

**LOS ANGELES COUNTY DISTRICT ATTORNEY
CHARGE EVALUATION WORKSHEET**

<input checked="" type="checkbox"/> FELONY	AGENCY NAME LAPD - HOLLYWOOD	DA CASE NO. 42831043	DATE 05/04/2022
<input type="checkbox"/> MISDEMEANOR	AGENCY FILE NO. (DR OR URN)	DA OFFICE CODE CNA	VICTIM ASSISTANCE REFERRAL <input type="checkbox"/> YES – NOTIFY VWAP <input type="checkbox"/> NO

SUSP NO.	SUSPECT	CODE	SECTION	OFFENSE DATE	REASON CODE
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1	NAME (LAST, FIRST MIDDLE) LEE, ISAIAH	PC	245(A)(1)	05/03/2022	N
	DOB 06/24/1998	SEX (M/F) M	BOOKING NO. 6372037	VIP -- Yes <input checked="" type="checkbox"/> No	
	Gang Member Name of Gang		Victim Gang Member Name of Gang:		
	Victim Name: DAVID CHAPPELLE		Victim DOB:		

2	NAME (LAST, FIRST MIDDLE)	DOB	SEX (M/F)	BOOKING NO.	VIP -- Yes -- No
	Gang Member Name of Gang		Victim Gang Member Name of Gang:		
	Victim Name:		Victim DOB:		

3	NAME (LAST, FIRST MIDDLE)	DOB	SEX (M/F)	BOOKING NO.	VIP -- Yes -- No
	Gang Member Name of Gang		Victim Gang Member Name of Gang:		
	Victim Name:		Victim DOB:		

The Victim, Dave Chappelle, is a stand-up comedian and actor who was performing at the Hollywood Bowl on May 3rd, 2022. The Suspect, an aspiring rapper, recorded a song in 2020, titled "Dave Chappell". None of the lyrics, tone or language of the song suggested any threats or hatred towards the Victim Dave Chappelle. The Suspect was in the audience at Victim Chappelle's performance on May 3rd. Somehow, the Suspect was able to get through the security screening process with a weapon. The weapon looked like a gun, but upon closer inspection, it was determined to be a folding knife, with a blade approximately 3 inches in length. While Chappelle was performing on stage, the Suspect jumped onto the stage and tackled Victim Chappelle, causing Victim Chappelle to fall down onto his knees on the stage floor. Victim Chappelle appeared to recover quickly from the assault, which was by all accounts a complete surprise, in part because of the presence of security and the limited access for audience members to the stage. Victim Chappelle got up on his feet quickly and pushed the Suspect away. The Suspect then ran backstage, where he was detained by Security. The Suspect sustained injuries that required medical attention and he was transported to a local hospital. There were conflicting media reports about whether the Suspect brandished the weapon prior to or during the assault on Chappelle. Slow-motion review of video footage of the incident revealed that the Suspect did not have the weapon in his hand at the time he rushed and tackled Victim Chappelle. A security guard for instance, described that after the Suspect ran backstage, the Suspect reached for his waistband. The security guard said he grabbed onto the Suspect's hand, causing the weapon to fall the ground. The security guard believed that the weapon was a gun, so he tried to empty the chamber, but was unsuccessful because the weapon lacked a chamber or ammunition. The Security guard discovered that the weapon was a folding knife in the retracted position. Victim Chappelle did not sustain any injuries. Felony assault charges do not appear to be warranted because of the nature of the unarmed assault, the lack of injuries and because no weapon was actually used in the assault—video shows the weapon was not in the Suspect's hand when he approached and then assaulted the Victim. With regard to possession of a concealed weapon, the blade in the weapon does not qualify as a dirk or dagger under Penal Code Section 21310, because it was a folding knife in the retracted position. In addition, the elements of Penal Code Section 646.9 cannot be proven beyond a reasonable doubt because no evidence was presented of a previous credible threat that might have caused the Victim to be in reasonable in fear of his safety. Other than the rap

LAST NAME: LEE

FIRST NAME: ISAIAH

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song, no evidence was presented that connected the Suspect to the Victim or demonstrated any animus between the two existed before the assault. Although the Suspect admitted to being under the influence of alcohol, this fact does not alter the outcome. Therefore, the case is being referred to the City Attorney for Misdemeanor consideration.

COMPLAINT DEPUTY (print) MICHELLE L DODD	COMPLAINT DEPUTY (SIGNATURE) <i>Michelle L Dodd</i>	STATE BAR NO. 187503	REVIEWING DEPUTY (SIGNATURE)
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I have conveyed all relevant information to the above-named Deputy District Attorney to be used in consideration of a filing decision.

FILING OFFICER (PRINT): ACOSTA FILING OFFICER (SIGNATURE): _____ SERIAL #: 38609

<u>DEPARTMENT OF JUSTICE REASON CODES (FORM 8715)</u> A. Lack of Corpus B. Lack of Sufficient Evidence C. Inadmissible Search/Seizure	D. Victim Unavailable/Declines To Testify E. Witness Unavailable/Declines to Testify F. Combined with Other Counts/Cases G. Interest of Justice	H. Other (indicate the reason in Comments section) I. Referred to Non-California Jurisdiction J. Deferred for Revocation of Parole K. Further Investigation	L. Prosecutor Prefiling Deferral <u>DISTRICT ATTORNEY'S REASON CODES</u> M. Probation Violation filed in lieu of N. Referred to City Attorney for Misdemeanor Consideration
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