

**Fatal Officer Involved Shooting of Devin Edward Hall
Pasaden Police Department**

**Officer Michael Alvarado, #0347
Officer Alfonso Garcia, #3031
Officer John Lewy, #5268
Officer Zachary Sprague, #8901**

J.S.I.D. File #21-0497



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

November 19, 2024

MEMORANDUM

TO: CHIEF EUGENE HARRIS
Pasadena Police Department
207 North Garfield Avenue
Pasadena, California 91101

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

SUBJECT: Fatal Officer Involved Shooting of Devin Edward Hall
J.S.I.D. File #21-0497
P.P.D. File #021012414

DATE: November 19, 2024

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the November 23, 2021, fatal shooting of Devin Edward Hall involving Pasadena Police Department (PPD) Officers Michael Alvarado, Alfonso Garcia, John Lewy, and Zachary Sprague. We have concluded that the officers acted lawfully in self-defense of themselves and others.

The District Attorney's Command Center was notified at 3:40p.m. on November 23, 2021, of the shooting. The District Attorney's Response Team responded and was briefed at the scene by PPD Detective Panfilo De La Cruz.

The following analyses are based upon audio/video recordings from a bystander's cell phone, home security cameras, dashboard mounted cameras, body-worn-cameras (BWV), investigative reports by Pasadena Police Department investigators, recordings of radio communications by and between Pasadena Police Department personnel and the post-mortem medical examination by the Los Angeles County Medical Examiner-Coroner, submitted to the District Attorney's Office on November 16, 2022.

No compelled statements were reviewed.

FACTUAL ANALYSIS

At approximately 2:34p.m., on Tuesday, November 23, 2021, Devin Edward Hall shot and mortally wounded [REDACTED] on the street in front of the driveway apron to [REDACTED]'s home in the [REDACTED] of North Sunnyslope Avenue, Pasadena, California. Hall then reloaded his weapon and stopped a car driven by [REDACTED], past the shooting scene at gunpoint.

Hall extracted [REDACTED] from the driver's seat of her car, dragged her around the front of the car to the passenger side door and forced her in. He then went back to the driver's door. [REDACTED] heard sirens approaching. Hall stood briefly at the door, then walked away.

█ got out of her car, fled to the front door of a residence and rang the doorbell. As she did this, Hall walked across North Sunnyslope Avenue toward Gwinn Park. He then walked southeast across the park toward the intersection of North Eaton Avenue and Hermanos Street.

Seconds before 2:36 p.m., the first police car, driven by Officer Gustavo Martinez, arrived while █ was in the front yard of the residence hiding from Hall.¹ █ ran out to meet Officer Martinez. She and three bystanders pointed in the direction that Hall had walked. As they were pointing, Officer Michael Alvarado arrived. Officer Alvarado paused briefly, then sped in the direction █ and the three bystanders had pointed.

Officer Alvarado turned east on Hermanos Street, then south on Eaton Avenue. There he observed Hall walking south on the west sidewalk. Officer Alvarado drove slowly south on Eaton Avenue while he verified the description given by █ and the bystanders of Hall.

At 2:38 p.m., as Officer Alvarado approached Hall, Hall turned and walked in Officer Alvarado's direction. Officer Alvarado backed his patrol SUV northward away from Hall, stopped, took cover behind his patrol SUV's door armed with a rifle, and ordered Hall to, "Stop right there, get down on the ground – get down on the ground now." BWV shows that Hall continued to walk north on the sidewalk toward Officer Alvarado and raised his handgun in Officer Alvarado's direction. Officer Alvarado exchanged gunfire with Hall. Hall turned around and ran south on the sidewalk toward Del Vina Street. Officer Alvarado continued to shoot at Hall as he fled. Later investigation showed that none of Officer Alvarado's gunshots struck Hall.

Hall crossed Del Vina Street and turned west between two residences on Eaton Drive. He crossed into the backyard of a home on North Sunnyslope Avenue. In a subsequent interview, the resident, █, told investigators that she saw Hall in her backyard. She said she locked her sliding glass doors, ran to the living room, and tried to escape out the front door. Hall shot open the glass doors and entered █'s home before she could escape. The time was approximately 2:42 p.m.

█ managed to temporarily elude Hall and exit the house. She took cover behind an SUV in the common driveway between her residence and the adjoining property. The rear of the SUV was facing the street.

Officer John Lewy and Officer Erick Urquieta arrived in front of █'s house. BWV shows that Hall held █ in front of him and retreated back to the front of the SUV. Officer Lewy took cover behind a vehicle parked across the street and radioed that Hall had a hostage. Hall then began shooting. Officer Lewy shouted, "Hey man, let her go – let her go, bro', just let her go." █ ducked and fell to the ground away from Hall. Officer Lewy then fired his duty weapon at Hall, who appeared to stumble or dive for cover in front of the SUV.

Officer Lewy shouted that Hall was still moving and shouted, "Drop the gun." As Officer Lewy did this, he crossed North Sunnyslope Avenue, shouting, "He's moving!" and took cover behind

¹ Officer Martinez and all other officers mentioned herein wore standard Pasadena Police Department uniforms.

a tree. At the same time, Officer Zachary Sprague arrived and from in front of the driveway apron shot twice. Officer Sprague then joined Officer Lewy at the tree and continued shooting.

Officer Alfonso Garcia joined Officers Sprague and Lewy at the tree and Officer Lewy again shouted, "Drop the gun." This command was followed by more gunfire. (It is not clear from the video who fired these shots.) [REDACTED] then ran across the driveway, between Hall and the officers and hid in some bushes on the south side of the driveway. The shooting continued. Officer Lewy and Officer Sprague shouted for [REDACTED] to get out and, using hand gestures, directed her where to go. Officer Lewy shouted "Cease fire! Cease fire!"

[REDACTED] ran to shelter on the front porch of a residence, and the officers resumed shooting. The last shot was fired at approximately 2:44 p.m., followed by a command, "Hold your fire." After three minutes of continued silence, officers sent in a police dog to where Hall was partially visible in front of the SUV. When the dog arrived and there was no movement, the officers approached Hall, who was lying on the driveway with multiple fatal injuries to his head.

Post-mortem Examination Results

The Los Angeles County Medical Examiner-Coroner conducted a post-mortem examination of Hall on December 1, 2021. The medical examiner determined that Hall sustained 20 gunshot wounds. The injuries included gunshots to the head, face, chest, back forearm, both hands, left arm, left shoulder, left thigh, left knee, and right leg.

A toxicology examination showed the presence of Marijuana and Doxylamine. The exam found no illegal street drugs or alcohol.

The Medical Examiner-Coroner also conducted a post-mortem examination of [REDACTED], Hall's initial shooting victim. The medical examiner determined that [REDACTED] suffered eight gunshot wounds: five to his back, one through his heart, one through his abdomen, and one in his right forearm.

Evidence Recovered

Investigators recovered a FN Five-Seven semi-automatic pistol under Hall's left arm. When recovered, the pistol contained a 10-cartridge magazine loaded with seven 5.7×28mm 19" cartridges. (Fig. 1)



Fig. 1: Loaded gun recovered from Hall's left hand

Also recovered from the various scenes were two empty 10-cartridge magazines for a FN Five-Seven semi-automatic pistol, 19 expended 5.7x28FNB cartridge casings, and numerous bullet fragments.

Officers located a GMC Yukon linked to Hall. Inside the vehicle they located two boxes containing 5.7x28FNB 19" ammunition. Fig. 2



Fig. 2: Boxes of ammunition recovered from Hall's vehicle

LEGAL ANALYSIS

The Law

California law provides the use of deadly force by a peace officer is not unlawful when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary to “defend against an imminent threat of death or serious bodily injury to the officer or to another person” or “[t]o 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 sections 196 and 835a(c)(1)(A) and (B) and 197).

Under Penal Code section 196 the use of deadly force is reasonable “when facts known to the person would persuade someone of reasonable caution that the other person is going to cause death or great bodily injury to another.” (See CalCrim 507 (2021); *People v. Martin* (1985) 168 Cal.App.3d 1111, 1124.)

In a criminal prosecution of a peace officer for the use of deadly force, the People have the burden of proving beyond a reasonable doubt that the force was unlawful. (1 CalCrim 507 (2021)).

Analysis

Officer Michael Alvarado

Officer Alvarado first confronted Hall shortly after Hall shot [REDACTED]. Officer Alvarado gave Hall an opportunity to surrender by commanding that he stop and get on the ground. Instead of surrendering, Hall brandished a firearm, exchanged gunfire with Officer Alvarado and fled. Based on the totality of these circumstances, Officer Alvarado could reasonably believe that deadly force was necessary to defend against an imminent threat of death or serious bodily injury to himself or to another person, or to apprehend a fleeing person for a felony that resulted in death or serious bodily injury, believing that the person would cause death or serious bodily injury to another unless immediately apprehended. Therefore, based on these facts, Officer Alvarado acted lawfully when he fired his duty weapon.

Officers Garcia, Lewy and Sprague

Officers Garcia, Lewy and Sprague arrived at [REDACTED]'s residence knowing, based on Officer Alvarado's broadcast, that shots had been fired. As they approached, additional shots could be heard coming from behind the homes on North Sunnyslope Avenue. These shots were followed by screaming and the appearance in the driveway of Mr. Hall shielding himself behind an innocent bystander he had taken hostage.

Officer Lewy and other officers repeatedly commanded that Hall surrender. Instead, he engaged Officers Garcia, Lewy, and Sprague in an exchange of gunfire. Hall had shot just [REDACTED], refused to surrender, exchanged gunfire with Officer Alvarado in his attempt to escape capture, and was now using a hostage in an attempt to escape. Under these circumstances, Officers Lewy, Garcia and Sprague could reasonably believe that the use of deadly force was necessary to defend against an imminent threat of death or serious bodily injury to the officers or to another person, or to apprehend a fleeing person for a felony that resulted in death or serious bodily injury, believing that the person would cause death or serious bodily injury to another unless immediately apprehended.

CONCLUSION

The direct and circumstantial evidence here, and the inferences which can be drawn from that evidence, establish that Officers Alvarado, Garcia, Lewy, and Sprague acted lawfully in self-defense of themselves and others.