



PUBLIC RELEASE MEMORANDUM

DATE: March 31, 2021

SUBJECT: Officer Involved Shooting (Fatal)

Officer: Officer Paul Carranza
San Bernardino Police Department

Involved Subject: Sokhom Hon (Deceased)
Date of Birth 06/05/1987
San Bernardino, CA

Date of Incident: March 10, 2019

Incident location: Court Street and Allen Street
San Bernardino, CA

DA STAR #: 2019-57208

Investigating Agency: San Bernardino Police Department

Case Agent: Detective William Flesher

DR #: 2019-30858

PREAMBLE

This was a fatal officer involved shooting by a police officer from the San Bernardino Police Department. The shooting was investigated by the San Bernardino Police Department. This factual summary is based on a thorough review of all the investigative reports, photographs, video recordings, and audio recordings submitted by the San Bernardino Police Department, DR# 2019-30858.

PRINCIPAL INVOLVED PARTIES

Sokhom Hon, DOB: 06/05/1987, of San Bernardino, California was killed during the incident under review.

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Officer Paul Carranza of the San Bernardino Police Department was the police officer involved in the shooting of Sokhom Hon.

SCENE

This incident occurred on March 10, 2019, at approximately 11:00 PM. Location of occurrence was Court Street and Allen Street in the City of San Bernardino, California.

BACKGROUND INFORMATION

Sokhom Hon had a prior criminal history that includes convictions of offenses listed below:

2015, Penal Code Section 459, First Degree Burglary, San Bernardino County Case number FSB1404925, a felony.

2016, Penal Code Section 69, Obstruct/Resist an Executive Officer, San Bernardino County Case number FSB1503972, a felony.

- Hon's Parole Agent told Detective Flesher that Hon had been in compliance and had been drug testing clean while on parole. She was unaware of any gang affiliation. She told Detective Flesher that Hon, while in custody, had been housed at Atascadero State Prison Hospital.

FACTUAL SUMMARY

On March 10, 2019 at approximately 2301 hours, San Bernardino Police Dispatch Center received a 911 call regarding a man walking around an apartment complex talking to himself and carrying a small axe. The caller stated that the male lived at the location and that he was possibly under the influence of drugs or alcohol.

Officers were dispatched to an apartment complex at 200 block of E 4th Street in San Bernardino. 4th Street has individual homes on one side of the street and multiple apartment complexes on the other side of the street. As the incident unfolded, and the suspect ran from Law Enforcement, the incident ultimately ended on Court Street. Court Street has multiple apartment complexes on one side of the street and the back side of a fire station on the other side of the street. Total distance between where law enforcement originally contacted the subject to where the incident ended is less than 0.2 miles.

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Officer Kerie Brown and Officer Joaquin Larios were the first two officers to arrive on scene. They had both circled the block to locate the man with the weapon and ultimately contacted the subject, later identified as Sokhom Hon, in the area of 4th Street and Allen Street. Hon carried a small hatchet and repeatedly yelled for officers to kill him. Officer Larios exited his unit first and immediately told Hon to put down the weapon. Officer Brown exited her unit shortly after and quickly communicated to Officer Larios that she had "less" (meaning "less-lethal" or the taser).

Officer Larios had withdrawn his duty weapon and Officer Brown had withdrawn her taser; both were aimed at Hon while they instructed him repeatedly to put down his weapon and get on the ground. Both Officer Brown and Officer Larios tried for several minutes to calm Hon and get him to put down his weapon. Hon yelled almost continuously about the "illuminati" and the "Cambodians." He also yelled that he was god and he wanted to die.

After approximately 3 minutes on scene, Officer Brown advised dispatch that she and Officer Larios were trying to talk to Hon but that he was still very uncooperative. Hon continually told the officers to hold their guns and stated that he wanted to die. He told officers to put down the taser down and hold the guns.

Approximately 30 seconds later, Officer Brown asked dispatch for another unit to block any possible traffic that would possibly come behind Hon. Officer Brown and Officer Larios continued to talk to Hon, trying to calm the situation. They asked him his name, asked him questions about why he was so upset, and continually tried to get him to put down the weapon. Hon yelled at them that he needed them to stay away from him or he would rush them. He asked over and over for the officers to kill him and repeatedly stated that he "is going to die tonight." Officer Brown told Hon that they weren't going to go that route and Officer Larios yelled out to Hon that he did not want to shoot him.

Sergeant Johnson then arrived on scene with a less-lethal shotgun. When Sergeant Johnson arrived with the shotgun, Hon excitedly stated "there you go! I want to die!" Hon stated, "I need you to kill me, I'm tired of living hell." Hon's father, Witness #1, came out of the apartment complex at that time and was in the backdrop (line of fire) of potential shots, so both Hon and officers started yelling at Witness #1 to get out of the background. Officers continued to order Hon to put the weapon down. Officer Brown asked dispatch for the K9 unit after about 5 minutes on scene.

Officer Carranza then arrived on scene. He made his way to the left of Sergeant Johnson and let Sergeant Johnson know that he was there next to him. Officers were still yelling at Hon's family to get out of the background. Hon started yelling again, "shoot me, shoot me, I have a knife!" Sergeant Johnson then deployed 4 less-lethal shotgun rounds in an attempt to gain compliance from Hon.

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Hon was struck 4 times, twice in the abdomen, once on the right side of his chest, and once on his right side under his armpit. After each strike, Hon flinched and took a step back, between rounds he was side stepping across the street getting further away from law enforcement with each shot. Hon continued to yell, "shoot me, shoot me, kill me!" as he was being shot with the less-lethal rounds.

Hon then ran southbound on Allen Street and then rounded the corner to Court Street, still refusing to drop the weapon and yelling at police to kill him. Hon ran down the sidewalk of Court Street alongside the passenger side of parked cars. He yelled at officers that if they got close to him, he would stab them.

Officers Larios, Brown, and Carranza were the closest officers to him. Officers Brown and Larios were running on the sidewalk behind Hon. Officer Carranza was on the street side, running in the street alongside the drivers' side of the parked cars. Officer Carranza was running almost parallel to, but slightly behind Hon's location. When Hon rounded the corner to the right from Allen Street onto Court Street, officers were running closely behind him. There was a white van parked on Court street, Hon ran past the van on the passenger side and Officer Carranza started to pass the van on the driver's side.

It appeared from the axon videos and law enforcement statements that almost simultaneously, the following things happened:

1. Hon changed course suddenly and cut between the white van and another parked car, he ran from the sidewalk, between the cars and turned directly towards Officer Carranza in the street;
2. Officer Brown yelled "taser, taser, taser," and deployed her taser. The taser missed Hon, striking the closest vehicle instead;
3. Officer Carranza fired 4 rounds from his duty weapon, striking Hon all 4 times.

Hon then fell to the ground, but still had his weapon within reach until it was kicked away by another officer. The weapon was removed from the immediate area and Hon was taken into custody without further incident. Officers then began to administer first aid, Officer Brown, specifically, locating and putting pressure on Hon's wounds.

Medical aid was summoned to the scene and transported Hon to Loma Linda Hospital where he was pronounced deceased at 0025 hours on March 11, 2019.

Deputy Coroner Adrianna Butler arrived to Loma Linda and began her investigation of Hon's body. During that investigation, within Hon's clothing, Detective Granado located a broken glass pipe with an off-white colored substance in it which he recognized to be methamphetamine.

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WITNESSES AND CORROBORATION

LAW ENFORCEMENT WITNESSES

OFFICER JOAQUIN LARIOS

Officer Larios was interviewed by Detective Castro on March 13, 2019 at approximately 1010 hours. Officer Larios stated that on the evening of March 10, 2019 he was working patrol, wearing a San Bernardino Police Department polo with a standard duty belt and was driving a marked SBPD unit equipped with emergency lights and siren. He was also wearing his body-worn camera which was activated during the entire incident.

Officer Larios stated that he and Officer Brown were headed to another call but were then asked to respond to a disturbance at an apartment complex reference a subject with a weapon instead. Officer Larios described that after checking the area, he drove around the block twice before locating Hon coming out of apartment complex. Officer Larios stated that he was receiving updates from dispatch regarding Hon's location and which direction he was walking.

Officer Larios said that he drove back towards the apartment complex on 4th street and it was at that point that he saw Hon walking from the complex with a knife in his hand. Officer Larios immediately parked and exited his unit, took his handgun from his holster, and told Hon to put down the knife. Hon told Officer Larios that he was not going to drop his weapon, and stated, "I'm ready to die today," "I'm god," and "I'm Illuminati." Officer Larios stated that Hon yelled, "I want you guys to shoot me." Officer Larios stated that Hon repeated those statements throughout the entire encounter.

Officer Larios described Hon's weapon as about 8 inches long with an axe on one end and what appeared to be a knife on the other. He said that Hon held the axe in his right hand with the axe portion coming out the bottom of Hon's fist and the knife portion coming from the top of his fist. Officer Larios said that Hon held the weapon in his hand repeatedly pointing it at officers while warning them not to get close to him and threatening to stab officers if they did get close.

Officer Larios stated that he told Hon several times to drop his weapon, but Hon did not comply. By this time, Officer Brown arrived, exited her unit, and removed her taser. Hon told Officer Brown, "No, put your taser away. Bring out your guns. I want more bullets. I want more bullets to kill me." Officer Larios stated that both he and Officer Brown attempted to deescalate the situation by telling Hon to drop his weapon. Officer Larios told Hon at one point that if he dropped his weapon, Officer Larios would put away his gun too. Officer Larios told Hon that he just wanted to talk. Hon yelled that if Officer Larios got any closer, Hon would "rush him" and "stab him." Officer Larios

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stated that they broadcast over the radio that Hon was not cooperative, and it was at that time that additional units were dispatched to assist.

Officer Larios described Hon's family coming out from the apartment complex and he told them to go back inside. He was worried about them being in the background and specifically didn't want them in the "crossfire." Another family member eventually came and ushered them back into a safer area.

Shortly after, Sergeant Johnson arrived to the incident location with a less-lethal beanbag shotgun. Sergeant Johnson warned that he would be deploying the less-lethal rounds. Once Hon was struck the first time, he started yelling "shoot me shoot me shoot me, I want to die!" Sergeant Johnson continued to make commands for Hon to drop his weapon, but he did not comply and several more rounds were then fired at Hon. Hon then began running southbound on Allen Street, eventually getting to Court Street and positioning himself between two cars.

Officer Brown ran next to Officer Larios. Officer Larios, who was ahead of Officer Brown on the sidewalk, stated that Officer Brown told him that she would be deploying her taser. Officer Carranza was on the street side and Hon had cut between two cars to run from the sidewalk (where he was closer to Officers Brown and Larios), between the cars, and towards Officer Carranza. Officer Larios said that as Officer Brown deployed her taser, gunshots were fired by Officer Carranza.

At the time of the shooting, Officer Larios described himself as standing on the sidewalk next to a white vehicle with Officer Brown in front of him, between the cars, but also on the sidewalk. He described Officer Carranza as being on the opposite side of the white car, on the street. He described Hon as between the cars but closer to Officer Carranza.

After the shots were fired, Officer Larios describes Hon falling to the ground immediately and officers started yelling for Hon to show them his hands. Officer Larios stated that while Hon was on the ground, he began to raise his hands and an unknown officer then kicked the weapon out of Hon's hand.

Officers then searched for any other weapons and started rendering aid. Officer Larios tried speaking with Hon to gather basic information before the ambulance arrived. Officer Larios stated that he was attempting to keep Hon alert.

Officer Larios stated that he didn't immediately handcuff Hon when he arrived on scene because of the weapon Hon was holding. Officer Larios feared for his life. Officer Larios stated that he feared he could have been stabbed or killed so he maintained his distance from Hon throughout the incident.

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OFFICER KERIE BROWN

Officer Kerie Brown was interviewed by Detective Flesher on March 12, 2019 at approximately 1500 hours. Officer Brown stated that on the evening of March 10, 2019 she was working patrol, wearing a San Bernardino Police Department polo with a standard duty belt and was driving a marked SBPD unit equipped with emergency lights and siren. She was also wearing her body-worn camera which was activated during the entire incident.

Officer Brown stated that she and Officer Larios were dispatched at about the same time to 209 East 4th Street regarding a subject carrying a small axe and being disruptive, possibly under the influence of drugs or alcohol. She and Officer Larios drove around the area looking for the subject, ultimately returning to 4th Street and Allen Street where she observed a subject matching the description given standing on the sidewalk, Sokhom Hon.

Officer Brown immediately observed what she believed to be a knife or large screwdriver in Hon's right hand. She and Officer Larios exited their vehicles and approached Hon. She stated that she told Officer Larios she had "less-lethal" as she removed her taser from her duty belt. As they got closer to Hon, she noticed that the sharp object in his hand had a small axe attached to one end and it appeared that a knife was attached to the opposite end.

Officer Brown stated that Hon appeared to be very upset and angry. Hon yelled for both her and Officer Larios to shoot and kill him. She and Officer Larios both told Hon to drop his weapon and get on the ground and he did not comply with their directives. Officer Brown stated that Hon yelled about the Cambodians and being part of the Illuminati, he also claimed he was God, and repeatedly told them to shoot and kill him.

Officer Brown said that Sergeant Johnson then arrived with a less-lethal beanbag shotgun. He also ordered Hon to drop his weapon, but Hon refused. Officer Brown stated that it was at that point that she asked dispatch to send additional units to block off the roadway and requested a K-9 officer. She then saw a male suddenly appear in the backdrop, who she believed to be Hon's father. She said that all present officers were ordering Hon's father to move and get out of the way.

Officer Brown stated that she heard Hon say, "now we're talking," and he appeared to be excited when he saw that Sergeant Johnson had a shotgun. Hon then started yelling again for them to shoot and kill him. Ultimately, a female pulled Hon's father out of the way and Sergeant Johnson announced he was going to deploy a beanbag. At approximately the same time, additional units arrived. Officer Brown stated that she

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requested that the units move because they were in the backdrop of the potential shots as well.

At that point, Sergeant Johnson deployed the less-lethal beanbag round which appeared to strike Hon. Hon stepped backwards and was repeatedly yelling, "shoot me, kill me," while he continued moving into the street. Hon was still holding his weapon and Sergeant Johnson deployed a total of 4 beanbag rounds which all appeared to contact Hon but were all ineffective. Hon then began to run on the sidewalk of Allen Street while still holding the hatchet and yelling, "shoot me, kill me," repeatedly. Officer Brown followed behind Hon and announced she had her Taser and ordered Hon on the ground. Hon continued to run onto Court Street when he suddenly turned and ran between two parked cars in the direction of Officer Carranza.

Officer Brown stated that she deployed her taser at approximately the same time she heard 4 gunshots. She initially believed the taser darts contacted Hon but realized later that they did not. Hon immediately fell to the ground after he was shot but did not release his weapon until he was on the ground. At this point, Officer Brown stated that she put gloves on and assisted Hon until medical aid arrived. She also conducted a pat-down search for any additional weapons and located what appeared to be a glass methamphetamine pipe in his pants pocket.

SERGEANT CHRISTOPHER JOHNSON

Sergeant Johnson was interviewed by Detective Flesher on March 12, 2019 at approximately 1345 hours. Sergeant Johnson stated that on the evening of March 10, 2019, he was working as the patrol field supervisor, wearing a San Bernardino Police Department polo with a standard duty belt and was driving a marked SBPD unit equipped with emergency lights and siren. He was also wearing his body-worn camera which was activated during the entire incident.

Sergeant Johnson said that on March 10, 2019, he was monitoring the radio when he heard Officer Larios and Officer Brown being dispatched to a subject with an axe walking around an apartment complex at 4th Street and Allen Street. Sergeant Johnson stated that dispatch had further advised that the subject had possibly been drinking or was under the influence of drugs.

Sergeant Johnson stated that Officer Larios had arrived first and had broadcast that the subject was uncooperative and still armed with the weapon. When Sergeant Johnson arrived, he was third on scene and parked his unit near Officer Larios and Officer Brown's units. As he pulled up to the scene, Sergeant Johnson said that he observed Hon standing on the east sidewalk. He said that he witnessed Officer Brown and Officer Larios attempting to speak with Hon. Sergeant Johnson stated that he armed himself with his less-lethal shotgun and exited his unit.

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Sergeant Johnson said that he recognized Hon from prior contacts and said Hon was always causing a disturbance and was under the influence of controlled substances during his prior contacts with him. He stated that Hon had always been uncooperative in the past but not to this extent.

Sergeant Johnson observed Hon holding what appeared to be a knife, and later he saw that it had a hatchet head with a narrow blade protruding from the opposite end. He stated that Officer Brown and Officer Larios were instructing Hon to drop his weapon, he heard Hon respond that he was not going to put his weapon down. Sergeant Johnson said that when he racked his shotgun with the beanbag round, he heard Hon yell "all right, there we go, go ahead and shoot me, kill me." He also heard Hon talking about being God.

Sergeant Johnson stated that Officer Larios and Officer Brown continued to tell Hon to drop the knife and to lie on the ground, but he did not comply with their directives. Sergeant Johnson was about 15 feet from Hon when he heard someone behind him comment that they were with him and had lethal coverage. Sergeant Johnson said that at the time, he did not know who was behind him (Officer Carranza) because he was so focused on Hon. Sergeant Johnson announced that he was going to deploy a beanbag when he saw someone, he believed to be Hon's father, run behind Hon and enter his line of fire.

Sergeant Johnson said that Hon's father was told to move, and he was ultimately pulled out of the way by a female, taking him out of the line of fire. Sergeant Johnson said that he again announced that he was going to fire the less-lethal shotgun. Sergeant Johnson fired the first beanbag round which contacted Hon, causing Hon to "buckle" at which time Hon became more agitated and was repeatedly yelling for officers to shoot him. Hon then began to sidestep out into the street.

Sergeant Johnson said that he then fired 3 more beanbag rounds striking Hon each time and having little to no effect. Sergeant Johnson said that he knew he made contact because Hon would flinch or sidestep but the rounds had no other effect. Sergeant Johnson stated that he then advised police dispatch that the less-lethal rounds were ineffective on Hon. He stated that after the 4th and final beanbag round, Hon ran in a southerly direction on the west sidewalk of Allen Street while being followed by other officers and then ran in a westerly direction on the north sidewalk when he reached Court Street.

Sergeant Johnson stated that he followed behind but was about 25 yards north of Court Street when he estimated that he heard 3-4 gunshots. (He confirmed that there were 4 shots fired once he reviewed his body worn camera footage). Sergeant Johnson then cleared the area to allow for medical aid to respond, Hon was then transported via ambulance to the hospital.

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OFFICER PAUL CARRANZA

Officer Carranza was interviewed by Detective Flesher on March 13, 2019 at approximately 1210. Officer Carranza stated that on the evening of March 10, 2019, he was working patrol, wearing a San Bernardino Police Department jacket with a standard duty belt and was driving a marked SBPD unit equipped with emergency lights and siren. He was also wearing his body-worn camera which was activated during the entire incident.

Officer Carranza detailed that he was monitoring the radio broadcast of a disturbance involving a subject armed with a knife at 4th Street and Allen Street. Officer Carranza heard on the radio that Officer Larios was on scene and Hon was still armed with the knife and was uncooperative, not complying with officer commands to drop the weapon. Officer Carranza said that he proceeded to the call because it did not sound good to him and he believed there could be an issue with Hon's lack of compliance. He further stated that the call was very stressful, and his biggest concern was for the safety of other officers.

When Officer Carranza arrived on scene, he parked next to the other police units already on scene (those of Officer Larios, Officer Brown and Sergeant Johnson). Officer Carranza exited his vehicle and observed Hon on the sidewalk of Allen Street south of 4th Street. Officer Carranza said Sergeant Johnson, Officer Larios, and Officer Brown were already on scene.

Sergeant Johnson had his less-lethal beanbag shotgun out and was standing in the roadway of Allen Street north of Hon. Officer Brown was also in the roadway with her taser out and Officer Larios was in the roadway south of Officer Brown with his duty pistol out. Officer Carranza said it appeared that there was a standoff with Hon happening. Officer Carranza immediately noticed how amped up Hon appeared. Officer Carranza further described Hon as being extremely agitated, upset, and possibly under the influence of PCP or methamphetamine. Hon was repeatedly screaming "shoot me, shoot me, I want to die."

Officer Carranza saw who he believed to be Hon's father, Witness #1, come out and said that he did not feel comfortable with Witness #1's location, so he told Witness #1 to get out of the way. Officer Carranza stated that a female came out and helped pull Witness #1 from the backdrop. Officer Carranza stated that they were yelling at Hon to drop the weapon, but he refused to comply and continued to yell for officers to, "shoot and kill him." Officer Carranza heard Hon yell something about the Illuminati and that he wanted to die.

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Officer Carranza said that he communicated to Sergeant Johnson that he should step up on the sidewalk because he had a clear backdrop to deploy the less-lethal beanbag rounds from there. Sergeant Johnson announced he was deploying less-lethal rounds and shot Hon once with the beanbag in the torso area causing him to step back for a second, but the shot didn't otherwise seem to faze him. Officer Carranza stated that it terrified him that the beanbag strike was ineffective. Officer Carranza said the less-lethal strike appeared to "amp the suspect up more," which also terrified him.

Once struck, Hon began to skip across Allen Street yelling "shoot me, shoot me!" Sergeant Johnson shot Hon again which again had little to no effect on him. Hon continued across Allen Street and squared up with officers with his knees bent and still holding the weapon in his right hand. Officer Carranza described Hon's movements as combative like he wanted to fight. At that point, Hon reached the west side of Allen Street and Officer Larios appeared to be standing close to Hon so Officer Carranza stated that he communicated to Officer Larios that he would shoot if Hon came towards Officer Larios.

Sergeant Johnson then shot the 4th and final beanbag round which contacted Hon, but again had no effect on him. Hon continued to scream that he wanted to die and "shoot me, shoot me." Officer Carranza remembered giving verbal commands such as "get on the ground" but Hon refused to comply. Hon was running in a southerly direction on the sidewalk of Allen Street. Officer Carranza was in the middle of the street running almost parallel to Hon. Officer Carranza stated that he believed that Hon was going to kill an officer or try to stab somebody, and that he believed something bad was going to happen.

Officer Carranza heard Hon yell a couple of times "if you come close to me, I'm going to stab you" as he ran down the sidewalk. Officer Carranza said that this scared him, and he knew that Hon was serious, believing that he would carry out his threats based on his previous actions.

Officer Carranza stated that he was running down Allen street and observed a police unit west on Court Street, he was worried that there was another officer on Court Street who may not expect Hon was coming that direction. Officer Carranza reached the corner of Allen Street and Court Street where Hon turned west and ran along the sidewalk. Officer Carranza continued to parallel Hon while running on Court Street when Hon very suddenly turned and ran directly at him from between two parked cars out onto the roadway.

Officer Carranza stated that Hon was 5-8 feet from him, and he believed Hon was going to stab him. Officer Carranza stated that he fired his duty pistol 4 times at Hon. He stated further that he felt that he had no other option because Hon was too close and running directly at him. Officer Carranza stated that there was no reason for Hon to change course and run out into the street directly towards him, but to kill him. As Hon

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was falling, Officer Carranza stated that he could clearly see that Hon still had the weapon in his right hand. It was not until Hon was on the ground and rolled over that he dropped the weapon.

OFFICER DUSTIN NORWOOD

Officer Norwood was interviewed by Detective Granado on March 13, 2019 at approximately 1400 hours. Officer Norwood stated that on the evening of March 10, 2019 he was working patrol, wearing a San Bernardino Police Department short sleeved class B uniform with a standard duty belt and was driving a marked SBPD unit equipped with emergency lights and siren. He was also wearing his body-worn camera which was activated during the entire incident.

Officer Norwood said that he was working in the south east area of the city and heard on the radio that two officers were dispatched to an agitated man walking around an apartment complex with an axe in his hand. A few minutes later, he heard someone say on the radio that that subject was not cooperating with commands. He was then dispatched to assist with blocking vehicle traffic at the area of Court Street and Allen Street. He eventually arrived and parked his vehicle at that intersection.

Officer Norwood stated that he exited his vehicle and saw Officer Morris walking east on Court Street towards Allen Street. He heard someone giving commands to Hon but it was dark and there were flashing red/blue lights so he couldn't see Hon. As he, Officer Morris and Officer Koch continued to walk north on Allen Street, he heard less-lethal round being fired. He then heard two more less-lethal rounds and he could feel "fragments" hitting him. Officer Koch yelled "shots fired," referring to the less-lethal rounds being fired, so he moved to cover behind Officer Koch's unit. Officer Norwood could hear Hon yelling "just kill me."

Officer Norwood stated that he then heard footsteps, so he drew his weapon and saw a subject without a shirt on running so he yelled "stop stop!" He said that Hon was running at a 45-degree angle from him, so he wanted to try to stop him or keep him contained near the fence if he was armed with a weapon.

Officer Norwood stated that Hon was running along the curb but then ran between two cars into the street, at which time Officer Norwood heard approximately 3 shots fired and saw Officer Carranza with his weapon drawn on Hon who was then on the ground. Officer Norwood described Hon as facing south and facing Officer Carranza when he changed directions and ran between the cars. Officer Carranza was giving verbal commands to Hon. Officer Norwood holstered his weapon, put on gloves and began to check Hon for weapons and held his legs in case he began to kick.

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Officer Norwood stated that Officer Brown advised that she had located a pipe in Hon's pocket. Hon was then taken into custody. Officer Norwood moved on to assisting with a canvass of the area to make sure there were no bullet strikes anywhere.

OFFICER BRANDON KOCH

Officer Koch was interviewed by Detective Cunningham on March 13, 2019 at approximately 0835 hours. Officer Koch stated that on the evening of March 10, 2019 he was working patrol, wearing a San Bernardino Police Department long sleeved polo with a standard duty belt and was driving a marked SBPD SUV unit equipped with emergency lights and siren. He was also wearing his body-worn camera which was activated once he got out of his car.

Officer Koch said that he heard officers being dispatched to a disturbing the peace call with a subject armed with a knife. There were no calls in his immediate area, so he started heading that direction in case they asked for additional units. He was ultimately dispatched to the incident as well.

Officer Koch stated that when he arrived, he parked his unit facing eastbound to block northbound traffic onto Allen Street. He got out of his unit and ran to the west side walk of Allen Street north of Court Street. He could hear officers yelling directions to "drop the knife, drop the knife," and could hear Hon yelling, "just kill me, just kill me. I want to die. If they want to see me die, then let them see it." Officer Koch stated that he was approximately 50-75 yards from the incident location, so it was hard for him to tell who Hon was.

Officer Koch stated that he believed that Officer Morris ran past him and he told Officer Morris to watch the crossfire. A short time later Officer Koch heard the beanbag round and felt what he believed was debris from the beanbag gun "pepper" his forehead. Officer Koch then advised over the radio to "watch crossfire."

Officer Koch said that he had his weapon drawn at that point and saw Hon running southwest across Allen Street to the west sidewalk followed by a group of officers running after him. Officer Koch stated that he maintained his position to avoid a crossfire situation. As Hon was running, Officer Koch said that he could hear him yelling "shoot me, shoot me," he also heard something to the effect of, "if you get close to me, I'm going to stab you." Officer Koch stated that Hon said these things several times.

Officer Koch stated that he saw that officers had their guns out, but he thought that if he got to the front, he may be able to deploy a taser. As he approached the northwest corner of Court Street and Allen Street, he saw Hon run between the cars and out into

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the street, so he went around the backside of the cars and while doing so, heard gunshots. He estimated that Hon was 10-15 feet from Officer Carranza when he heard the shots.

When Officer Koch got to the street, he saw Hon on the ground. Officers then began giving commands for Hon to show them his hands, which he did. Hon was laying on the ground on his side and once Officer Koch positioned himself south of Hon, he could see the weapon on the ground. He described it as more of a hatchet than a knife with a hatchet blade on one side and something like a pick on the back side. Officers were then told to "glove up" to search for weapons and render medical aid.

Officer Koch was worried about where the weapon was located and was worried that as officers got close to him, Hon may try to stab them, so Officer Koch approached from the west and kicked the knife away from Hon. He stated that he had no reason not to believe that when they got close enough to him, Hon would try to stab them, especially given Hon's erratic behavior and that he maintained possession of the weapon throughout the entire contact.

OFFICER TIMOTHY MORRIS

Officer Morris was interviewed by Detective Cunningham on March 13, 2019 at approximately 1643 hours. Officer Morris stated that on the evening of March 10, 2019 he was working patrol, wearing a San Bernardino Police Department polo with a standard duty belt and was driving a marked SBPD unit equipped with emergency lights and siren. He was also wearing his body-worn camera which was activated during the entire incident.

Officer Morris stated that he heard on the radio that officers were dispatched to a man with a knife and he drove that way in case the officers needed additional units. He also heard the officers asking someone to block traffic at Court Street and Allen Street. When he arrived, Officer Koch was already in the position necessary to block traffic, so Officer Morris parked on the south side of Court Street west of Allen Street.

Officer Morris stated that he exited his patrol car and started towards Officer Koch's unit. He couldn't see other officers, but he could hear shouting, so he then began walking north on Allen Street. He said that as he continued north, he could see Hon moving around and the other officers were coming towards him. Officer Morris stated that he took cover behind a large truck because less-lethal rounds were fired in his direction. Officer Morris believed the second round hit something because debris hit him which resulted in abrasions on his right arm. He yelled at officers to watch the crossfire because he didn't know if they knew another officer was there.

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Officer Morris stated that as he took cover, Hon came around the back of the truck and started coming down Allen Street. He said that he heard Hon yelling "just shoot me" and he could see that Hon held a knife in his right hand. Officer Morris stated that he had his gun out and had started to extend his arms to take aim at Hon because he was scared, and Hon was within 7 feet of him. Hon ran down the street towards other officers, Officer Morris knew there were other officers in the area, so he didn't shoot towards Hon.

Officer Morris stated that as other officers came around him, he could see that some officers had lethal coverage, so he switched to his taser so he could maintain less-lethal coverage. Officer Morris and the other officers pursued Hon on the sidewalk when Hon then made a right-hand turn onto Court Street. He saw another officer in front of him and told that officer to "watch out," so if he got close enough, he could use his taser.

Officer Morris then saw Hon turn left and go between two parked cars and back towards Officer Carranza. At that moment, Officer Carranza fired, and Hon fell into the street. Officer Morris estimated that Hon was about 12-15 feet from Officer Carranza before the shooting happened, but he was not sure if Hon was advancing towards Officer Carranza before the shots were fired.

Officer Morris went to Officer Carranza to make sure he was okay, then started giving commands to Hon to show his hands. Another officer asked if anyone could see the knife and Officer Morris said that he could, Officer Koch then approached and kicked the knife away.

Other officers put on gloves and approached Hon and gave medical aid. Officer Morris stated that he saw a bullet hole in a car, and he was then tasked with canvassing the area behind the vehicle that was struck. Officer Morris stated that he then was tasked with additional scene security before being transported back to the station.

CIVILIAN WITNESSES

Witness #1

Witness #1 is the father of Hon; he speaks Cambodian as his primary language and was unable to be interviewed at the incident location due to the language barrier. Witness #1 was interviewed a few hours later at the San Bernardino Police Station on March 11, 2019, at approximately 0215 hours by Detective Flesher. Detective Flesher confirmed that Witness #1 understood some English but agreed to be interviewed again later with a Cambodian interpreter.¹

Witness #1 said that he had returned from work between 10-10:30 pm on Sunday evening, March 10, 2019. He stated that he told his neighbor, Witness #2 to call the

¹ A second interview with Ho never took place.

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police because he didn't want his son, Hon, to make trouble in the neighborhood. He wanted Hon to be arrested.

Witness #1 said Hon was not wearing a shirt and had exited his apartment onto the street. When asked about weapons, Witness #1 stated that "he had nothing," and placed his open hands out in front of him to indicate empty hands.

Witness #1 stated Hon had been smoking drugs prior to the incident that looked like sugar. Witness #1 said that he told Hon that he should not be using drugs because he would get into trouble with his probation officer, but Hon wouldn't listen to him. Witness #1 said that he told the police to please not shoot Hon. He stated that he told Hon to stop talking to police, but he was smoking too much drugs and wouldn't listen.

Witness #1 stated that Hon did not have anything at all in his hands. Witness #1 claimed that earlier that day he had taken all the weapons from his home and put them away. When asked about the hatchet, Witness #1 claimed he didn't see anything. When asked about threats, Witness #1 claimed Hon did not make any threats.

Witness #1 stated Hon told him "before I die today, I'm going to smoke some more before they shoot me, and I die." Witness #1 confirmed that he asked his neighbor to call the police. He thought Hon would go to jail; he didn't believe the police would shoot Hon. Witness #1 said that Hon told him that he was going to get the cops to shoot him.

Witness #1 stated he did not know what was said because he doesn't understand English but when asked if he heard the police say anything to Hon, Witness #1 stated, "yeah, they shot him, then he ran across the street." Witness #1 stated that he didn't follow when Hon started running. He stated the police shot Hon and he had nothing in his hands, his arms were up, and his hands were out in front of him.

When asked about Witness #1's girlfriend, Witness #3, Witness #1 stated Hon had made the comment "I'm going to kill you" to her but she scares easily and will usually stay with friends while Witness #1 is at work because she's afraid of Hon. He confirmed that Hon had threatened to kill Witness #3 in the past as well.

WITNESS #2

Witness #2 is the neighbor of Witness #1. She was very briefly interviewed at the incident location and told Officer Madrigal that she witnessed Hon with an axe and heard officers yelling at Witness #1 to get to a safe location. She physically moved Witness #1 away from Hon. She told Officer Madrigal that she was unable to tell who fired, due to it being so dark but she heard the weapon fire and then saw Hon running on Allen Street.

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Witness #2 was interviewed a second time at the San Bernardino Police Station on March 11, 2019 at approximately 0305 hours by Detective Flesher. Witness #2 described being the neighbor of Hon and stated that she was asked to talk to 911 by Hon's father.

During her interview, she was asked about her relationship to Hon and she described Hon being released from prison over 6 months ago and coming to live with his father, Witness #1, and Witness #1's girlfriend Witness #3. She stated she did not socialize with Hon as he always appeared to be under the influence of drugs and may have mental issues. She was told by Witness #1 that prior to Hon going to jail, he would frequently talk to himself and was always angry and making threats to the people in the complex, continuously scaring people.

Witness #2 stated that Hon had been acting weird the entire day of the shooting, he was walking around the complex saying he was going to kill someone. Witness #1's girlfriend, Witness #3, would not stay home with Hon when Witness #1 wasn't home because she was afraid of Hon. On Sunday, March 10, 2019, Witness #3 came to Witness #2's home around 9 am when Witness #1 left for work. Witness #2 walked Witness #3 back to Witness #1 and Witness #3's apartment around 10 pm when Witness #1 returned from work.

When they arrived at Witness #1 and Witness #3's apartment, Hon was there and was upset and started making threats to Witness #3. Witness #2 heard Hon state to Witness #3 "Why you come home? Stay over there. I'm going to kill you." Witness #3 was so afraid and upset that she thought she was going to have a heart attack so Witness #2 took Witness #3 back to her own apartment so she could get some sleep. They realized that they had forgotten Witness #3's medication, so Witness #2 went back to get Witness #3's medication and stated that at that time, Hon was acting really weird, and was making comments that he was going to kill someone. She grabbed all the knives and hammers she could find and brought them to her house to keep them away from Hon.

Witness #2 said that she then heard Hon state that he was "going to kill somebody" and went into his room and grabbed an axe. He unfolded the axe and walked outside. She said that Hon's father, Witness #1, appeared to be very upset and afraid and asked her to talk to 911. Witness #1 dialed 911 from his phone and handed it to Witness #2 to speak. She and Witness #1 followed Hon outside while she was calling 911.

Witness #2 stated that Witness #1 believed Hon was going to kill someone and would go to jail for a long time if he did. She confirmed that she told dispatch Hon had an axe and was walking around making threats. She further stated that Witness #1 told her to tell the police to come get Hon because he was going to kill somebody.

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Witness #2 said that the police arrived very fast and confronted Hon. Hon's demeanor was angry and agitated, he was holding the axe in his right hand while waving his arms around making gestures to the police to shoot him. She heard Hon say, "shoot me, kill me," and that he wanted to die.

Witness #2 described that Witness #1 began walking to an area that put him in the line of police fire and she observed the police pointing their firearms at Hon. Believing Witness #1 was in danger, she tried to grab and pull him out of the way. She was scared and was not paying attention to Hon at that time and she was able to pull Witness #1 out of the way and behind a car. She stated that she then heard the police fire, but it didn't sound like a real gun, she witnessed Hon start running across the street then out of her view. She then heard additional gunfire after she lost sight of Hon.

Witness #2 was afraid that Hon's family would harm her for cooperating and talking to the police. She did not want to get into trouble with his family.

Witness #4

Witness #4 showed up to the incident location after she had heard that there was a shooting involving Hon. She told Officer Madrigal that she had dated Hon on and off for 5-10 months and they had broken up about a month ago. She then talked further to Officer Lesh and told him that she left Hon on 2/25/2019 due to domestic violence from Hon. She told Officer Lesh that Hon was physical with her for 2 days leading up to the 25th of February when he then grabbed the steering wheel of the vehicle that she was driving causing it to crash.

She stated that Hon had been diagnosed with schizophrenia and had not been taking medication for a while. She further stated that during their relationship he would yell about the Illuminati and accused her of also being with the Illuminati. She stated she had come to the apartment complex to pick up some things on a different date (not the date of the incident discussed here) and found the defendant talking to himself. She stated that Hon was also known to use methamphetamine. She didn't have anything further to add at that time.

Axon Body Worn Camera Summary²

Officer Joaquin Larios

Officer Larios was equipped with a body worn camera (BWC) on the date of the incident under review. The body worn camera was activated and recording during the incident

² The body camera recordings were reviewed in their entirety. There is a thirty second delay before the audio on the recordings can be heard. The summaries will cover the initial contact between Officers and Hon through Hon's arrest.

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under review. The recording is approximately 2 hours, 10 minutes and 25 seconds in length.

Officer Larios can be seen driving his patrol vehicle. Officer Larios stops at the incident location and exits his vehicle. Hon is seen on the sidewalk without a shirt. Hon immediately starts yelling shoot me, over and over. Officer Larios offers to put his gun down if Hon will put his knife down so they can just talk. Hon replies that Officer Brown needs to put her taser down and get out the guns. Hon repeatedly says that he needs officers to kill him because he doesn't want to live anymore. He states that he's tired of voodoo black magic from the Illuminati.

Hon tells them to bring more guns because he wants more bullets in him. He continually tells them to hold the guns because he wants to die. Officer Larios and Officer Brown tell Hon to please just put the knife down and have a seat. Hon continues to be uncooperative. Hon tells officers not to get close to him because he will rush them, but he just needs them to shoot him. Hon is holding the weapon in his right hand.

Officer Larios begins instructing someone to get out of the background, Hon says that this is his father. Officer Larios moves down the street in order to tell the people to step out of the way and other officers tell him to back up. Hon yells that if his father wants to watch him die, he can watch him die.

Hon yells, "shoot me, shoot me nigga, I have a knife right here," and is then struck by the first less-lethal beanbag round.³ Hon reacts as if he's been hit but then starts running across the street. He's hit with the second round and third round at which point he is directly in front of Officer Larios who is yelling for him to get on the ground. Hon continues to yell "shoot me, shoot me," and is hit with the fourth and final beanbag round.

Hon then begins running down Allen Street on the sidewalk past parked cars. Officer Brown is just slightly in front of Officer Larios and following Hon down Allen Street. Hon is yelling "shoot me, shoot me, kill me, kill me, kill me" as he runs down the street and threatens that if they get close, he will stab them. Hon then rounds the corner to the right onto Court Street.⁴ Officer Carranza is behind but almost parallel running on the street side.

Simultaneously, Officer Brown yells "I've got taser" 3 times and deploys her taser as Hon suddenly changes direction by running between two parked cars and into the street towards Officer Carranza, Hon advances towards Officer Carranza, facing him, and Officer Carranza fires 4 rounds.⁵ Hon falls to the ground immediately.

³ At 6:50 on the BWC of Officer Larios.

⁴ At 7:17 on the BWC of Officer Larios.

⁵ At 7:20 on the BWC of Officer Larios.

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Officers then yell for Hon to show them his hands, which he does. They then locate the knife on the ground next to Hon and an officer kicks it away. Hon is arrested at approximately 8:15 on the BWC. Officer Larios keeps his BWC recording until 2:10:25.

Officer Kerie Brown

Officer Brown was equipped with a body worn camera (BWC) on the date of the incident under review. The body worn camera was activated and recording during the incident under review. The recording is approximately 59 minutes and 58 seconds.

Officer Brown can be seen driving her patrol vehicle. She stops her vehicle and exits and begins walking towards Officer Larios. The first thing heard on the BWC is Hon yelling "shoot me" over and over, Officer Brown then immediately states that she has "less," meaning less-lethal, or her taser out. Hon is heard yelling "shoot me, just shoot me, shoot me," over and over. Both Officer Brown and Officer Larios are heard telling Hon to drop the weapon. Officer Brown asks Hon to just talk to them.

Hon is telling Officer Brown to put her taser down and shoot him because he doesn't want to live. Officer Brown is trying to engage him in conversation and talk to him about why he doesn't want to live anymore. Hon is making nonsensical statements about Cambodians and the Illuminati. Officer Brown states repeatedly that she just wants to talk and not take anyone to jail. Officer Brown puts out on the radio after approximately 3 minutes that Hon is uncooperative.

Hon continues to yell about wanting to die tonight. Officer Larios and Officer Brown tell Hon that they don't want to shoot him and don't want to kill him, they repeatedly ask him to put the knife down. Hon tells Officer Larios not to step close to him or Hon will "rush" him. Officer Brown ultimately asks for a K9 unit. Hon's father then comes out into the background and the officers are all yelling for the family to get out of the background.

Officer Larios attempts to shift positions around to Hon's backside but shortly after, other officers tell Officer Larios to back up out of the potential crossfire. Sergeant Johnson then says that he will be using beanbags, and not to fire.⁶ Hon yells "shoot me, I have a knife right here, shoot me," and Sergeant Johnson then fires the first less-lethal beanbag round.⁷ Hon bends over as if he was hit, then begins yelling again and starts to sidestep across the street. Sergeant Johnson then shoots a second and third beanbag round while the defendant is side stepping across the street yelling "shoot me, nigga."

Officer Larios is seen on the far right of the video approaching Hon. Officer Carranza is heard telling Officer Larios that if Hon approaches Officer Larios, Officer Carranza will

⁶ At 5:49 on the BWC of Officer Brown.

⁷ At 6:39 on the BWC of Officer Brown.

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shoot him. Hon is still yelling "shoot me, shoot me, kill me," and at this time he's on the opposite side of the street when shot by the final beanbag round.⁸ Hon then takes off running down the sidewalk on Allen Street while officers are continually yelling "get on the ground." Officer Brown yells "I've got taser" 3 times before running after Hon down Allen Street. Officer Brown yells "I've got taser" an additional 3 times while chasing Hon down the street.

From Allen Street, Hon then rounds the right corner onto Court Street, Officer Carranza was slightly in front of Officer Brown as they both follow Hon and round the corner onto Court Street. Officer Carranza runs to the left of the large white van, running on the street side and Officer Brown runs to the right of the large white van on the sidewalk side. Immediately after passing the van, Hon cuts between the van and another parked vehicle to the left and into the street and directly towards Officer Carranza. Officer Brown yells "I've got taser" 3 additional times, she then deploys her taser. Almost simultaneously, 4 gunshots can be heard.⁹

Officers then yell for Hon to show them his hands, which he does. They then locate the knife on the ground next to Hon and an officer kicks it away. Hon is arrested at approximately 8:06 on the BWC. Officer Brown puts on gloves and renders aid until medical arrives. Officer Brown keeps her BWC recording until she reaches the station at 59:58 on her BWC.

Sergeant Christopher Johnson

Sergeant Johnson was equipped with a body camera on the date of the incident under review. The body camera was activated and recording during the incident under review. The recording is approximately 52 minutes and 48 seconds in length.

Sergeant Johnson can be seen driving his patrol vehicle. Sergeant Johnson stops his patrol vehicle and gets out, he begins walking towards where Officer Larios and Officer Brown were standing. Sergeant Johnson tells Hon, "we don't want to shoot you, put the knife down." Hon can be heard yelling repeatedly "kill me, you ain't going to kill me? I've got a fucking knife!" Hon is also heard yelling about Illuminati games and stating that he wants to die.

Officers begin yelling at who Hon identifies as his dad, Ho, who has entered the background area behind Hon. Officers are all yelling at Ho to move out of the way. Hon appears very agitated talking about how officers beat up his dad every day and states that if his dad, "wants to watch me die let him watch me die." Officer Carranza yells for Officer Larios to back up as he was approaching Hon.

⁸ At 6:49 on the BWC of Officer Brown.

⁹ At 7:06 on the BWC of Officer Brown.

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Hon yells "shoot me, I have a knife right here, shoot me," and Sergeant Johnson says he is going to deploy beanbag and not to fire, he then states that once the backdrop is clear he will fire the beanbag rounds. Officer Carranza tells Sergeant Johnson he has a clear backdrop and Sergeant Johnson then fires the first less-lethal beanbag round.¹⁰ Sergeant Johnson then shoots a second and third beanbag round while the defendant is yelling "shoot me, nigga."

Officer Carranza is heard telling Officer Larios that if Hon approaches Officer Larios, Officer Carranza will shoot him. Hon is still yelling "shoot me, shoot me, kill me," and at this time he's on the opposite side of the street when shot by the final beanbag round. Officer Brown is heard saying she's got taser several times. Hon then takes off running down the sidewalk on Allen Street while officers are continually yelling "get on the ground."

Sergeant Johnson is on the radio with dispatch that Hon is running southbound on Allen when gunshots are heard in the background.¹¹

Officers then yell for Hon to show them his hands, which he does. They then locate the knife on the ground next to Hon and an officer kicks it away. Hon is arrested at approximately 4:39 on the BWC. Sergeant Johnson turns off his camera at 52:47 on BWC when he leaves the scene.

Officer Paul Carranza

Officer Carranza was equipped with a body camera on the date of the incident under review. The body camera was activated and recording during the incident under review. The recording is approximately 21 minutes and 55 seconds in length.

Officer Carranza can be seen driving his patrol vehicle. Officer Carranza stops his patrol vehicle and gets out, he begins walking towards where Sergeant Johnson, Officer Larios and Officer Brown were standing. Officer Carranza approaches to the back left of Sergeant Johnson and lets him know that he is there on his left. Hon can be heard yelling repeatedly "kill me, you ain't going to kill me? I've got a fucking knife!" Hon is also heard yelling about Illuminati games and stating that he wants to die.

Officers begin yelling at who Hon says is his dad, Witness #1, who has entered the background. Officers are all yelling at Witness #1 to move out of the way. Hon appears very agitated talking about how officers beat up his dad every day and states that if his dad "wants to watch me die let him watch me die."

¹⁰ At 3:09 on the BWC of Sergeant Johnson.

¹¹ At 3:40 on the BWC of Sergeant Johnson.

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Officer Carranza yells for Officer Larios to back up as he was approaching Hon, then tells Sergeant Johnson that he has a clear backdrop from the sidewalk. Hon yells "shoot me, I have a knife right here, shoot me," and Sergeant Johnson then fires the first less-lethal beanbag round.¹² Hon bends over as if he was hit, then begins yelling again and starts to sidestep across the street. Sergeant Johnson then shoots a second and third beanbag round while the defendant is side stepping across the street yelling "shoot me, nigga."

Officer Larios is seen on the far right of the video approaching Hon. Officer Carranza is heard telling Officer Larios that if Hon approaches Officer Larios, Officer Carranza will shoot him. Hon is still yelling "shoot me, shoot me, kill me," and at this time he's on the opposite side of the street when shot by the final beanbag round.¹³ Hon then takes off running down the sidewalk on Allen Street while officers are continually yelling "get on the ground."

Hon is yelling "shoot me, shoot me, kill me, if you get close, I will stab you," as he is running down the sidewalk. Officer Carranza is running down the street parallel to Hon. Hon rounds the corner making a right onto Court Street, Hon is still on the sidewalk and Officer Carranza is on the street. They both run past a large white van, Hon on the sidewalk and Officer Carranza on the street side, when Hon suddenly changes direction and runs between the vehicles parked at the curb and runs back and to the left directly towards Officer Carranza.¹⁴ Hon runs from between the parked cars, directly towards Officer Carranza with the knife still in his right hand. Officer Carranza fires 4 rounds and Hon falls to the ground.¹⁵ Hon is shot while in the street and facing Officer Carranza, with the knife in his hand. Hon falls to the ground immediately.

Officers then yell for Hon to show them his hands, which he does. They then locate the knife on the ground next to Hon and an officer kicks it away. Hon is arrested at approximately 8:15 on the BWC. Officer Larios keeps his BWC recording until 2:10:25.

Officers then yell for Hon to show them his hands, which he does. They then locate the knife on the ground next to Hon and an officer kicks it away. Hon is arrested at approximately 3:55 on the BWC. Officer Carranza keeps his BWC recording until he reaches the station at 21:44 on his BWC.

Weapon

Hon was armed with a small hatchet. It was approximately 8 inches long and had a sharpened knife side and a hatchet side.

¹² At 2:23 on the BWC of Officer Carranza.

¹³ At 2:33 on the BWC of Officer Carranza.

¹⁴ At 2:50 on the BWC of Officer Carranza.

¹⁵ At 2:52 on the BWC of Officer Carranza.

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De-escalation

When reviewing Officer Carranza's body camera video, as well as the body camera video of Officer Brown, Officer Larios, and Sergeant Johnson, it was clear that the incident under review unfolded very quickly. The incident in its entirety was less than 10 minutes, with Officer Carranza there for less than 3 full minutes before shots were fired. Nevertheless, all officers involved attempted to de-escalate the situation with verbal commands and with several attempts at less-lethal uses of force.

From the very beginning, officers attempted to deescalate the situation by talking to Hon. Officer Brown and Officer Larios tried to engage him by asking questions about what was going on with him and why he wanted to die. Officers repeatedly told Hon that they did not want to shoot him and that they just wanted to talk to him.

Officer Brown never removed her firearm, she had her "less-lethal" taser out the entire time. Hon told her to put away her taser and get out the guns several times, but Officer Brown continually told Hon that she would not and that she did not want to shoot him.

Officer Larios attempted talking with Hon by asking his name, trying to get information from him, and trying to negotiate with Hon that Officer Larios would put down his gun if Hon put down his knife. Officer Larios spoke in a calm but firm manner the entire time he was speaking with Hon.

Throughout the incident, officers made commands to Hon to "put the weapon down" or "get on the ground" more than 35 times. Hon never complied with any directives and remained focused on being killed by police. During the less than 8-minute incident, Hon yelled "kill me" or "shoot me" more than 65 times.

Hon continued to yell about wanting to die after having conversations with police, after being shot with 4 beanbag rounds, after running from police and only stopped after being shot. But even after being shot, Hon maintained the weapon in his hand until ordered to show his hands when he finally dropped it.

Death

Medical aid was summoned to the scene and transported Sokhom Hon to Loma Linda Hospital where he was pronounced deceased at 0025 hours on March 11, 2019.

Postmortem Examinations

A pathologist from the Office of the San Bernardino County Sheriff-Coroner, conducted the autopsy of Sokhom Hon on March 22, 2019. The pathologist noted multiple gunshot

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wounds to Mr. Hon's body and determined the cause of death was multiple gunshot wounds.

Injuries

Gunshot Wound of Right Anterior Hip

A gunshot wound was present on the anterior aspect of the right hip. The bullet traveled from front to back and right to left injuring the skin, subcutaneous tissue, small intestine, mesentery, right internal iliac artery, small intestine and left internal iliac artery before terminating within the soft tissues of the left side of the pelvis/hip. Injury is shared with the gunshot wound of the right lateral hip.

Gunshot Wound of Right Lateral Hip

A gunshot wound was present on the lateral aspect of the right hip. The bullet traveled right to left with no significant deviance otherwise. The bullet injured the skin and subcutaneous tissues, small intestine, mesentery and left pubic bone before terminating within the soft tissues of the left side of the pelvis/hip. There is hemorrhage throughout the wound path. Injury shared with gunshot wound of the right anterior hip.

Gunshot Wound of Right Anterior Thigh

A gunshot wound was present on the anterior aspect of the right mid-thigh. The bullet traveled from front to back, slightly left to right and slightly upwards, exiting on the lateral aspect of the right mid-thigh. There is hemorrhage throughout the wound path.

Gunshot Wound of Right Posterior Thigh

A gunshot wound was present on the posterolateral aspect of the right thigh. The bullet traveled right to left with no significant deviance otherwise. The bullet injured skin and subcutaneous tissues of the right thigh before exiting through the posteromedial aspect of the right thigh. There is hemorrhage throughout the wound path.

- In addition to the abovementioned gunshot wounds, Hon had 4 separate abrasions - one on his right chest, one on the right lower chest, one above the umbilicus and one on the left lower quadrant of the abdomen.

Toxicology

Peritoneal blood, vitreous fluid, and urine samples were collected from Hon during the autopsy.

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The toxicology results of the peritoneal blood sample revealed a blood alcohol concentration of .067%, 62 ng of amphetamine, 940 ng methamphetamine, and 67 mg ethanol.

Toxicology results for the other specimen(s) submitted did not reveal any positive findings of toxicological significance.

Assault With A Deadly Weapon

Like other types of assault, the crime of assault with a deadly weapon in violation of Penal Code section 245, subdivision (a)(1) (section 245(a)(1)) requires only "the general intent to willfully commit an act the direct, natural and probable consequences of which if successfully completed would be the injury of another." (*People v. Rocha* (1971) 3 Cal.3d 893, 899; similarly, see *People v. Colantuono* (1994) 7 Cal.4th 206, 214.)

[W]e hold that assault does not require a specific intent to cause injury or a subjective awareness of the risk that an injury might occur. Rather, assault only requires an intentional act and actual knowledge of those facts sufficient to establish that the act by its nature will probably and directly result in the application of physical force against another.

(*People v. Williams* (2001) 26 Cal.4th 779, 790; see also *People v. Golde* (2008) 163 Cal.App.4th 101, 108.) "This defines the mental state as a species of negligent conduct, a negligent assault. Where the negligent conduct involves the use of a deadly weapon ... the offense is assault with a deadly weapon." (*People v. Wright* (2002) 100 Cal.App.4th 703, 706.)

As to the "deadly weapon" theory of Penal Code section 245(a)(1), some objects, such as dirks and blackjacks, are deadly weapons as a matter of law. (*In re D.T.* (2015) 237 Cal.App.4th 693, 698; *People v. Brown* (2012) 210 Cal.App.4th 1, 6.) But any object can be a deadly weapon when used in a manner capable of producing death or great bodily injury. (*People v. Aguilar* (1997) 16 Cal.4th 1023, 1028-1029; *People v. Brown, supra*, 210 Cal.App.4th at pp. 7, 11; *In re Brandon T.* (2011) 191 Cal.App.4th 1491, 1496.) In determining whether an object not inherently deadly becomes so, the trier of fact may look at the nature of the weapon, the manner of its use, and all other factors that are relevant to the issue. (*In re D.T., supra*, 237 Cal.App.4th at p. 699; *In re Jose R.* (1982) 137 Cal.App.3d 269, 276-276.) The question is essentially one for the trier of fact. (*Id.* at p. 277; cf. *People v. Page* (2004) 123 Cal.App.4th 1466, 1473 [sharp pencil held up to neck]; *People v. Henderson* (1999) 76 Cal.App.4th 453, 467-470 [pit bull can be a deadly weapon under Pen. Code, § 417.8]; *People v. Simons* (1996) 42 Cal.App.4th 1100, 1106-1108 [screwdriver can be a deadly weapon under Pen. Code, § 417.8]; but see *In re Brandon T., supra*, 191 Cal.App.4th at pp. 1496-1498 [small rounded butter knife not deadly weapon].)

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Assault with a deadly weapon does not require that the defendant actually try to use the weapon on the victim's person. The test is whether the defendant demonstrates the "present ability" to complete the attack. The present ability element is satisfied when a defendant has attained the means and location to strike immediately, which means that the defendant must have the ability to inflict injury on the present occasion although the defendant need not have the ability to inflict injury instantaneously. (*People v. Chance* (2008) 44 Cal.4th 1164.) "Numerous California cases establish that an assault may be committed even if the defendant is several steps away from actually inflicting injury, or if the victim is in a protected position so that injury would not be "immediate," in the strictest sense of that term." (*Id.* at p. 1168.)

As this court explained more than a century ago, "Holding up a fist in a menacing manner, drawing a sword, or bayonet, presenting a gun at a person who is within its range, have been held to constitute an assault. So, any other similar act, accompanied by such circumstances as denote an intention existing at the time, coupled with a present ability of using actual violence against the person of another, will be considered an assault." [Citations.]

(*People v. Colantuono* (1994) 7 Cal.4th 206, 219.)

The defendant in *People v. Chance, supra*, 44 Cal.4th 1164 was held to have the "present ability" to inflict injury, as required for the crime of assault on police officer, even though there was no round in firing chamber of his gun and he did not point gun at officer. The defendant hid behind a trailer and pointed the loaded gun at a place where he believed Officer Murdoch would appear. The officer instead approached defendant from behind thwarting the defendant's plan.

Defendant contends he lacked the present ability to inflict injury not only because he was aiming in the opposite direction from Murdoch, but also because Murdoch had him covered and would have shot him first. However, this argument cannot be squared with cases demonstrating that an assault may occur even when the infliction of injury is prevented by environmental conditions or by steps taken by victims to protect themselves.

(*Id.* at p. 1173.)

Other case examples also illustrate when a defendant's behavior is sufficient to complete the crime of assault with a deadly weapon. In *People v. Nguyen* (2017) 12 Cal.App.5th 44, the appellate court upheld the defendant's conviction for aggravated assault on a police officer when he wielded a large knife and stepped toward the officer, rejecting the argument that being 10 to 15 feet away deprived the defendant of the present ability to inflict injury. In *People v. Escobar* (1992) 11 Cal.App.4th 502, the appellate court upheld a conviction when the victim heard the defendant cock a loaded firearm, even

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though the gun was concealed in a leather purse, and the defendant never pointed the weapon. In *People v. Orr* (1974) 43 Cal.App.3d 666, the defendant pointed a loaded rifle at the victim, backed him into a ditch, then fled. The defendant's conviction of assault with a deadly weapon was upheld. In *People v. Thompson* (1949) 93 Cal.App.2d 780, the defendant pointed a loaded pistol towards police officers and said he would not submit to arrest. Again, the conviction of assault with a deadly weapon was affirmed. (Similarly, see *People v. Schwartz* (1992) 2 Cal.App.4th 1319, 1326.)

Here, Hon maintained the hatchet/knife in his hand throughout his encounter with law enforcement. He held his aggressive stance while holding the weapon in hand and encouraging officers to fire their weapons. Hon was shot 4 times by less-lethal rounds and still he maintained his weapon in hand and started running from officers. His ultimate concealment behind and between the vehicles while running gave him the means and the location to strike "immediately" at Officers Carranza, Larios, and Brown, as that term applies in the context of assault.

APPLICABLE LEGAL STANDARDS

Laws of Arrest

California Penal Code section 834a

If a person has knowledge, or by the exercise of reasonable care, should have knowledge, that he is being arrested by a peace officer, it is the duty of such a person to refrain from using force or any weapon to resist such arrest.

California Penal Code section 835

An arrest is made by an actual restraint of the person, or by submission to the custody of an officer. The person arrested may be subject to such restraint as is reasonable for his arrest and detention.

California Penal Code section 835a

Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape or to overcome resistance.

A peace officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance or threatened resistance of the person being arrested; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance.

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Laws of Self-Defense

The legal doctrine of self-defense is codified in Penal Code Sections 197 through 199. Those sections state in pertinent part: "Homicide is justifiable when committed by any person in any of the following cases: (1) When resisting any attempt to murder any person, or to commit a felony, or to do some great bodily injury upon any person...(4) When necessarily committed in attempting, by lawful ways and means, to apprehend any person for any felony committed,...or in lawfully keeping and preserving the peace." Lawful resistance to the commission of a public offense may be made by the party about to be injured. (Pen. Code §692.) The resistance may be sufficient to prevent injury to the party about to be injured, or the prevent injury to someone else. (Pen. Code §693.)

Where from the nature of an attack a person, as a reasonable person, is justified in believing that his assailant intends to commit a felony upon him, he has a right in defense of his person to use all force necessary to repel the assault; he is not bound to retreat but may stand his ground; and he has a right in defense of his person to repel the assault upon him even to taking the life of his adversary. (*People v. Collins* (1961) 189 Cal.App. 2d 575, 588.)

Justification does not depend on the existence of actual danger but rather depends upon appearances; it is sufficient that the circumstances be such that a reasonable person would be placed in fear for his safety and the person act out of that fear. (*People v. Clark* (1982) 130 Cal.App.3d 371, 377.) "He may act upon such appearances with safety; and if without fault or carelessness he is misled concerning them, and defends himself correctly according to what he supposes the facts to be, his act is justifiable, though the facts were in truth otherwise, and though he was mistaken in his judgment as to such actual necessity at such time and really had no occasion for the use of extreme measures." (*People v. Collins, supra*, 189 Cal.App.2d at p. 588.)

**CAL CRIM 3470 (REVISED 2012)
RIGHT TO SELF-DEFENSE OR DEFENSE OF ANOTHER**

Self-defense is a defense to the unlawful killing of a human being. A person is not guilty of that/those crimes if he/she used force against the other person in lawful self-defense or defense of another. A person acts in lawful self-defense or defense of another if:

1. The person reasonably believed that he/she or someone else was in imminent danger of suffering bodily injury or was in imminent danger of being touched unlawfully;

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2. The person reasonably believed that the immediate use of force was necessary to defend against that danger; AND
3. The person used no more force than was reasonably necessary to defend against that danger.

When deciding whether a person's beliefs were reasonable, consider all the circumstances as they were known to and appeared to the person and consider what a reasonable person in a similar situation with similar knowledge would have believed. If the person's beliefs were reasonable, the danger does not need to have actually existed.

The person's belief that he/she or someone else was threatened may be reasonable even if he/she relied on information that was not true. However, the person must actually and reasonably have believed that the information was true.

A person is not required to retreat. He or she is entitled to stand his or her ground and defend himself or herself and, if reasonably necessary, to pursue an assailant until the danger of death/bodily injury has passed. This is so even if safety could have been achieved by retreating.

USE OF DEADLY FORCE BY A PEACE OFFICER

Authorization of the use of deadly force is analyzed under the Fourth Amendment's "objective reasonableness" standard. (*Brosseau v. Haugen* (2004) 543 U.S.194, 197.) This question is governed by the principles enunciated in *Tennessee v. Garner* (1985) 471 U.S. 1 and *Graham v. Connor* (1989) 490 U.S. 386.

In these decisions, the US Supreme Court explained "it is unreasonable for an officer to 'seize an unarmed, non-dangerous suspect by shooting him dead..... However, where the officer has probable cause to believe that the suspect poses a threat of serious physical harm, either to the officer or others, it is not constitutionally unreasonable to prevent escape by using deadly force.'" (*Tennessee v. Garner*, supra, 471 U.S. at p. 11.)

Reasonableness is an objective analysis and must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. (*Graham v. Connor*, supra, 490 U.S. at p. 396.) It is also highly deferential to the police officer's need to protect himself and others. 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. (*Id.* at p. 396-397.) The question is whether the officer's actions are "objectively reasonable" considering the facts and circumstances confronting them, without regard to their underlying intent or motivation. (*Id.* at p. 397.)

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The US Supreme Court in *Graham* set forth factors that should be considered in determining reasonableness: (1) the severity of the crime at issue, (2) whether the suspect poses an immediate threat to the safety of the officers or others, and (3) whether he is actively resisting arrest or attempting to evade arrest by flight. (*Graham v. Connor*, supra, 490 U.S. at p. 396.) The question is whether the totality of the circumstances justifies a particular sort of ... seizure. (*Tennessee v. Garner* (1985) 471 U.S. at p. 8-9. The most important of these factors is the threat posed by the suspect. (*Smith v. City of Hemet* (2005) 394 F.3d 689,702.)

Thus, under *Graham*, the high court advised we must avoid substituting our personal notions of proper police procedure for the instantaneous decision of the officer at the scene. "We must never allow the theoretical, sanitized world of our imagination to replace the dangerous and complex world that policemen face every day. What constitutes 'reasonable' action may seem quite different to someone facing a possible assailant than to someone analyzing the question at leisure." (*Smith v. Freland* (1992) 954 F.2d 343, 347.)

Reasonableness: The Two Prongs

Penal Code section 197, subdivision (3) requires that one who employs lethal force have a "reasonable ground to apprehend" a design to commit a felony or to do some great bodily injury. Further, Penal Code section 198 requires that such fear be "sufficient to excite the fears of a reasonable person." This is clearly an objective standard. In shorthand, perfect self-defense requires both subjective honesty and objective reasonableness. (*People v. Humphrey* (1996) 13 Cal.4th 1073, 1093.)

When specific conduct is examined under the analytical standard of reasonableness the concepts of apparent necessity and mistake are invariably, and necessarily, discussed, for they are part of the same equation. "Reasonableness," after all, implies potential human fallibility. The law recognizes, as to self-defense, that what is being put to the test is human reaction to emotionally charged, highly stressful events, not mathematical axioms, scientifically provable and capable of exact duplication.

While the test, as mandated by section 198, is objective, reasonableness is determined from the point of view of a reasonable person in the position of one acting in self-defense. (*People v. Minifie* (1996) 13 Cal.4th 1055, 1065.) We must take into consideration all the facts and circumstances that might be expected to operate in the persons mind. (*Ibid.*) Reasonableness is judged by how the situation appeared to the person claiming self-defense, not the person who was injured or killed as a result.

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Imminence of Perceived Danger

"Imminence is a critical component of both prongs of self-defense." (People v. Humphrey, supra, 13 Cal.4th at p. 1094.) Response with deadly force must be predicated on a danger that portends imminent death or great bodily injury. Reasonableness and immediacy of threat are intertwined. Self-defense is based on the reasonable appearance of imminent peril of death, or serious bodily injury to the party assailed.

In People v. Aris the trial court clarified that imminent peril means that the peril must have existed, or appeared to the person to have existed, at the very time the shot was fired. (People v. Aris (1989) 215 Cal.App.3d 1178, 1188 disapproved on another ground in People v. Humphrey (1996) 13 Cal.4th 1073.) This was later cited with approval by the California Supreme Court: "An imminent peril is one that, from appearances, must be instantly dealt with." (In re Christian S. (1994) 7 Cal. 4th 768,783 quoting People v. Aris, supra, 215 Cal.App.3d at p. 1187.)

The question is whether action was instantly required to avoid death or great bodily injury. In this regard, there is no duty to wait until an injury has been inflicted to be sure that deadly force is indeed appropriate.

Retreat and Avoidance

Under California law one who is faced with an assault that conveys death or great bodily injury may stand his ground and employ lethal force in self-defense. There is no duty to retreat even if safety could have been achieved by retreating. (CALCRIM No. 3470.) Indeed, in California the retreat rule has been expanded to encompass a reasonably perceived necessity to pursue an assailant to secure oneself from danger. (See People v. Holt (1944) 25 Cal.2d 59, 63; People v. Collins (1961) 189 Cal. App.2d 575, 588.)

Nature and Level of Force

The right of self-defense is limited to the use of such force as is reasonable under the circumstances. (See People v. Gleghorn (1987) 193 Cal.App.3d 196, 200; People v. Minifie, supra, 13 Cal.4th at p. 1065; People v. Moody (1943) 62 Cal.App.2d 18,22.)

Case law does not impose a duty to use less-lethal options. "Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety." (People v. Collins, supra, 189 Cal.App.2d at p. 578.)

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The rationale for vesting the police officer with such discretion was explained:

Requiring officers to find and choose the least intrusive alternative would require them to exercise superhuman judgment. In the heat of battle with lives potentially in the balance, an officer would not be able to rely on training and common sense to decide what would best accomplish his mission. Instead, he would need to ascertain the least intrusive alternative (an inherently subjective determination) and choose that option and that option only. Imposing such a requirement would inevitably induce tentativeness by officers, and thus deter police from protecting the public and themselves. It would also entangle the courts in endless second-guessing of police decisions made under stress and subject to the exigencies of the moment.

Scott v. Henrich (1994) 39 F.3d 912, 915.

In summary, an honest and objectively reasonable belief that lethal force is necessary to avoid what appears to be an imminent threat of death or great bodily injury will justify the use of deadly force. This is true even if the person acting in self-defense could have safely withdrawn or had available to him a less-lethal means of defense.

ANALYSIS

On March 10, 2019 at approximately 2301 hours, San Bernardino Police Dispatch Center received a 911 call regarding a man with a weapon at a location on the block of E 4th Street in San Bernardino. Officers were dispatched to the location. All officers involved were wearing San Bernardino Police Department issued uniforms with police emblems clearly visible. They were all driving marked police units.

Officer Kerie Brown and Officer Joaquin Larios were the first two officers to arrive on scene and to contact Sokhom Hon in the area of 4th Street and Allen Street. Hon appeared very agitated from the beginning, he was carrying a small folding hatchet and was repeatedly yelling for officers to kill him. Officer Brown was pointing a taser at Hon and Officer Larios was pointing his firearm at Hon. Both officers made repeated attempts to get Hon to put down his weapon and talk to them in an attempt to deescalate the situation.

Sergeant Johnson then arrived on scene with a less-lethal shotgun. When Sergeant Johnson arrives with the shotgun, Hon excitedly states "there you go! I want to die!" He states, "I need you to kill me, I'm tired of living hell." Hon's father then came out of the apartment complex and was in the backdrop of potential law enforcement shots, so both Hon and all present officers yelled at him to get out of the background. There was at least one other civilian outside (Witness #2) with Hon's father.

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At this point, Officer Carranza arrived on scene. He made his way to the left of Sergeant Johnson and let Sergeant Johnson know that he was there. Officers were still yelling at Hon's family to get out of the background. Hon then started yelling again, "shoot me, shoot me, I have a knife!" Sergeant Johnson then deployed less-lethal shotgun rounds in an attempt to gain compliance. Hon was struck 4 times, twice in the abdomen, once on the right side of his chest, and once on his right side under his armpit. Hon continued to yell, "shoot me, shoot me, kill me, kill me!" as he is being shot with the less-lethal rounds. After each round, he runs further from the original scene, the shots barely fazing him.

Hon then ran southbound on Allen Street to Court Street still refusing to drop the weapon and continually yelling at police to kill him. Hon was running down a sidewalk alongside the passenger side of parked cars. He continued to yell at officers that if they got close to him, he would stab them. Officers Larios, Brown, and Carranza were the closest to him. Officers Brown and Larios were on the sidewalk behind Hon and Officer Carranza was on the street side, running in the street alongside the drivers' side of the parked cars. Officer Carranza was running almost parallel to, but just slightly behind Hon's location.

It appears from the body worn videos reviewed that almost simultaneously, the following things happened:

1. Hon changed course suddenly and cut between two parked cars, running from the sidewalk, between the cars and then directly towards Officer Carranza in the street;
2. Officer Brown deployed her taser and missed Hon, striking the closest vehicle instead;
3. Officer Carranza fired 4 rounds, striking Hon all 4 times.

Hon then fell to the ground, but still had the weapon. Hon then drops the weapon and Officer Koch kicks it away from him. The weapon is removed from the immediate area and Hon is taken into custody without further incident. Officers then began to administer first aid, Officer Brown, specifically, locating and putting pressure on his wounds.

In this case, Officer Carranza had an honest and objectively reasonable belief that Hon posed an imminent threat of serious bodily injury or death both to himself and his partners, as well as to the community/ any civilians that were on or near the scene. Officer Carranza had heard on the radio that there was a man armed with a knife or axe making threats at an apartment complex. He also heard, once Officers Brown and Larios were there that Hon was still uncooperative. He heard requests for additional units and made his way to the location.

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Officer Carranza arrived on scene while other officers had been and were continuing to verbally deescalate the situation. Officer Carranza then joined in giving Hon directives to drop his weapon. Hon did not comply with any of their directives. Officer Carranza witnessed Hon run across the street while being shot by less-lethal rounds. Hon was ordered by no less than 4 officers to put down his weapon and get on the ground and failed to comply with a single directive given. Officer Carranza then witnessed Hon maintain grip on his weapon while threatening officers that he would rush and stab them if they got close to him. Hon then, after being shot 4 times by less-lethal rounds, took off running down the street, while still holding the knife/axe.

Hon still did not comply with any officer commands to drop his weapon. Instead, Hon maintained his grip on the weapon, threatened that he would use that weapon, and continued running away from the location. Hon then quickly changed course, cutting through parked vehicles and ran straight towards Officer Carranza. When Officer Carranza fired his duty weapon, Officer Carranza honestly and reasonably believed that Hon was coming to either seriously injure or kill him. Given Officer Carranza's proximity to Hon, Hon's previous threats, and his behavior throughout the incident, it was reasonable for Officer Carranza to believe Hon posed an imminent threat which could result in Officer Carranza, or others, suffering serious bodily injury or death.

Under all those circumstances, it was objectively reasonable for Officer Carranza to believe Hon posed an immediate and serious threat to his physical safety and thus, Officer Carranza's decision to use deadly force was justified.

CONCLUSION

Based on the facts presented in the reports, witness statements, review of all audio and video, and the applicable law, Officer Carranza's use of lethal force was a proper exercise of his right of self-defense and defense of others and therefore his actions were legally justified.

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