



C A L I F O R N I A

DEPARTMENT OF JUSTICE

**Report on the Investigation into the
Death of Charles Towns on January 22, 2023**

Los Angeles County AB 1506

May 2026

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INVESTIGATION OF OFFICER INVOLVED SHOOTING

BACKGROUND—AB 1506

Pursuant to California Assembly Bill 1506 (AB 1506), the California Department of Justice is required to investigate all incidents of an officer-involved shooting resulting in the death of an unarmed civilian in the state. Historically, these critical incidents in California had been primarily handled by local law enforcement agencies and the state's 58 district attorneys.

AB 1506, signed into law on September 30, 2020 and effective July 1, 2021, provides the California Department of Justice (DOJ) with an important tool to directly help build and maintain trust between law enforcement and the communities they serve by creating a mandate for an independent, statewide prosecutor to investigate and review officer-involved shootings of unarmed civilians across California. DOJ investigates and reviews, for potential criminal liability, all such incidents covered under AB 1506, as enacted in California Government Code section 12525.3. Where criminal charges are not appropriate, DOJ is required to prepare and make public a written report, like this one, communicating:

- A statement of facts, as revealed by the investigation;
- An analysis of those facts in light of applicable law;
- An explanation of why it was determined that criminal charges were not appropriate; and
- Where applicable, recommendations to modify the policies and practices of the involved law enforcement agency.

Recommendations to modify policies and practices of the involved law enforcement agency will be based on the facts of the incident, any known policies and practices of the relevant law enforcement agency, and the experience and expertise developed by DOJ personnel.

PRIVACY STATEMENT

This report includes redactions of the names and other identifying information of witnesses and any family members of the decedent. The public interest in such information is limited, as it is not necessary to gain an understanding of the incident. Thus, the interest in nondisclosure clearly outweighs any public interest in disclosure.

For reasons related to privacy, as well as readability of this report, the witnesses will be indexed as follows:

- Witness 1 (W-1) First 911 caller
- Witness 2 (W-2) Owner of market
- Witness 3 (W-3) Witness at Mobil gas station
- Witness 4 (W-4) Stabbing victim at Mobil gas station
- Witness 5 (W-5) Daughter of W-6
- Witness 6 (W-6) Stabbing victim at 2157 El Sereno Ave., Altadena
- Witness 7 (W-7) Daughter of W-6
- Witness 8 (W-8) Husband of W-6
- Witness 9 (W-9) Son of W-6
- Witness 10 (W-10) Witness at Mobil gas station
- Witness 11 (W-11) Second 911 caller

INTRODUCTION

On January 22, 2023, Los Angeles County Sheriff's Department (LASD) Deputies Eliezer Morales and Clarissa Prentice fatally shot Charles Towns while responding to a call of an armed male brandishing a knife. DOJ assumed jurisdiction and commenced an investigation of this shooting on January 24, 2023.¹

DOJ investigated and reviewed the OIS pursuant to Government Code section 12525.3 (enacted by AB 1506). This report is the final step in DOJ's review of the fatal OIS of Mr. Towns and is limited solely to determining whether criminal charges should be brought against the involved officers. The review does not encompass or comment on any potential administrative or civil actions. It does, however, include policy and practice recommendations as required by Government Code section 12525.3, subdivision (b)(2)(B)(iii). Upon thorough examination, and as discussed in detail below, we conclude that no criminal charges will be filed because the evidence is insufficient to prove that Deputies Morales and Prentice committed a crime.

CAUTION: The images and information contained in this report may be graphic and disturbing. Therefore, reader discretion is advised, especially for young children and sensitive individuals.

¹ The DOJ was contacted by LASD two days after the officer-involved shooting.

SUMMARY OF INCIDENT

On January 22, 2023, at approximately 5:10 PM, W-1 was walking south on Fair Oaks Avenue in the city of Altadena when she looked up and noticed Mr. Towns standing in front of her. Mr. Towns was holding a pair of three-and-a-half to four-inch “shears.” W-1 would later tell investigators that it appeared that Mr. Towns was holding the shears in a way that showed his intent to stab someone. W-1 was in fear and so she turned around and ran north on Fair Oaks Avenue.

As W-1 ran away from Mr. Towns, a white pickup truck appeared to intentionally try to hit Mr. Towns. The driver of the white pickup truck, who was never identified, reversed his truck towards Mr. Towns and missed him. When Mr. Towns moved in front of the driver, the driver then drove towards Mr. Towns, knocking him down on the east side of Fair Oaks Avenue. W-1 stated that when Mr. Towns fell back, he was still holding onto the shears, and that Mr. Towns then got up and crossed Fair Oaks Avenue towards the Mobil gas station.

As Mr. Towns walked toward the west sidewalk in front of Joon’s Market, W-2 approached Mr. Towns. W-2 knew Mr. Towns as a local transient who frequented the area. W-2 asked Mr. Towns if he needed help after the pickup truck struck him. W-2 later told investigators that Mr. Towns was “not acting normal” and ignored W-2’s questions. Mr. Towns continued walking toward the Mobil Gas Station Parking lot located at 15 W. Woodbury Road.

At 5:14 PM,² W-1 called 911 and told the dispatcher, “There’s a guy with a weapon here on Woodbury and Fair Oaks, he has like scissors, he’s African American, wearing a gray hoodie, black pants, and a lot of people warned me about him, and he looked like he was going to strike.” W-1 further stated, “He is now near the Mobil still holding it and getting close to people and threatening, he’s chasing people right now, he’s running after people in the Mobil.”

W-11 made a 911 call at 5:13:48 PM, stating, “We have a guy trying to stab people here on the corner of Raymond and Fair Oaks...He’s walking up and down, he just tried to assault some lady, he tried to assault my dad...He’s walking around with a knife....” W-11 described the individual as wearing a gray sweatshirt and black pants and added that it was a “Male black named Charlie, and he is a local crackhead.” W-11 confirmed that Mr. Towns still had the knife and was running after people with it. W-11 stated, “He’s swinging it [the knife] right now; he just tried to grab a little girl... he’s got two people now; he’s trying to stab them, bro.” W-11 then clarified that they were at Woodbury and Fair Oaks and told the dispatcher, “You got to come right now, bro.”

Mr. Towns walked to the back of the Mobil where the air pumps are located. Mr. Towns approached W-3, who was kneeling near the rear passenger side tire, filling the tire with air, while his nephew, W-4, was standing behind him. W-4 noticed Mr. Towns slowly walk towards them and believed Mr. Towns was going to ask them for money. Instead, Mr. Towns used his left hand and grabbed W-3’s head while holding a pair of scissors in his right hand. Mr. Towns then stabbed W-3 in the right shoulder area two to three times. Since W-3’s jacket was covering his shoulder, W-3’s injuries consisted of redness to his shoulder area.

2 The time stamp for W-1’s 911 call was recorded into the computer aided dispatch log (CAD Logs) at 5:14 PM. This does not reflect the exact time the call was made; instead, it reflects when the call was inputted into the LASD CAD logs by the dispatcher. There are no other time stamps provided for this call.



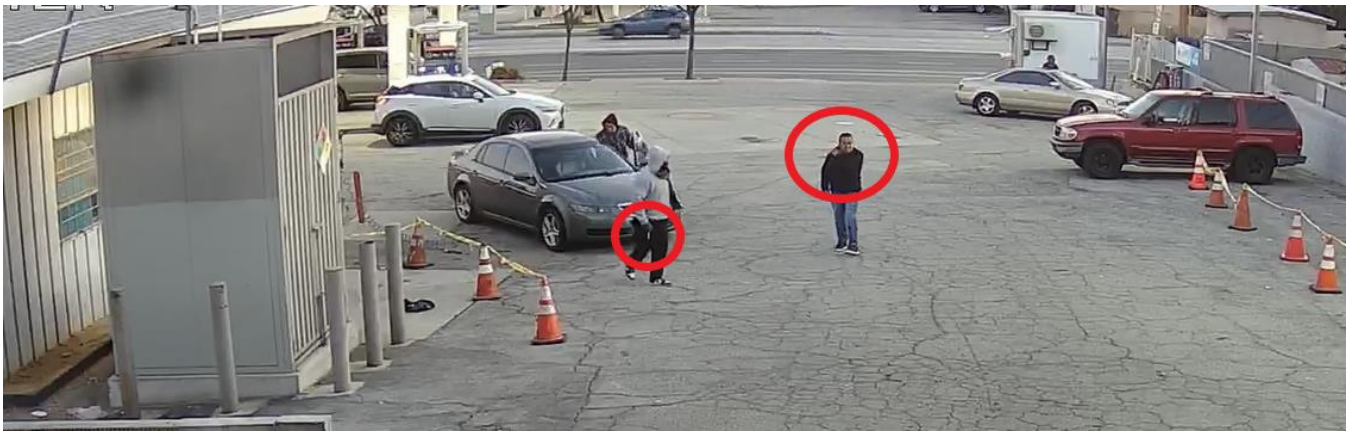
Mobil surveillance still – Depicts Mr. Towns stabbing W-3.

After Mr. Towns stabbed W-3, W-3 fell and then quickly got up. Mr. Towns then chased W-3 and W-4 around the car with the scissors in his right hand. W-3 noticed that the object in Mr. Towns' right hand was a pair of scissors approximately two to three inches long with a handle "between blue and green, like a teal." W-3 later told investigators that he kept trying to run away from Mr. Towns, "but [Mr. Towns] kept chasing me with the weapon in his hand."

W-4 saw two unknown African American males attempt to stop Mr. Towns, but Mr. Towns started running after them while holding the scissors in his right hand. W-4 said that whenever someone tried to stop Mr. Towns, "[h]e seemed to become more irritated and was looking around for just anyone to hurt."



Mobil surveillance video still– Shows Mr. Towns armed with scissors chasing W-3 and W-4.



Mobil surveillance video still – Shows Mr. Towns armed with scissors and W-3 holding his right shoulder.

At 5:14 PM, an LASD Dispatcher broadcasted a call to LASD units assigned to the Altadena station, stating, “Code 3³ response is needed for 17A west Woodbury Road and North Fair Oaks Avenue, west Woodbury and North Fair Oaks. Male Black with a 417A.⁴”

Deputy Morales and Deputy Prentice responded by broadcasting that they were going to the area. The Dispatcher provided further information and said, “The disturbing party is wearing a gray sweater near the Mobil gas station; Altadena Units for the 417A, the disturbing party is chasing a passerby.” Immediately after, the Dispatcher again broadcasted – “The disturbing party is chasing any passerby near the gas pumps.” W-4 later told investigators that when he heard police sirens, Mr. Towns “seemed to get the sense that the police were coming” because he ran across the street to the south side of Woodbury Avenue.

Mr. Towns ran west on Woodbury Road away from the gas station. Mr. Towns approached an unknown bystander standing by a white pickup truck and chased the bystander around his truck. At this time, LASD patrol vehicles arrived on scene after receiving broadcast calls regarding Mr. Towns. Deputy Morales arrived at the scene and approached the area in his patrol vehicle with his lights and sirens activated.



Surveillance video stills from 2194 El Sereno Ave., Altadena.

3 The LASD Radio Code states that a Code 3 means “Emergency. Use red lights and siren.”

4 417A refers to Penal Code section 417 which bars the exhibiting or brandishing of a deadly weapon, other than a firearm in a rude, angry, or threatening manner.

When Deputy Morales located Mr. Towns, he exited his vehicle and drew his gun while Mr. Towns chased the unknown bystander on the south side of Woodbury Road. Deputy Morales asked to be “patched”⁵ through onto the radio and reported, “We have 417 suspect at gunpoint. Hey. Come here.” Deputy Morales stated that he “detained the 417A suspect on west Woodbury Road and North Fair Oaks.”

The unknown bystander ran towards Deputy Morales’s patrol vehicle and Mr. Towns turned and ran, away from Deputy Morales. Deputy Morales broadcast this as well stating, “Suspect was running westbound on Woodbury Road towards El Sereno Avenue.”

At 5:18 PM, Deputies Prentice and Ferguson arrived on scene separately. They were both traveling west on Woodbury Road, driving marked LASD patrol vehicles. Deputy Ferguson stopped his vehicle on Woodbury Road and El Sereno Avenue, several feet west of Deputy Morales. Deputy Ferguson immediately exited her patrol vehicle. Deputy Prentice stopped her vehicle just south of Deputy Morales.



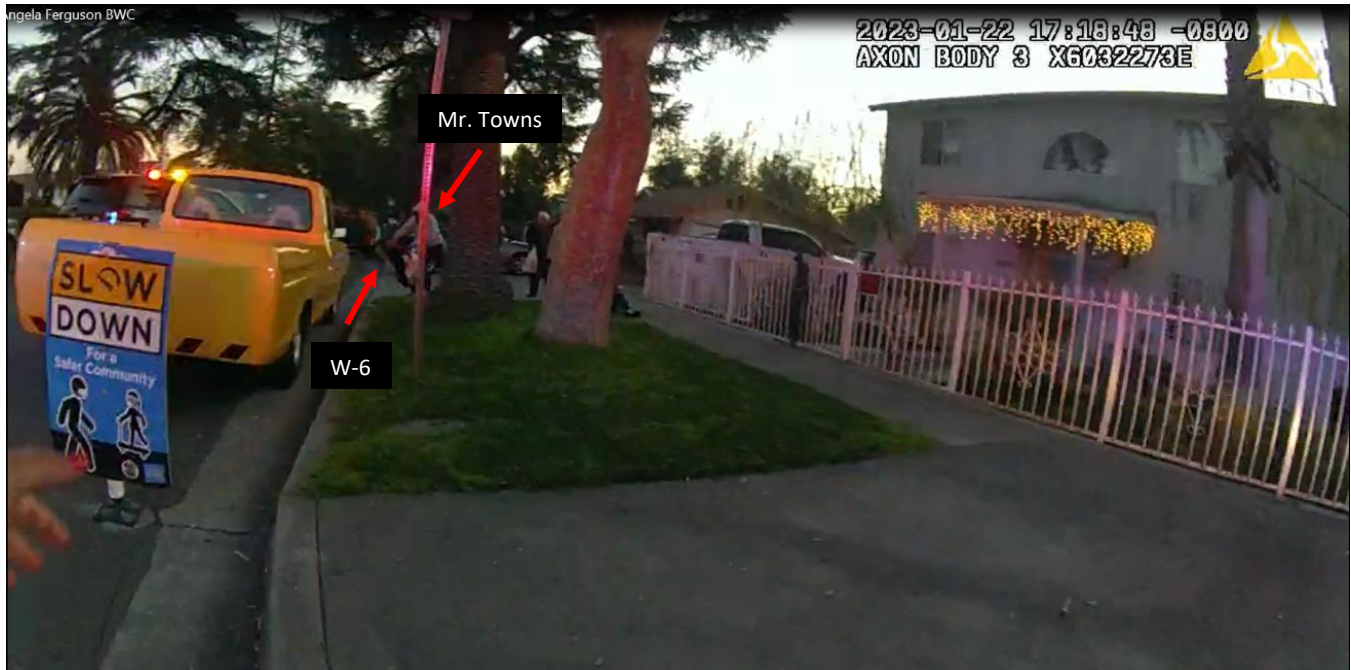
Surveillance still video from 2194 El Sereno Ave.

As Deputies Prentice and Ferguson arrived, Deputy Morales pursued Mr. Towns who was traveling west on Woodbury Avenue towards El Sereno Avenue. Mr. Towns turned south on El Sereno Avenue.

Deputies Morales, Ferguson, and Prentice followed Mr. Towns in their patrol vehicles as he jogged west on Woodbury Road and turned south onto El Sereno Ave. As Mr. Towns turned south on El Sereno Avenue, four individuals - W-5, W-6, W-7, and W-8 were exiting a gray Lexus parked on the east side of El Sereno Ave, just south of Woodbury Road, the group walked westbound across El Sereno Avenue in the direction of their residence on El Sereno Ave. While they were walking across the street, Mr. Towns approached them and began shouting at them.

5 Asking for the “patch” is a radio vernacular which refers to emergency radio traffic that allows for other LASD Deputies to hear the broadcast.

Mr. Towns grabbed W-5 by the hair and forced her body down on the road, just east of the west side sidewalk. W-5, a 49-year-old female, sustained abrasions, scrapes, and redness to her right knee, leg, and foot. Deputies Morales and Ferguson turned left on El Sereno Avenue around the same time Mr. Towns attacked W-5. Deputy Ferguson arrived and parked her patrol vehicle at 5:18:41 PM, and Deputy Prentice arrived and parked her vehicle on El Sereno Avenue at 5:18:47 PM. W-6, a 79-year-old female, was standing on the grass between the street and the sidewalk of 2157 El Sereno Ave. After Mr. Towns attacked and threw W-5 to the ground, Mr. Towns grabbed W-6 by the neck. Mr. Towns then pushed her down on her knees, tilted her head up, opened her mouth, and stabbed her in the mouth with a sharp object that he was holding in his right hand.



Deputy Ferguson BWC - Depicts Mr. Towns making an up-and-down motion with his right hand onto a person who was underneath him (later determined to be W-6).

After Mr. Towns stabbed W-6, he pulled the sharp object out of her mouth. At that time, W-6's son, W-9, was standing nearby and pushed Mr. Towns away from W-6. W-9 would later tell investigators that he believed Mr. Towns was holding a white knife. W-6 noticed she was covered in blood and unable to speak because there was blood coming out of her mouth. W-6 was later taken to the hospital and received sutures to her tongue from the stabbing.

At 5:18:48 PM, when W-9 pushed Mr. Towns away from W-6, Deputy Morales stood a few feet away from Mr. Towns, facing him with his firearm drawn. Deputies Ferguson and Prentice were both several feet away, running towards Mr. Towns.



Deputy Ferguson BWC – At 5:18:48 PM shows W-9 pushing Mr. Towns away from W-6 and Deputy Morales’s gun drawn and pointed towards Mr. Towns.

For two seconds, W-9 continued to push Mr. Towns away from W-6, who was lying on the curb of El Sereno Avenue. At 5:18:50 PM, while W-9 was holding onto Mr. Towns, Deputy Morales fired one round. Simultaneously, Deputy Prentice exited her patrol vehicle, parked just north of Deputy Morales.



Deputy Ferguson BWC at 5:18:50 PM – Depicts W-6 laying on the west curb of 2157 El Sereno Ave., hunched over, while W-9 was pushing Mr. Towns away from W-6, and Deputy Morales had his gun drawn towards Mr. Towns.



Deputy Ferguson's BWC – Depicts Mr. Towns with the scissors in his right hand at 5:18:50 PM.

After Deputy Morales fired his first round, Deputy Ferguson ran towards the incident from the opposite direction of Deputy Morales and yelled, "Move!" At 5:18:52 PM, two seconds after the first shot, Deputy Morales fired a second round. Mr. Towns fell between Deputy Morales's patrol vehicle and a yellow truck parked on the west side of Deputy Morales's patrol vehicle.



Deputy Prentice BWC still – Depicts Mr. Towns lying on the ground with an object in his right hand.

After the second shot was fired, Mr. Towns laid on the ground, waving his hands and moving his body. Deputy Morales stood a few feet south of Mr. Towns, Deputy Ferguson stood a few feet east of Mr. Towns, and Deputy Prentice stood a few feet north of Mr. Towns. Deputy Morales repeatedly yelled for Mr. Towns to “slow down,” “stop moving,” and to “get down.” Mr. Towns continued to move toward Deputy Morales, W-6 and W-9.

At 5:18:56 PM, Deputy Prentice fired her first shot toward Mr. Towns while she was at the rear of Deputy Morales’s patrol vehicle.



Deputy Prentice BWC – Shows when she shot her first round toward Mr. Towns.

Mr. Towns then sat up and started sliding forward on his buttocks, with his right arm concealed behind his back, towards Deputy Morales and Deputy Ferguson, who were a few feet south of Mr. Towns. At 5:18:57 PM, Deputy Morales fired his third shot toward Mr. Towns.



Deputy Ferguson’s BWC – Depicts Mr. Towns scooting towards her and Deputy Morales, with his right hand concealed behind his back.

Deputy Morales continued ordering Mr. Towns to “stop moving.” Mr. Towns did not comply and continued scooting towards Deputy Morales and the witnesses, with his right hand concealed behind his back. Deputy Prentice was standing on the north side of Mr. Towns, and from her vantage point a pair of scissors was within arm’s reach of Mr. Towns.



Deputy Prentice BWC still – At 5:18:58 PM - depicts the scissors within arm’s reach of Mr. Towns.



Deputy Ferguson BWC still - Shows Mr. Towns scooting his body towards Deputy Morales, with his right hand concealed, at 5:18:58 PM.

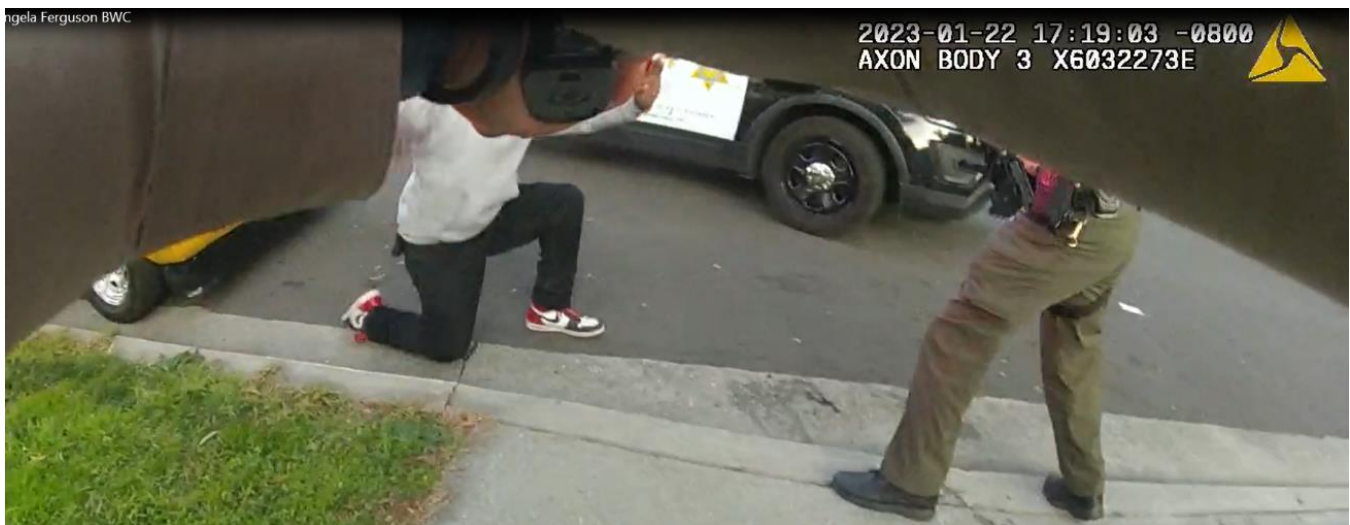
At 5:19:01 PM, Mr. Towns continued to scoot towards Deputy Morales. He turned his body west, towards W-5, W-6, W-7, W-8, and W-9, who were all approximately one to four feet away from him on the sidewalk in front of 2157 El Sereno Ave. Deputy Morales and Deputy Ferguson kept yelling at Mr. Towns to “stop moving.” Instead, Mr. Towns got up on his knees and continued moving towards the deputies.

Deputy James Song and his partner Deputy Jeremy Lujan arrived at 5:18:56 PM while the OIS was occurring. Deputy Song stated that when Mr. Towns got to his knees, he was approximately five feet away from Deputy Morales, and “Mr. Towns appeared to be advancing towards Deputy Morales.”



Deputy Ferguson BWC still - Shows Mr. Towns moving towards Deputy Ferguson and the witnesses while Deputy Morales has his gun drawn pointing at him.

Mr. Towns did not obey commands to “stop moving” and “get down” and instead continued to move toward the witnesses and Deputy Morales. At 5:19:03 PM, as Mr. Towns began standing up, Deputy Morales fired his fourth shot.



Deputy Ferguson BWC – Shows Deputy Morales a few feet in front of Ms. Towns, who appears to be attempting to stand up.

During Deputy Morales’s fourth shot, Deputy Prentice lost sight of Mr. Towns because she was running southbound around the driver’s side of Deputy Morales’s patrol vehicle. While running southbound towards Deputy Morales, Deputy Prentice broadcasted “998,” which is the LASD radio code for “Officer Involved Shooting.”

After Deputy Morales’s fourth shot, Mr. Towns immediately stood up and ran towards Deputy Morales, who was standing in front of W-5, W-6 and Deputy Prentice, who stood southeast of Deputy Morales.



Deputy Prentice BWC – Shows Deputy Morales standing on the westside driveway in front of the civilian witnesses while Mr. Towns is running towards him.



BWC – Deputy Ferguson – Shows when Deputy Prentice first appears on Deputy Morales’s southeast side and Mr. Towns looks in her direction.

At 5:19:04 PM, Mr. Towns ran towards Deputy Prentice, who was approximately three to four feet away. Over the next four seconds, Deputy Prentice fired eight rounds toward Mr. Towns, who then fell on the road and collapsed face-up on the west side of El Sereno Avenue. Mr. Towns appeared to have several gunshot wounds.



Deputy Furguson's BWC still – Shows Mr. Towns running towards Deputy Prentice when shots six through thirteen were fired.



Deputy Prentice BWC still – Shows Mr. Towns moving towards Deputy Prentice at 5:19:05 PM, when shots six through thirteen are fired.

At 5:33 PM, Mr. Towns was declared deceased by Pasadena Fire Department paramedic staff.

After the OIS occurred, deputies located scissors lying just east of the yellow truck parked on the west side of El Sereno Avenue, near where Mr. Towns was previously lying on the road between Deputy Morales's patrol vehicle and the yellow truck.



Scissors located on the west side of El Sereno Avenue, next to the yellow truck.

After the OIS occurred, and when the crime scene was being closed off from the public, Deputy Prentice's BWC depicted her telling another Deputy that "the lady on the floor (W-6), she was the only one that got stabbed, and he (Mr. Towns) pushed the other lady (W-5)."

INVESTIGATION

Evidence Reviewed

Following Mr. Towns' death, DOJ received and reviewed extensive investigation materials related to this OIS incident. The LASD homicide division also investigated the OIS and provided DOJ with their complete investigation. DOJ then independently reviewed officer and civilian witness interviews; photographs of the crime scene and other evidence; video recordings (footage from Deputies Ferguson, Song, Prentice, Morales, and Lujan's body-worn cameras, surveillance videos, and civilian cell-phone videos); communication evidence (two 911 calls, printouts from the computer-aided dispatch system and corresponding radio calls); physical evidence (including shell casings, fired bullet projectiles, and the scissors Mr. Towns was holding); an autopsy report, a toxicology report, and analyses on ballistics and firearms.

DOJ Response

On January 22, 2023, after the OIS occurred, LASD detectives were notified and responded to the scene. On January 24, 2023, DOJ's California Police Shooting Investigation Team ("CaPSIT") was notified and DOJ special agents and a special agent supervisor responded to an LASD station to be briefed on the case. LASD personnel walked the DOJ team through the shooting scene and showed them the

location of the OIS and body-worn camera footage of the incident. DOJ also collected the investigation materials LASD provided.

DOJ then conducted an independent and thorough investigation of the facts and circumstances relating to this OIS incident and reviewed all evidence and legal standards.

Crime Scene Description

This OIS shooting occurred on the west side of El Sereno Avenue in front of residence 2157 El Sereno Avenue in the city of Altadena, county of Los Angeles. This residence is on the corner of Woodbury Road and El Sereno Avenue.

Only evidence pertinent and relevant to the OIS incident is summarized in this report.



Diagram of the path travelled by Mr. Vargas from the Chevron gas station to the location of the OIS.

Evidence Recovery

LASD detectives and crime scene technicians began processing the scene on the night of January 22, 2023. The following items were collected and are relevant to this OIS investigation:

- Ten discharged cartridge casings, head-stamped “FC 9MM Luger” were found on El Sereno Avenue.
- Three discharged cartridge casings, head-stamped “WIN 9MM Luger” were found on El Sereno Avenue.
- A pair of scissors were recovered 26 feet 8 inches from the east curb line of El Sereno Avenue
- Two bullet fragments were recovered, one 32 feet 4 inches from the east curb line of El Sereno Avenue, and the second was found 34 feet 8 inches from the same curb line.
- Two fired bullets were recovered, one 33 feet 2 inches from the east curb line of El Sereno Avenue, and the second was found 33 feet west of the west curb line of El Sereno Avenue.

Deputy Processing; Ballistic & Firearm Analysis

Deputy Morales

On January 23, 2023, LASD Detectives Scott Matlock and Sergeant Vincent Choi conducted deputy processing of Deputy Morales. At the time of processing, Deputy Morales was in fully deputy uniform with the LASD insignia fully visible. Deputy Morales also had a magazine pouch with two magazines, each with 17 rounds of ammunition.

Deputy Morales's firearm was a department-issued Smith & Wesson M&P 2.0 9 mm pistol, with a Surefire X300 light. The firearm's magazine contained 13 rounds, with a capacity for 17 rounds. One round was in the chamber, and the rounds in the magazines contained the headstamp of FC 9mm Luger.

On January 25, 2023, Marco Lezza, LASD's senior criminalist, test-fired the firearm and found it functioned as designed.

Deputy Prentice

On January 22, 2023, LASD Detectives Scott Matlock and Vincent Choi conducted deputy processing of Deputy Prentice. Deputy Prentice was in full deputy uniform with the LASD insignia fully visible. Deputy Prentice also had a magazine pouch with two magazines, each with 17 rounds of ammunition.

Deputy Prentice's firearm was described as a department-issued Smith & Wesson M&P 2.0, 9 mm pistol, with a Surefire x300 light. The magazine in the firearm contained eight rounds, with a capacity for 17 rounds. The firearm had one round in the chamber. The round in the chamber and one round in the magazine contained the head-stamp of WIN 9mm Luger, and the remaining rounds in the magazine included the head-stamp of FC 9mm Luger.

On January 25, 2023, Marco Lezza, LASD's senior criminalist, test-fired the firearm and found it functioned as designed.

Video Recordings

LASD provided seven body-worn camera footage videos, four store/home-affixed surveillance videos, and nine civilian cellphone videos. DOJ reviewed all of the videos.

Body-Worn Cameras

Two of the seven body-worn camera recordings provided to DOJ captured the OIS. Of the two involved Deputies, Deputy Prentice had her BWC turned on before and after the OIS, while Deputy Morales's BWC was not activated until after the OIS. Further, the responding Deputies who arrived at the scene after the shooting occurred also wore activated body-worn cameras.

INTERVIEWS OF POLICE OFFICERS

Police officers, like all individuals, have the right to remain silent and decline to answer questions in the face of official questioning. (*Spielbauer v. County of Santa Clara* (2009) 45 Cal.4th 704, 714; see generally *Miranda v. Arizona* (1966) 384 U.S. 436.) Deputy Morales and Deputy Prentice did not provide voluntary statements.

Public employees, including police officers, may be compelled by an employer to answer questions for administrative purposes, but using such statements in criminal proceedings is prohibited. (*Lybarger v. City of Los Angeles* (1985) 40 Cal.3d 822, 827-828, citing *Lefkowitz v. Turley* (1973) 414 U.S. 70, 77-79, *Garrity v. State of New Jersey* (1967) 385 U.S. 493, 500.) Accordingly, no compelled statements were considered as part of this investigation.

The non-shooting deputies provided statements, summarized below, and described the incident from the individual deputies' points of view. Please note that the interviews contain facts relayed by the deputies that may be inaccurate or inconsistent with the facts of this incident as they are currently understood.

Deputy Angela Ferguson

On January 23, 2023, Deputy Ferguson was interviewed by LASD Detective Scott Matlock, Sergeant Vince Choi, Sergeant Larry Villareal, and Sergeant Walter Arcos. On January 22, 2023, Deputy Ferguson was working a double shift that started at 1:00 PM. Deputy Ferguson was in full LASD uniform and was driving a black and white LASD Ford Explorer. Deputy Ferguson's BWC was activated when she arrived at the scene.

Deputy Ferguson responded to a "call out" at approximately 5:00 PM regarding a "male black 417A." During Deputy Ferguson's witness interview, she stated that a 417A meant a knife or a sharp object.

While Deputy Ferguson drove towards the scene, she heard the "patch" from her partner, Deputy Prentice, so she activated her lights and sirens. As Deputy Ferguson drove, she heard dispatch broadcast: "The male black adult was 417A, chasing people around, and had a gray sweatshirt and black pants."

It took Deputy Ferguson approximately two to three minutes to get to the scene. When she arrived, she was across the street, near the Mobil gas station. She saw a suspect matching the description from the broadcast on the southwest sidewalk on Woodbury and Fair Oaks, running or walking fast towards El Sereno Street. Deputy Ferguson continued in her patrol vehicle towards where the suspect was headed on El Sereno Street.

When Deputy Ferguson arrived on El Sereno Street, she stopped her patrol vehicle on the northwest corner. Deputy Ferguson noticed an LASD police vehicle was already at the scene, to the truck's left. When she positioned her vehicle, Deputy Ferguson observed the suspect was running from the east side of El Sereno Street towards a family on the west side of El Sereno Street.

When the suspect reached the family, Deputy Ferguson exited her police vehicle because she noticed a commotion between the suspect and the family. Deputy Ferguson believed the suspect was stabbing or hurting the family. Deputy Ferguson described that she was "scared that he was stabbing someone and believed there was no time for a stun bag because he was attacking him." Thus, Deputy Ferguson unholstered her police weapon and ran south alongside the sidewalk on El Sereno Street from Woodberry towards the altercation.

Deputy Ferguson observed Deputy Morales standing in between the front of another patrol vehicle and a truck with his gun drawn on Mr. Towns.

While Deputy Ferguson was running towards the altercation, she heard Deputy Morales fire two to three shots toward Mr. Towns when she was about six feet from Mr. Towns. At this point, Mr. Towns was between the patrol vehicle and the truck. Mr. Towns fell on his buttocks but soon stood up and started running towards Deputy Morales. When Mr. Towns was running toward Deputy Morales, she described his hands as being “raised” before him, so she believed he was still armed. Deputy Ferguson was approximately four feet away; she heard a second round of shots and thought an additional two to three shots were fired. Deputy Ferguson stated that when she heard the second round of gunshots, she noticed Deputy Prentice was standing to the right of Deputy Morales.

Deputy Ferguson had her gun drawn and was pointing it toward Mr. Towns, but she was concerned about the background because she saw other police vehicles and did not know what or who was behind Mr. Towns.

Deputy Ferguson explained that she was scared for the family because she believed Mr. Towns was stabbing someone. Deputy Ferguson thought that if Deputy Morales and Deputy Prentice had not fired their weapons, she would have fired her weapon because Mr. Towns would have continued stabbing the rest of the family, her partners, or herself.

Deputy Ferguson explained that she usually wants to use less lethal options. However, Deputy Ferguson initially drew her weapon first because she heard “1030,” meaning they were detaining someone at gunpoint. Furthermore, when Deputy Ferguson got to the scene, she observed a physical altercation and believed Mr. Towns was stabbing people. Deputy Ferguson stated, “My perception was that he was hurting people, so there’s no time for less lethal options.”

Deputy Ferguson remembered someone saying “watch out” during the shooting and believed it was either Deputy Morales or Deputy Song. This was the moment Deputy Ferguson noticed a lady (W-6) “bleeding profusely.” W-6 was standing north of Deputy Ferguson with family members holding her up while blood was coming out of her mouth. Deputy Ferguson asked W-6 if she was stabbed, and someone said, “Mouth.” Deputy Ferguson noticed that W-6 could not answer her questions because there was too much blood. Deputy Ferguson described W-6’s injuries and stated, “It was gushing blood coming out of her mouth.”

Deputy Ferguson started triaging because “I didn’t know who else was hurt.” Deputy Ferguson escorted W-6 and her family towards her police vehicle to move them away from the scene and to see if anyone else was injured.

Deputy James Song

Deputy Song was interviewed by Detective Choi, Sergeant Matlock, Sergeant Villa, and Sergeant Arcos on January 23, 2023. On January 22, 2023, Deputy Song was assigned a partner, Deputy Morejon, in a two-man car. Deputy Morejon was the driver, and Deputy Song was the passenger. Deputy Song had his BWC activated when he responded to the scene.

Deputy Song stated that around 2:20 PM or 2:30 PM, he responded to a call regarding a “417A person with a knife.” The call specified that the person “was trying to stab someone at the gas station” and that the suspect was wearing a gray sweater.

While on his way to the scene, Deputy Song recalled hearing a radio broadcast stating the “suspect was running on foot on El Sereno.” When Deputy Song arrived, he noticed patrol units were already there.

Deputy Morejon positioned their patrol vehicle south of Woodbury on El Sereno, facing southbound. Deputy Song noticed some commotion before him, so he exited his vehicle.

When Deputy Song was about 20-25 feet away from Mr. Towns, he noticed Mr. Towns sitting on the street. “[T]hey were detaining him at gunpoint,” so Deputy Song moved around the yellow vehicle to avoid a crossfire. Deputy Song wanted to face the same direction as his partners during the incident, so when he got right next to Deputy Ferguson, he noticed W-6 was sitting on the sidewalk, about 15 feet in front of him, with her mouth bleeding. Based on the 417A call he received and his knowledge of the area,⁶ he thought that W-6 was stabbed in the face. Deputy Song stated that at this point, he believed Mr. Towns was going to stab one of his partners next.

Deputy Song stated that Deputy Morales was approximately eight feet from Mr. Towns while yelling commands and attempting to detain him at gunpoint. Deputy Song could not remember the specific commands because too many people were screaming at the scene, including W-6.

Deputy Song started to give commands for everyone to back up and create time and distance from Mr. Towns so he could assess the threat that was occurring. Deputy Song had his weapon drawn and told his partners to move back. At this point, Mr. Towns was on his knees. Deputy Song stated, “He was moving his arms like he was trying to grab something, but I couldn’t see if he had anything in his hands because I was more focused on assessing what we had; my backdrop had people across the street.” When Mr. Towns got up from his knees, he was approximately five feet from Deputy Morales. Deputy Song stated that Mr. Towns “appeared to be advancing towards Deputy Morales. At this point, it scared us. I thought he was going to assault my partner; I didn’t know if he had a weapon or not, he had so many layers of clothing, he had baggy clothing on, he hadn’t been searched yet, and I didn’t know if there were additional weapons. So I thought, if Morales didn’t shoot him, I would have to shoot him.”

When Mr. Towns advanced toward Deputy Morales, Deputy Song noticed Deputy Morales discharge his firearm at Mr. Towns, who appeared to become angry. Deputy Song could not see if Mr. Towns was armed but noticed that Mr. Towns seemed to be extremely angry. After one of the shots was fired, Mr. Towns fell to the ground but was still moving. Deputy Song started giving commands for everyone to back up and watch the crossfire because there were civilians on the other side of the street.

At this point, Mr. Towns seemed to stop moving, so the deputies started to aid him. The paramedics arrived approximately two minutes later and took over medical care.

Deputy Song noticed a pair of scissors, with a purple handle, next to the driver’s front door of the yellow truck and stated this would have been on Mr. Town’s right side when he was sitting down in that area. The scissors appeared to have been 8 inches, including the handle and the blade.

Deputy Song stated that he has had prior contact with Mr. Towns on at least 10 different occasions. Deputy Song described those contacts as mostly being calls where Mr. Towns was passed out in the middle of the street or under the influence. Deputy Song stated that Mr. Towns has resisted being handcuffed in the past and has used force against him in the past.

⁶ Deputy Song explained that he’s made multiple arrests on that street (El Sereno Avenue) in the past and has had a lot of contact with a gang called “Pasadena Denver Lanes” that frequents the area.

INTERVIEWS OF CIVILIAN WITNESSES

W-1

W-1 was interviewed by DOJ Special Agent (SA) M. Wyatt and SA John Genens on March 11, 2023. W-1 stated that she was taking the bus and exited on Fair Oaks Avenue. When she exited, she was walking south on Fair Oaks Avenue with her face down, looking at her phone. When she reached the corner of Fair Oaks Avenue and Woodbury, she heard people yell, "Move out of the way," and "run," so she looked up and noticed Mr. Towns standing before her.

W-1 said she looked down at Mr. Towns' hands and noticed he had shears.⁷ W-1 stated that Mr. Towns appeared to have big arms, so she did not want to get stabbed by him because she believed she "would have been done for." W-1 described the shears as 3.5-4 inches long and said Mr. Towns held them "tense like he was ready to move that hand anytime soon." W-1 believed that Mr. Towns' motive was that he was trying to "jab people and jab me with the shears." Thus, W-1 immediately turned around and ran north on Fair Oaks Avenue.

Mr. Towns did not chase after W-1, but W-1 turned back around after she ran some distance and saw a white pickup truck hit Mr. Towns. Mr. Towns fell on the road of Fair Oaks Avenue and still had the shears on him. Almost immediately after he was hit, Mr. Towns got up and ran across the street to the Mobil, still holding the shears.

W-1 explained that when Mr. Towns got to the Mobil, she watched him run after three different people with the shears in his right hand, holding them with his fist and pointing out the blade. At this point, W-1 called 911.

When the police arrived, W-1 heard them yell, "Hey, stop," but Mr. Towns kept running/jogging away from the police cars down Woodbury Ave. Eventually, Mr. Towns and the police turned a corner, so W-1 lost sight of them. Shortly after, W-1 heard gunshots.

W-3

W-3 was interviewed by LASD Detective Scott Matlock on January 23, 2023. On the day in question, he went with his uncle, W-4, to the Mobil gas station to put air in his car tire. W-4 was bending down to fill the tire while W-3 was standing behind him. W-3 noticed Mr. Towns walking towards him and thought he would ask for money.

When Mr. Towns got closer, he grabbed W-4 by his head using his left hand and began stabbing him with scissors in his right hand. W-3 stated his uncle got scared and ran towards him but then fell. W-3 and W-4 attempted to run away, but Mr. Towns kept attacking them. Mr. Towns started running after W-3, but then W-4 got Mr. Towns' attention, so Mr. Towns started chasing W-4 through the gas station parking lot where the pumps were.

At some point, W-3 noticed two African American men trying to step in and calm Mr. Towns down. But it appeared that Mr. Towns wanted to attack them next because he started to chase them too. Eventually, the two African American men walked away from the Mobil while Mr. Towns chased random people with scissors.

⁷ Shears is a term for a blade or large scissors.

W-3 believed Mr. Towns was “looking around for just anyone to hurt at that point.” Eventually, W-3 could hear police sirens and noticed that Mr. Towns fled from the Mobil by crossing the street and heading south on Woodbury Avenue.

While W-3 and W-4 were still at the gas station, an unknown female approached W-3 and asked if they were okay. Around the same time, W-3 heard gunshots.

W-4

W-4 was interviewed by LASD Detective Matlock on January 23, 2023. W-4 stated that he and his nephew, W-3, stopped at the Mobil on Woodbury and Fair Oaks to put air in W-3’s tire. While W-4 was kneeling to put air in the tire, his nephew stood in front of him so he could see if anyone was coming. W-4 stated that W-3 is familiar with that gas station and knows that people often approach for money.

While W-4 was filling the tire, W-3 told him someone was approaching. Suddenly, W-4 felt someone grab him by the head, and he felt a force, with a sharp object, to his right shoulder hitting him two to three times. W-4 immediately thought it was a knife. When W-4 got up, he noticed Mr. Towns was approaching him again. W-3 went in the passenger side door to grab the keys because the car was still running. However, Mr. Towns started moving towards W-3. W-4 got scared that Mr. Towns would also stab W-3, so W-4 yelled out “hey” to get Mr. Towns’ attention. Mr. Towns started running towards W-4 again, chasing him around the gas station with scissors in his hands.

W-4 described the scissors as having a six-inch blade, a two- to three-inch handle, and a color between blue and green, possibly purple. While Mr. Towns was chasing W-4, W-4 kept telling him he was going to call the police by repeatedly saying “the police,” but W-4 noticed that this seemed to make Mr. Towns angrier. Once W-4 heard the police sirens, he saw Mr. Towns flee from the Mobil and cross the street on Woodbury.

W-5

W-5 was interviewed by SA Wyatt on January 24, 2023. On the day in question, she went to pick up her mother, mother-in-law, and father-in-law for an event they were having at their home on El Sereno Avenue. Before driving home, the family went grocery shopping. When they arrived home, they parked across the street, on the east side of El Sereno Avenue. The family removed the groceries and started crossing the street towards the west side of El Sereno Avenue. While W-5 was crossing the street, she heard someone yelling, “Hey you, hey you,” and saw Mr. Towns approaching them. The next thing W-5 remembered was that Mr. Towns grabbed her hair and clothing, put his hand on the back of her head, and pulled her down. W-5 described it as Mr. Towns trying to “push and drag her.” W-5 immediately started screaming while Mr. Towns kept pushing her down to the ground. When a police officer approached them, Mr. Towns pushed her down on the ground, turned around, and grabbed W-5’s mom. The next thing W-5 remembered was gunshots. W-5 believes Mr. Towns let her go because the police arrived.

W-5 sustained abrasions, scrapes, and redness to her right knee, leg, and foot.

W-6

On January 24, 2023, SA Wyatt, SA Genens, LASD Sergeant Choi, and Detective Matlock interviewed W-6. W-6 stated that her daughter picked her up earlier because of an event at 2157 El Sereno Avenue. When they exited the car, they grabbed groceries and started heading towards the house. W-6 noticed

Mr. Towns coming from the gas station, and the police followed him. Mr. Towns came up to them, grabbed her daughter, and threw her on the floor. Mr. Towns then approached W-6 from behind and immediately grabbed onto her neck. W-6 stated that Mr. Towns grabbed her “hard” and was able to pull her neck back, push her down on her knees, tilt her head up, open her mouth, and then stab her with a sharp object that he was holding in his right hand.

After she was stabbed, W-6 saw Mr. Towns pull the sharp object out of her mouth, and she felt like she was going to get stabbed again, but then her son, W-9, pushed Mr. Towns away and grabbed onto W-6. When W-9 pulled away from W-6, she noticed she was covered in blood, and there was blood coming out of her mouth, so she could not speak.

W-6 stated, “I was so scared when I was being stabbed, I put my faith in god...I believe if the police didn’t intervene, I would have died.”

W-6 was transported to the hospital by ambulance. While at the hospital, W-6 received sutures to the left side of her tongue for a three-centimeter stab wound.

W-9

On February 16, 2023, W-9 was interviewed by SA Wyatt and SA Genens. W-9 is the son of W-6. On the day in question, W-9 was home on El Sereno Avenue and exited the house to move his vehicle. Around the same time, his family arrived home with groceries, including his wife (W-5) and mother (W-6). W-9 noticed police officers across the street near the gas station but stated that, at the time, he did not think much of it. W-9 drove his car inside the front gate of the house. When he exited his vehicle, W-9 went to close the gate and heard yelling and screaming from his wife and mother. W-9 turned around and saw Mr. Towns holding onto his mother while standing on the grass between the street and the sidewalk. W-9 explained, “I saw my mother getting stabbed; I saw a man stabbing my mom; he was holding her on the grass between the street and the sidewalk in front of the yellow truck.”

W-9 said that Mr. Towns was holding his mother by her back and thought he had stabbed her in the heart. W-9 said he thought his mother was going to die. W-9 thought he was too late but still ran over and pushed Mr. Towns off his mother. W-9 recalls pushing Mr. Towns away from his mother with two open hands. After W-9 pushed Mr. Towns away, he saw something that resembled a knife in Mr. Towns’ hand. W-9 explained that after Mr. Towns was pushed, he was waving the knife around.

W-9 stated that when he pushed Mr. Towns off his mother, he heard gunshots two to three seconds later, and “it was a lot of gunshots.” However, W-9 said he was so focused on his mom that he was not aware of who fired or where the gunshots came from.

After W-9 pushed Mr. Towns away, he focused on his mom and asked her what had happened and if she was okay. W-9 stated that his mom kept pointing to her tongue, and there was blood coming out of her mouth.

W-10

On February 13, 2023, SA Wyatt and SA Baca met with W-10 for an interview. W-10 stated she was parked outside June’s Market, next to the Mobil gas station. W-10 observed Mr. Towns approach two men (W-3 and W-4) at the gas station, who were putting air in the car tire. W-10 then saw Mr. Towns attacking the males with what she believed was either a knife or scissors. W-10 observed Mr. Towns stabbing one of the males in the neck area. W-10 wanted to leave the area because she was scared of

Mr. Towns, but one of the men that Mr. Towns first approached asked her to stay and call 911. W-10's daughter called 911. While W-10 waited, she observed a separate African American male attempting to calm Mr. Towns down. W-10 was scared for her and her daughter's safety, so they went inside June's Market. W-10 exited June's Market when she observed police in the area. As W-10 was leaving the area, she heard four consecutive gunshots.

Medical Attention

Deputy Song first provided medical aid. Shortly after, the Pasadena Fire Department responded to the scene. Pasadena Fire Department paramedic Choe pronounced Mr. Towns deceased at 5:33 PM.

Autopsy

Dr. Michael Harrell, a Deputy Medical Examiner employed by the Los Angeles County Coroner's Office, conducted the autopsy of Mr. Towns on January 23, 2023. Dr. Harrell concluded the cause of death was a gunshot wound.

Dr. Harrell located a total of 11 gunshot wounds in Mr. Towns. Two gunshot wounds were on the right calf. Five gunshot wounds were on his torso. There was one gunshot wound on his right back and another on his right shoulder. There was a gunshot wound to his pelvis and another gunshot wound to his left thigh.

The gunshot wound to the back was from back to front. The remaining gunshot wounds' overall direction was from the front to the back of the body.

A toxicology was collected from Mr. Towns, and the results showed Mr. Towns' body had alcohol, cocaine, and phencyclidine (PCP) in his system.

Communications Evidence

LASD Detectives obtained copies of the radio transmissions and printouts of the Computer Aided Dispatch ("CAD") system for calls related to the OIS incident on January 22, 2023. The CAD printouts were consistent with the deputies' radio transmissions.

APPLICABLE LEGAL STANDARDS

Homicide is the killing of one human being by another. (*People v. Beltran* (2013) 56 Cal.4th 935, 941.) There are two types of criminal homicide: murder and manslaughter.

Murder

Murder is the unlawful killing of a human being with malice aforethought. (Pen. Code, § 187, subd. (a).) Murder is divided into first and second degrees. A willful, deliberate, and premeditated killing is murder of the first degree. (Pen. Code, § 189; *People v. Hernandez* (2010) 183 Cal.App.4th 1327, 1332.)

Second degree murder is the unlawful killing of a human being with malice aforethought but without the additional elements of willfulness, premeditation, and deliberation that would support a conviction of first degree murder. (*People v. Knoller* (2007) 41 Cal.4th 139, 151.) The malice required for second degree murder may be expressed or implied. (Pen. Code, § 188; *Hernandez, supra*, 183 Cal.App.4th at

p. 1332.) Malice is expressed when there is an “intent to kill.” (Pen. Code, § 188; *People v. Delgado* (2017) 2 Cal.5th 544, 571.) Malice is implied “when the killing results from an intentional act, the natural consequences of which are dangerous to life, which act was deliberately performed by a person who knows that his [or her] conduct endangers the life of another and who acts with conscious disregard for life.” (*People v. Dellinger* (1989) 49 Cal.3d 1212, 1215.)

A homicide may also be reduced to second degree murder if premeditation and deliberation are negated by the heat of passion arising from subjective provocation. If the provocation precludes a person from deliberating or premeditating, even if it would not cause an average person to experience deadly passion, the crime is second degree murder. (*People v. Padilla* (2002) 103 Cal.App.4th 675, 678.)

Voluntary Manslaughter

Manslaughter is an unlawful killing without malice. (Pen. Code, § 192; *People v. Thomas* (2012) 53 Cal.4th 771, 813.) Several factors may preclude the formation of malice and reduce a killing that would otherwise be murder to voluntary manslaughter, including (1) heat of passion and (2) imperfect self-defense. (*People v. Moyer* (2009) 47 Cal.4th 537, 549.)

Imperfect self-defense is the killing of another human being under the actual but unreasonable belief that the killer was in imminent danger of death or great bodily injury and that the use of deadly force is necessary to defend against that danger. Such a killing is deemed to be without malice and thus cannot be murder. (*People v. Cruz* (2008) 44 Cal.4th 636, 664.) The doctrine of imperfect self-defense cannot be invoked by a person whose own wrongful conduct (for example, a physical assault or commission of a felony) created the circumstances in which the adversary’s attack is legally justified. (*People v. Booker* (2011) 51 Cal.4th 141, 182.)

Self-Defense

A homicide is justified and lawful if committed in self-defense. Self-defense is a complete defense to a homicide offense, and if found, the killing is not criminal. (*People v. Sotelo-Urena* (2016) 4 Cal.App.5th 732, 744.) When a person is charged with a homicide-related crime and claims self-defense, the prosecution must prove beyond a reasonable doubt that the homicide was not committed in self-defense. (*People v. Winkler* (2020) 56 Cal.App.5th 1102, 1167.)

Penal Code sections 196 et. seq. set forth the law of self-defense in homicide cases. Penal Code section 196 provides that a homicide committed by a peace officer is justified when the use of force complies with Penal Code section 835a. (Cf. Pen. Code, § 197 [listing circumstances where homicide committed by “any person” is justifiable, which includes self-defense or the defense of others].)

Under Penal Code section 835a, an officer may use deadly force only when the officer “reasonably believes, based on the totality of the circumstances, that such force is necessary”: (1) “to defend against an imminent threat of death or serious bodily injury to the officer or another person”; or (2) to apprehend a fleeing person who has committed a felony “that threatened or resulted in death or serious bodily injury,” and the officer “reasonably believes that the person will cause death or serious bodily injury” if not immediately apprehended. (Pen. Code, § 835a, subd. (c)(1); see Pen. Code, § 835a, subd. (a)(2) [peace officers may lawfully use deadly force “only when necessary in defense of human life”]; see *People v. Randle* (2005) 35 Cal.4th 987, 994 [self-defense arises when a person actually and reasonably believes in the necessity of defending against imminent danger of death or great bodily injury], overruled on other grounds by *People v. Chun* (2009) 45 Cal.4th 1172.)

To determine whether deadly force is necessary, “officers shall evaluate each situation in light of the particular circumstances of each case, and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer.” (Pen. Code, § 835a, subd. (a)(2); *People v. Hardin* (2000) 85 Cal.App.4th 625, 629-630 [“only that force which is necessary to repel an attack may be used in self-defense; force which exceeds the necessity is not justified” and “deadly force or force likely to cause great bodily injury may be used only to repel an attack which is in itself deadly or likely to cause great bodily injury”].)

A threat of death or serious bodily injury is “imminent” when, based on the “totality of the circumstances,” a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or to another person. (Pen. Code, § 835a, subd. (e)(2); see *People v. Lopez* (2011) 199 Cal.App.4th 1297, 1305-1306 [imminent peril is “immediate and present” and “must be instantly dealt with”; it is not prospective or even in the near future].)

“Totality of the circumstances” means all facts known to the peace officer at the time, including the officer’s conduct and the subject leading up to the use of deadly force. (Pen. Code, § 835a, subd. (e)(3).) De-escalation methods, tactics, the availability of less-than-lethal force, and department policies may be used when evaluating the officer’s conduct. However, when an officer’s use of force is evaluated, it must be considered “from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force.” (Pen. Code, § 835a, subd. (a)(4); accord, *Graham v. Connor* (1989) 490 U.S. 386, 396-397 [“The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight”]; *People v. Humphrey* (1996) 13 Cal.4th 1073, 1082-1083 [to determine whether use of force is objectively reasonable for self-defense, trier of fact must consider all the circumstances that were known or appeared to the officer as well as consideration for what a reasonable person in a similar situation with similar knowledge would have believed]; *People v. Bates* (2019) 35 Cal.App.5th 1, 9-10 [knowledge of another person’s prior threatening or violent conduct or reputation for dangerousness may provide evidence to support a reasonable belief in imminent harm].)

Self-defense also has a subjective component. (*Humphrey, supra*, 13 Cal.4th at p. 1082.) The subjective element of self-defense requires that a person believes in the need to defend against imminent peril or great bodily injury. (*People v. Viramontes* (2001) 93 Cal.App.4th 1256, 1262.)

Burden of Proof

A prosecutor bears the burden of proving a criminal defendant’s guilt beyond a reasonable doubt. (Pen. Code, § 1096.) Where an investigation is complete, and all of the evidence is available for review, prosecutors should file charges only if they believe there is sufficient admissible evidence to prove the charges beyond a reasonable doubt at trial. (See, e.g., Nat. Dist. Attys. Assn., National Prosecution Standards (3d ed. 2009) Part IV, § 2 pp. 52-53; United States Department of Justice Manual § 9-27.220; Melilli, Prosecutorial Discretion in an Adversary System (1992) B.Y.U. L.Rev. 669, 684-685 [surveying ethical standards used in the exercise of charging discretion by prosecutors]; accord, *People v. Catlin* (2001) 26 Cal.4th 81, 109 [“A prosecutor abides by elementary standards of fair play and decency by refusing to seek indictments until he or she is completely satisfied the defendant should be prosecuted and the office of the prosecutor will be able to promptly establish guilt beyond a reasonable doubt,”

quotation and internal quotation marks omitted]; *People v. Spicer* (2015) 235 Cal.App.4th 1359, 1374 [explaining that a prosecutor may have probable cause to charge a crime but reasonably decline to do so if they believe there is a lack of sufficient evidence to prove the charge beyond a reasonable doubt at trial]; cf. Rules Prof. Conduct, Rule 3.8(a) [prosecutor should not initiate or continue prosecution of charge that is not supported by probable cause].)

Further, the prosecution has the burden of proving beyond a reasonable doubt that a killing is not justified. It is not a criminal defendant's burden to prove that the force was necessary or reasonable. (*People v. Banks* (1976) 67 Cal.App.3d 379, 383-384.) Thus, in an officer-involved shooting, the prosecution must prove beyond a reasonable doubt that the officer did not have an actual or reasonable belief in the need for self-defense or the defense of others.

LEGAL ANALYSIS

The DOJ has completed an independent investigation and review of the facts and circumstances that led to the death of Mr. Towns. This analysis is based on all of the evidence gathered by DOJ in this matter, including witness interviews, law enforcement reports, analyses of firearms and ballistics, physical evidence, the autopsy and toxicology reports, BWC camera footage, photographs, and communication evidence.

Because a prosecuting agency would need to affirmatively prove beyond a reasonable doubt that Deputy Morales and Deputy Prentice did not act in lawful defense of themselves or others, this is the primary issue in determining whether criminal charges should be filed. A detailed analysis of the evidence pertaining to the OIS demonstrates that a prosecution could not establish that the deputies were objectively unreasonable in determining that lethal force was necessary to protect themselves or others, or that the deputies did not actually hold this view. Therefore, the evidence is insufficient to support criminal charges.

Deputy Morales

Subjective Belief

While Deputy Morales did not give a voluntary statement, his actual belief in the need for self-defense can be inferred from the facts known to him, his words, his actions, the recordings depicting what he would have observed, and the perspectives of officers similarly situated.

Prior to the OIS, the dispatcher informed Deputy Morales that a Code 3 response (emergency lights and sirens) was needed due to a person with a knife. The dispatcher further advised Deputy Morales that the "disturbing party is chasing a passerby." Deputy Morales broadcasted to all units that he had Mr. Towns at gun point and indicated Mr. Towns had exhibited, brandished, or used a deadly weapon by designating him as a 417A suspect. While still broadcasting, Deputy Morales was heard saying "hey, come here," presumably to Mr. Towns. Deputy Morales then gave the first of many commands that Mr. Towns would refuse.

Moments before the OIS, Deputy Morales observed Mr. Towns approach an unknown bystander standing near his truck. Mr. Towns began to chase the unknown bystander. Deputy Morales continued to follow Mr. Towns on El Serrano where Mr. Towns approached and attacked W-6. Deputy Ferguson's BWC video shows Deputy Morales a few feet away from Mr. Towns while Mr. Towns was attacking

W-6, and so it can be inferred that Deputy Morales himself saw Mr. Towns stab W-6 in the mouth and W-9 pushing Mr. Towns off W-6.

After Mr. Towns was pushed to the ground, he continued to ignore demands from Deputies Morales and Ferguson to stop moving; instead, he continued to move towards Deputy Morales, Deputy Ferguson, W-6 and W-9. Deputy Song, a witness deputy stated that when Mr. Towns was five feet away from Deputy Morales and continued to shorten that distance, Deputy Morales kept repeating demands for Mr. Towns to “slow down,” “stop moving,” and “get back down.” Instead, while Mr. Towns was sitting down on the ground, he continued to move his body. Deputy Song himself believed that Mr. Towns was going to stab one of his partners next and that it was unclear if Mr. Towns had additional weapons on his person because he had layers of clothing on and he refused to stop moving. Deputy Song, who was similarly situated to Deputy Morales, indicated “I thought, if Morales didn’t shoot him, I would have to shoot him.”

Thus, the available evidence tends to show that Deputy Morales actually believed in the need to defend against an imminent threat of great bodily injury or death to himself and others.

Objective Reasonableness

Moreover, the evidence shows it was not objectively unreasonable for Deputy Morales to believe, based on the totality of the circumstances, that deadly force was necessary to defend against an imminent threat of death or serious bodily injury to the nearby deputies and witnesses.

A reasonable officer in the same situation as Deputy Morales could have believed that Mr. Towns was armed and had the present ability to immediately cause death or serious bodily injury. Deputy Morales witnessed Mr. Towns with a weapon, stabbing an elderly woman. Further, after W-9 pushed away Mr. Towns, he still had a weapon in his hand when he fell to the ground. Then, right after falling to the ground, Mr. Towns continued scooting his body towards Deputy Morales and the civilian witnesses while his right hand, which originally contained the deadly weapon, was concealed behind his back. Further, when Mr. Towns stood up, he immediately started heading towards Deputy Morales, after repeated demands to stop moving. Deputy Song stated that when Mr. Towns got up from the ground, he was five feet away from Deputy Morales and “appeared to be advancing towards Deputy Morales.”

Mr. Towns’ repeated actions objectively showed he was a threat to the deputies and people in the area. It was clear based on the deputies’ BWC that Mr. Towns would not stop threatening others if he was not physically prevented from doing so, because W-9 tried to stop him, and he kept moving towards the deputies and witnesses and he repeatedly ignored demands to stop moving.

A reasonable deputy in the same situation as Deputy Morales could have reasonably believed that Mr. Towns had the apparent intent to immediately cause death or serious bodily injury to Deputy Morales and surrounding witnesses in the moment before the OIS.

Thus, the totality of the evidence shows that Deputy Morales could have held the subjective belief that deadly force was necessary to defend himself, other officers, and the public from imminent deadly force, and that such belief was not objectively unreasonable. A prosecution, therefore, could not prove beyond a reasonable doubt that Deputy Morales’s use of force was unlawful.

Deputy Prentice

Subjective Belief

Similar to Deputy Morales, although Deputy Prentice did not give a voluntary statement, her actual belief in the need for self-defense can be inferred from the facts known to her, her words, her actions, the recordings depicting what she would have observed, and the perspectives of officers similarly situated.

Prior to the OIS, Deputy Prentice received a dispatch call for a Code 3 (emergency lights and sirens) due to a “male black with a 417A.” Deputy Prentice confirmed with dispatch that she would respond “Code 3” to the scene. While Deputy Prentice was communicating with dispatch, Deputy Morales broadcasted “We have 417 suspect at gunpoint” followed up by him saying “hey, come here.”

When Deputy Prentice arrived at the OIS on El Sereno Avenue, she parked and exited her vehicle to the north side of where Mr. Towns was standing. Deputies Morales and Ferguson and the witnesses were standing on the south side of Mr. Towns. When Deputy Prentice exited her vehicle, her BWC captured W-9 pushing Mr. Towns away from W-6, while W-6 was hunched over, lying on the road, a few feet away from Mr. Towns. After the OIS, while her BWC was still on, Deputy Prentice explained to another Deputy that “the lady on the floor was the one that got stabbed [and] Mr. Towns pushed the other lady.” Thus, it could reasonably be deduced that Deputy Prentice witnessed Mr. Towns attack W-5 and W-6 prior to the OIS.

When Deputy Prentice exited her vehicle and began to walk towards the OIS, the first two shots were fired by Deputy Morales. It is likely that Deputy Prentice observed Mr. Towns armed with scissors because when she was a few feet north of Mr. Towns, her BWC depicted Mr. Towns falling to the ground, with scissors in his right hand. Simultaneous to falling, Deputy Prentice’s BWC captures Deputy Morales’s voice, demanding that Mr. Towns “stop moving” and “slow down,” and so it could reasonably be inferred that Deputy Prentice heard this as well.

As captured on Deputy Prentice’s BWC, once Mr. Town was on the ground, the scissors dropped to the ground but remained within arm’s reach of Mr. Towns. Mr. Towns kept moving his body and waving his hands while Deputy Morales continued to yell for him to stop moving; at this point, Deputy Prentice fired her first shot towards Mr. Towns. When Mr. Towns started scooting towards Deputy Morales and the witnesses, Deputy Prentice ran southbound, around Deputy Morales’s patrol vehicle, likely to be on the same side as Deputy Morales to avoid any crossfire issues.

While Deputy Prentice was running southbound, she was out of view of Mr. Towns and Deputy Morales, but her BWC depicted the noise of a firearm going off, which was likely Deputy Morales’s firearm. When Deputy Prentice rounded the corner of the front of Deputy Morales’s vehicle, the first thing her BWC captured was Deputy Morales positioning himself in front of the civilian witnesses, who were all on the sidewalk, a few feet away from Mr. Towns, who was now standing up. Deputy Prentice’s and Deputy Ferguson’s BWCs demonstrated that as Deputy Prentice fully rounded the corner of Deputy Morales’s patrol vehicle, Mr. Towns noticed her by making eye contact. While Mr. Towns stood approximately five feet north of Deputy Prentice, he ran directly towards her, and she responded by firing eight shots toward Mr. Towns.

When Deputy Prentice was on the north side of Mr. Towns, her BWC captured him waving his hands around, failing to comply with demands, while the weapon was within arm’s reach of him. A few seconds later Deputy Prentice ran around Deputy Morales’s vehicle and came into contact with Mr.

Towns. It can reasonably be inferred that Deputy Prentice had the apparent belief that Mr. Towns was still armed when he ran towards her and she fired her weapon towards him. Thus, it is a reasonable conclusion that Deputy Prentice apparently believed in the need to defend herself, Deputy Morales, and the civilian witnesses against an imminent threat of great bodily injury or death.

The factual statements by Deputy Song and Deputy Ferguson are largely consistent with what Deputy Prentice's apparent beliefs were, and there is no available evidence to undermine their credibility. These statements could reasonably demonstrate that Deputy Prentice used deadly force because she apparently believed that Mr. Towns was going to stab deputies or nearby witnesses.

Objective Reasonableness

Similar to Deputy Morales, the evidence shows Deputy Prentice could have reasonably believed, based on the totality of circumstances, that deadly force was necessary to defend against an imminent threat of death or serious bodily injury to herself, other deputies, or nearby witnesses

A reasonable deputy in the same situation as Deputy Prentice could have believed that Mr. Towns was armed and had the present ability to immediately cause death or serious bodily injury. Deputies Song and Ferguson both explained that Mr. Towns posed an immediate threat. Deputy Ferguson stated that she was "scared for the family" because she saw Mr. Towns stabbing someone. Deputy Ferguson stated that if Deputy Morales and Deputy Prentice did not fire their weapons, she would have fired her weapon because "Mr. Towns would have continued stabbing the rest of the family, her parents or her partners." Deputy Ferguson added that "my perception was that he was hurting people, so there's no time for less lethal options."

Deputy Song added that he witnessed Mr. Towns "moving his arms, like he was trying to grab something." Thus, corroborating what Deputy Prentice's BWC depicted when she arrived at the scene, Mr. Towns was moving his arms while the scissors were within arm's reach. Deputy Song further added that once Mr. Towns got up from his knees and started advancing towards Deputy Morales, he did not know if Mr. Towns had any more weapons on him. Deputy Song stated that if Deputy Morales did not shoot Mr. Towns, he would have shot him. Thus, the evidence could reasonably show that Deputy Prentice likely believed the same thing when Mr. Towns was running towards her after she rounded the corner of Deputy Morales's police vehicle. A reasonable jury could conclude that when Mr. Towns started running towards Deputy Prentice, she did not believe it was safe to try to physically stop him because he refused to comply with earlier demands to stop, he had a dangerous and deadly weapon that he used to stab an elderly person just minutes prior to the OIS, and it was unclear if he had additional weapons in his multilayer clothing.

Further, once Deputy Prentice rounded the corner of Deputy Morales's vehicle and was facing Mr. Towns, she had no effective cover from Mr. Towns' potential threat while he started running towards her. There were also witnesses and other deputies within a few feet of Mr. Towns, who could have easily turned his attention towards them. A reasonable officer in the same situation as Deputy Prentice could have reasonably believed that Mr. Towns had the apparent intent to immediately cause death or serious bodily injury to herself, other deputies, or nearby witnesses moments before the OIS.

Thus, the totality of the evidence shows that Deputy Prentice could have held the subjective belief that deadly force was necessary to defend herself, other deputies, and nearby witnesses from imminent

deadly force, and that such belief was not objectively unreasonable. A prosecution, therefore, could not prove beyond a reasonable doubt that the officer's use of force was unlawful.

CONCLUSION

Based on the investigation and review of evidence, along with the applicable statutes, legal principles, and subsequent analysis, there is insufficient evidence to support a criminal prosecution of Deputy Morales or Deputy Prentice. As such, no further action will be taken in this case.



C A L I F O R N I A

DEPARTMENT OF JUSTICE

**Policy and Practice Recommendations for the
Los Angeles County Sheriff's Police Department Related to
the Officer-Involved Shooting of Charles Robert Towns
on January 22, 2023**

ISSUED PURSUANT TO CALIFORNIA GOVERNMENT CODE
SECTION 12525.3, SUBDIVISION (B)(2)(B)(III)

May 2026



POLICY AND PRACTICE RECOMMENDATIONS

The Attorney General is required to include “[r]ecommendations to modify the policies and practices of the law enforcement agency, as applicable” as a component of this report. (Gov. Code, § 12525.3, subd. (b)(2)(B)(iii).) Therefore, the Department of Justice (DOJ) through its Police Practices Section conducts a review of the information obtained through the criminal investigation, which may include a review of policies concerning body worn camera footage, interview recordings, video recordings, witness statements and other records, as well as the publicly available policies of the agency employing the officers who are subject to the criminal investigation. The Police Practices Section uses the review process to identify applicable recommendations, including any recommendations to modify policies and practices that may reduce the likelihood that officers use deadly force, as well as recommendations to address any other deficiency or concern related to the officers’ conduct or the agency’s response. The Police Practices Section’s goal is that these recommendations will assist the agency, and the officers involved in the incident in understanding, from an independent perspective, improvements that may be made to address what was observed through this incident.

As background, on January 22, 2023, at approximately 5:14 p.m., Los Angeles County Sheriff’s Department (LASD) Deputies Morales and Prentice were assigned to a radio call of a “417A” near a gas station located at 15 West Woodbury Road, Altadena, California 91001. LASD lists 417A as a radio code for “Person with a Knife.” The radio call indicated that the subject was “chasing any passerby” near the gas pumps. The subject of the radio call was later identified as the decedent, Charles Robert Towns, and the weapon was later identified as a pair of scissors.

At the gas station, Mr. Towns stabbed one person in his shoulder area with the scissors, causing a mild abrasion. Immediately afterwards, Mr. Towns began to chase after multiple people for several minutes, while holding the scissors. Then Mr. Towns walked southbound from the gas station and stepped into the westbound lanes of traffic on Woodbury Road. As Mr. Towns crossed the street, Deputy Morales arrived on scene in his marked patrol vehicle, with lights and sirens activated. Mr. Towns then ran westbound away from Deputy Morales, who followed in his patrol vehicle. Additional LASD deputies, including Deputy Prentice and Deputy Ferguson, arrived on scene in marked LASD patrol vehicles. With the scissors still in his hand, Mr. Towns approached a man standing at the rear of his parked vehicle on Woodbury Road who ran from Mr. Towns as he approached. Deputy Morales then exited his patrol vehicle and pointed his service firearm at Mr. Towns. Mr. Towns ran westbound and turned south onto El Sereno Avenue. Several patrol vehicles followed Mr. Towns’ path.

On El Sereno Avenue, Mr. Towns ran at four individuals who had exited a parked car. Mr. Towns grabbed one woman by her hair and forced her to the ground. Deputies arrived as Mr. Towns grabbed a second elderly woman from the same group by her throat and stabbed her in the mouth with the scissors. The elderly woman suffered lacerations inside her mouth and bruises on her neck from where Mr. Towns grabbed her. The woman’s son saw Mr. Towns attack his mother and pushed Mr. Towns away from her. Almost simultaneously, Deputy Morales discharged his service firearm at Mr. Towns, who was still armed with the scissors. After Deputy Morales fired two rounds, Mr. Towns fell to the ground in a narrow gap between the front of a parked truck and the rear of Deputy Morales’ vehicle. Deputy Morales and

Deputy Ferguson gave commands to “Stop,” “Slow down,” and “Stop moving,” but Mr. Towns did not comply. Instead, while still on the ground Mr. Towns moved towards Deputies Morales and Ferguson and then started to get up, leaving the scissors on the ground behind him. Deputy Morales again yelled at Mr. Towns to get down and stop moving, but Mr. Towns took several steps toward Deputy Morales, who fired two more rounds. Approximately at the same time, Deputy Prentice parked her vehicle behind Deputy Morales’ patrol vehicle. Deputy Prentice drew her firearm and took cover behind the rear of the patrol vehicle that was also in Deputy Morales’ backdrop. When Mr. Towns fell to the ground and began moving toward Deputy Morales and Deputy Ferguson, Deputy Prentice fired one round from behind Mr. Towns and then repositioned herself toward the front of the patrol vehicle. Mr. Towns stood up and ran towards the other side of the patrol vehicle, where Deputy Prentice encountered Mr. Towns and fired at him again. In total, Deputy Morales fired four rounds, and Deputy Prentice fired nine rounds. Mr. Towns was pronounced deceased at the scene.

The Police Practices Section evaluated all the facts and available evidence, and pursuant to its obligations under Government Code section 12525.3, subdivision (b)(2)(B)(iii), advises LASD to review and implement six recommendations:¹

Recommendation One: Additional Training on Crossfire and Risk to Bystanders

The Police Practices Section recommends that LASD implement further training to ensure its deputies use deadly force in a manner that minimizes the risk of harm to bystanders and other deputies when they are faced with other rapidly unfolding incidents in the future.²

LASD Policy 3-10/020.00 on Use of Force states that “[w]hen force is used, it shall be deployed in a manner that avoids unnecessary injury to Department members and civilians.” LASD Policy 3-10/045.00 on Use of Deadly Force and Firearms states that “Department members shall consider their surroundings and the potential risk to bystanders, to the extent reasonable under the totality of the circumstances, before discharging their firearm.”

LASD Policy 3-10/150.00 on Tactical Incidents³ defines crossfire as: “[a] situation created when Department members find themselves in a position where their field of fire and/or shooting backdrop is occupied by another Department member who may engage the same intended target.” LASD Policy

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- 1 DOJ’s investigation of this shooting was impaired by LASD’s two-day delay in notifying DOJ of the incident, such that DOJ was not able to process the scene while it was secured. In addition to the recommendations herein, the Police Practices Section encourages all agencies to notify DOJ immediately of any officer-involved shooting that is, or may be, subject to California Government Code Section 12525.3, to facilitate DOJ’s investigation.
 - 2 Because LASD processed the scene and the shooting deputies did not provide voluntary statements, incomplete information is available regarding any less lethal options available to the shooting deputies, or the reasons they did not use less lethal options. LASD’s officer processing records indicate that only Deputy Prentice carried OC spray on her belt, and neither shooting deputy carried a TASER on their belts. An LASD scene processing photograph shows that Deputy Morales had a TASER in his patrol vehicle, but there are no photographs showing the interior of Deputy Prentice’s patrol vehicle. While neither a TASER nor OC spray may have been feasible in light of the rapidly evolving incident, LASD should ensure that deputies have access to less lethal weapons and carry them while on duty in accordance with LASD policy. Since this incident, LASD TASER policy now directs deputies to carry TASERS in a holster on their duty belt, opposite their service firearm. (LASD Policy 3-03/150.05 on Duty Belt and Accessories.)
 - 3 “Tactical incidents include but are not limited to: responses to crimes in progress, building searches and/or area containment, barricaded suspects, hostage situations, active shooters, foot or vehicle pursuits, pedestrian or traffic stops, missing persons, and any other law enforcement situation where sound principles and tactics should be employed.” (LASD Policy 3-10/150.00 on Tactical Incidents.) (Emphasis in original.)
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3-10/150.00 provides that crossfire is a principle “which shall be considered and/or employed by all Department members involved in a tactical operation (where appropriate).” (Insertion in original.)

The shooting occurred on a residential street. While no bystanders or officers were struck by crossfire, there were multiple witnesses in close proximity to the line of fire. For example, body worn camera footage shows a group of witnesses, including a victim of Mr. Towns’ stabbing, standing approximately five to fifteen feet away from Mr. Towns when Deputy Morales first discharged his service firearm. Additionally, Deputy Prentice was facing the back of Mr. Towns, with multiple witnesses and deputies in the backdrop nearby, when Deputy Prentice first discharged her service firearm.

There was also a risk of crossfire to other deputies in close proximity. After the deputies fired initial rounds, multiple deputies yelled “crossfire,” indicating their awareness of the risk. Deputy Lujan, a non-shooting deputy who responded to assist, stated in pertinent part:

I took out my Taser and I was rushing towards him [Mr. Towns] and while I was rushing towards him I heard, um, one gunshot go off so I saw Deputy Morales, uh, discharge his firearm once but due to the positioning of where, uh, Deputy Morales kind of tried to find cover and concealment, I had to ... go onto the opposite side of a patrol vehicle to get cover so I don’t get caught—caught in a crossfire situation.

... I heard another additional—I don’t know how many times, but another additional firearm being discharged.... And then from there I—I was still getting ... in the mix of the crossfire so I had to retreat to the other side where I initially ... came from.

The shooting deputies did not give voluntary statements. However, as captured on body worn camera footage, Deputy Prentice stated, “we were around the cars so ... I went around to get out of, uh, crossfire....” She also stated to Deputy Morales that “[w]hen you shot him he kept coming and then I was trying to get away from the crossfire....”

The Police Practices Section acknowledges that this was a rapidly unfolding, dynamic incident, and that Mr. Towns’ changing movements and failure to follow commands contributed to the crossfire risk. The Police Practices Section also acknowledges that deputies were responding to the imminent threat created by Mr. Towns’ actions, with deputies appropriately announcing crossfire and repositioning themselves as the shooting continued to unfold.

Recommendation Two: Ensure Sequestration of Involved Deputies

The Police Practices Section recommends that LASD provide further training on conduct following an officer-involved shooting. This recommendation is the same recommendation provided in the DOJ’s March 26, 2025, report on the shooting death of Christopher Mercurio.⁴ Such training would ensure that deputies involved in a shooting fully understand and comply with policies regarding sequestration to preserve the integrity of an investigation.

⁴ [Policy and Practice Recommendations for the Los Angeles County Sheriff’s Department Related to the Officer-Involved Shooting of Christopher Mercurio on January 11, 2023](#), California Department of Justice (March 2025).

LASD Policy 3-10/300.00 on Deputy-Involved Shootings - General Provisions states in pertinent part:

Deputies shall refrain from discussing the incident until the arrival of the first supervisor. The involved personnel should briefly inform the supervisor of the circumstances surrounding the incident and what action has been taken.

The involved deputies shall then be immediately transported by a supervisor, if possible, or if not, by uninvolved deputies, to the station, unit of assignment or other suitable location. Involved personnel shall refrain from discussing the incident with anyone else until after being interviewed by Homicide Bureau investigators.

LASD Policy 3-10/310.00 on Preliminary Responsibilities states in pertinent part that “[p]ersonnel, either involved in, or a witness to, the event, shall not discuss the circumstances of the incident among themselves or with uninvolved persons prior to being interviewed by assigned Departmental investigators.” LASD Policy 3-10/310.00 also states in pertinent part that “[t]he watch commander and all supervisors shall take reasonable steps to ensure that the provisions of this policy are followed. Whenever practical, watch commanders or their designee shall attempt to have involved personnel and witness personnel gather in the company of a supervisor until they have provided a statement to Departmental investigators.”

LASD Policy 3-10/420.00 on Supervisor’s Responsibilities states in pertinent part that “[a]fter obtaining a brief description of the circumstances from them, the supervisor shall ensure that involved personnel are transported to the station, unit of assignment, or other suitable location without delay by uninvolved deputies.” Policy 3-10/420.00 also states in pertinent part that “[s]upervisors, both at the scene and at the Station, shall ensure that no one questions or interviews involved personnel, except as set forth above, until the arrival of Homicide investigators, and that the witnesses are cared for and kept separated as space permits.”

The supervisor on scene after the shooting did not comply with LASD policy to ensure the shooting deputies were properly sequestered. The supervisor allowed the shooting deputies to participate in the investigation, speak with each other, interview witnesses and victims, and identify physical evidence at the scene.

Deputies Morales and Prentice, who were both involved in the shooting, did not comply with LASD’s sequestration policy. Body worn camera footage depicts Deputies Morales and Prentice giving spontaneous statements to bystanders on the street and to each other regarding the shooting while at the scene. Deputy Prentice was directed by another deputy on scene to “start getting witnesses.” Deputy Prentice interviewed victims of the stabbings and identified and marked the scissors Mr. Towns used to stab the elderly woman. Another deputy directed Deputy Morales to “start marking cases.” Deputy Morales also notified Mr. Towns’ relative of his death. Sequestering involved deputies after an officer-involved shooting, and ensuring that the investigation is conducted by uninvolved deputies, is critical to preserving the integrity of an officer-involved shooting investigation.

Recommendation Three: Revise Critical Incident Command Policies

During this critical incident and in its immediate aftermath, the lack of a clear command structure contributed to a chaotic situation and conflicting communications, with multiple deputies speaking over one another. Although in this particular incident the events were rapidly unfolding, which may

have made establishing a tactical command structure unfeasible in advance of contact with Mr. Towns, a review of current LASD policy shows it does not provide guidance about the importance of critical incident command for ensuring effective communication between deputies in a crisis situation.

LASD Policy 3-10/150.00 on Tactical Incidents defines “command” as “[t]he exercise of **complete authority** to direct the actions of others during a tactical incident.” (Emphasis in original.) Policy 3-10/150.00 defines “control” as “[w]hen a supervisor or Department member is able to communicate with and coordinate or direct the actions of other Department members.” Policy 3-10/150.00 also states in pertinent part that “Department members at the scene of, or directly involved in, a tactical incident shall demonstrate regard for incident command.” While this policy addresses command and control during tactical incidents, neither LASD’s policies, nor its training materials made available to the Police Practices Section for review, provide specific guidelines for determining who will be in command and control of communications during a critical incident when multiple deputies are present.

A deputy who maintains incident command and control can best direct with authority what duties each deputy should assume, where officers should position themselves to avoid crossfire, and less lethal options and next steps. Incident command and control can provide clear direction, helping to avoid cross signals between deputies and unnecessary chaos with subjects and members of the public.⁵ Maintaining incident command and control also ensures that deputies can adjust as appropriate to the changing circumstances at the scene and ensure that deputies follow proper sequestration protocols in the event of a deputy-involved shooting.

The Police Practices Section recommends that LASD revise its policies and provide guidelines for determining who will be in command and control when multiple deputies are present during a critical incident, including how to handle communication on controlling an incident scene.

Recommendation Four: Develop Firearm Re-Holstering Policy and Training

After the officer-involved shooting, Deputies Morales and Prentice’s service firearms were unholstered when they each approached the woman whom Mr. Towns threw to the ground. While the woman was sitting, Deputy Prentice approached her from behind with the unholstered service weapon at her eye level and in close proximity to her face. The woman yelled and recoiled. Deputy Prentice apologized and then re-holstered the firearm. LASD Policy 3-10/045.00 on Use of Deadly Force and Firearms states that “[u]nnecessarily or prematurely displaying a firearm ... may create unnecessary anxiety on the part of members of the public,” and that “Department members are expected to exercise sound judgment and critical decision-making when choosing to display a firearm or point it at a person,” but does not specifically provide for securing or re-holstering weapons once a threat is over. Multiple California law

5 The Police Executive Research Forum emphasizes the importance of having defined roles when multiple officers respond, and provides that the contact officer’s role includes communicating with the subject and establishing a relationship of trust. [Suicide by Cop: Protocol and Training Guide](#), Police Executive Research Forum. Clarifying the critical incident command structure would also help ensure that strategic communication is directed through a single point of contact with a subject, which is particularly important during a critical incident where multiple stimuli can create mental duress and frustrate a subject that deputies are attempting to calm. [See Graham, Conflicting Commands](#), Lexipol (May 7, 2019), (“commands should be given by one officer only”); Wolfe, [Why loud & repetitive verbal commands can hinder compliance](#), Police1 (Jan. 16, 2018), (“Only one officer should do the talking.”); [Integrating Communications, Assessments, and Tactics, Training Guide for Defusing Critical Incidents](#), Police Executive Research Forum (Oct. 2016).

enforcement agencies have policies requiring weapons to be secured or re-holstered as soon as practicable once a threat is over.⁶ LASD does not have any such policies or training materials.⁷

The Police Practices Section recommends LASD update its policies to include a firearms re-holstering policy, as well as develop training materials and conduct training on securing or re-holstering firearms as soon as practicable once a threat is over.

Recommendation Five: Ensure Body Worn Camera Activation

The Police Practices Section recommends LASD implement refresher training regarding their policy on activation of body worn cameras.

LASD Policy 3-06/200.08 on Body Worn Cameras-Activation states in pertinent part:

Department personnel shall activate their body worn camera (BWC) prior to initiating, or upon arrival at, any enforcement or investigative contact involving a member of the public, including all: ... Code-3 responses ... Foot pursuits ... Uses of force ... Any encounter with a member of the public who is or becomes uncooperative, belligerent, or otherwise hostile.

Deputy Morales did not comply with LASD policy to activate his body worn camera and should have activated his body worn camera, at the latest, upon arrival at the initial call for service related to Mr. Towns. The initial interaction and audio between Deputy Morales and Mr. Towns was not captured on a body worn camera, and the subsequent interaction at the time of the shooting was only captured by other deputies' body worn cameras. Given that the patrol vehicles were not equipped with dashboard mounted cameras, critical moments leading up to the shooting were also not captured.

Recommendation Six: Develop Policy Regarding Identifying Individuals with Mental Health Conditions or Who Are Under the Influence

This recommendation is separate and apart from the particular facts of the shooting of Mr. Towns, given the rapidly evolving situation. However, even in non-exigent circumstances, LASD policies and procedures do not provide guidance on how deputies are to identify whether an individual may have a mental health condition or may be under the influence. This recommendation is the same recommendation provided in the DOJ's March 26, 2025, report on the shooting death of Christopher Mercurio.⁸ The Police Practices Section recommends providing guidance to deputies regarding

6 For example, Los Angeles Police Department Policy 556 on Use of Force states in pertinent part that "[w]hen an officer has determined that the use of deadly force is not necessary, the officer shall, as soon as practicable, secure or holster the firearm." San Francisco Police Department General Order 5.01 on Use of Force Policy and Proper Control of a Person states in pertinent part that "[w]hen an officer determines that the threat is over, the officer shall holster their firearm or shoulder the weapon in the port arms position pointed or slung in a manner consistent with Department approved firearms training." Oakland Police Department General Order K-03 on Use of Force states in pertinent part that "[w]hen an officer determines that the threat is over, the officer shall holster his or her firearm, when feasible."

7 California Commission on Peace Officer Standards and Training (POST) [Use of Force Guidelines](#), as updated in 2021, provide in pertinent part that "[i]t is recommended that an agency's policy include the following requirements for drawing and exhibiting a firearm ... the officer shall, as soon as practicable, secure or holster the firearm."

8 [Policy and Practice Recommendations for the Los Angeles County Sheriff's Department Related to the Officer-Involved Shooting of Christopher Mercurio on January 11, 2023](#), California Department of Justice (March 2025).

interactions with individuals who are or may be under the influence, including listing signs and symptoms of both mental health conditions and substance abuse issues.

LASD's Field Directive and the Use of Force policy require deputies to identify or consider whether the subject may have a mental health condition in order to respond appropriately. However, there is no guidance provided in either policy or directive outlining how to determine when they are faced with a mental health situation, such as listing symptoms to consider or providing distinguishing signs of a mental health crisis, behavioral or cognitive disability, or substance abuse issues. For example, LASD's Field Operations Directive titled, "Calls for Service Involving a Person Experiencing a Mental Health Crisis," indicates that it was implemented "to establish policy and procedures for responding and handling calls for service involving persons who may be experiencing a mental health crisis due to a mental illness, cognitive impairment, physical impairment, and/or stressors, while minimizing use of force incidents." The Directive lists "[f]actors to consider when attempting to identify whether a person may have been diagnosed with an intellectual, mental, or physical disability," including self-reports, witness reports and deputy observations, but does not provide guidance on identifying a mental health crisis. (LASD Field Directive 16-003.) LASD's Use of Force Policy provides that factors used to determine whether a use of force is objectively reasonable include "[t]he mental capacity or mental health of the subject" and "[w]hether it should have been apparent to the Department member that the subject had a mental illness, developmental disability, or cognitive disability." (LASD MPP No. 3-10/020.00.) LASD's Mentally Ill Persons Policy states that the Crisis Negotiation Team (CNT) and/or the Mental Evaluation Team (MET) may assist field deputies when a "[s]uspect is a danger to himself/others;" is emotionally disturbed; and/or exhibits bizarre and/or violent behavior. (LASD MPP No. 4-16/010.00.) Clear identifiers can provide deputies guidance in interacting with individuals who may be under the influence or experiencing mental health crises, helping deputies manage interactions safely and avoid miscommunication.