

**Officer Involved Shooting of Sarah Stanley  
Signal Hill Police Department**

**Officer Justin Murr, #40203**

**J.S.I.D. File #14-0657**



**JACKIE LACEY**

**District Attorney**

**Justice System Integrity Division**

**May 24, 2016**

## MEMORANDUM

TO: CHIEF MICHAEL LANGSTON  
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CAPTAIN STEVEN KATZ  
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FROM: JUSTICE SYSTEM INTEGRITY DIVISION  
Los Angeles County District Attorney's Office

RE: Officer Involved Shooting of Sarah Stanley  
J.S.I.D. File #14-0657  
L.A.S.D. File #014-00077-3199-055

DATE: May 24, 2016

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the October 21, 2014, non-fatal shooting of Sarah Stanley by Signal Hill Police Department (SHPD) Officer Justin Murr. It is our conclusion that Officer Murr acted in lawful self-defense when he fired his weapon.

The District Attorney's Command Center was notified of this shooting on October 21, 2014, at approximately 9:30 a.m. The District Attorney Response Team responded and was given a briefing and walk-through of the scene by LASD Lieutenant Holly Francisco.

The following analysis is based upon reports prepared by the LASD, submitted to this office by LASD Homicide Detectives Frederick Reynolds and Steve Blagg. No compelled statements were considered in this analysis.

### **FACTUAL ANALYSIS:**

On October 21, 2014, at approximately 8:10 a.m., SHPD Officer Justin Murr was working alone on patrol in the area of Pacific Coast Highway (PCH) and Temple Street when he heard a call over the radio from the Long Beach Police Department (LBPB) regarding a "417" by a 40 year old female wearing a black top and blue jeans with her blond hair in a ponytail.<sup>1</sup> The call

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<sup>1</sup> "417" refers to a violation of Penal Code section 417, brandishing a firearm. SHPD shares a radio frequency with LBPB.

indicated that the female was holding a cardboard sign and what appeared to be a small black handgun on the corner of PCH and Cherry Avenue.

Murr drove to the location but did not see anyone on the corner. Murr proceeded west on PCH and immediately turned northbound on 19<sup>th</sup> Street, which is a narrow alley. As Murr approached the end of the alley, he observed Sarah Stanley, who matched the description of the female in the radio call, attempting to scale a blue metal spiked gate.<sup>2</sup> Murr saw Stanley climb over the gate and enter the courtyard of the Liberty Motel.

The Liberty Motel consists of two distinct areas: a two story multi-unit apartment building at the front of the property and a group of three individual cottages at the rear of the property. A courtyard with a small swimming pool is located in the middle of the property. The motel's front entrance is on Cherry Avenue, which borders the property on the east. The north/south 19<sup>th</sup> Street alley borders the rear of the property on the west. There is an alcove area in the northwest corner of the courtyard for trash and storage. The alcove is delineated by an eight foot tall maroon wooden fence to the east and the blue metal spiked gate to the west that borders the alley. On October 21, 2014, the alcove contained old mattresses and two old couches.

#### Statement of Tony Knox:

Tony Knox is the manager of the Liberty Motel. On October 21, 2014, he was standing in the courtyard of the hotel near the pool when he saw Stanley walk through the courtyard "talking to herself, mumbling, non-sense stuff."<sup>3</sup> She was carrying a cardboard box in her left hand and a pistol in her right hand. He initially believed it was a real pistol but realized it was a replica when the pistol fell into the pool and it floated in the water. Stanley retrieved the pistol from the pool and walked towards the alcove at the back of the property behind the wooden fence. Knox was concerned about Stanley's incoherent behavior and walked to the end of the courtyard to watch what she did next. He saw her climb on the pile of mattresses that were stacked approximately four feet high, laying against the blue metal gate, and attempt to get over the gate into the alley.

Knox heard someone say, "Police!" and "Get down!" Knox saw Officer Murr in his SHPD uniform on the alley side of the blue metal gate. Stanley held her pistol as she moved away from Murr and walked backwards towards the overturned couch near the wooden fence. Murr's duty weapon was drawn and pointed at Stanley. Murr ordered Stanley to drop the gun three times but she did not comply. Stanley continued to walk back towards the wooden fence, further away from Murr, and Knox lost sight of her.

Suddenly, Knox heard Murr fire one round, pause, and then fire two more rounds. After the third round, additional officers entered the location from the Cherry Avenue entrance. Knox

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<sup>2</sup> The gate was approximately eight feet tall and allows access from the alley to the Liberty Motel, located at 1875 Cherry Avenue in the City of Long Beach. The gate was locked at the time of the shooting.

<sup>3</sup> Knox had known Stanley for the past year as she frequented the hotel. She had visited him the night before at approximately 10:30 p.m. He believed she was injecting drugs in his bathroom so he asked her to leave.

heard Stanley moaning but he did not see her again until the paramedics removed her from the location.<sup>4</sup>

#### Tua Tuitau:

Tua Tuitau lived in one of the cottages at the Liberty Motel. On the morning of October 21, 2014, Stanley walked into his cottage.<sup>5</sup> He asked her what she was doing and she said she needed a garbage bag. She walked outside and began pacing back and forth near the swimming pool. She told Tuitau that there was a “hit” on her and she had to leave. It appeared to Tuitau that Stanley was high “on something” because she was acting strange and “she was like, gone.” Stanley was carrying a handgun and “swinging it around.” Tuitau believed it was a real handgun because of its all-black appearance. He told Stanley to put the handgun away. Stanley walked out of his cottage towards the wooden fence and out of view. Tuitau walked out of his cottage and spoke briefly to Knox, who was also outside in the courtyard. Tuitau was walking back towards his cottage when he heard gunshots. He did not see Stanley get shot. He heard police officers arrive and eventually observed Stanley lying down on the ground. He did not hear anyone say anything before he heard the shots fired.

#### Officer Murr’s Statement:

Officer Murr stated that after he saw Stanley climb over the blue metal gate and out of view, he parked his patrol car in the 19<sup>th</sup> Street alley and exited his vehicle.<sup>6</sup> He did not give Stanley any orders at that time because he did not see anything in her hands as she made her way over the gate. He walked to the blue metal gate and stood on a metal railing just left of the gate to prop himself up high enough to see over the gate inside the courtyard.

As soon as he looked over the gate, he saw Stanley pop up from behind an old overturned couch holding a small semi-automatic pistol in her right hand. She was approximately 20 to 30 feet away from him. Murr ordered Stanley to drop the handgun twice. Murr said, “She was muttering something, I couldn’t understand what she was saying. I told her to drop the gun, at which point she raised it up and pointed it at me.”

In fear for his life, Murr fired one round at Stanley. Stanley remained standing and pointing the pistol at Murr so he fired a second round. It was not until the third round that Stanley fell behind the couch and Murr lost sight of her and the pistol.<sup>7</sup>

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<sup>4</sup> SHPD Officer Alexander Gabaldon interviewed Gina Schank shortly after the shooting at the Liberty Motel, where she resided. Schank was talking to Knox and another neighbor, Tua Tuitau, in the courtyard when she heard a male voice from the alley yell, “Put it down! Put it down!” Schank heard three gunshots but did not see who was shot. She did not know Stanley.

<sup>5</sup> Tuitau was not friends with Stanley but knew her name was Sarah. He had seen her at the Liberty Motel on several occasions.

<sup>6</sup> Murr’s SHPD patrol vehicle was equipped with an in-car video camera. The camera begins recording when the light bar is activated, or if the officer manually activates the camera from his uniform microphone pack or from the screen inside his patrol vehicle. Murr did not activate the video camera prior to the shooting.

<sup>7</sup> It was later determined that Murr fired three rounds from his duty weapon at Stanley.

Murr radioed for assistance. Assisting units arrived immediately, contained the area and made contact with Stanley. Murr had never seen Stanley before the incident.

Sarah Stanley's Statements:

On October 22, 2014, at approximately 9:45 a.m., detectives interviewed Sarah Stanley in her hospital room at Long Beach Memorial Hospital.<sup>8</sup> When the detectives came into the room and explained why they were there, Stanley stated, "I just tried to kill myself, that's all."<sup>9</sup> She explained that on the previous day at 6:00 a.m., she swallowed 30 to 40 pills of 600 milligrams of Motrin and it made her feel like she was drunk.<sup>10</sup> While she was walking around, she saw a plastic toy handgun, picked it up and carried it with her to the Liberty Motel.<sup>11</sup> She said she must have been holding the firearm at the time she was shot but she could not remember. Stanley heard Murr say, "Police!" but could not remember anything else. When detectives asked her if she pointed the handgun at anyone, she said, "I didn't point it at them, I don't think."

On October 24, 2014, detectives went back to Long Beach Memorial Hospital because Stanley requested to speak with them again. Stanley stated her family told her that the officer involved shooting was on the news. She was unhappy that the report stated the police found a firearm at the scene and that the officer had told Stanley to stop several times before she was shot.

Stanley said Murr never identified himself as a police officer and only called her, "Sarah." She explained that her main concern was that she did not want to be charged with any more crimes. Stanley acknowledged she had two felony warrants for her arrest in San Bernardino County.<sup>12</sup>

Stanley has been charged for this incident in case number 5LG06648 with one count of exhibiting an imitation firearm, a misdemeanor, in violation of Penal Code section 417.4. The case is still pending.

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<sup>8</sup> When Stanley arrived at the hospital on October 21, 2014, she was treated for two gunshot wounds on the left side of her abdomen.

<sup>9</sup> [REDACTED]

<sup>10</sup> Symptoms of a motrin overdose range from extreme drowsiness, trouble breathing, unsteadiness, blurred vision, nausea, vomiting, dizziness, and can require hospitalization.

Stanley told detectives that in January 2014, she also tried to kill herself by taking 300 Tylenol capsules. She did not go to the hospital but drank alcohol until she threw up. She did not explain why she wanted to kill herself.

<sup>11</sup> She did not explain why she picked up the replica pistol. She said it had "a red part on the front of the gun" but she did not remember if she removed it. At the crime scene, the replica pistol Stanley had been holding did not have any colored tabs to indicate it was a replica pistol.

<sup>12</sup> [REDACTED]

## LEGAL ANALYSIS:

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 and (2) he reasonably believed that the immediate use of deadly force was necessary to defend against that danger. If the person's beliefs were reasonable, the danger does not need to have actually existed. CALCRIM No. 505.

“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.

When Murr initially saw Stanley attempting to scale the blue metal gate, she matched the description from the radio call of a female with a gun. Even though Murr did not see a firearm in her hand at the time, he exited his vehicle to investigate. Upon looking over the gate, he saw Stanley holding what appeared to be a black semiautomatic handgun, which was consistent with the radio call. He immediately ordered her to drop the weapon but she did not comply. By all accounts, Stanley was incoherent, mumbling to herself, and did not appear to be in a rational state of mind. Suddenly, Stanley raised the firearm and pointed it at Murr. Murr had every reason to believe the firearm was real, and coupled with Stanley's erratic behavior, Murr reasonably feared for his life and reasonably believed that deadly force was necessary to prevent Stanley from shooting him.

Stanley did not think she pointed the replica pistol at Murr, but she admitted that she had ingested 30 to 40 Motrin pills in an effort to kill herself that morning, which significantly affected her memory of that morning's events. She did not remember Murr ordering her to drop the weapon, but both Knox and Schank heard Murr tell her to drop the weapon multiple times.

Based on the foregoing, we conclude that Officer Justin Murr was in reasonable fear of imminent danger of death or great bodily injury and therefore acted lawfully in self-defense when he fired his weapon at Stanley. We are therefore closing our file and will take no further action in this matter.