

**Officer Involved Shooting of Dajuan Hassan  
and Demetrius Bates  
Gardena Police Department**

**Officer Ryan Sproles, #101476**

**J.S.I.D. File #17-0240**



**JACKIE LACEY**

**District Attorney**

**Justice System Integrity Division**

**December 17, 2019**

**MEMORANDUM**

TO: CHIEF MICHAEL SAFFELL  
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FROM: JUSTICE SYSTEM INTEGRITY DIVISION  
Los Angeles County District Attorney's Office

SUBJECT: Officer Involved Shooting of Dajuan Hassan and Demetrius Bates  
J.S.I.D. File #17-0240  
L.A.S.D. File #017-00050-3199-055

DATE: December 17, 2019

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the May 15, 2017, non-fatal shooting of Dajuan Hassan and Demetrius Bates by Gardena Police Department (GPD) Officer Ryan Sproles. We have determined that insufficient evidence exists to prove beyond a reasonable doubt that Officer Sproles committed an unlawful assault when he fired his duty weapon.

The District Attorney's Command Center was notified of this shooting on May 15, 2017, at approximately 1:26 p.m. The District Attorney Response Team responded to the scene and was given a briefing and walk-through by Los Angeles County Sheriff's Department (LASD) Lieutenant Rodney Moore.

The following analysis is based on reports and other materials, including recorded interviews of witnesses, 9-1-1 calls, radio communications, body-worn videos, dash camera videos, and photographs submitted to this office by LASD Homicide Bureau. No compelled statement, if one exists, was considered in this analysis

**FACTUAL ANALYSIS**

On May 15, 2017, at approximately 10:55 a.m., a woman arrived at her home on Spinning Avenue in Torrance, located within several blocks of Gardena. She noticed a silver Chevrolet Impala parked on the street in front of her house. As she walked into her house, she saw a man run through her back yard and jump the rear fence. Moments later, she saw the Impala speed

away from the house. The woman entered her house and saw that it had been ransacked. She called the Torrance Police Department (TPD), reported what she had seen, and provided a description of the Impala, including the license plate number. She told the operator that a shotgun had been taken in the burglary.<sup>1</sup>

At approximately 11:00 a.m., GPD Sergeant Brian Messina was on patrol in the City of Gardena and was monitoring TPD radio traffic. He heard the information about the burglary which had occurred on Spinning Avenue and relayed the description of the Impala to GPD officers. TPD dispatchers called GPD via telephone and advised them of the burglary and the fact that a shotgun was taken.

At approximately 11:43 a.m., GPD Detective Michael Nguyen, who was working in an undercover capacity in an unmarked car, observed the Impala, identified by the reported license plate number, in a 7-Eleven parking lot located within one mile of the burglarized residence. Nguyen notified other GPD units of his observations. Sproles responded to the area driving a distinctively marked black and white police car and wearing a distinctively marked police uniform. Sproles did not have a partner officer in his car. Sproles was equipped with a body-worn camera and his car was equipped with a dash camera. Sproles began following the Impala, which was being driven by Dajuan Hassan. Demetrius Bates was seated in the front passenger seat.

At approximately 11:48 a.m., Sproles, who had been joined by two other GPD officers in separate marked police cars, activated his car's lights and siren as he followed the Impala eastbound on Rosecrans Avenue. In response, Hassan initially slowed his car along the curb before abruptly accelerating. The ensuing high speed police chase was recorded by Sproles' body-worn camera and the dash camera of his police car.

Hassan drove at an extremely high rate of speed in an attempt to evade the police. The Impala reached speeds of approximately 100 miles per hour on city streets. Hassan drove into oncoming traffic, and he violated dozens of traffic laws during the pursuit, including running numerous red lights. Sproles maintained his visual observations of the Impala as other GPD officers fell behind in the pursuit. Approximately two minutes into the pursuit, Sproles announced over the radio that the passenger of the Impala tossed an object into the street. He requested one of the following units stop and try to find the item.<sup>2</sup>

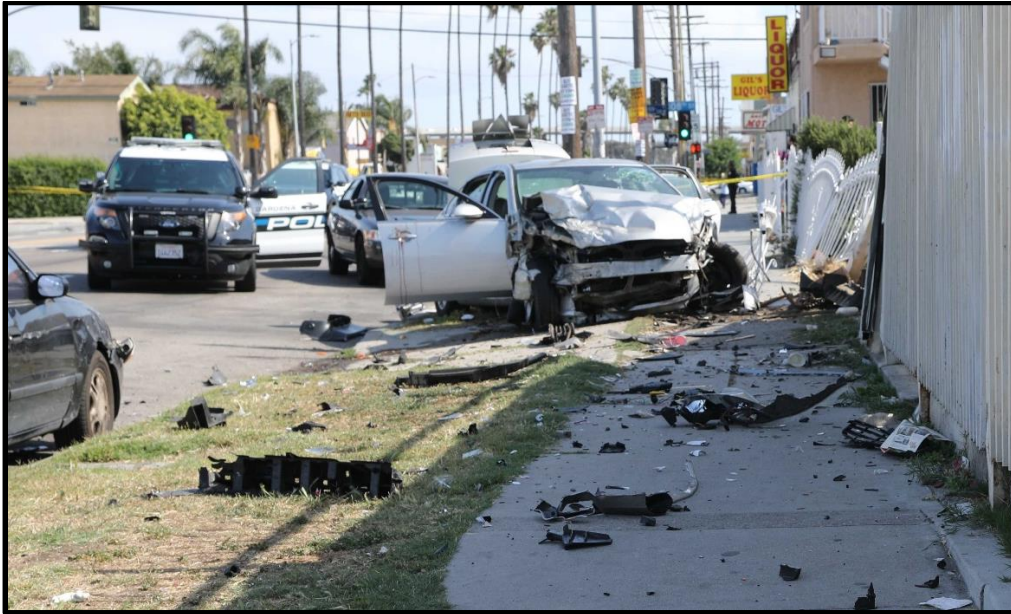
Hassan made a series of eastbound and northbound turns for approximately four and a half miles. Hassan was driving north on Figueroa Street at a high rate of speed when he lost control of his car. Hassan fishtailed the Impala and swerved across lanes of opposing traffic before crashing into parked cars and a metal fence on the west side of Figueroa Street. The Impala was disabled. Sproles radioed information of a "major" traffic collision and requested emergency medical services before stopping his police car behind the Impala. Prior to Sproles stopping his police car, dash camera video shows Hassan's head and upper torso momentarily emerge out of the

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<sup>1</sup> The woman later realized the shotgun was not missing, but this fact was not communicated to TPD until after the officer involved shooting.

<sup>2</sup> Hassan told investigators Bates had thrown a crowbar from the car. Bates claimed he threw an old pair of socks from the car. Despite GPD's efforts, the object was not recovered.

driver's window. Hassan sat back down inside the car, and the dash camera captured unidentifiable movement inside the passenger compartment.



The Impala after the crash.



Sproles' dash camera depicts Hassan partially emerge from the driver's window immediately after the collision.

Sproles exited his car, drew his service weapon, and walked in front of his police car to the passenger side. Sproles did not give any commands to the occupants. In a period of eight seconds, Sproles fired a total of 14 rounds in two volleys. He first fired ten rounds, and then four rounds, at the passenger side of the Impala. After he fired all the rounds in his weapon, Sproles released his empty magazine and reloaded.

Officer Jose Zamudio, driving another police car and also equipped with a body-worn camera, arrived as Sproles was firing his service weapon. He exited his car as Sproles fired the second volley of four rounds. After Sproles reloaded, Zamudio repeatedly shouted, “Let me see your hands!”

Neither Sproles’ body-worn camera, nor Zamudio’s body-worn camera video clearly captured movements, if any, inside the passenger compartment of the Impala prior to the shooting. Hassan and/or Bates can be indistinctly heard on the body-worn videos screaming during and immediately after the shooting ceased. Several minutes after the shooting, Sproles’ body-worn camera recorded another GPD officer ask Sproles about the location of the object Sproles saw discarded from the Impala during the pursuit. Sproles gave him the location and stated, “It might have been a rifle, I don’t know.” Sproles also stated, “They might have thrown the shotgun out during the pursuit, but I don’t know. I don’t know what it was.” GPD officers arrested Hassan and Bates. LASD investigators searched the Impala, and did not recover any weapons or identifiable stolen property from the Torrance burglary.

Bates’ femur was broken as a result of the collision, and his right forearm suffered a large soft tissue laceration. Medical records confirmed that Bates was not struck by Sproles’ gunfire. Hassan suffered no serious injuries from the collision, nor was he struck by gunfire. Sproles declined to provide a voluntary statement in this matter to LASD investigators.



Sproles fires the first volley of 10 rounds.





Sproles fires the first shot of the second volley of four rounds.

### **Statement of Jose Zamudio**

Officer Jose Zamudio told investigators that Sproles was “in the process” of shooting when he arrived. Zamudio stated that he did not observe what the occupants of the Impala were doing when Sproles was shooting because he was focused on and looking at Sproles.



Zamudio's body-worn camera depicts Sproles shooting when Zamudio exited his vehicle.



Zamudio's body-worn camera depicting his gun in the foreground as Sproles is shooting.

### **Statement of Dajuan Hassan**

Hassan stated to investigators that he evaded GPD officers because he felt disrespected by them. He stated he was driving at approximately 100 miles per hour when he crashed the Impala. Bates was screaming that his arm and leg were broken, and then there was suddenly a "bunch of bullets" being fired. Hassan stated that he and Bates were not moving or reaching before the shooting, and that the police commands came after the shooting. Hassan also stated that Bates' left arm was just "hanging like it was gonna fall off."

### **Statement of Demetrius Bates**

Investigators interviewed Bates at the hospital. Bates stated that his arm was injured as a result of the collision and was "wrapped around [his] head" when the car came to a stop. He looked over to the right and saw the officer pointing a gun in his direction: "I didn't think he was going to shoot us, but I saw him point the gun and [thought] that was just standard protocol or whatever. Then he started shooting...He didn't yell nothing." Bates was trying to get down for cover during the shooting, but could not move much because of his broken leg.

### **LEGAL ANALYSIS**

California law permits any person to use deadly force in self-defense or in the defense of others if he actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. CALCRIM No. 3470. In protecting himself or another, a person may use that amount of force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent imminent injury. *Id.* If the person's beliefs were reasonable, the danger does not need to have actually existed. *Id.* The prosecution has the burden of proving beyond a reasonable doubt that the person did not act in self-defense. *Id.*

In California, the evaluation of the reasonableness of a police officer's use of deadly force employs a reasonable person acting as a police officer standard, which enables the jury to evaluate the conduct of a reasonable person functioning as a police officer in a stressful situation. *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1146.

In evaluating whether a police officer's use of deadly force was reasonable in a specific situation, it is helpful to draw guidance from the objective standard of reasonableness adopted in civil actions alleging Fourth Amendment violations. "The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight... The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation." *Graham v. Connor* (1989) 490 U.S. 386, 396-397.

In the analysis of whether a police officer "acted without legal necessity" and committed an assault under color of authority,<sup>3</sup> the appellate court in *People v. Perry* (2019) 36 Cal.App.5th 444, 461, concluded that, "the People must prove that he used more force than was necessary under the circumstances." "The reasonableness test evaluates the totality of the relevant circumstances" as outlined in *Graham. Id.* at p. 466. In the alternative, to prove that a person committed an assault with a firearm, the People must prove that he did not act in self-defense. CALCRIM No. 876. If two or more reasonable conclusions can be drawn from the circumstantial evidence, and one of those reasonable conclusions points to innocence and another to guilt, the fact-finder must accept the one that points to innocence. CALCRIM No. 224.

When Hassan crashed and disabled the Impala, Hassan and Bates posed no actual danger because they were not armed with any guns or weapons. However, the crux of the self-defense analysis is whether an apparent threat – one that Sproles actually and reasonably believed – existed at the time Sproles fired his service weapon.

Prior to his pursuit of the Impala, Sproles was given specific information that the occupants in the same Impala driven by Hassan were involved in a residential burglary and were armed with a stolen shotgun. Sproles body-worn camera recorded his statements to another officer after the shooting, where Sproles stated his belief that the occupants were armed with a "rifle" or "shotgun." Sproles attempted to conduct a traffic stop of the Impala, but Hassan failed to stop and attempted to avoid apprehension by driving in an extremely reckless manner endangering the lives of numerous persons. After the collision, Hassan's upper body momentarily emerged outside the driver's window, and then there was some movement inside the passenger compartment. Bates' right arm was positioned behind him and "wrapped around his head." Bates looked in Sproles' direction. It was at this point that Sproles fired his service weapon.

To prove Sproles committed an unlawful assault by firing his service weapon, the People must prove beyond a reasonable doubt that Sproles did not act in response to an apparent deadly threat. Sproles declined to provide a statement in this matter. Thus, the analysis relies on the totality of the circumstantial evidence. If one reasonable conclusion based on the circumstantial

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<sup>3</sup> Penal Code section 149.



evidence supports the assertion that an apparent deadly threat existed at the time Sproles fired his weapon, then insufficient evidence exists to prove beyond a reasonable doubt that Sproles did not act in self-defense.

The evidence shows Sproles believed that the occupants of the Impala were armed with a stolen shotgun and had already committed a residential burglary, a serious felony. Sproles' belief that they were armed and dangerous was supported by Hassan's extremely reckless driving to avoid police apprehension. Prior to the shooting, Hassan emerged momentarily from the driver's window. Sproles exited his patrol car and took a position offset to the passenger side of the Impala. Bates looked in Sproles' direction as Bates' arm was "wrapped around his head." These movements may have caused Sproles to reasonably believe that Hassan and Bates were acquiring his location in order to assault him with the shotgun and continue their efforts to elude apprehension. Since one reasonable interpretation of the evidence leads to the conclusion that Sproles acted in response to an apparent danger, insufficient evidence exists to prove beyond a reasonable doubt that Sproles did not act in self-defense.

## **CONCLUSION**

We do not conclude that Officer Ryan Sproles acted in lawful self-defense when he used deadly force. However, insufficient evidence exists to prove beyond a reasonable doubt that Sproles committed an unlawful assault when he fired his duty weapon. We are closing our file and will take no further action in this matter.