

**Fatal Officer Involved Shooting of Billy Stribling
Los Angeles Police Department**

**Officer Diego Bracamontes, #40514
Officer Hayley Basile, #44870**

J.S.I.D. File #23-0251



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

October 21, 2024

MEMORANDUM

TO: CAPTAIN OMAR BAZULTO
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 Billy Stribling
J.S.I.D. File #23-0251
L.A.P.D. File #F031-23

DATE: October 21, 2024

The Justice System Integrity Division of the Los Angeles County District Attorney's Office (LADA) has completed its review of the July 20, 2023, fatal shooting of Billy Stribling by Los Angeles Police Department (LAPD) Officers Diego Bracamontes and Hayley Basile. We have concluded that Officer Bracamontes and Officer Basile each reasonably believed their use of deadly force was necessary to defend against an imminent deadly threat.¹

The District Attorney's Command Center was notified of this shooting on July 20, 2023, at approximately 1:30 p.m. The District Attorney Response Team responded to the location. They were given a briefing by LAPD Force Investigation Division (FID) Detective Ubaldo Zesati and a walk-through of the scene by LAPD FID Lieutenant Jess Falk.

The following analysis is based on body worn camera video (BWV), surveillance video, investigative reports, audio recordings and transcripts of witness interviews, scene diagrams, photographs, autopsy and toxicology reports submitted to this office by LAPD FID on July 12, 2024, and September 9, 2024. Any compelled statements of Officer Bracamontes and Officer Basile were not considered in this analysis.

INTRODUCTION

On July 20, 2023, at approximately 11:46 a.m., two Newton Division patrol units arrived at the [REDACTED] in response to an emergency call for an assault with a knife by a man with [REDACTED]. The [REDACTED] apartment building located in the Skid Row area of downtown Los Angeles [REDACTED].

¹ LADA also concluded Bracamontes acted in lawful self-defense and defense of others in the fatal officer involved shooting of Oscar Sanchez on January 3, 2023. See memorandum J23-0005. A related civil lawsuit is currently set for trial on February 3, 2025.

The primary responding unit consisted of Officer Miguel Gonzales with his partner, Officer Alonzo Arteaga. The backing unit consisted of partners Bracamontes and Basile.

Upon entering the building, [REDACTED], led the officers to the building elevator and up to the sixth floor to locate Stribling. When the elevator doors opened on the sixth floor, Stribling was standing in the elevator vestibule. Stribling dropped an umbrella he was holding from his left hand, reached into his right front pocket and pulled out a kitchen knife with his right hand. Stribling stepped to the center of the elevator threshold and raised the knife above his head with the tip pointing up. Officer Bracamontes fired two rounds. Officer Basile fired one round. Stribling was struck twice. Stribling was transported to Los Angeles General Medical Center for treatment where he succumbed to his injuries and was pronounced dead at 12:30 p.m.

FACTUAL ANALYSIS

911 CALL

At approximately 11:32 a.m., [REDACTED] called 9-1-1 to report Stribling “pulling out knives on [REDACTED].” [REDACTED] said Stribling, had a large “kitchen, butcher knife type.” [REDACTED] identified Stribling as “Billy,” gave a description of Stribling and his clothing, and that he was on the sixth floor. [REDACTED].

At approximately 11:36 a.m., dispatch broadcast, “Newton units with [REDACTED],² ADW suspect there now,³ [...] Suspect’s a male black, no shirt, dark shorts, armed with a large butcher knife, threatening [REDACTED] at the location. It’s Code Three [...]”⁴ [REDACTED].

MOBILE DIGITAL COMPUTER

While enroute, Arteaga read the call comments from their Mobile Digital Computer (MDC) screen to Gonzales. Arteaga relayed Stribling’s description and that “Billy” was a “male with [REDACTED] armed with a large butcher knife, threatening [REDACTED] [on the] sixth floor.”⁵

² [REDACTED]

³ ADW stands for assault with a deadly weapon.

⁴ Code Three is an emergency response with lights and siren.

⁵ Although not captured on the available BWV, it is reasonable to presume Bracamontes and Basile also reviewed the MDC and were aware that Stribling was threatening people with a knife.

BWV SYNOPSIS

As the officers approach the front entrance to the building, Gonzales' BWV captures a man on the sidewalk state, "He still got a knife, sir. You better be careful."⁶

The officers enter the building which opens into a courtyard. ██████ meets the officers and walks them to the elevator. As they walk over and wait for the elevator, ██████ converses with Gonzales. The other officers are in earshot. ██████ tells Gonzales that Stribling "has a knife on him" and "kinda brought it out to me." ██████ warns, "Just be careful. He's real skinny, older gentlemen. He's intoxicated [and] taking the knife out on people."⁷ ██████ tells Gonzales, "I'll press charges," and that Stribling "actually went like that to me" as he demonstrates an overhand stabbing motion with his right hand. Stribling told ██████, "I'll stab your ass Mexican." ██████ tells the officers Stribling's name is Billy and describes Stribling as around five feet six inches tall, real skinny, older, and wearing black shorts and no shirt. ██████ says, "[Stribling has] been problematic in the past, but he's never gotten like that with me. So, you know, the fact that he did, I'm just scared for someone else."

During the conversation, Gonzales asks where Stribling is and ██████ replies, "He's by the trash in the corner in the [sixth floor] hallway," and gestures away from the elevator with his right hand. When the elevator arrives, the group takes it to the sixth floor. The elevator is seven feet by seven feet. The elevator opens into a six foot long by eight feet wide vestibule that leads into a hallway on the left. Two large lidless trash bins stand against the back wall of the vestibule to the right and center.

The elevator reaches the sixth floor at approximately 11:51 a.m. Stribling is in the vestibule holding a broken umbrella in his left hand. Stribling stands to the left of the trash bins. The elevator door opens, Stribling releases the umbrella and reaches his right hand into his right shorts pocket. Stribling pulls a fixed-blade kitchen knife from his pocket and steps towards the center of the elevator. Stribling quickly passes the knife to his left hand, back to his right hand, and then raises the knife above his head with the tip pointed up.



Figure 1 – LAPD picture shows Stribling's knife on the courtyard floor.

⁶ FID was not able to identify the man.

⁷ In total, ██████ warns the officers to "be careful" three times.



Figure 2 – Screenshot from Bracamontes’ BWV shows Gonzales, left, Stribling, center, and [REDACTED], right, as Stribling steps forward and pulls the knife from his pocket.



Figure 3 – Screenshot from Basile’s BWV shows Stribling hold the knife above his head as officers raise their weapons in response.

[REDACTED] stands on the right side of the elevator door as it begins to open. [REDACTED] looks out and quietly tells the officers, “He’s right here,” immediately followed in a louder voice by, “Billy, stop! Stop, Billy!” [REDACTED] begins to move to the rear of the elevator. Gonzales, on the left, looks out around the elevator keypad and commands, “Hey, Billy! Hey, Billy! Put it down!” Gonzales steps back and unholsters his pistol, but does not fire. Arteaga shoulders the 40mm less lethal launcher and fires one foam projectile. Bracamontes unholsters his pistol and

fires two consecutive rounds. Basile unholsters her pistol and fires one round. Stribling is struck by two rounds and the 40mm foam projectile. Stribling collapses backward onto the corner trash bin and releases the knife as he slides to the ground into a seated position. Stribling comes to a rest with his back supported by the trash bins, facing the elevator. Stribling's feet reach the elevator threshold.



Figure 4 – Screenshot from Bracamontes' BWV shows Bracamontes hold his pistol on Stribling as Stribling slides to the ground with a trash bin after Arteaga, Basile and Bracamontes fired their weapons. The knife lays next to Stribling's right knee.

All three officers discharged their weapons from the rear of the elevator. An LAPD sound analysis of Arteaga's BWV determined that Arteaga fired first, Bracamontes second, Basile third and Bracamontes fourth. Bracamontes fired his .45 caliber Smith & Wesson 4563TSW semiautomatic pistol from a distance of approximately eight feet and seven inches. Basile fired her 9mm Smith & Wesson Model M&P9 semiautomatic pistol from a distance of approximately eight feet and nine inches. Arteaga fired the single-shot 40mm less lethal launcher from a distance of approximately nine feet and seven inches. All four rounds were fired within .825 seconds.

PHYSICAL EVIDENCE

Two discharged .45 caliber casings and one discharged 9mm casing were seized from the elevator floor, along with, one discharged blue foam 40mm projectile.

Stribling's knife had a fixed blade with a length of approximately four and three quarter inches and measured approximately nine and a quarter-inches long in total.

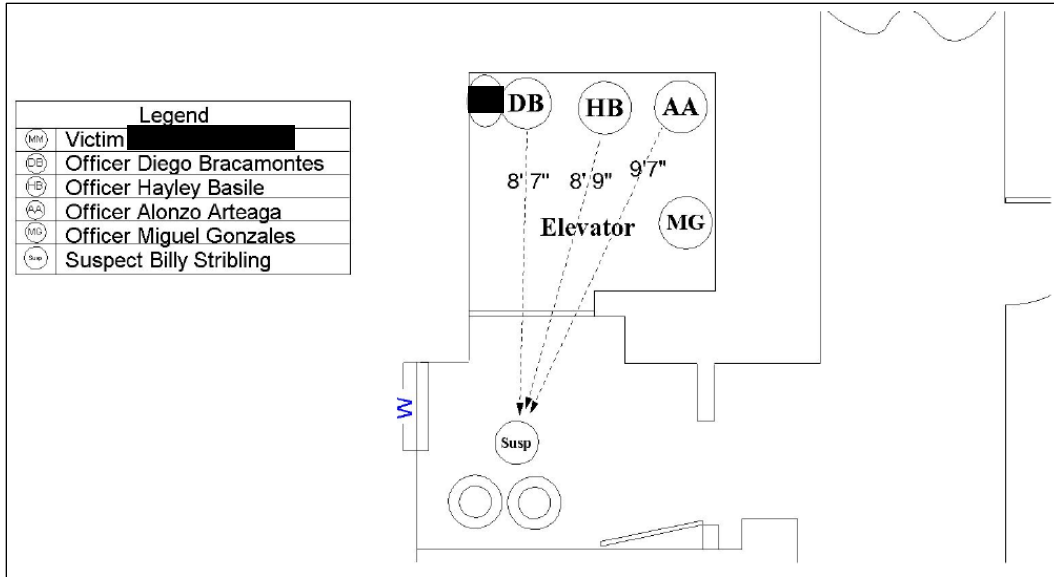


Figure 5 – LAPD diagram of the elevator and vestibule shows the approximate distance from Stribling to Arteaga, Basile and Bracamontes at the time the officers fired their weapons. The elevator measures seven feet long by seven feet wide. The vestibule measures eight feet long by six feet and seven inches wide.

INTERVIEW OF OFFICER GONZALES

On July 20, 2023, around 6:50 p.m., FID Detectives Christina Ledesma and Zesati interviewed Gonzales at LAPD headquarters. The interview was audio recorded.

Gonzales told detectives he and Arteaga responded Code three, with lights and siren, to an “ADW or man ██████████” and that Stribling was “threatening people with some type of butcher knife.”

Gonzales said all the officers were right behind him and were able to hear what ██████████ said. Gonzales assigned everyone their roles to arrest Stribling. Arteaga was assigned the 40mm less lethal launcher, Bracamontes and Basile were the arrest team, and Gonzales tasked himself to use lethal force if necessary.

Gonzales decided they should take the elevator to the sixth floor after speaking with ██████████. Gonzales “didn't want to take the stairs originally, because [he] believed that [Stribling] was going to be [around 30 feet away] closer to the stairs and not the elevator.”

As soon the elevator doors opened, they encountered Stribling. Gonzales said, “At that point as soon as I'm about to step out, I did observe a knife on him. I don't recall which hand. At that point I stepped back, took cover behind [...] the left side where you push the buttons. I took cover behind that and I unholstered.”

Gonzales told detectives he unholstered his handgun because he, “[S]aw a knife [and] seeing a knife, I knew that I had reason to believe that based on the tactical situation, that I knew that something would have happened that would have escalated to the use of deadly force.” Stribling “was probably five feet [away].”



Figure 6 – LAPD screengrab from surveillance video of the vestibule shows Stribling, with knife raised, stand in front of the elevator door just before he is shot. The timestamp is incorrect.

Gonzales told detectives he did not shoot at that point because Stribling was just holding the knife near himself. Later Gonzales elaborated, “Because at that point I didn't see, I didn't see [Stribling] doing any type of movement. I only saw the knife. So me coming back, I would need to reassess and see what else he's doing. But since I didn't have no sight picture [after taking cover], I couldn't see, I couldn't see what else [Stribling] was doing.” Gonzales told detectives it happened “super quick” and there was not enough time to warn Stribling they were going to use deadly force.

AUTOPSY

On July 24, 2023, Los Angeles County Associate Deputy Medical Examiner Austin Gray and Deputy Medical Examiner Grant Ho performed Stribling's autopsy and ascribed the cause of death to “gunshot wounds of abdomen.” Stribling was struck by two rounds that entered his left upper abdomen with a trajectory of front to back and left to right. The rounds damaged the left kidney, aorta and small bowel.⁸

The two rounds were removed from Stribling's body during his autopsy. A comparison analysis by the LAPD Forensic Science Department concluded the general rifling characteristics of each round were consistent with Bracamontes' weapon.

⁸ Additionally, the autopsy found Stribling's left upper chest and left upper arm each had an “abrasion with contusion.” This is consistent with where BWV shows Stribling is struck by the single 40mm foam projectile.

TOXICOLOGY

Toxicology results confirmed the presence of alcohol in Stribling’s blood at the time of his death. Hallway surveillance cameras captured Stribling drinking from at least one 25-ounce can of Hurricane High Gravity.⁹

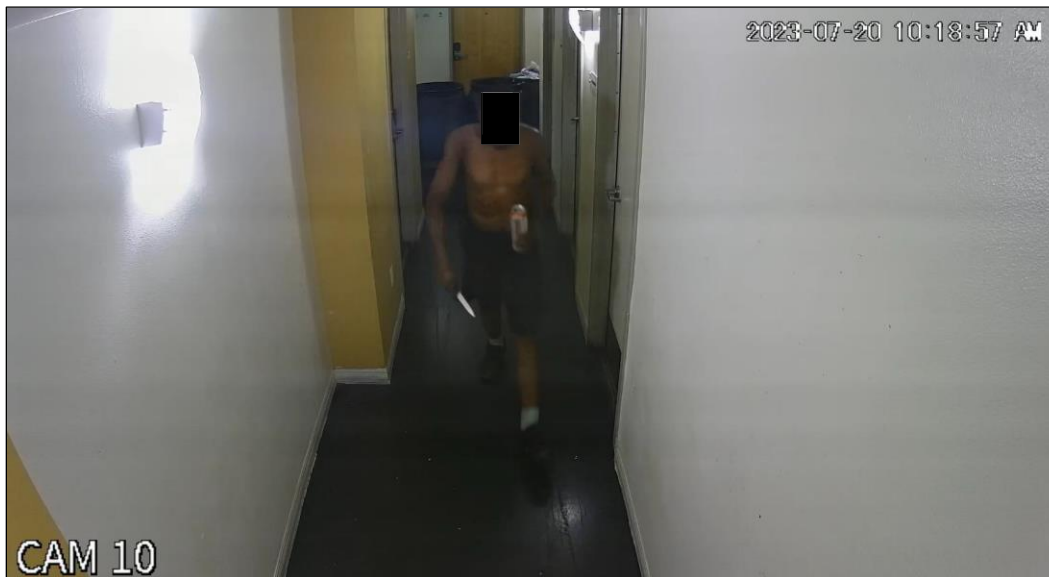


Figure 7 – LAPD screengrab from surveillance video shows Stribling in a sixth-floor hallway. Stribling holds the knife in his right hand and a 25-ounce can of Hurricane High Gravity malt liquor in his left hand. The timestamp is incorrect. The actual time is approximately 11:46 a.m.

THE LAW

A peace officer is justified in using deadly force 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) & (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).

⁹ Hurricane High Gravity is a malt liquor that contains 8.1% alcohol by volume.

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) & (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). Moreover, "[a] peace officer who makes or attempts to make an arrest need not retreat, or desist from their efforts by reason of the resistance or threatened resistance of the person being arrested." Penal Code section 835a(d).

LEGAL ANALYSIS

The available evidence in this case supports a finding that Bracamontes and Basile each reasonably believed deadly force was necessary to defend themselves, and everyone else trapped in the elevator, against an imminent threat of death or serious bodily injury posed by Stribling.

The BWV and surveillance video shows Stribling pull out a knife with a nearly five-inch blade, directly in front of four uniformed LAPD officers and the same [REDACTED] Stribling had assaulted a short time earlier. Stribling ignores the pleas of [REDACTED] and Gonzales. Instead of dropping the knife, Stribling raised it above his shoulder in a threatening manner at the officers and [REDACTED] who were less than 10 feet away and trapped in a small elevator.

Under the totality of these facts, it was reasonable for Bracamontes and Basile to believe Stribling had the present ability, opportunity, and apparent intent to immediately cause themselves, and everyone else trapped in the elevator, death or serious bodily injury. Officer Bracamontes and Officer Basile reasonably responded with deadly force.

CONCLUSION

For the foregoing reasons, we find that Officer Bracamontes and Officer Basile each reasonably believed their use of deadly force was necessary to defend against an imminent threat of death or serious bodily injury.