

Officer Involved Shooting of Keybeen Razana

South Gate Police Department

Sergeant Samuel Brown #10096

Officer James Hugar #10050

J.S.I.D. File #18-0001



JACKIE LACEY

District Attorney

Justice System Integrity Division

February 20, 2020

MEMORANDUM

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

SUBJECT: Officer Involved Shooting of Keybeen Razana
J.S.I.D. File #18-0001
S.G.PD. File # 17-15140
L.A.S.D. File #017-00134-3199-013

DATE: February 20, 2020

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the December 28, 2017, fatal shooting of Keybeen Razana by South Gate Police Department (SGPD) Sergeant Samuel Brown and Officer James Hugar. We have concluded that Sergeant Brown and Officer Hugar acted in lawful self-defense and defense of others at the time each fired his weapon.

The District Attorney's Command Center was notified of this shooting on December 28, 2017, at approximately 5:51 p.m. The District Attorney Response Team responded to the location. They were given a briefing and walk-through of the scene by Los Angeles County Sheriff's Department (LASD) Lieutenant Rodney Moore.

The following analysis is based on reports, recorded interviews, DVD recordings, and photographs submitted to this office by the LASD Homicide Bureau. No compelled statements were considered in this analysis.

FACTUAL ANALYSIS

Pursuit

On December 28, 2017, at approximately 4:10 p.m., SGPD Officer Brian Padilla was in uniform and on patrol in a marked black and white police vehicle in the area of Tweedy Boulevard and Otis Street. He saw a gold Lexus ES330 traveling eastbound on Tweedy Boulevard with dealer

plates in violation of VC 5200(a). Officer Padilla pulled in behind the Lexus and turned on his forward facing red light and sirens in an effort to conduct a traffic stop. He noticed that the driver of the Lexus, later identified as Peter T [REDACTED], looked at Padilla in his rear-view mirror. The passenger, later identified as Keybeen Razana, looked at him using the passenger side mirror.

T [REDACTED] failed to yield to Padilla and continued eastbound on Tweedy Boulevard for two blocks. He turned right, proceeding southbound on Alexander Avenue, and then turned right to travel westbound in an alley which led through a parking lot. T [REDACTED] turned right onto Bowman Avenue before finally stopping when he reached Tweedy Boulevard after driving in a circle. During this drive, Padilla noted there were empty spaces on the street where T [REDACTED] could have pulled over. Throughout the short pursuit, T [REDACTED] drove between 25-30 m.p.h. Padilla activated his sirens multiple times during the pursuit and saw that both T [REDACTED] and Razana looked back at him. Padilla believed they were looking for avenues of escape because of the way they looked at their surroundings during the pursuit.

When T [REDACTED] stopped the car, Razana exited the vehicle and walked eastbound on Tweedy Boulevard, where Padilla lost sight of him. Padilla broadcast a description of Razana and waited until additional officers arrived to assist him in ordering T [REDACTED] from the car. Additional officers arrived at the scene and took T [REDACTED] into custody without incident.



Figure 1 Area of the Officer Involved Shooting Showing Location Relative to the Initial Stop.

The Shooting

Sergeant Samuel Brown and Officer James Hugar were at South Gate Station when Padilla called for assistance. They were both in full uniform and drove to the scene in a marked black and white police vehicle to assist Padilla. When they arrived at the intersection of Tweedy Boulevard and Bowman Avenue, they found there were sufficient resources addressing Torres, so they turned their attention to locating Razana. In an alley north of the intersection of Alexander Avenue and Tweedy Boulevard, a citizen flagged down Brown and Hugar. He told them Razana fled to a nearby apartment building on Alexander Avenue, approximately half a block north of where they were speaking.

Brown and Hugar drove to the apartment building to investigate. They exited their vehicle, and as they were searching around the building, they heard a dog barking. The noise came from the back yard of a home a few lots away from their location and on the next street west. The officers drove around the block and their search led them to a single story, single family residence on Bowman Avenue. Brown looked for Razana in the back yard of the residence while Hugar waited on Bowman Avenue in case Razana fled in that direction. Suddenly, Brown saw the door of a storage shed move. Believing someone might be hiding in the shed, he called Hugar to the back yard. Hugar and Brown decided that Hugar would open the door while Brown stood where he could see into it when it opened. When Hugar pulled on the door, he felt resistance, as if someone were holding it closed from inside. He then heard rustling from inside.



Figure 2 Shed Behind the Location Where Razana Hid, Aerial View



Figure 3 The Shed Where Razana Hid, Street View

Brown alerted other officers via radio that they may have located Razana. Hugar announced, “Police department! We know you’re in there. Come out with your hands up!” A voice from inside the shed yelled, “Hold on,” several times. Eventually, Hugar pulled the door again and felt no resistance. As the door swung open, Hugar repeated, “Come out with your hands up.” Brown saw Razana standing inside pointing a silver semiautomatic firearm directly at him. Brown feared for his life. He shouted “Gun!” and fired four to five rounds at Razana. Brown paused for a moment and Razana pointed the firearm at Hugar. Both Brown and Hugar feared Razana would shoot and kill Hugar, so they both fired at him simultaneously. Brown said he fired an additional four to five rounds while Hugar fired his duty weapon three times.

The officers stopped firing when Razana dropped his pistol. Razana fell back but remained standing, propped up by the contents of the shed behind him. Once Razana dropped his gun, the

officers felt the threat to their lives had ended. Brown radioed for the fire department personnel to respond to render medical aid to Razana. Within moments, two more officers arrived and pulled Razana from the shed. They handcuffed him and began to provide medical assistance.

Los Angeles Fire Department paramedics arrived. They treated Razana at the scene and then transported him to Saint Francis Medical Center in Lynwood, where he was pronounced dead by Doctor Singleton at 5:06 p.m.

Crime Scene Investigation

Following the incident, investigators located a silver .380 caliber semiautomatic pistol on the ground outside the door of the shed. The magazine was loaded with five cartridges, the safety was switched off and there was a round in the chamber.

Hugar was armed with a 10mm service weapon and Brown was armed with a .45 caliber firearm. Crime scene investigators recovered nine .45 caliber spent cartridge cases and three 10mm spent cartridge cases on the ground outside the shed, consistent with Hugar firing three times and Brown firing a total of nine times.



Figure 4 The Firearm Razana Pointed at Brown and Hugar



Figure 5 Spread of Casings Outside the Door of the Shed

An inventory search of the Lexus revealed its California issued license plates inside the driver's door pocket and yet another set of dealer plates were located in the pocket of the passenger side door. The Lexus belonged to T [REDACTED]' father, Pedro M [REDACTED], who lent the car to T [REDACTED] that day so he could spend time with his children, who live with their mother in South Gate. When T [REDACTED] father last saw the car, the California plates were properly affixed.

Autopsy

On January 2, 2018, Deputy Medical Examiner Doctor Matthew J. Miller performed an autopsy on Keybeen Razana. Dr. Miller determined the cause of death was gunshot wounds. Razana suffered seven gunshot wounds, two of which were potentially rapidly fatal. The first of the two fatal projectiles penetrated the right side of Razana's chest. The path of the projectile through

the body was front to back, right to left and downward. The second projectile entered the left side of the chest and traveled front to back.

A forensic analysis of Razana's blood found the presence of methamphetamine and cannabinoids.

THE LAW

In evaluating whether a police officer's use of force was reasonable, 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 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 protecting himself or another, a person may use all the 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 the injury which appears to be imminent. CALCRIM No. 3470. If the person's beliefs were reasonable, the danger the person perceived need not to have actually existed. *Id.*

According to the law in California, a person acted in lawful self-defense or defense of another if (1) he reasonably believed that he or someone else was in imminent danger of being killed or suffering great bodily injury; (2) he reasonably believed that the immediate use of deadly force was necessary to defend against that danger; and (3) he used no more force than was reasonably necessary to defend against that danger. CALCRIM No. 505. The People have the burden of proving beyond a reasonable doubt that a person did not act in lawful self-defense or defense of another. If the People fail to meet this burden, a jury must find the defendant not guilty. CALCRIM No. 3470.

LEGAL ANALYSIS

The evidence examined shows that prior to the shooting, Razana failed to yield to the officers and then ran from them on foot. Razana ultimately hid in a shed in the back yard of a residence while armed with a loaded handgun. Hugar and Brown located Razana hiding in the shed. When the officers opened the door, Razana pointed his handgun at Brown. In fear of his life, Brown fired at him reasonably believing that Razana presented a deadly threat to him. When Brown stopped firing, Razana did not drop the gun, but instead pointed it at Hugar. At that point, Hugar had a reasonable belief that he was in imminent mortal danger. Additionally, Brown had a reasonable belief that Hugar was in imminent danger of death at Razana's hands. In reasonable fear for Hugar's life, both officers discharged their duty weapons at Razana.

CONCLUSION

We find that Sergeant Brown and Officer Hugar acted lawfully in self-defense and in defense of others when they used deadly force against Keybeen Razana. We are closing our file and will take no further action in this matter.