

In Custody Death of Juan Correa
Los Angeles County Sheriff's Department

**Deputy Jonathan Lares, #629206, Deputy Alexandra Trull, #613750,
Deputy Che Parker, #602270**

J.S.I.D. File #17-0467



JACKIE LACEY

District Attorney

Justice System Integrity Division

July 11, 2019

MEMORANDUM

TO: CAPTAIN KENT WEGENER
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: In-Custody Death of Juan Correa
J.S.I.D. File #17-0467
L.A.S.D. File #017-02140-5100-144

DATE: July 11, 2019

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the September 26, 2017, in-custody death of Juan Correa involving Los Angeles County Sheriff's Department (LASD) Deputies Jonathan Lares, Alexandra Trull, and Che Parker. It is our conclusion that the deputies used reasonable force under the circumstances and are not criminally responsible for Correa's death.

The District Attorney's Command Center was notified of this in-custody death on September 26, 2017, at approximately 5:22 p.m. The District Attorney Response Team did respond to the location.

The following analysis is based on reports, recorded interview transcripts, photographs, and surveillance videos submitted to this office by the LASD Homicide Bureau, Detective Division.

FACTUAL ANALYSIS

On September 26, 2017, Jonathan Lares, Alexandra Trull, and Che Parker were all working as deputy sheriffs at Men's Central Jail (MCJ) located at 441 Bauchet Street, in the City of Los Angeles. Lares was assigned to patrol the 4700 module cells, Trull was assigned to patrol the 4000 module cells, and Parker was assigned to Inmate Services Bureau located in the 4700 A row.

Juan Correa and Demetris C. were both inmates of MCJ housed in the same cell located in 4700 C-Row.

At approximately 4:10 p.m., Lares conducted an inmate welfare check at the 4700 C-Row at MCJ. He encountered Correa located in cell-13.¹ As Lares walked by cell-13, Correa

¹ Lares' duties included providing security and welfare assistance to inmates.

stated, “I’m not feeling right. I need to get out of here.” Lares inquired what was wrong, to which Correa responded, “Get me out of here.” Lares informed Correa that Lares would get Correa out after Lares finished welfare checks on the other inmates.

At this point, Correa started shaking the bars to his cell and exclaimed, “Get me out of here!” Lares told Correa to turn around so Lares could handcuff him and remove him from the cell immediately.² When Lares went to handcuff Correa, Demetris C. stated, “You better shut the fuck up before I fuck you up.” In response, Correa pulled away from Lares and both inmates proceeded to physically fight one another.

Lares immediately radioed for backup and gave multiple commands for both inmates to stop fighting. Both inmates ignored Lares’ commands and continued fighting. Trull and Parker arrived and observed the fighting. Demetris C. started landing punches to Correa’s head. Lares was concerned that Demetris C. would severely injure Correa, and in response Lares deployed O.C. spray in an attempt to gain compliance from both inmates.³



Figure 1: At 2:14 p.m., Deputy Lares deployed his O.C. spray the first time.

The O.C. spray appeared to have no effect on Correa and Demetris C., and they continued to fight. Lares again ordered both inmates to stop fighting, and they continued to ignore his commands. Sergeant Trang Dinh arrived at the scene and also ordered the inmates to stop fighting. Again, the inmates ignored this command. Dinh told the

² Lares wanted to remove Correa immediately due to his abnormal behavior.

³ Lares first deployed his O.C. spray at 2:14 p.m.

deputies to spray the inmates in an attempt to stop them from fighting. Trull, Lares and Parker sprayed the inmates.⁴



Figure 2: At 2:14 p.m. deputies deployed O.C. spray a second time.

After this spray, both inmates stopped fighting. Demetris C. got on top of his bunk bed and Correa allowed deputies to handcuff him. At approximately 2:16 p.m., Deputy Robert Orta escorted Correa from the cell.



Figure 3: At 2:16 p.m., Deputy Orta escorted Correa from his cell.

⁴ Lares, Trull and Parker's statements regarding the sprays differ slightly. Lares acknowledged that he sprayed the inmates twice. Lares also stated that only Lares and Trull sprayed them the second time. Trull recalled spraying the inmates once, however, she did not recall observing any other deputies spray. Parker stated that he sprayed the inmates first, followed by Trull spraying them a second time. Regardless, surveillance footage and witness statements are consistent inasmuch as all evidence shows the inmates were sprayed on two occasions, before they stopped fighting.

At 2:17 p.m., Orta walked Correa to the 4000 hallway and sat him down to wait for medical personnel to arrive and treat Correa.



Figure 4: At 2:17 p.m., Correa took a seat in the hallway.

At 2:26 p.m., Correa slid off of the bench and laid down on the floor.

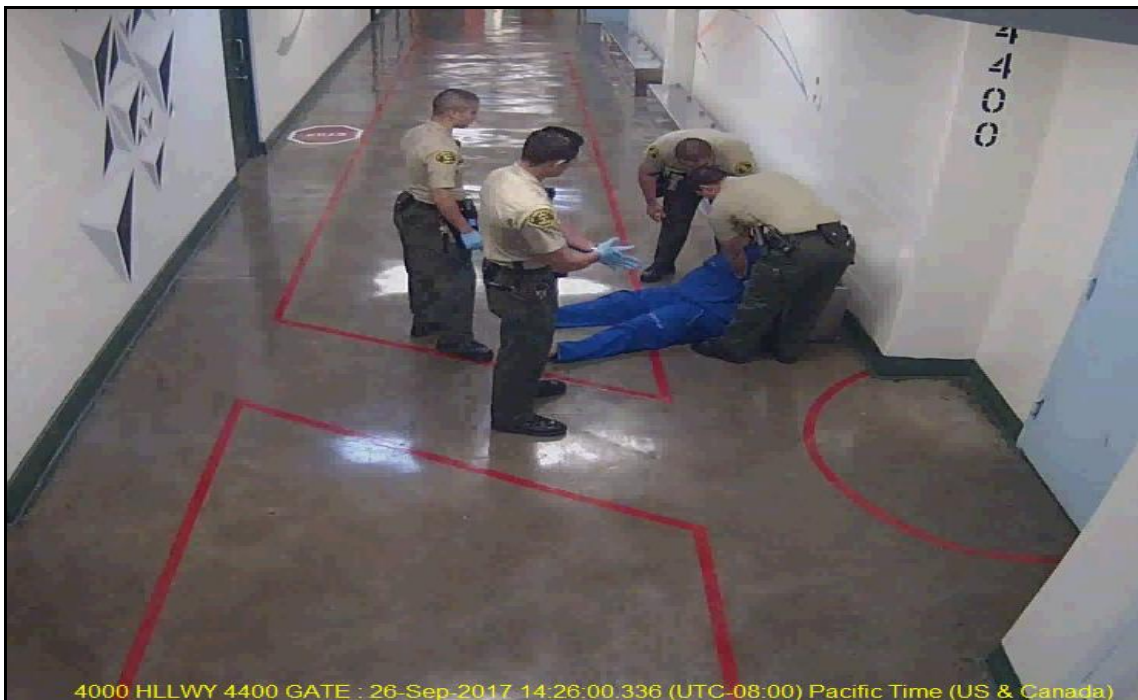


Figure 5: At 2:26 p.m., Correa slid off the bench and laid on the floor.

At 2:28 p.m., nurses arrived, placed Correa on a gurney, and advised deputies to escort Correa to the showers to decontaminate him prior to taking Correa to the nurse's clinic for treatment.



Figure 6: At 2:28 p.m., medical personnel directed deputies to place Correa in a wheelchair and escort him to the showers for decontamination.

At 2:29 p.m., Correa sat up from the gurney, walked up the stairs, and into the shower under his own power.



Figure 7: At 2:29 pm., Correa walked under his own power.



Figure 8: At 2:29 p.m., Correa walked into the showers under his own power.

Once in the shower, Correa walked around the shower for approximately ten minutes. At 2:37 p.m., Correa laid down in the shower.

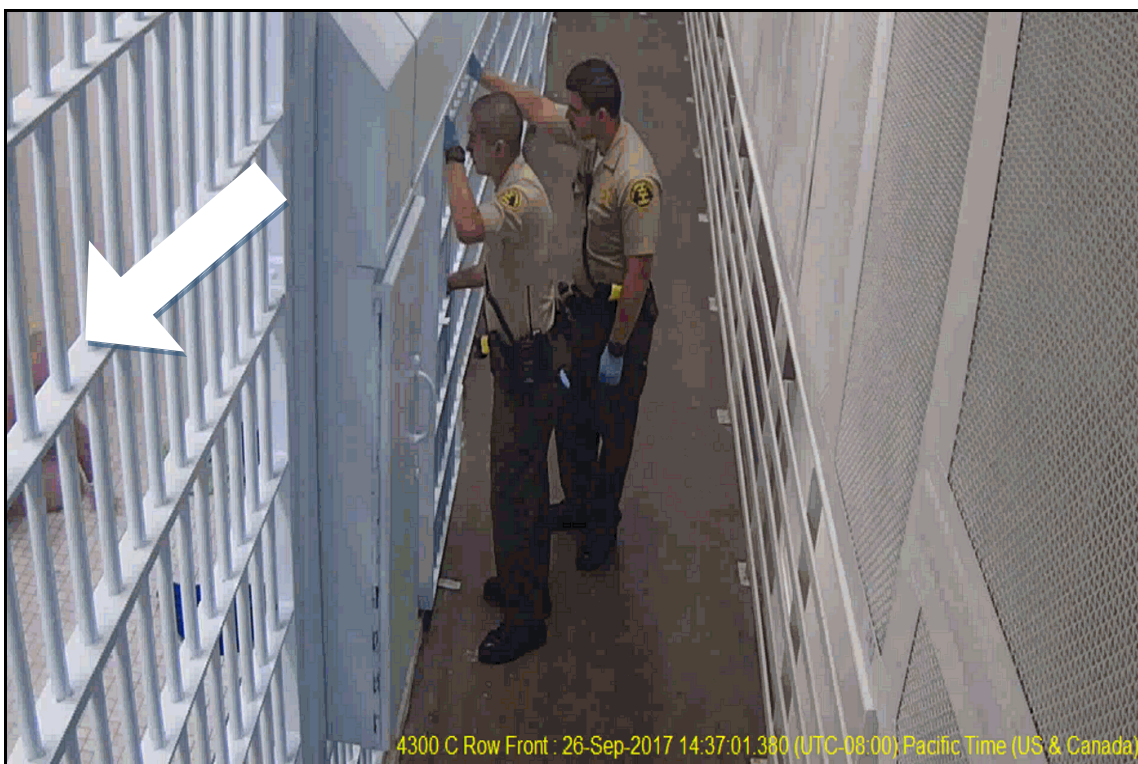


Figure 9: At 2:37 p.m., deputies observe and surveillance camera captures Correa lie down in the shower.

When Correa laid down, deputies advised him to stand so they could cuff him. Correa did not respond and deputies entered the shower to assess his condition. Deputies determined Correa was unconscious and had no pulse. The deputies began administering CPR and requested medical assistance. At approximately 3:10 p.m., Los Angeles City Fire Department paramedics arrived and administered medical treatment. At 3:15 p.m., the paramedics pronounced Correa dead.

On September 28, 2017, Deputy Medical Examiner Odey C. Ukpo performed a postmortem examination of Correa's remains. Dr. Ukpo observed non-lethal blunt trauma of the face, right arm, chest, and back.⁵ Correa's toxicology revealed the presence of a metabolite for marijuana. Most notably, Correa suffered from dilated cardiomyopathy.⁶ The manner of death was classified as natural.

On April 12, 2019, Dr. Ukpo was telephonically interviewed regarding his opinion about Correa's cause of death. Dr. Ukpo opined the O.C. spray did not cause Correa's death for two distinct reasons. First, Dr. Ukpo reasoned there was no known mechanism in O.C. spray that could cause death in people. In his experience, he has never seen this.⁷ Second, there was no temporal association between the exposure of O.C. spray and Correa's death. Dr. Ukpo stated that if the O.C. spray was the cause of Correa's death, Correa would have died immediately after the spray, and the 20-minute gap in time proves otherwise.

Dr. Ukpo further clarified that dilated cardiomyopathy is a dangerous condition where the subject develops an enlarged heart. A common cause of dilated cardiomyopathy is obesity. Dr. Ukpo noted that Correa was 68 inches tall, weighed 251 pounds, and had a Body Mass Index (BMI) of 38.2. Correa was borderline obese, which likely caused his dilated cardiomyopathy. Dr. Ukpo explained that an individual suffering from such a condition is at high risk for developing an arrhythmia, a lethal heart rhythm, any time that individual's heart rate becomes elevated. Dr. Ukpo explained that Correa's behavior before the spray, becoming upset and fist fighting, put Correa at great danger due to his enlarged heart. Dr. Ukpo stated that it would be just as likely for Correa to die in the same fashion if his heart rate had become elevated due to an innocuous activity, such as gardening. For those reasons, Dr. Ukpo opined the O.C. spray did not cause the death of Correa and that the manner of death was natural.

LEGAL ANALYSIS

A public officer in a custodial setting may use force to detain a person, prevent escape or overcome resistance. In deciding the reasonableness of a particular use of force, the legitimate interests stemming from the need to manage the facility in which the inmate is detained must be considered, as must the need to restore and maintain discipline. Factors to be considered include: the relationship between the need for the use of force and the

⁵ Trauma was consistent with injuries likely sustained from the fist fight with Demetris C..

⁶ Dilated Cardiomyopathy is a condition in which the heart becomes enlarged and cannot pump blood effectively.

⁷ Ukpo has performed over 1000 autopsies.

amount of force used; the extent of the inmate's injury (if any); any effort made by the officer to temper or limit the amount of force used; the severity of the security problem at issue; the threat reasonably perceived by the officer; whether the inmate was actively resisting; and whether or not the inmate committed a crime prior to or during the use of force. *Kingsley v. Hendrickson* (2015) 135 S.Ct 2466, 2473-74, *Turner v. Safley* (1987) 482 U.S. 78, 84-85.

A legal duty to render aid is imposed when a special relationship exists between the decedent and the defendant. *People v. Oliver* (1989) 210 Cal.App.3d 138, *People v. Montecino* (1944) 66 Cal.App.2d 85. Such a special relationship exists, and a duty is imposed, when a jailer takes custody of a suspect. *Girardo v. California Department of Corrections and Rehabilitation* (2008) 168 Cal.App.4th 231. This duty is codified in Government Code section 845.6.

Moreover, an on-duty deputy does not lose the right to defend another while on duty in a jail facility. A deputy is lawfully allowed to use force to defend another if:

- 1) The deputy reasonably believed that someone else was in imminent danger of suffering bodily injury; and
- 2) The deputy reasonably believed that the immediate use of force was necessary to defend against that danger.

CALCRIM No. 3470

The evidence examined in this investigation shows the deputies used only the force necessary to stop Correa and Demetris C. from fighting. The inmates' actions put both of them in danger of seriously hurting each other. At the time Lares deployed his first burst of O.C. spray, Demetris C. was striking Correa in the head. Out of concern for Correa's safety, Lares deployed the spray to stop Demetris C.' assault. Lares' decision was reasonable under these circumstances. The physical force used in this case was carried out for the narrow purpose of getting compliance from both inmates. Each of the sprays were proceeded with numerous verbal commands, which both inmates ignored. It was not until the second spray that both inmates stopped fighting and complied with deputies' commands. The application of pepper spray was reasonable under the circumstances.

Furthermore, the People cannot prove that the deputies' actions caused Correa's death. Correa's death was caused by a heart arrhythmia, which was a direct result of Correa suffering from a dilated cardiomyopathy. Since Correa's death was not caused by the O.C. spray utilized on him, we cannot prove beyond a reasonable doubt that the deputies are responsible for his death.

CONCLUSION

Based upon the foregoing analysis, we find Deputies Lares, Trull, and Che acted lawfully and are not criminally responsible for Correa's death. We further find that their actions

did not cause Correa's death. We are closing our file and will take no further action in this matter.