

**Fatal Officer Involved Shooting of Ryan Twyman
Los Angeles County Sheriff's Department**

Deputy Christopher Muse, #600020

J.S.I.D. File #19-0262



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District Attorney

Justice System Integrity Division

November 27, 2024

MEMORANDUM

TO: Acting Captain Arturo R. Spencer
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Homicide Bureau
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Monterey Park, California 91755

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

SUBJECT: Fatal Officer Involved Shooting of Ryan Twyman
J.S.I.D. File #19-0262
L.A.S.D. File #019-08973-2141-013

DATE: November 27, 2024

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the June 6, 2019, shooting of Ryan Twyman by Los Angeles County Sheriff's Department (LASD) Deputy Christopher Muse. We conclude that there is insufficient evidence to prove beyond a reasonable doubt that Christopher Muse did not act in lawful self-defense.

The District Attorney's Command Center was notified of the shooting on June 6, 2019, at approximately 8:41 p.m. The District Attorney Response Team (DART) responded to the location, and was given a briefing regarding the circumstances surrounding the shooting and a walk-through of the scene.

The following analysis is based on investigative reports, audio recordings, transmission recordings, summaries of interviews, crime scene diagrams and sketches, photographic and video evidence, witness statements, and transcripts submitted by LASD Homicide Detectives Marvin Jaramilla and Marcelo Quintero.

FACTUAL ANALYSIS

On April 11, 2019, two firearms were seized from Twyman's residence after LASD served a search warrant there—he was not home—in connection with a shooting investigation of which Twyman was a suspect.¹ Twyman was prohibited from possessing firearms as a convicted felon. In the ensuing months, LASD made multiple unsuccessful attempts to locate and apprehend Twyman.

¹ There is no evidence that the firearms were used in the shooting incident.

On June 6, 2019, Lyons and Muse were tasked with following up on a tip provided by an Operation Safe Streets (OSS) detective that Twyman might be at the South Bay Villa apartment complex located near 132nd Street and San Pedro Street in Los Angeles. The deputies were provided a physical description of Twyman, along with a description of his vehicle, a Kia sedan, and license plate number. Lyons and Muse proceeded as a two deputy team in one patrol car to the South Bay Villa apartment complex.

When they arrived, Lyons pulled the patrol car into the parking lot. Almost immediately, both deputies observed the white Kia associated with Twyman. Lyons stopped the deputies' patrol car at a roughly 90 degree angle to the Kia, about 20 feet south of its parking stall. Surveillance video footage captures the deputies' arrival and the subsequent encounter. See Figure 1 below.

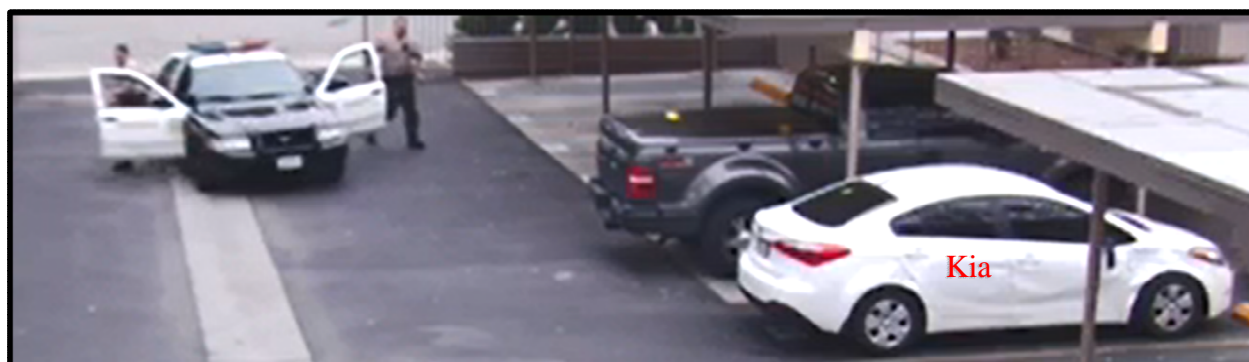


Figure 1: Deputies exit their patrol car and walk toward Kia.

Both deputies drew their service weapons as they approached the Kia. According to Muse's and Lyons' statements to investigators, vision into the sedan was poor because of a heavy window tint, but they could make out movement inside. Lyons yelled three to four times for the occupants to roll down their windows. Lyons saw the driver, later identified as Twyman, look back in his direction after Lyons yelled out the order. Muse recalled giving a similar order and walked to the passenger side. There was no response. Using his left hand, Muse opened the rear passenger door to look inside the Kia. See Figure 2 below.

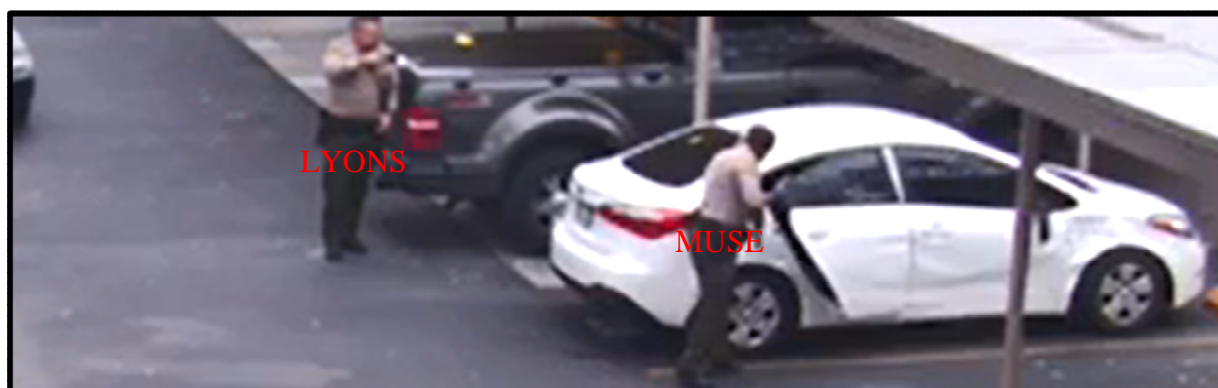


Figure 2: Muse opens rear passenger door.

As Muse looked inside, he stated, he saw male occupants in the front driver and passenger seats. Twyman, in the driver seat, looked back at Muse and turned on the vehicle. The passenger, [REDACTED], also looked back, and then crouched down. Approximately two to three seconds after Muse opened the back door, the Kia's tail lights illuminated. Muse ordered Twyman to turn the vehicle off and ordered [REDACTED] to show his hands.



Figure 3: Kia's tail lights illuminate.

Lyons moved towards and attempted to open the driver door, but it was locked. Rather than comply with Muse's order, Twyman put the car in reverse and depressed the accelerator. As visible in the surveillance video, the reverse lights illuminated about two seconds after the tail lights and the brake lights went off, indicating the car was in gear. The car backed up about one second later. See Figure 4 below.



Figure 4: Reverse lights illuminate and brake lights go off.

The Kia reversed with Muse standing in the open door frame, behind and penned in by the open rear door. He back peddled to avoid being hit or knocked over. Meanwhile, Lyons shuffled between the gray pickup truck and the Kia to avoid being hit or trapped. Lyons stated that he saw Muse caught in the Kia's doorway, struggling to keep his footing while being pushed along.



Figure 5: Muse appears caught in the door as Kia reverses.



Figure 6: Muse leans forward as Kia continues to reverse.



Figure 7: Kia turns and reverses into Muse.

Muse stated that the Kia contacted his leg and sensed his foot drifting under the car's frame. He feared being pushed under the vehicle and run over. Muse pointed his service weapon toward Twyman and fired an estimated three to five rounds. He stated that he believed this was necessary to end the threat of being injured or killed by the reversing Kia.

Positioned in front of the Kia, Lyons yelled "Gun! Gun! Gun!" and fired his service weapon repeatedly at the driver side of the Kia's windshield after seeing muzzle flash inside its cabin and believing, he stated, that Twyman or other occupants were shooting at Muse. During the volley, Muse managed to escape the door frame as the Kia continued its arcing reverse turn.

Having heard Lyons yell "Gun! Gun! Gun!," Muse stated he believed that Lyons had seen a gun and that the passenger was armed. Muse back peddled away from the Kia and fired an additional four to five rounds towards the passenger side window to keep the occupants pinned down while Muse sought cover.

Muse retreated away from the Kia behind the bed of a nearby parked pickup truck. Muse trained his weapon on the Kia as it finally came to a stop, backed in to another parking spot with its nose pointing roughly 45 degrees away from Muse's cover position behind the truck bed. Lyons joined muse shortly after, now armed with a .223 rifle. After a pause of several seconds, Lyons fired seven rifle rounds into the passenger side of the idle Kia. Muse fired no more rounds.

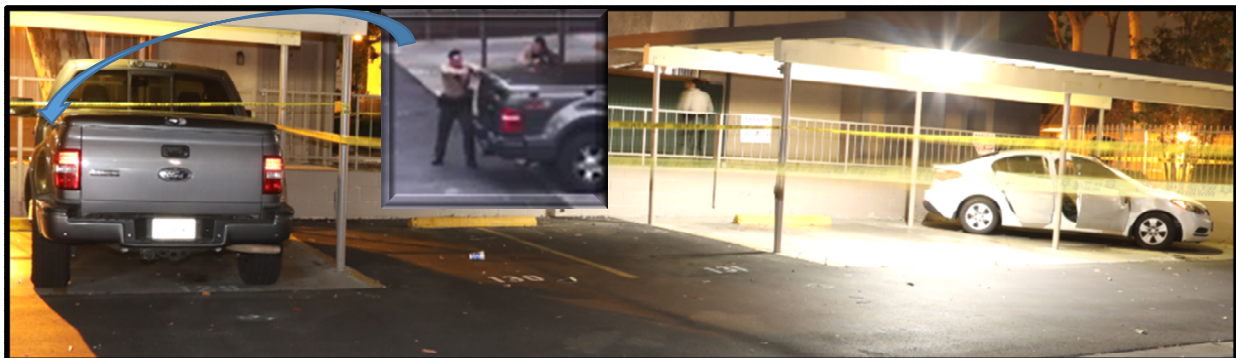


Figure 8: Photo showing distance and angle between deputies' defensive position and location of Kia after coming to a stop.

Lyons commanded [REDACTED] to exit the car. He complied. [REDACTED] was taken into custody. Shortly thereafter, a contact team approached the vehicle under cover of a ballistic shield and discovered Twyman's body in the driver's seat. Once the vehicle was determined to be safe, Los Angeles County Fire Department personnel moved in to render aid. A paramedic pronounced Twyman deceased. No firearms were found inside the Kia and [REDACTED] was unarmed (and uninjured).

LEGAL ANALYSIS

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).

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).

The right to self-defense is the same whether the danger is real or apparent. *People v. Toledo* (1948) 85 Cal.App.2d 577, 580. “An officer is not constitutionally required to wait until he sets eyes upon the weapon before employing deadly force to protect himself against a fleeing suspect who turns and moves as though to draw a gun.” *Thompson v. Hubbard* (2001) 257 F.3d 896, 899. “[A]n officer may reasonably use deadly force when he or she confronts an armed suspect in close proximity whose actions indicate an intent to attack. In these circumstances, the Courts cannot ask an officer to hold fire in order to ascertain whether the suspect will, in fact, injure or murder the officer.” *Martinez v. County of Los Angeles* (1996) 47 Cal.App.4th 334, 345.

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).

ANALYSIS

Twyman was wanted for being a felon in possession of a firearm. He ignored the deputies' commands to surrender, and instead started and reversed his Kia as Muse stood trapped behind its rear passenger door. Given the circumstances known to Muse at the time, including those leading up to the incident, there is insufficient evidence to prove beyond a reasonable doubt that he did not fire his first volley in lawful self-defense.

Regarding Muse's second volley, the Kia continued reversing and turning as both deputies stood in the open without cover. Lyons yelled "Gun! Gun! Gun!", circumstantial evidence that he mistakenly believed the Kia's occupants were firing guns. Given these circumstances, there is likewise insufficient evidence to prove beyond a reasonable doubt that Muse did not fire his second volley in lawful self-defense.

CONCLUSION

There is insufficient evidence to prove beyond a reasonable doubt that Deputy Muse acted unlawfully when he used deadly force against Ryan Twyman and [REDACTED].²

² This office reached a different conclusion regarding Deputy Lyons's actions. He was charged and convicted in case BA503497.