearm at a local park. The evidence further shows that once the deputies arrived at the location and approached Ross, Ross started pointing a firearm at the ARV. The BWV shows deputies giving Ross several commands to put the firearm down, and Ross refusing to do so. The BWV also captured the deputies’ voiced concerns for ██████’s safety.

After repeatedly ignoring commands, Ross took a firing position and pointed the firearm at the only deputy outside of the ARV, Moore. Moore fired his duty rifle in response.

## **CONCLUSION**

Deputy Moore stated when Ross aimed his gun directly at him, he (Moore) feared for his safety and in response, fired a single shot at Ross. The available evidence supports this version of the events. Based on these facts and circumstances, Deputy Moore reasonably believed that deadly force was necessary to defend against an imminent threat of death or serious bodily injury to himself. Therefore, we conclude that he acted in lawful self-defense.