

**Fatal Officer Involved Shooting of  
Robert Bryant Boozer  
Los Angeles County Sheriff's Department**

**Deputy Bobby Olivares #604231**

**J.S.I.D. File #23-0300**



**GEORGE GASCÓN**

**District Attorney**

**Justice System Integrity Division**

**November 13, 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 Robert Bryant Boozer  
J.S.I.D. File #23-0300  
L.A.S.D. File #023-08958-1470-011

DATE: November 13, 2024

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the September 4, 2023, fatal shooting of Robert Bryant Boozer by Los Angeles County Sheriff's Department (LASD) Deputy Bobby Olivares. We have concluded that Deputy Olivares acted in lawful self-defense at the time he fired his service weapon, reasonably believing, based on the totality of the circumstances, that deadly force was necessary to defend against an imminent deadly threat.

The District Attorney's Command Center was notified of the shooting on September 4, 2023, at approximately 7:00 a.m. The District Attorney Response Team responded to the location and was provided a briefing and walk-through of the scene by LASD Homicide Bureau Lieutenant Daniel Vizcarra.

The following analysis is based on reports, diagrams, radio transmissions, 9-1-1 calls, recorded interviews, photographs, body-worn camera video (BWV), and the autopsy report submitted to this office by LASD Homicide Bureau Detectives Jonathan Bailey and Jennifer Valenzuela, on May 2, 2024. No compelled statements were considered as part of this analysis.<sup>1</sup>

### **INTRODUCTION**

On September 4, 2023, LASD deputies responded to an assault with a deadly weapon/person stabbed call in Hacienda Heights. When they arrived at the location, the deputies observed two men standing on the porch of a residence. One of the men was ■■■, the owner of the home and the other was 42-year-old Robert Bryant Boozer (Boozer), the subject of the assault call.

Deputies observed Boozer holding a knife while standing next to ■■■. The deputies ordered Boozer to drop the knife. However, Boozer screamed, held the knife up, and charged at the

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<sup>1</sup> The deputies provided voluntary statements to LASD detectives.

deputies. Deputy Olivares fired one shot and Boozer fell to the ground. Boozer was pronounced deceased at the scene by Los Angeles County Fire Department (LACOFD) paramedics. Deputies subsequently found Boozer's father in the home, stabbed to death.

## FACTUAL ANALYSIS

On September 4, 2023, at 5:34 a.m. Deputies Olivares and Sorto were dispatched to a residence regarding a call for "Assault with a deadly weapon in progress." The details of the calls included, "Son has a knife yelling at [informant] on open line . . . stabbed dad." The deputies were updated that the 9-1-1 caller had fled the home.

█, Boozer's mother, spoke to detectives on the morning after the incident and told them that her son Boozer had mental health issues for years. Boozer had been living with his parents for approximately one month, but his parents were planning on driving Boozer back to his residence in Utah on the day of the incident.

█ stated that on the night of the incident, Boozer had trouble sleeping. At 2:00 a.m. that morning, Boozer knocked on his parents' bedroom door while talking incoherently. At 5:30 a.m., █ stated Boozer returned, banging on his parent's door. █ said that Boozer was "agitated" and holding a knife. █ took Boozer to the kitchen to make him put the knife back when Boozer went outside the residence. █ stated she locked him outside and called 9-1-1. █ told the 9-1-1 operator that Boozer was armed with a butcher knife.

█ told responding Deputy John Tran (Tran), that Boozer was locked outside, when Boozer kicked down the front door and went straight for his father, █ and began to stab him. █ heard █ say, "No Robert, don't do it!" █ said she feared for her life and immediately ran out of the house and hid behind trash cans.

A neighbor of Boozer, █, was interviewed by detectives after the incident. █ stated he and his wife had been next door neighbors with Boozer for many years and █ had known Boozer his entire life. █ told investigators that he was aware that Boozer and his father had a very poor relationship and that Boozer had threatened to kill █ in the past. █ stated that he woke to loud banging on his front door that morning. When he looked out the window, he saw Boozer standing outside. Boozer was screaming his name. █ opened his front door and let Boozer inside his home. Boozer appeared agitated and told him, "I've done something bad. I killed my dad." █ stated that Boozer repeated that he had killed his father and then said something about someone being molested.

█ asked his wife to call the police and then attempted to walk Boozer back to his home. As they walked outside the home the deputies arrived. █ stated he did not see Boozer holding a knife while Boozer was inside his home. However, when the deputies arrived, █ saw that Boozer was holding a knife. █ heard the deputies order Boozer to drop the knife multiple times but Boozer refused to comply.

█ turned around to return home to get out of the way of the deputies when he heard Boozer talking and screaming about someone being molested. █ saw Boozer approach the deputies

but did not see the shooting. After he heard the gunshot, he went back into his home to get dressed.

Olivares told investigators when he arrived at the location he was on “high alert” because the call involved family violence and a stabbing. He stated based on his experience he was treating the call as an “active shooter” situation. Olivares stated when they arrived, he saw two men standing on a porch. The older man, later identified as ■■■, was standing in his underwear.

Olivares said Boozer was holding a large knife pointed at ■■■. Olivares told investigators he thought to himself, “God please don’t let the old man get stabbed.” Olivares stated he did not want to see the old man die in front of him. Boozer became agitated and began to yell. ■■■ was standing a few feet away from Boozer, when Olivares lined up the sights of his service weapon preparing to shoot Boozer if he lunged at ■■■

Olivares told investigators that Boozer ran toward the cinderblock wall and then turned. Boozer looked at him, started screaming, and then ran in Olivares’s direction. Olivares stated he felt scared, believing that Boozer was going to stab him or his partners, so he fired one round from his service weapon.

Deputy Sorto told investigators that Olivares and he were standing approximately 20 feet from Boozer. Sorto saw Boozer run toward the retaining wall and then turn back toward them with the knife in his right hand, pointing it toward the deputies. Sorto believed Boozer was running directly toward Olivares when he heard one gunshot and saw Boozer fall to the ground. Sorto told investigators that Boozer was approximately 10-15 feet away from Sorto when Boozer fell to the ground.

As Sorto approached Boozer on the ground, Sorto told investigators that he saw Boozer still moving and holding a bloody knife. When one of the other deputies kicked the knife away, they began treating Boozer for his injury.

## **BWV**

At 5:40:22 a.m., Olivares’s BWV shows him arriving at the location with his partner, Sorto.<sup>2</sup> As Olivares exited the passenger side of the patrol car, his BWV showed ■■■ and Boozer standing on the porch of ■■■’s residence. Olivares yelled, “Sir can you come over here?” ■■■ walked toward Olivares. Boozer remained on the porch. Olivares had his service weapon drawn and told Sorto, “Be ready to take cover in case he rushes us, okay?”

When Olivares first arrived at the location, he told the men on the porch, “Listen! I’m here to help!” ■■■ turned and walked back toward Boozer, who was still holding the kitchen knife. Olivares yelled, “Sir . . . in the white! Sir! Don’t go back sir! Drop the knife!” As ■■■ walked

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<sup>2</sup> The deputies arrived in a marked black and white SUV with a light bar and LASD insignia on the door panels. Both deputies were wearing LASD uniforms and badges with nameplates.

back towards Boozer, Olivares yelled, “Drop the knife! Drop the knife! I’m going to shoot you if you rush him!”<sup>3</sup> (Figure 1)



Figure 1: Image captured from BWV as ■■■, initially walked toward the deputies before turning around and walking back to Boozer (circled in red), who was standing on ■■■s porch.



Figure 2: Image captured from Olivares’s BWV as Boozer raised the knife (circled in yellow) and charged at the deputies.

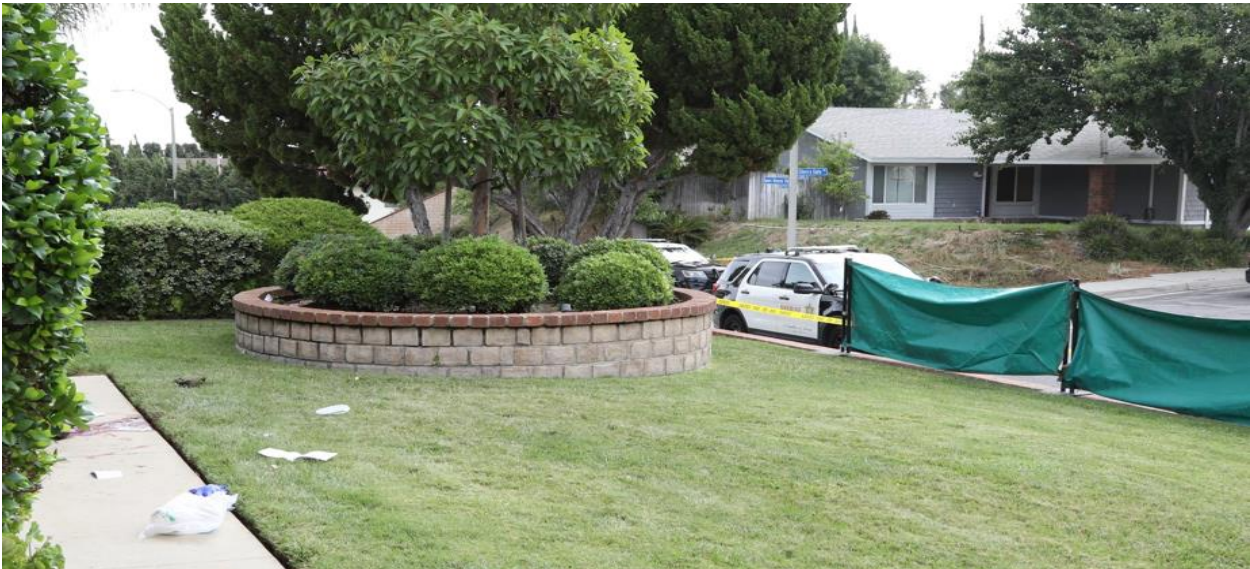
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<sup>3</sup> Despite being ordered to walk towards the deputies, ■■■, walked towards Boozer who was armed with a knife. Olivares said that he was concerned for ■■■’s safety when he told Boozer, “I’m going to shoot you if you rush him.”

On Olivares's BWV at 5:41:31 Boozer screamed and ran towards the property wall. He turned while holding the knife out and ran towards the deputies who were standing at the edge of the lawn. (Figure 2)



*Figure 3: Image captured from Olivares's BWV as Boozer charged at the deputies.<sup>4</sup>*



*Figure 4: Olivares stood at the edge of the lawn when he fired his service weapon at Boozer.*

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<sup>4</sup> The quality of the BWV was poor due to the low lighting condition. The main source of light came from Olivares's service weapon. Boozer was still holding the knife as he ran toward the deputies.

At 5:31:32 a.m., Boozer ran towards Olivares holding the knife in a striking position. (Figure 3) Olivares was standing at the edge of the lawn next to a retaining wall when he fired one round at Boozer causing him to fall onto the front lawn.<sup>5</sup> (Figure 4) Olivares approached Boozer and gave commands for █████. to move back. Olivares told another deputy, “There’s a victim over [at the location of the 9-1-1 call].” BWV show Olivares ordering Boozer to drop the knife, which Boozer was still holding in his right hand.

While Olivares was outside █████.’s house, deputies responded to Boozer’s parent’s home. They were met outside by █████., who told them that her husband was still inside. When the deputies entered the home, they found █████. on the floor. Boozer had stabbed █████ multiple times and used █████.’s blood to write messages on the walls before fleeing the home. LACOFD paramedics arrived at the scene and pronounced █████. deceased.

## FORENSIC EVIDENCE

### Weapon



Figure 5: The kitchen knife that Boozer held while charging at Olivares and that he used to kill his father.

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<sup>5</sup> Figure 4 depicts the location after the officer involved shooting. According to his BWV, Olivares was standing directly behind the green curtains (placed there after the shooting). The total distance from where Boozer fell to the street where the patrol cars were parked was 31 feet and six inches. The actual distance between Olivares and Boozer when Olivares fired his service weapon at Boozer was less than that distance.

The knife that Boozer used to charge at the deputies and kill his father was collected and booked into evidence by LASD Forensic Identification Specialist Jessica Vugin.

### *Autopsy Reports*

On September 8, 2023, Los Angeles County Deputy Medical Examiner Dr. Robyn Parks performed the postmortem examination of Boozer. Dr. Park classified the manner of death as a homicide and ascribed the cause of death as a single fatal gunshot wound which entered the neck and perforated the left common carotid artery.

Toxicology results showed that Boozer tested positive for the presence of diphenhydramine.<sup>6</sup> There were no other drugs present in Boozer's blood.

## **LEGAL ANALYSIS**

### *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 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).

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).

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<sup>6</sup> Diphenhydramine is an antihistamine medicine used to treat allergies.



In this matter, Olivares and Sorto received a call for “Assault with a deadly weapon in progress . . . Son has a knife yelling at [informant] on open line . . . stabbed dad.” The deputies knew they were responding to a volatile family violence call for assistance and they were told that a victim at the location had been stabbed.

When Olivares saw Boozer and [REDACTED] on the porch, he initially attempted to deescalate the situation by telling Boozer, “Listen! I’m here to help!” Olivares told investigators that when it became clear to him that Boozer was not going to drop the knife, he was in fear for [REDACTED]’s life, believing that Boozer might stab [REDACTED]. Olivares expressed his fear when he warned Boozer that if Boozer “rushed” [REDACTED], Olivares was going to shoot Boozer.

Despite the order to drop the knife, Boozer screamed and ran directly for Olivares with the knife poised in a stabbing position. Olivares shot Boozer believing that Boozer meant to kill him or his partners when Boozer ran directly for him.

Under these circumstances, the evidence supports a reasonable belief that Deputy Olivares’s use of deadly force was necessary to defend against an imminent threat of death or serious bodily injury to the deputies or another person.

## **CONCLUSION**

For the foregoing reasons, we find that Deputy Olivares acted lawfully in self-defense and in defense of others.