



C A L I F O R N I A

DEPARTMENT OF JUSTICE

**Report on the Investigation into the
Death of Michael Owens on April 28, 2023**

Ventura County AB 1506

September 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 redacts the names and other identifying information of witnesses and 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 outweighs any public interest in disclosure.

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

- Witness 1 (W-1), Resident at the Ventura County Rescue Mission
- Witness 2 (W-2), Security Guard at the Ventura County Rescue Mission
- Witness 3 (W-3), Resident at the Ventura County Rescue Mission
- Witness 4 (W-4), Outreach Coordinator at the Ventura County Rescue Mission
- Witness 5 (W-5), Resident at the Ventura County Rescue Mission

INTRODUCTION

On April 28, 2023, at 12:15 AM, Oxnard Police Department Officer Manuel Garcia fatally shot Michael Owens after responding to a call from the Oxnard Fire Department requesting assistance with an uncooperative individual requiring medical attention. After Officer Garcia arrived, Mr. Owens charged at Officer Garcia with a knife in his hand, and Officer Garcia shot Mr. Owens. After initially being struck by gunfire and dropping the knife, Mr. Owens continued to struggle with Officer Garcia resulting in Officer Garcia again shooting Mr. Owens.

DOJ investigated and reviewed the OIS pursuant to Government Code section 12525.3 (enacted by Assembly Bill 1506).¹ This report is the final step in DOJ's review of the fatal OIS of Mr. Owens. The scope of this report is limited to determining whether criminal charges should be brought against the involved officer. An accompanying report provides potential policy and practice recommendations as required by Government Code section 12525.3, subdivision (b)(2). The review does not encompass or comment on any potential administrative or civil actions. 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 Officer Garcia committed a crime.

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

¹ Although DOJ responded to the incident on April 28, it initially determined it was not a qualifying event. DOJ subsequently accepted the case on May 15, 2023 after the death of Mr. Garcia and after DOJ determined, based on a review of the investigative materials, that Mr. Garcia did not possess a weapon during the second OIS.

SUMMARY OF INCIDENT

At midnight on April 28, 2023, Ventura County 911 dispatch received a call requesting assistance for a man whom the caller said, “had lost his senses.” The caller said the individual was next door to “the Mission.” When asked by dispatch for the address, the caller stated 234 East 6th Street, which the dispatcher identified as the Ventura County Rescue Mission. The caller then stated, “Yeah, but he’s right next door to it, so I mean, it’s the same alley. It’s the same building.” When asked by the dispatcher to explain what was going on, the caller stated “someone just called and said call an ambulance. I don’t know why.” The dispatcher confirmed with the caller that he was requesting paramedics.

At approximately 12:04:32 AM, the 911 dispatcher transferred the call to the fire department dispatcher. The fire dispatcher asked the caller if the man needing assistance was outside or inside the Rescue Mission. The caller responded, “I’m inside the Security office right now. He went to the apartment building next door.” When asked by fire dispatch if he needed medical attention, the caller stated he did not think so, and “I just think he’s coming off drugs or something.” The building referred to by the caller is part of the Ventura County Rescue Mission, but its address is 235 East 7th Street, physically located just south of the Mission at 234 East 6th Street.

At approximately 12:04 AM, the 911 dispatcher received a second call from a man who identified himself as Michael Owens. Mr. Owens stated, “I’m not doing too good right now and I need 911 to get here.” Mr. Owens requested a paramedic and stated that he was staying at the Ventura County Rescue Mission. Mr. Owens’s cellular telephone call log reflected that on April 28, 2023, at approximately 12:07 AM, a call was made to 911 and, at 12:09 AM, a second call was made to 911.

At 12:04:42 AM, the 911 dispatcher transferred this second call from Mr. Owens to the fire department. Dispatch lost contact with Mr. Owens, but the 911 dispatcher told the fire department dispatcher that the caller was at the Ventura County Rescue Mission and that he needed paramedics. At approximately 12:05:36 AM, Oxnard Fire Department Engine 63 and Medical Unit 662 were dispatched to a medical emergency at the Ventura County Rescue Mission located at 234 East 6th Street. At approximately 12:05:45 AM, fire dispatch attempted to re-contact Mr. Owens. On the call back, a different person, W-1, answered the call from dispatch. W-1 confirmed the location to be the Ventura County Rescue Mission. When the fire dispatcher asked W-1 what was happening, he stated that “this gentleman is having a psychotic experience at the Mission and needs an ambulance.” When the dispatcher asked W-1 to explain what he meant, he stated, “He’s been drinking too much alcohol, and he’s psychotic right now.”

At 12:11 AM, fire department personnel arrived on scene via the east alley of Meta Street. W-1 directed them to a man on the second floor of the building later identified as Mr. Owens.

According to Ventura Fire Captain Adam Strong, the call for assistance was for a “no-code behavioral.” “No-code” means that fire department vehicles would respond code 2, with no emergency lights or sirens activated. In addition, Captain Strong stated that the notes of the call made mention of hallucinating and abnormal behavior and alcohol, which is what is referred to as an intoxicated or under the influence subject. When fire and Emergency Medical Services (EMS) personnel spoke with Mr. Owens, Captain Strong asked him to come down the stairs so that they could assess his condition. Mr. Owens responded that “you guys can’t help me,” and also said something about Jesus. Captain Strong recognized that Mr. Owens was going to be uncooperative; as a result, he called the Oxnard police department (OPD) for assistance.

At approximately 12:15:13 AM, Engine 63 made the following request on the radio: "Can you dispatch OPD, Code 2, for uncooperative subject?" Seconds later, Engine 63 broadcast the following, "Ventura, Engine 63, can I update that to Code 3?" Code 3 is an emergency response with lights and siren. According to Captain Strong, Mr. Owens was standing at the top of the staircase to the second floor with what appeared to be a knife in his right hand cutting his left wrist. Captain Strong confirmed he was the highest-ranking officer on scene and was responsible for a total of six fire and EMS personnel. Captain Strong stated that he was scared for the safety of his crew.

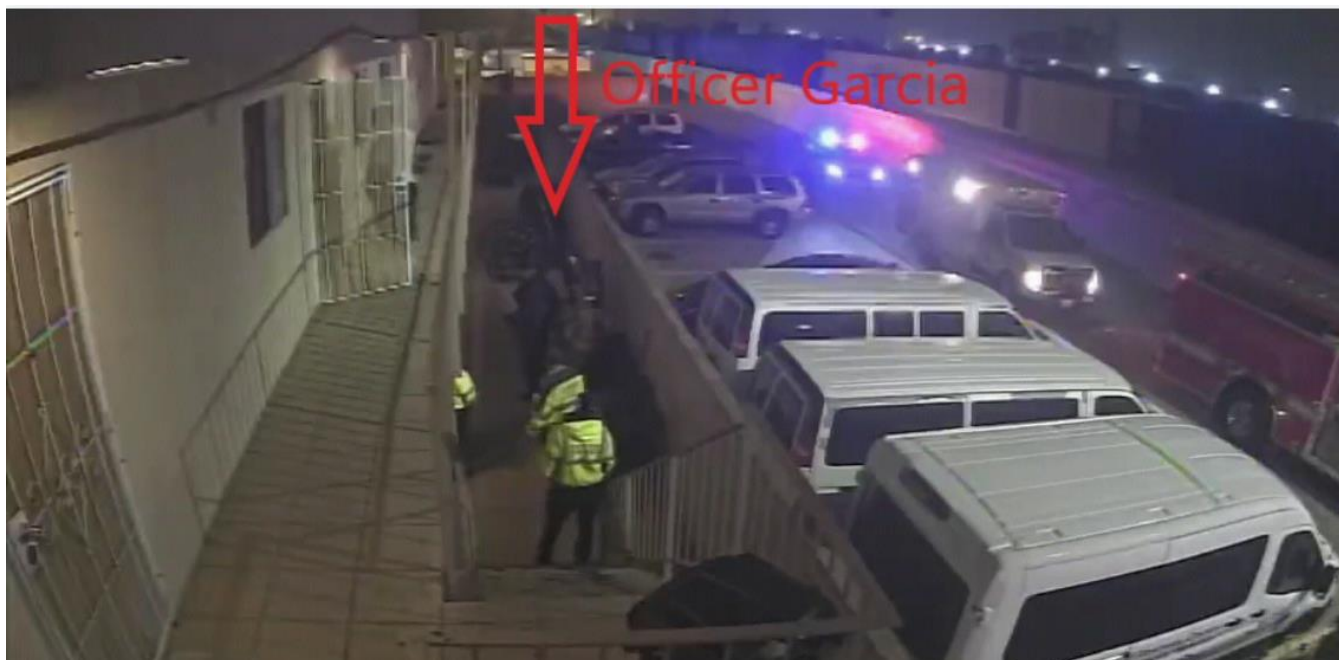
At approximately 12:15:35 AM, fire dispatch contacted the 911 dispatcher and requested police units to assist them with an uncooperative subject and identified him as a 25-year-old male who was hallucinating. The fire department dispatcher advised the 911 dispatcher that they had changed the initial request from Code 2 to Code 3. At approximately 12:15 AM, 911 dispatch broadcast via the police radio, "31 Adam, 12 Adam. Assist EMS reference an uncooperative subject hallucinating at the Rescue Mission. The subject is in the alley, 234 East 6th Street." At approximately 12:18:57 AM, Engine 63 advised fire dispatch: "Can you advise OPD the patient is actively trying to harm himself and he now is armed with a knife?" At approximately 12:19:50 AM, 911 dispatch advised over the radio, "31 Adam, Sam 7. They are now advising the subject has a knife and he's attempting to hurt himself. 12 Adam, Station 3. Respond Code 3. Station 3 -- we have a 10-33 on Band 1 needed if needed at the Rescue Mission." 31 Adam is the radio designation for OPD Officer Manuel Garcia.

At approximately 12:20:05 AM, Officer Garcia arrived on scene and parked his patrol vehicle in the east alley of Meta Street. Immediately upon exiting his police vehicle, Officer Garcia was advised that the subject of the 911 call was in the second floor bathroom. Officer Garcia entered the courtyard area of the apartment complex through the gate located on the north end of the building and walked south in the courtyard. At approximately 12:20:31 AM, OPD Sergeant Brian Woolley, who was identified on the radio as "Sam 3," asked Officer Garcia for the best approach to the scene. Officer Garcia replied, "Southbound in the alley." He further stated, "They're advising he's barricaded in the bathroom now." Officer Garcia continued walking south towards the area where EMS and fire personnel were standing.



Officer Garcia arriving at the scene

At approximately 12:20:45 AM, Officer Garcia spoke to Captain Strong who told him that Mr. Owens had barricaded himself in a second floor bathroom, but prior to that he was getting aggressive and cutting himself on his left wrist with a knife. At approximately 12:21:10 AM, Mr. Owens exited the second floor bathroom and approached the railing of the second floor walkway, just above Officer Garcia. Mr. Owens looked down at Officer Garcia who at the time was communicating with fire personnel. Officer Garcia said to Mr. Owens, “Hey bud, hey bud, hey, listen to me man, can they help you out? Mr. Owens responded, “No,” and then he turned and walked back into the second floor bathroom and out of sight.



Officer Garcia getting briefed by fire department personnel

At approximately 12:21:24 AM, Sergeant Woolley arrived and broadcast over the radio, “Station 3, Sam 3. Less lethal is on scene.” Sergeant Woolley’s body worn camera (BWC) shows him remove a less-lethal weapon from his patrol vehicle and walk southbound in the alley from East Sixth Street.

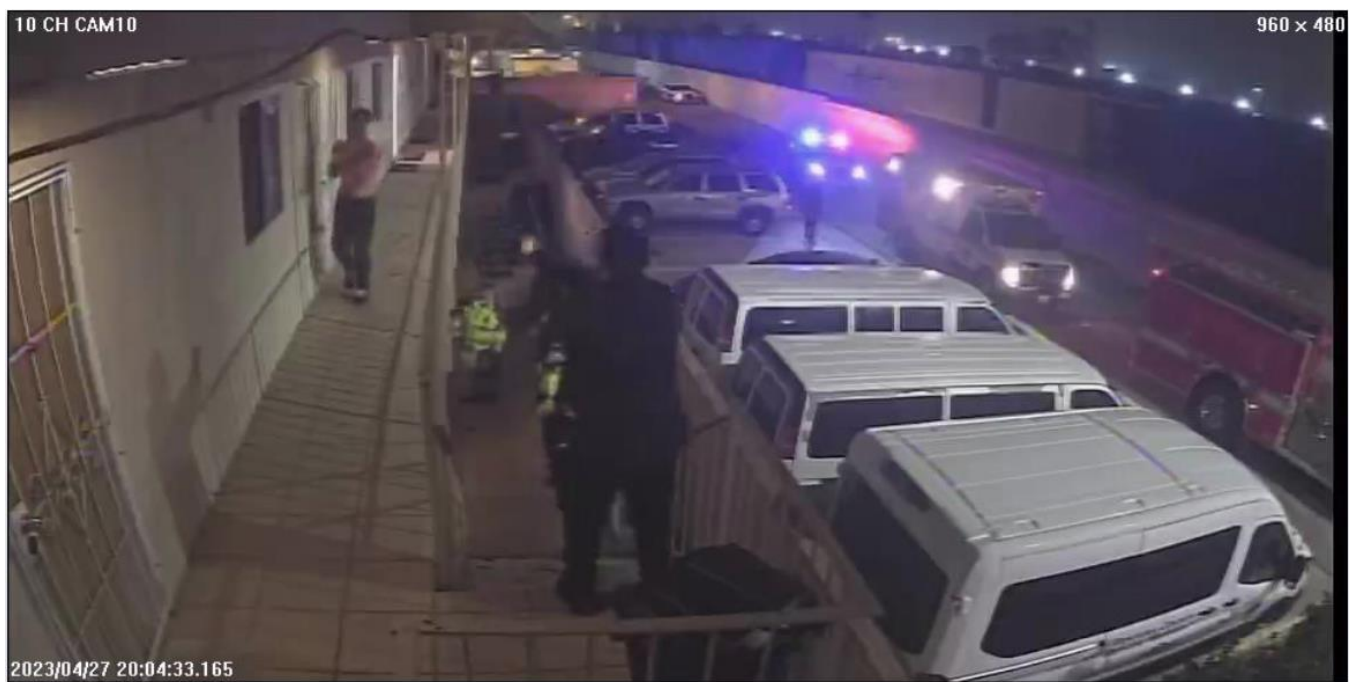
At approximately 12:21:37 AM, Officer Garcia began to walk up the stairway located at the south end of the apartment complex. Officer Garcia saw an individual at apartment #11 and directed him to return to his apartment. At approximately 12:21:52 AM, Officer Garcia paused and asked fire personnel for the subject’s name, and they identified him as Michael Owens. At that time, Mr. Owens was inside the communal bathroom on the second floor and not visible. Officer Garcia continued walking to the top of the stairway landing. When interviewed, Officer Garcia stated that he began walking to the stairway “to get a better view of the door and to attempt to build some sort of rapport” to get him to come down to the fire guys so they could help him out.

At approximately 12:22:22 AM, Officer Garcia was standing at the top of the southern staircase landing of the apartment complex and shouted, “Michael, can you come out please?” Officer Garcia waited for a response from Mr. Owens. At approximately 12:22:30 AM, Sergeants Woolley and Joseph Bentley appeared in the background of Officer Garcia’s BWC footage. At 12:22:38 AM, Mr. Owens exited the bathroom on the second floor. Officer Garcia stated, “Hey Michael come over here please sit down so

we can help you out. Do me a favor, just sit down over here.” Officer Garcia further stated, “Just don’t bring anything with you.”

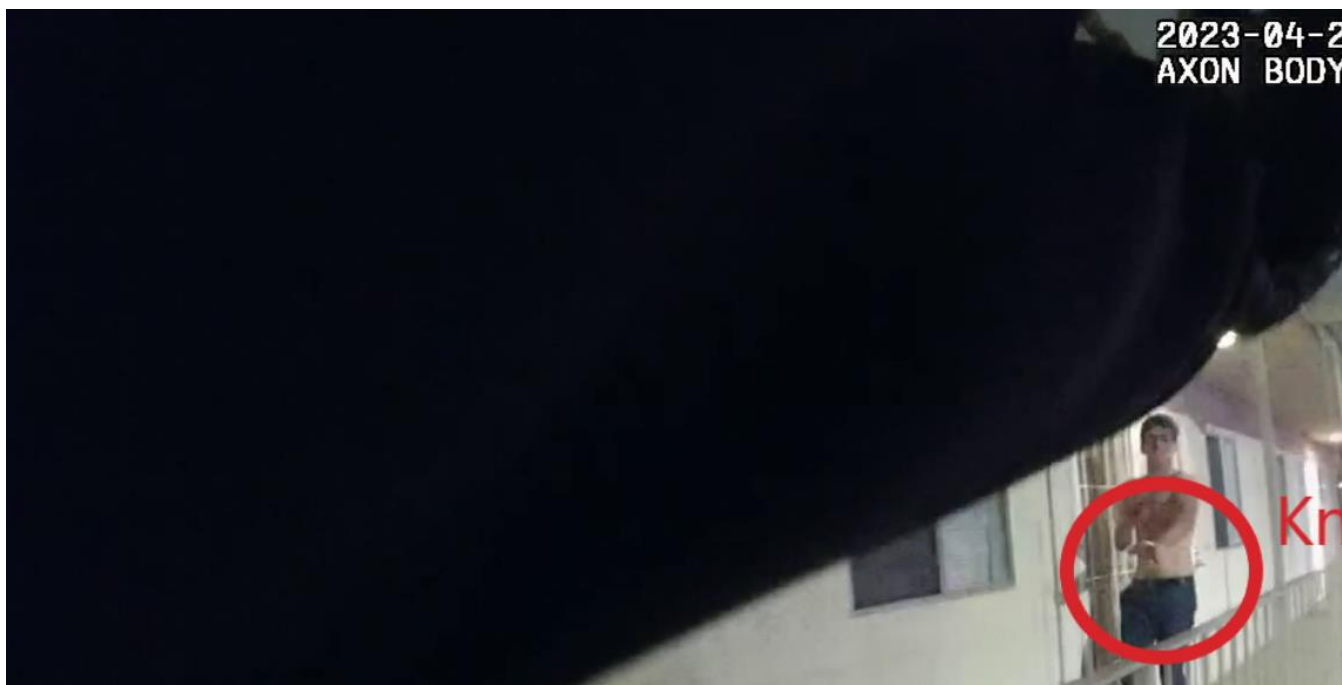
According to Officer Garcia, Mr. Owens came into view right in front of the bathroom door. Officer Garcia could not see any weapons possessed by Mr. Owens, but he could see that he was covered in blood. At approximately 12:22:46 AM, while Officer Garcia was speaking with Mr. Owens, Sergeant Woolley broadcast over the radio, “Station 3, Sam 3, we have a visual of him on the upstairs balcony. He’s wearing no shirt and gray pants.” Mr. Owens momentarily turned his head facing northeast in the direction of Sergeants Bentley and Woolley. Mr. Owens then turned back into the bathroom and out of sight for one to two seconds.

At approximately 12:22:49 AM, Mr. Owens exited the upstairs bathroom and paused momentarily. Officer Garcia shouted, “Just don’t bring anything with you.” Mr. Owens began to swiftly walk towards Officer Garcia who was standing on the staircase landing at the top of the stairs on the second floor. The distance from the bathroom door to the staircase of the second floor is approximately 44.61 feet.



Mr. Owens exiting bathroom and walking towards Officer Garcia

According to Officer Garcia, “Then that’s when I notice that he has a knife on him, and I tell him don’t bring anything with you, and he’s closing distance pretty fast.” At approximately 12:22:55 AM, Officer Garcia drew his firearm to his chest level. Simultaneously, Officer Garcia ordered Mr. Owens to “[s]top.” Mr. Owens, with knife in hand, continued towards Officer Garcia. According to Officer Garcia, “So, now I am at the landing at -- where I’ve been. There’s a rail to my back. There’s a rail to my side. There’s no exit to my left. To -- it looked like there was an apartment in front of me and he’s closing distance. I draw my firearm. I noticed that he continues coming at me, and I discharged my firearm.”



Zoomed in still from Officer Garcia's BWC showing Mr. Owens approaching Officer Garcia with a knife in his right hand

At approximately 12:22:58 AM, Officer Garcia fired his first round at Mr. Owens, followed by six additional rounds. The last round of the first volley of gunfire was fired at 12:23:00 AM. In the first volley of gunfire, Officer Garcia fired seven rounds in approximately 1.8 seconds. At the time of Officer Garcia's first shot, Mr. Owens was approximately 19 feet away from Officer Garcia but continued advancing toward him.

At approximately 12:23:00 AM, Mr. Owens's body began to fold at the waistline, with a forward motion, and an inward rotation. It appeared that Mr. Owens's momentum caused him to continue forward, landing on the ground within feet of Officer Garcia, who stopped firing his firearm. The knife fell out of Mr. Owens's right hand and landed on the ground. Mr. Owens continued to move while on the ground. Officer Garcia kept his firearm pointed at Mr. Owens, while he shouted multiple times, "Do not reach for that knife." Officer Garcia explained, "So, I discharged my firearm until I didn't perceive him as a threat. And he falls down within two feet from me on his back facing me. The knife falls down to the ground, and I tell him to not reach for the knife. I believe I told him that command about two to three times."



Officer Garcia firing first shots and Mr. Owens falling to the ground

Within seconds of the last shot that was fired at approximately 12:23:07 AM, Mr. Owens got back to his feet and aggressively lunged forward from the ground with his left hand stretched out towards Officer Garcia while yelling, "Give me your gun, give me your gun, you little bitch." Officer Garcia moved back to the top of the staircase landing. After getting up, Mr. Owens continued his aggressive forward advance with his right arm stretched out in the direction of Officer Garcia's firearm. Mr. Owens lunged at Officer Garcia, who used his left hand to physically block Mr. Owens from reaching his firearm that he was holding in his right hand. Officer Garcia attempted to push Mr. Owens away and reposition himself, but Mr. Owens continued grabbing in the direction of Officer Garcia's firearm. According to Officer Garcia, "Then after that he stands up to his feet, he grabs on to me. I tried to take a step forward, but I feel the rail to my back and I felt like I didn't have anywhere to go, and he grabs onto me, and I fear that if he grabbed a hold of my firearm like he was demanding, like, he was going to use it and harm me."



Officer Garcia pointing firearm at Mr. Owens after the first shots were fired



Mr. Owens wrestling with Officer Garcia after being shot



Mr. Owens lunging at Officer Garcia attempting to take his firearm

At approximately 12:23:11 AM, Officer Garcia discharged his firearm again and fired two additional rounds at Mr. Owens, who fell to the ground for a second time. Mr. Owens fell directly in front of apartment number 10, which is across from the stairway landing. In the second volley of gunfire, Officer Garcia fired two rounds, within approximately .33 milliseconds of each other.

At 12:23:20 AM, Sergeant Woolley broadcast over the radio, "Station 3, Sam 3. Shots fired. Suspect is down. Standby." Immediately after, Sergeant Bentley also broadcast over the radio "Station 3, Sam 17, We got shots fired." At 12:23:21 AM, Sergeant Bentley reached the landing of the stairway and immediately began to assist with handcuffing Mr. Owens. Sergeant Bentley observed significant trauma to Mr. Owens and immediately called for paramedics and EMS to assist with providing lifesaving medical attention. At 12:24:07 AM, EMS personnel arrived at the top of the stairway and began to provide Mr. Owens emergency medical assistance. At approximately 12:28:00 AM, Mr. Owens was loaded onto a Gold Coast ambulance by EMS personnel and transported to the Ventura County Medical Center for medical treatment. Mr. Owens was admitted to the Intensive Care Unit at Ventura County Medical Center. The next day, April 29, 2023, at 2:29 AM, Mr. Owens was pronounced brain dead.

INVESTIGATION

Overview

On April 28, 2023, immediately after the OIS occurred, OPD detectives were notified and responded to the scene. Thereafter, DOJ's California Police Shooting Investigation Team (CaPSIT) was also notified. CaPSIT was initially informed that Mr. Owens was armed with a knife at the time of the OIS and was not deceased. Based on these facts, this incident was initially determined to be a nonqualifying event under AB 1506. As a result, DOJ did not participate in the crime scene investigation.

It was later learned through a review of BWC footage released by OPD that Mr. Owens was armed during the first volley of gunfire but had dropped the knife and was unarmed during the second volley of gunfire. Upon further review by CaPSIT command staff, the OIS was determined to be a qualifying event under AB 1506. On May 15, 2023, DOJ notified the OPD of the decision to accept the incident as a qualifying event pursuant to AB 1506.

Following Mr. Owens's death, DOJ conducted an extensive investigation and reviewed comprehensive materials related to this OIS. OPD initially conducted an examination of the OIS and provided DOJ with their complete investigation. DOJ reviewed witness interviews of officers and civilians; photographs of the crime scene and other evidence; video recordings comprised of footage from BWCs and outside surveillance videos; communications evidence consisting of 911 calls, printouts from the computer aided dispatch (CAD) system, and corresponding radio calls; physical evidence obtained from the scene, including shell casings and fired bullet projectiles; an autopsy report; and analyses of ballistics and firearms.

Incident Scene Description

This OIS occurred on the second floor of an apartment building located at 235 East 7th Street, in the City of Oxnard.



Aerial view of OIS scene

The apartments face the east alley of Meta Street, which runs north and south. Specifically, the shooting occurred near the exposed second floor landing of the south stairway of the building.



Apartment building at 235 East 7th Street, Oxnard, CA

Incident Scene Evidence Recovery

On the night of April 28, 2023, OPD detectives and crime scene technicians from the Forensic Science Division (FSD) conducted a crime scene investigation at the Ventura County Rescue Mission. FSD took overall, mid-range, and close-up photographs of the scene and evidence. Evidence found within the crime scene was labeled using photographic identification placards, photographed in place, and measured before being collected for evidence. Among the evidence recovered from the scene was a knife with a three-inch blade in an open position on the ground just north of apartment number 10.



Knife recovered on the ground near where Mr. Owens fell

OFFICER PROCESSING

Officer processing (documenting the uniform and equipment of the involved officer) was completed by OPD. On April 28, 2023, an OPD detective and FSD technician conducted processing of Officer Garcia. Officer Garcia was wearing a black jacket with a cloth badge on the jacket's left breast and patches with OPD's insignia visible on its left and right upper sleeves. Officer Garcia was wearing a black uniform with badge and shoulder patches on his left and right upper sleeves bearing the OPD insignia. Officer Garcia wore a duty belt, which contained a magazine pouch with two pistol magazines, a radio holder with radio, Axon Taser, a handcuff pouch with handcuffs, and a firearm holster with a Glock 45 firearm. A tourniquet and a BWC were affixed to his jacket, directly below his cloth badge. Officer Garcia's uniform, equipment and body contained blood.

Officer Garcia's duty firearm was a Glock 45 nine-millimeter pistol. The magazine in the firearm contained eight rounds, with a capacity for 17 rounds. The firearm had one round in the chamber. Officer Garcia had two additional magazines located inside his magazine pouch; both were loaded to full capacity.

Video and Audio Recordings

Officer Garcia, Sergeant Bentley, and Sergeant Wooley each had assigned BWCs that were activated at the time of the incident and provided video and audio recording of the officers' responses to the

incident notification, the scene, and the actions of the decedent. Each officer wore their BWC on their chest and activated the BWC as they responded to the scene. Each BWC captured the incident from the position of the officer. Officer Garcia's BWC captured the radio call, the moments immediately prior to the OIS, the OIS, and the events after the OIS. The BWCs of Sergeants Bentley and Woolley were activated at the time of the incident and recorded their response to the radio call, their arrival at the scene, and part of the OIS. In total, OPD obtained video footage from three BWCs and two stationary surveillance cameras that captured parts of the OIS. The stationary cameras were affixed to the apartment building where the OIS occurred as well as nearby residences.

OPD investigators canvassed the area surrounding the Ventura County Rescue Mission to obtain any surveillance video that may have captured the incident. Investigators collected footage from surveillance cameras installed at two locations. The first camera was at the Ventura County Rescue Mission and captured the events of the OIS. The second camera was located at a neighbor's residence. It was a Google Nest camera and only captured audio of the events.

Communications

DOJ obtained and reviewed copies of the radio transmissions and CAD printouts for calls related to the OIS. The CAD printouts are consistent with the officers' radio transmissions. The relevant communications are listed in this report along with the timing of key events to create a timeline of the information known to officers.

Firearm and Ballistics Analysis

Based on video analysis, interviews conducted, evidence collected on scene, the autopsy report, and the firearm analysis report, it has been determined that Officer Garcia fired nine rounds at Mr. Owens. Of the fired bullets, two spent bullets and one bullet fragment were recovered from Mr. Owens's body during the autopsy. A total of five spent bullets and two bullet fragments were recovered at the scene. Eight cartridge casings were recovered at the scene.

MEDICAL EXAMINER'S INVESTIGATION

Following the OIS, Mr. Owens was transported to the Ventura County Medical Center for emergency treatment. Mr. Owens was pronounced brain dead on April 29, 2023. OPD notified the Ventura County Medical Examiner's Office of the family's decision to discontinue life support for Mr. Owens. An investigator with the Ventura County Medical Examiner's Office responded to the medical center to begin their investigation. At the time of his death, Mr. Owens was a 24-year-old White adult male. He was six feet tall and weighed 175 pounds.

On May 8, 2023, at approximately 1050 hours, the Ventura County Assistant Chief Medical Examiner, Dr. Othon Mena, performed an autopsy of Mr. Owens. The medical examiner noted abrasions, lacerations, and contusions. Mr. Owens's wrists showed injuries consistent with self-inflicted wounds caused by a cutting instrument. Furthermore, the medical examiner noted multiple healed scars of the thighs, forearms, and wrists. The autopsy found that Mr. Owens sustained five gunshot wounds to the head, shoulder, hip, and both arms. The direction of travel was determined to be upward. The autopsy confirmed the cause of death to be multiple gunshot wounds and the manner of death to be homicide.

The toxicology report noted that Mr. Owens had detectable amounts of Ketamine and THC in his blood.

INTERVIEW OF INVOLVED POLICE OFFICER

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; [individuals have the right to remain silent and decline to answer questions in the face of official questioning]; see generally *Miranda v. Arizona* (1966) 384 U.S. 436.) The officer involved in this incident provided a voluntary statement.

The other OPD officers, who did not use lethal force against Mr. Owens, provided voluntary written statements detailing their observations of the OIS. Their written statements are summarized below.

Officer interviews consist of the officer's recollection of the incident. As with any witness, these recollections may be inconsistent with the facts ultimately determined by DOJ's independent review of the evidence, including video footage.

Officer Manuel Garcia

On April 28, 2023, OPD Detectives Meagan Tobey and Kaya Boysan interviewed Officer Manuel Garcia, with his counsel present, regarding the OIS incident.

At the time of the interview, Officer Garcia had been employed by OPD for five years. When he responded to the OIS scene, Officer Garcia was working patrol in full uniform and was driving a marked patrol vehicle identified on the radio as "31 Adam." Officer Garcia was armed with a Glock Model 45 nine-millimeter semiautomatic pistol.

On April 28, 2023, at approximately 12:15 AM, Officer Garcia responded to a call for service to assist EMS at the Rescue Mission on 6th Street, with an uncooperative hallucinating subject. As Officer Garcia arrived on scene, he received an update on his radio informing him that the subject was now cutting himself with a knife. When Officer Garcia arrived, he was unsure of the incident location. BWC footage shows a resident from the apartment complex directing Officer Garcia to the south end of the apartment courtyard to the location of fire personnel and paramedics. Officer Garcia spoke with fire personnel and learned that, after fire personnel arrived, Mr. Owens began cutting himself with a knife and was currently inside a bathroom on the second floor of the building.

At that time, Mr. Owens walked out of the second floor bathroom and up to the edge of the second floor railing. According to Officer Garcia, he observed that Mr. Owens was bleeding from what appeared to be both arms and "he had blood everywhere." Officer Garcia did not see a knife.

Officer Garcia walked up the stairway to the second floor "to get a better view of the door and to attempt to build some sort of rapport" with Mr. Owens. Officer Garcia stated that he was attempting to get Mr. Owens to come downstairs to the first floor so fire personnel could render aid.

Officer Garcia was positioned on the second floor stairway landing, which allowed him to see Mr. Owens step out of the bathroom for a second time. Officer Garcia observed the door open again. Mr. Owens came into view right in front of the door. Officer Garcia did not see any weapons, but he observed Mr. Owens covered in blood. Mr. Owens briefly returned to the bathroom and then stepped out for a third time. Officer Garcia ordered Mr. Owens to come out of the bathroom.

Mr. Owens exited the bathroom, momentarily paused, and then began to walk towards Officer Garcia at a fast pace with a knife in his hand. Upon noticing that Mr. Owens had a knife, Officer Garcia shouted “don’t bring anything with you.” Officer Garcia described the knife as being five to six inches in length, including the blade and handle.

Mr. Owens rapidly advanced towards Officer Garcia who was still at the top of the stairway landing. Officer Garcia was backed into a corner of the landing with the second floor railing to his back and no way to safely escape or retreat from Mr. Owens. Mr. Owens continued to advance at Officer Garcia at which point Officer Garcia drew his firearm. Mr. Owens continued moving towards Officer Garcia armed with the knife, and Officer Garcia discharged his firearm at Mr. Owens. When asked how he felt at that moment, Officer Garcia stated, “Scared, because that’s when I noticed the knife on him, and I felt like I didn’t have a place to egress and get out. And he closed distance pretty quickly.”

Officer Garcia fired seven rounds at Mr. Owens. According to Officer Garcia, he discharged his firearm until he did not perceive Mr. Owens as a threat. Mr. Owens fell to the ground within feet of Officer Garcia. The knife held by Mr. Owens fell out of his hand and onto the ground. Officer Garcia ordered Mr. Owens not to reach for the knife. After being shot and falling to the ground, Mr. Owens immediately got back up and lunged towards Officer Garcia demanding he give him his firearm. Officer Garcia feared that if Mr. Owens grabbed his firearm he was going to use it to harm him.

Mr. Owens began physically attacking Officer Garcia, who attempted to push Mr. Owens away. Officer Garcia used his left hand to try to push Mr. Owens off of him. During this struggle, Officer Garcia fired two additional rounds at Mr. Owens, who fell to the ground. Officer Garcia stated that Mr. Owens was grabbing at the left side of his body and trying to take his firearm. Officer Garcia stated that he was scared that Mr. Owens was going to either take his firearm and hurt him or push him over the second floor railing. At this point, Sergeant Bentley arrived at the top of the stairway and immediately called for EMS to provide medical aid to Mr. Owens.

Sergeant Joseph Bentley

OPD Sergeant Joseph Bentley submitted a police report detailing his observations of the OIS incident. The following summary is based on his report. On April 28, 2023, Sergeant Bentley responded to the OIS and arrived on scene as the OIS was occurring. He was in full uniform and in a fully marked police vehicle. He responded to a call to assist the Oxnard Fire Department with a man that was said to be out of control, hallucinating, and in possession of a knife. The call was upgraded to a code 3 response with lights and sirens as the subject was cutting himself with a knife in front of EMS.

Sergeant Bentley pulled into the east alley of Meta Street, directly behind the Ventura County Rescue Mission, and, as he parked, he observed Sergeant Woolley arriving on scene. Sergeant Woolley had a less lethal shotgun. They began walking southbound to the location of the subject of the call for assistance. As they neared the area, Sergeant Bentley was unsure of the exact location of the subject, but he could hear Officer Garcia giving commands.

Sergeant Bentley was able to see Officer Garcia standing at the top of the stairs on the south side of the building near 7th Street. He observed a shirtless male appear from an upstairs room and saw him quickly retreat back into the room. The male came out once again, and he saw him moving southbound towards Officer Garcia. Sergeant Bentley could hear Officer Garcia telling the subject several times to “stop” and to “drop the knife.” It was then that he heard what he believed to be six or seven gun shots.

Sergeant Bentley ran towards the south stairwell where Officer Garcia was located, but there was a large block wall hindering Sergeant Bentley's access. Sergeant Bentley had to run out to 7th Street to gain access and, as he did, he clearly heard "give me your gun." He then heard what he believed to be two additional gunshots. Sergeant Bentley observed that the male was closing in towards Officer Garcia at the time shots were fired. He also noticed the male did not appear to go down to the ground after the shots. When Sergeant Bentley reached 7th Street, he saw the man lashing out and reaching for Officer Garcia.

Sergeant Bentley did not see the second rounds being fired as he was under the stairwell at the time. Sergeant Bentley ran up the stairway and saw a male subject now lying in a fetal-style position on his right side. As Sergeant Bentley arrived upstairs, he went to assist with handcuffing Mr. Owens. He observed what appeared to be significant head trauma and, based on the injuries he observed, he told Officer Garcia not to worry about the handcuffs. Sergeant Bentley immediately called out to Sergeant Woolley who was standing midway up the stairs to have EMS respond to assist the wounded man. EMS began rendering medical aid to Mr. Owens.

Sergeant Bentley observed a stainless-steel knife lying approximately two to three feet north of Mr. Owens. Sergeant Bentley asked Officer Garcia how many rounds he had fired and in what direction. Officer Garcia responded that he believed he fired eight rounds in a northbound direction.

Sergeant Brian Woolley

OPD Sergeant Brian Woolley submitted a police report detailing his observations of the OIS incident. The following summary is based on his report. Sergeant Woolley responded to assist Officer Garcia at the Rescue Mission and arrived on scene as the OIS was unfolding. On the date of the OIS, Sergeant Woolley was in full uniform and in a marked police vehicle. He reported that he monitored a call for service in reference to assisting EMS personnel at the Ventura County Rescue Mission, located at 234 East 6th Street. EMS were on scene to assist a male subject who was uncooperative and possibly hallucinating. OPD dispatch advised that the individual was a 25-year-old male who was actively attempting to injure himself with a knife. Firefighters and medical personnel requested police officers to expedite their response to the scene at a Code 3 level.

When Sergeant Woolley was en route, he communicated with Officer Garcia over the radio for the best arrival direction, which was southbound in the alley. Officer Garcia also broadcast that the male subject was now barricaded in the bathroom. Mistakenly believing that the incident was inside the main portion of the Rescue Mission, Sergeant Woolley parked his patrol unit at the east end of 6th Street, where it intersects with the east alley of Meta Street. Sergeant Woolley immediately retrieved his OPD issued less lethal shotgun from inside his patrol unit and notified OPD dispatch via radio that he "was on scene with it."

Sergeant Woolley began walking south in the alley and observed what he believed to be Officer Garcia's patrol unit, an ambulance from Gold Coast Ambulance, and a fire truck from the Oxnard Fire Department parked in the alley south of the Rescue Mission closer to 7th Street. All three of the vehicles had their overhead emergency lights activated. He proceeded on foot southbound in the alley while loading the shotgun with bean bag impact rounds as Sergeant Bentley arrived on scene in his patrol unit in the alley. Sergeants Woolley and Bentley walked southbound in the alley and reached the rolling gate to the rear of the Rescue Mission. Sergeant Woolley heard Officer Garcia's voice in the distance south of their location. He heard Officer Garcia attempting to address a male by the name of Michael.

Both sergeants continued southbound in the alley toward the two-story apartment building on the Rescue Mission property. Sergeant Woolley observed Officer Garcia standing at the top of the stairway located at the southernmost end of the building. He noticed that all of the metal security front doors to the upstairs apartments were closed but there was one open door with light emitting from inside the room. He saw a shirtless male wearing gray pants step out of this doorway. The male stood directly in front of the door for several seconds. Sergeant Woolley heard Officer Garcia continue his attempts to communicate with the shirtless male he was calling Michael. Officer Garcia shouted instructions to Mr. Owens to sit down so they could talk. Sergeant Woolley observed Mr. Owens step back into the lighted room out of sight. A few seconds later, Mr. Owens emerged from the same door in almost a jumping motion, stood on the upstairs walkway in front of the door for a moment and then immediately began walking directly towards Officer Garcia.

Sergeant Woolley observed Mr. Owens walking in a purposeful manner and at an increased speed. When Mr. Owens was within a few feet of Officer Garcia, he saw Officer Garcia fire several rounds from his handgun directly at Mr. Owens. As Sergeant Woolley was maneuvering around the parked emergency vehicles, he saw that Mr. Owens was now lying on the ground in front of Officer Garcia, a few feet away from him. Officer Garcia was pointing his handgun at Mr. Owens.

As Sergeant Woolley reached the north sidewalk of 7th Street, and within feet of the stairway leading to the second floor of the apartment complex, he observed that Mr. Owens had risen to his feet and was now in a physical altercation with Officer Garcia. Sergeant Woolley stated that it appeared as though they were in a struggle and that Mr. Owens was attempting to assault Officer Garcia with his hands. Both of Mr. Owens's hands were up in the air and reaching aggressively towards Officer Garcia. He observed Officer Garcia attempting to fend off the apparent attack from Mr. Owens while still holding his firearm in his right hand. Officer Garcia discharged two additional rounds from his firearm at Mr. Owens.

After requesting EMS to come upstairs, Sergeant Woolley observed a silver-colored knife on the ground behind Sergeant Bentley. He directed them to leave the knife in place as the medics and firefighters were ascending the stairway. As additional officers arrived at the scene, Sergeant Woolley released his less lethal shotgun to another officer and remained with Mr. Owens and the medical personnel. He conducted a brief search of Mr. Owens to ensure he was not armed with any additional weapons, and he did not locate any.

INTERVIEWS OF EMERGENCY RESPONDERS

OPD detectives interviewed five responding firefighter-paramedics. The following statements are summaries of their interviews.

Firefighter/Paramedic Adam Strong

On April 28, 2023, OPD Officer Jose Rodriguez interviewed Fire Captain Adam Strong of the Oxnard Fire Department (OFD). According to Captain Strong, when fire personnel arrived at approximately 12:12 AM, they were on the first floor and Mr. Owens was on the second floor of the apartment complex. According to Captain Strong, it was a medical call to assist a man who was hallucinating and engaging in unusual behavior.

Mr. Owens refused medical help. Captain Strong learned that Mr. Owens was in possession of a pocketknife and was cutting his left wrist. Based on Mr. Owens's behavior, Captain Strong requested police assistance. Mr. Owens barricaded himself in one of the public bathrooms, located on the second floor. This bathroom was accessible to everyone at the apartment complex.

Captain Strong observed OPD Officer Garcia arrive on scene and walk up the stairs to the second floor of the apartment complex. Captain Strong stated that Mr. Owens was going in and out of the bathroom yelling. Captain Strong heard Mr. Owens say something about Jesus and that EMS could not help him.

Captain Strong observed Mr. Owens charging at Officer Garcia. Captain Strong stated that Mr. Owens was initially about 20-25 feet from Officer Garcia. Captain Strong did not know if Mr. Owens was in possession of a knife as he approached Officer Garcia. Captain Strong heard Officer Garcia say "stop," but Mr. Owens continued to approach Officer Garcia.

When Captain Strong heard the gunshots, he moved his fire personnel under the second floor balcony. At the time the shots were fired, Captain Strong estimated that Mr. Owens was approximately "5-10 feet" away from Officer Garcia, who was on the second floor next to the stairway. Captain Strong heard multiple gunshots. Captain Strong stated that the OPD officers immediately called for EMS.

Paramedic Ryan Shepard

On April 28, 2023, OPD Officer Matthew Leslie interviewed Ryan Sheppard, a paramedic with Gold Coast Ambulance. Paramedic Sheppard stated that his ambulance was dispatched to a behavioral call for service of a 25-year-old male. Paramedic Sheppard and his crew arrived approximately five minutes before the police department. Paramedic Sheppard stated that Mr. Owens was on the balcony of the second floor of the apartment building and barricaded himself in the bathroom. Paramedic Sheppard could hear Mr. Owens talking about Jesus. Paramedic Shepard recounted that the reporting party had informed EMS personnel that Mr. Owens hallucinates when he drinks.

Paramedic Sheppard observed a silver knife with an approximate one- to two-inch blade length in Mr. Owens's hand. Mr. Owens was holding the knife to his neck. Mr. Owens began waving the knife around in the air. Paramedic Sheppard learned that Mr. Owens had cut both of his wrists prior to EMS arriving on scene.

Paramedic Sheppard saw Mr. Owens walk into a bathroom on the second floor of the building, close the door behind him, then walk back out of the bathroom onto the balcony and then back into the bathroom approximately two times.

Paramedic Sheppard was present when OPD Officer Garcia arrived on scene. Shortly thereafter, he heard Officer Garcia shout at Mr. Owens, "Michael come out." Paramedic Sheppard observed Mr. Owens exit the bathroom with a knife in his hand and walk at a fast pace toward Officer Garcia in an aggressive manner. Paramedic Sheppard estimated the distance between Officer Garcia and Mr. Owens, at the time Mr. Owens exited the bathroom, was approximately 25 feet. Paramedic Sheppard heard Officer Garcia order Mr. Owens to "stop walking" and "put the knife down" two or three times. Mr. Owens did not comply and continued walking toward Officer Garcia. Paramedic Sheppard stated that Officer Garcia did not have anything in his hands, and he was not ready to shoot. When Mr. Owens was within eight to 10 feet of Officer Garcia, Officer Garcia fired at least six shots. Paramedic Sheppard stated that Mr. Owens fell to the ground and dropped the knife. Thereafter, Paramedic

Sheppard was unsure of any additional movements by Mr. Owens and believed Officer Garcia remained at a distance. Approximately two minutes later back-up officers arrived on scene.

Firefighter John Ward

On April 28, 2023, Officer Leslie interviewed John Ward, an OFD firefighter. According to Firefighter Ward, they were dispatched to a “behavioral call.” Upon arrival, they made contact with a gentleman who was standing with Mr. Owens on the second floor balcony. Mr. Owens had an aggressive posture and looked tense and aggravated, like he was drinking or on drugs.

Mr. Owens stated that he did not want assistance from EMS. Mr. Owens picked up patio furniture from the balcony and threw it at fire personnel. OPD was originally called out Code 2, but the Code 2 request was upgraded to Code 3 as soon as chairs got thrown. Fire and EMS personnel were at the bottom of the stairwell trying to calm Mr. Owens down.

Firefighter Ward observed a knife in Mr. Owens’s hand. He described the knife as a folding type with a three- to three and a half-inch blade. Mr. Owens made several cutting motions to his left hand, which were actual cuts based on blood he observed on Mr. Owens’s wrists.

Officer Garcia arrived on scene and was briefed by Captain Strong. At that time, Officer Garcia was downstairs, and Mr. Owens was upstairs. During this time, Mr. Owens walked into and out of the second floor bathroom several times. A resident told on-scene personnel that the bathroom door did not lock, and that Mr. Owens had grabbed a knife from an apartment. When Mr. Owens came out of the bathroom, Officer Garcia asked him to come down to the first floor.

Mr. Owens walked back into the bathroom, and Officer Garcia walked up the stairs to the second floor balcony. There were other civilians trying to calm Mr. Owens, which is when Officer Garcia instructed everyone to get inside. When Mr. Owens walked out of the bathroom, Officer Garcia was calm and telling him, “Hey, come here, let’s get you help, put the knife down” and “Let’s help you out,” but Mr. Owens was not responsive.

Officer Garcia and Mr. Owens were approximately 20 yards apart. Mr. Owens began walking towards Officer Garcia in a fast manner, and he heard Officer Garcia say, “Put the knife down.” Mr. Owens began aggressively running toward Officer Garcia. Officer Garcia shouted, “Put the knife down.” Officer Garcia drew his service weapon and gave commands a couple more times and “it sounded like he fired five shots.”

Firefighter Ward believed that Officer Garcia waited until the absolute last minute before he fired at Mr. Owens. Officer Garcia was backed into the corner at the top of the stairwell along the railing of the second floor balcony walkway. Officer Garcia fired when Mr. Owens had advanced to within approximately 10 to 12 feet from Officer Garcia. Firefighter Ward heard Mr. Owens hit the ground and heard Officer Garcia ordering Mr. Owens to drop the weapon. Firefighter Ward could not see Officer Garcia at the time because he was taking cover. It sounded like Mr. Owens tried to get up off the ground, and he heard the officer fire one more shot. Shortly after the last shot was fired, more OPD officers arrived on scene.

Emergency Medical Technician Ben Bradley

On April 28, 2023, OPD Officer Matthew Grey interviewed Ben Bradley, an Emergency Medical Technician (EMT) with Gold Coast Ambulance. According to EMT Bradley, they were dispatched for a person having a behavioral emergency.

Prior to arrival, EMT Bradley was informed that Mr. Owens was intoxicated with alcohol and yelling in front of the residence. EMT Bradley was waved down by an older gentleman (later identified as W-1) who was a neighbor of Mr. Owens. W-1 was on the first floor and communicating with Mr. Owens, who was on the second floor balcony at the top of the stairs. W-1 stated, "Michael, we are trying to help. Fire is here to help." At this point Mr. Owens began to talk, but his statements were nonsensical. Mr. Owens was making statements about the Bible and other religious topics. At this time, EMT Bradley and the fire department were at the bottom of the stairs, and he observed Mr. Owens pacing back and forth on the second floor balcony.

Mr. Owens appeared agitated and was posturing in a threatening manner and using an elevated voice. Mr. Owens was at the top of the stairs, and he pushed two metal chairs down the stairs. Everyone created space and distance from Mr. Owens by moving away from the bottom of the stairs. According to EMT Bradley, he was approximately 20 feet from Mr. Owens when he observed him cut his own wrist with an object in his hand. Mr. Owens was using great force and effort to injure himself, but EMT Bradley did not believe the item was sharp due to the amount of effort and the type of injury Mr. Owens sustained at that time.

EMT Bradley did not approach or engage with Mr. Owens due to his behavior and the weapon in his hand. Mr. Owens began to pace back and forth at the top of the stairs. Mr. Owens began to cut his wrists again with the object in his hand and used his hands to squeeze his arms to push blood out of the cuts on his wrists. Mr. Owens walked into a communal bathroom and shut the door. Mr. Owens was inside the room for 30 seconds to a minute with the door shut. He eventually emerged and began to push blood out of his wounds on his wrists.

Mr. Owens went back into the communal bathroom, shut the door, and remained inside for approximately two minutes, at which point Officer Garcia arrived on scene and was briefed by fire department personnel. Officer Garcia walked up the stairs and was approximately 30 feet away from the bathroom.

Mr. Owens emerged from the bathroom with an unknown object in hand and charged at Officer Garcia. EMT Bradley described the charge as a sprint, with both hands up while looking at the officer. EMT Bradley observed Officer Garcia draw his firearm and heard Officer Garcia, with a loud voice, order Mr. Owens to "[s]top and drop the knife." Officer Garcia was the only officer on scene at this time.

EMT Bradley heard approximately five gunshots and observed Mr. Owens fall to the ground. Everyone took cover by going underneath the balcony, and he lost sight of both Officer Garcia and Mr. Owens, at which time he heard approximately three additional shots. Officer Garcia immediately asked them to provide medical aid to Mr. Owens.

EMT Bradley stated he saw a head wound to Mr. Owens and began to assess other injuries. He noticed blood and cuts to both of Mr. Owens's wrists. EMT Bradley also observed a large amount of blood coming from the right forearm of Mr. Owens. Mr. Owens was unconscious but groaning and having

difficulty breathing. EMT Bradley went to the ambulance and retrieved a gurney and other items to assist with providing medical aid. Shortly thereafter, additional officers arrived on scene. EMT Bradley assisted with transporting Mr. Owens to the Ventura County Medical Center.

EMT Nicholas Garcia-Osborne

On April 28, 2023, OPD Officer Grey interviewed Nicholas Garcia-Osborne, an EMT with Gold Coast Ambulance. EMT Garcia-Osborne was on the same ambulance as EMT Bradley.

EMT Garcia-Osborne stated his ambulance received a call for service of a behavioral emergency. Upon arrival, he observed Mr. Owens at the top of the stairs and an older gentleman (later identified as W-1) at the bottom of the stairs. W-1 attempted to calm Mr. Owens, told him to put the knife down, and stated that “we are trying to help.” W-1 began to walk upstairs, and Mr. Owens pushed chairs down the stairs towards W-1. EMT Garcia-Osborne heard Mr. Owens state, “Don’t walk upstairs anymore I will kill you.”

EMT Garcia-Osborne observed Mr. Owens in possession of a knife and saw bleeding from his left wrist. He also heard Mr. Owens making religious statements. He heard the OFD request assistance from the OPD because Mr. Owens was in possession of a knife, cutting his own wrists and making threats.

EMT Garcia-Osborne saw Mr. Owens enter a communal bathroom located on the second floor. He estimated the distance between the stairs and the communal bathroom was approximately 30 feet. Mr. Owens was in the bathroom for approximately two minutes and then emerged and continued to injure his own wrists.

Officer Garcia arrived on scene and was briefed on the situation. Officer Garcia walked up the stairs to the second floor balcony. Officer Garcia was at the top of the stairs for approximately 30 seconds when Mr. Owens emerged from the bathroom. Officer Garcia ordered Mr. Owens to put the knife down multiple times. EMT Garcia-Osborne stated these commands were loud and clear.

EMT Garcia-Osborne observed Mr. Owens charge at Officer Garcia with what appeared to be clear intent to harm the officer. Mr. Owens charged at Officer Garcia with one hand above his head; however, it was unclear to EMT Garcia-Osborne if there was a weapon in Mr. Owens’s raised hand.

EMT Garcia-Osborne was able to see Mr. Owens and Officer Garcia and heard approximately five to six shots fired from Officer Garcia’s firearm. Mr. Owens immediately fell to the ground. EMT Garcia-Osborne observed Mr. Owens waving his hands and feet around, yelling and screaming. At this point, firefighters ordered everyone to take shelter underneath the balcony. EMT Garcia-Osborne heard three more shots fired 10 seconds after the first set of shots.

Firefighters provided first aid to Mr. Owens. EMT Garcia-Osborne observed Mr. Owens on his back and not moving much. EMT Garcia-Osborne was instructed to treat Mr. Owens’s head wound first. He observed that Mr. Owens was alert, breathing and mumbling at this time. Mr. Owens was placed on a backboard and transported to the Ventura County Medical Center.

INTERVIEWS OF CIVILIAN WITNESSES

Numerous civilian witnesses were interviewed by OPD. The following are summaries of the relevant civilian witness interviews, describing the incident from each person's point of view.

W-1

On April 28, 2023, OPD Detectives Robert Valenzuela and Kevin Fessler interviewed W-1, a resident at the apartment building where the incident occurred. W-1 was present during the incident and had known Mr. Owens for approximately one year. Mr. Owens joined the recovery program at the Oxnard Rescue Mission due to his alcohol and narcotics abuse. Mr. Owens left the program approximately three months prior due to an altercation which involved other program members. W-1 made arrangements with staff members at the rescue mission to interview Mr. Owens on Friday April 28, 2023, for reentry back into the recovery program.

On Thursday, April 27, 2023, W-1 picked up Mr. Owens to relocate him to another hotel. After they checked in, W-1 walked out to his car to get luggage and Mr. Owens became agitated. Mr. Owens thought a friend was outside trying to kill him. Mr. Owens contacted his father and told him that he was having an episode. W-1 heard Mr. Owens's father tell Mr. Owens to go to Community Hospital in Ventura. While en route to the hospital, Mr. Owens tried hunching down in his seat and told W-1 that a van behind them was trying to shoot at them.

They met Mr. Owens's father at the hospital. Mr. Owens told emergency staff that he was seeing and hearing things. Mr. Owens ran out of the emergency room. Mr. Owens's father told W-1 to let Mr. Owens go. Mr. Owens's father disclosed to W-1 that Mr. Owens suffers from schizophrenia, and this type of behavior had happened before.

W-1 drove back to his residence at the Rescue Mission and received multiple text messages from Mr. Owens. W-1 learned that Mr. Owens returned to the rescue mission, and staff members provided Mr. Owens with a cot to sleep in the rescue mission's patio area. W-1 provided Mr. Owens with water and a phone charger and returned to his apartment.

Later that night, W-1 was awakened by Mr. Owens yelling. W-1 told Mr. Owens to return to the patio, and he would contact security staff to call for an ambulance. Mr. Owens grabbed W-1's cellular phone and called 911 to ask for help. W-1 heard Mr. Owens explaining his problem to the dispatcher. Mr. Owens said he was having a schizophrenic episode, he was seeing things, and he needed help and an ambulance.

After the 911 call and while waiting for the paramedics, Mr. Owens became anxious and was moving around. W-1 said that at some point prior to the paramedics' arrival, Mr. Owens entered W-1's room and retrieved his antique folding knife. According to W-1, the color of the knife was silver and fully extended was about seven to eight inches long, including the handle.

Mr. Owens was on the second floor stairway landing while paramedics were trying to talk to him from the bottom of the stairway on the ground level. Mr. Owens told paramedics, "You come here, I'll kill." Mr. Owens had the knife he took out of the room in his hand and was cut. Blood was visible on his wrists. W-1 pleaded with Mr. Owens to hand over the knife as W-1 walked upstairs. Mr. Owens told him to back off or "I'll kill you too." The paramedics instructed W-1 to come back down to the first floor.

The police arrived on scene and Mr. Owens went into the community bathroom. The police were standing at the end of the balcony. W-1 stated that his view of Mr. Owens was partially obstructed, except he could see him going towards the police officer. He heard the policeman say, “drop it, drop it,” and then he heard gunshots. W-1 explained there was a short gap in time after the first gunshots and then another burst of gunshots.

W-2

On April 28, 2023, OPD Officer Richard Gutierrez interviewed W-2, a security guard at the Ventura County Rescue Mission. On April 27, 2023, W-2 began his shift at 10:00 PM. He had contact with Mr. Owens, who was lying down in the outdoor patio area.

He stated that Mr. Owens was very “antsy” and “looked like he was high.” He believed Mr. Owens may have been under the influence of methamphetamines or having withdrawals. Based on Mr. Owens’s behaviors, W-2 called paramedics for assistance.

W-3

On April 28, 2023, OPD Officer Flavio Lopez interviewed W-3, another resident of the apartment building. According to W-3, on the night of April 27, 2023, he was lying in bed watching television and overheard a loud thud. He went outside and saw Michael Owens. Mr. Owens banged on one of the cars and said he was looking for W-1. W-3, who was in his second floor room, went downstairs to notify W-1.

Mr. Owens told W-3 that he was having a psychotic episode. Both W-3 and W-1 contacted W-2 in the rescue mission’s front office and requested that paramedics be called to assist Mr. Owens. W-3 tried to calm Mr. Owens down and offered him water and Gatorade. Mr. Owens, with a stern look, told W-3 he should go upstairs. W-3 returned upstairs to his room, but he saw Mr. Owens call paramedics and tell the dispatcher that he was at the rescue mission and needed help. W-3 observed that Mr. Owens had a knife. W-3 stated that Mr. Owens looked suicidal.

When paramedics arrived, Mr. Owens was argumentative and did not want help. W-3 stated several times to Mr. Owens that they were there to help him. W-3 said that Mr. Owens began to roam around and barricaded himself in the second floor bathroom. W-3 stated that Mr. Owens put the knife to his wrist and started ripping at it, causing his wrist to begin bleeding.

Mr. Owens went into a communal bathroom and barricaded himself inside. At this time, the officer who arrived on scene instructed W-3 to go back inside his apartment. W-3 believed the officer was trying to get Mr. Owens out the door.

W-3 observed Mr. Owens charge at the officer with the knife. W-3 heard the officer say put down the knife, followed by the sound of two to three gunshots. W-3 ducked down and felt the debris from the wall. When W-3 looked up, he saw Mr. Owens wrestling with the officer. W-3 stated, “He was wrestling him and like, it was like life or death for sure.” W-3 then heard the officer fire approximately two to three additional shots, and he saw Mr. Owens fall to the ground.

W-4

On April 28, 2023, OPD Officer Mason Galindo interviewed W-4, another resident of the apartment building. W-4 was the outreach coordinator for the Ventura County Rescue Mission.

W-4 was awakened to the sound of chairs being dragged down the stairway. W-4 stepped out of his first floor apartment and saw OFD, EMS personnel, and W-1 outside of his room looking up at the second floor.

W-4 heard Mr. Owens being told, “Michael come down, put down the knife, and to knock it off.” W-4 heard Mr. Owens shout to W-1, “Go downstairs, get out of the way, I’ll kill you too!” W-4 directed W-1 to stop communicating with Mr. Owens because Mr. Owens was possibly in possession of a knife. W-1 walked away toward Seventh Street, to give Mr. Owens space.

W-4 stated that he knew Mr. Owens as a former resident at the Mission. Mr. Owens was a part of the lifetime recovery program but was removed approximately six months before for behavioral issues. W-4 stated that he believed Mr. Owens did not like authority and had mental breakdowns in the past.

W-4 observed OPD Officer Garcia arrive on scene and walk up the southern staircase onto the second floor landing of the apartment building. Officer Garcia spoke to Mr. Owens and said, “Michael, we’re going to help you. We want to help you.” Mr. Owens responded by yelling no.

W-4 saw Mr. Owens charge straight at Officer Garcia. W-4 took cover and could no longer see Mr. Owens or Officer Garcia. He heard a series of approximately six to seven gunshots, a brief pause, and an additional two gunshots.

W-5

On April 28, 2023, OPD Officer Kyle Hay interviewed W-5, another resident. W-5 was inside his room when he heard a loud metal banging coming from outside. As W-5 looked outside to the south side of the second floor balcony, he observed Mr. Owens yelling loudly.

He saw Mr. Owens with a box cutter razor cutting his own wrist. W-5 observed W-1 try to stop Mr. Owens, but he was told by others at the scene to get away. W-5 saw Mr. Owens run into the shared upstairs bathroom in the middle of the second floor balcony and out of view. W-5 went back into his room. When he emerged, he saw Mr. Owens on the south side of the balcony where officers were attempting to negotiate with him from the stairs and bottom floor. He heard an officer say, “Don’t pick up the knife, don’t grab that knife.” W-5 heard Mr. Owens state, “I want to die happy, you don’t know what I’ve done.”

W-5 heard shots and saw Mr. Owens fall to the ground. He heard officers yell: “Don’t reach for the knife.” He saw Mr. Owens get back up and move towards the officer and then heard an additional three to four shots. W-5 believed he heard 10 shots in total.

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 express or implied. (Pen. Code, § 188; *Hernandez, supra*, 183 Cal.App.4th at p. 1332.) Malice is express 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 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. Moya* (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, however, 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 to 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 conduct of the officer 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 conduct of the officer. 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 actually 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 OIS, 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

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

Because a prosecuting agency would need to affirmatively prove beyond a reasonable doubt that Officer Garcia did not act in lawful defense of himself 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 Officer Garcia was objectively unreasonable in determining that lethal force was necessary to protect himself or others, or that he did not actually hold this view. Therefore, the evidence is insufficient to support criminal charges.

Subjective Belief of Need to Act in Self-Defense

Officer Garcia gave a voluntary statement. His subjective intent can be determined by his description of the events and the actions he took that were captured on the stationary and BWC footage. Officer

Garcia stated that he believed in the need to defend himself and bystanders against imminent peril of death or serious bodily injury, and the evidence supports his statement.

Officer Garcia stated that, after he made attempts to build rapport with Mr. Owens and have him come downstairs to receive aid, Mr. Owens began to walk toward him at a rapid pace with a knife in his hand. Officer Garcia told Mr. Owens to not “bring anything with you” when he was approaching. Officer Garcia described being backed into a corner on the second floor railing and having no safe way to retreat from Mr. Owens. When asked how he felt at that moment, Officer Garcia replied, “Scared because that is when I noticed the knife on him, and I felt like I didn’t have a place to egress and get out. And he closed the distance pretty quickly.” Officer Garcia fired seven rounds at Mr. Owens, who fell to the ground within a few feet of Officer Garcia. Officer Garcia told Mr. Owens not to reach for the knife.

Mr. Owens immediately got up and began to aggressively lunge at Officer Garcia, demanding that he give him his firearm. During this struggle Mr. Owens shouted, “Give me your gun, give me your gun, you little bitch.” Officer Garcia stated that he feared that Mr. Owens was going to get his firearm and use it against him or push him over the second floor railing. Officer Garcia discharged two additional rounds based on his belief that Mr. Owens posed an imminent threat of taking his firearm and using it against him or pushing him off the second floor of the apartment building.

The factual statements by Sergeants Bentley and Woolley are largely consistent with Officer Garcia’s statement, and no available evidence undermines their credibility. Witnessing officers stated their perception that Mr. Owens posed an immediate threat, justifying the use of deadly force. Sergeant Bentley stated that he saw Mr. Owens moving towards Officer Garcia, and “[he] could hear Officer Garcia telling the subject several times to stop and to drop the knife. It was then that [he] heard what [he] believed to be six or seven gun shots.” Sergeant Woolley observed Mr. Owens “walking directly towards Officer Garcia.” He described that Mr. Owens was “walking in a purposeful manner at an increased speed.” Sergeant Woolley stated that “when Mr. Owens reached within a few feet of Officer Garcia, [he] watched Officer Garcia fire several rounds from his handgun directly at him.”

The BWC footage and other witness statements also corroborate Officer Garcia’s description of the event. The video footage showed Mr. Owens advancing at the officer with a knife in his hand and later struggling with him and demanding his firearm. Consequently, the evidence supports Officer Garcia’s version of events and does not undermine his stated belief that lethal force was necessary to protect himself from imminent harm.

Objectively Reasonable Belief of Need to Act in Self-Defense

The evidence also supports that Officer Garcia’s use of lethal force to protect himself was objectively reasonable. Officer Garcia walked upstairs and positioned himself on the second floor stairway landing 45 feet away from the bathroom in which Mr. Owens was located. Officer Garcia remained at a distance attempting to de-escalate his contact with Mr. Owens. As observed by several witnesses, he tried to establish communication with Mr. Owens. Officer Garcia remained calm, polite and non-confrontational when speaking. Mr. Owens was unresponsive and refused to talk with Officer Garcia.

This incident occurred rapidly. Mr. Owens refused to respond or comply, despite the presence of a uniformed police officer who was attempting to render the medical aid that Mr. Owens had personally requested from 911 just 17 minutes before Officer Garcia’s first attempt to speak with him. Thirty-two seconds after Officer Garcia took a position on the second floor landing, Mr. Owens aggressively

approached him armed with a knife. Approximately 18 seconds elapsed from the time Mr. Owens exited the bathroom until the last shot was fired by Officer Garcia. The entire incident took eight minutes from the first radio call received by Officer Garcia until the first shot was fired.

As previously stated, the officer's observations were corroborated by the events captured by surveillance camera and BWC footage. The video footage shows that the officer arrived at a quickly unfolding situation which made it difficult to wait for back-up officers or to consider the use of a less lethal option to stop Mr. Owens. The videos show Mr. Owens advancing towards Officer Garcia while holding a knife in his right hand. They also captured Mr. Owens attempting to take Officer Garcia's firearm by physical force and the aggressive statements he made as he fought to take control of the weapon. Other witnesses, including emergency responders and residents at the scene, likewise described Mr. Owens charging at Officer Garcia and wrestling with the officer after the first gunshots.

Given the circumstances shown by the video footage, Officer Garcia could reasonably have perceived that the use of lethal force was necessary to protect himself and the other first responders at the scene. The video footage also demonstrates that Officer Garcia could reasonably have believed Mr. Owens had the present ability and opportunity to inflict serious bodily injury on him. Mr. Owens was armed with a knife and advanced directly at Officer Garcia. His failure to comply with commands could reasonably be interpreted as an indication that Mr. Owens's intent was to use the knife against the officer. In thwarting the attack, it would not be unreasonable to conclude that Officer Garcia used only the amount of force necessary to halt the threat, firing seven shots when initially confronted by Mr. Owens with a knife followed by two shots when Mr. Owens attempted to take his firearm by force.

Moreover, during the incident, Mr. Owens did not comply with Officer Garcia's repeated commands. Officer Garcia attempted to get Mr. Owens to come out of the bathroom and to allow EMS to treat his wounds. Mr. Owens failed to respond to five commands to come out of the bathroom and to sit down. He failed to comply with two additional orders to "not bring anything with him" and one order to "stop" before Officer Garcia discharged his firearm. After being struck by the first shots that caused him to drop the knife, Mr. Owens was instructed to "not reach for that knife" three times. Instead, he lunged at Officer Garcia and attempted to take his firearm by force. In the aggregate, Mr. Owens failed to comply with five police commands to present himself for medical treatment, including four commands to sit down. He also failed to comply with two orders to not bring anything with him when he exited the bathroom with a knife and one command to stop walking toward the officer.

The totality of the evidence shows that Officer Garcia held the belief that deadly force was necessary to defend himself from imminent deadly force and that his belief was not objectively unreasonable. This is based on Mr. Owens exhibiting threatening behavior towards EMS upon their arrival, not responding to the officer's repeated commands, charging the officer with a knife, and attempting to gain control of the officer's firearm by force. A reasonable officer in the same situation as Officer Garcia could have reasonably believed that Mr. Owens had the apparent intent to immediately cause death or serious bodily injury, and that lethal force was necessary to prevent imminent harm. It cannot be proven beyond a reasonable doubt that Officer Garcia's belief that he was in imminent danger of being harmed was unreasonable. A prosecution, therefore, could not prove beyond a reasonable doubt that the officer's use of force was unlawful.

CONCLUSION

Based upon 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 Officer Manuel Garcia. Therefore, 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 Oxnard Police Department Related to the Officer-Involved Shooting of Michael Owens on April 28, 2023

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

September 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 April 28, 2023, Oxnard Fire Department personnel and paramedics responded to a service call for an individual, Michael Owens, who needed assistance at the Rescue Mission in Oxnard. The Rescue Mission provides transitional housing and emergency shelter for unhoused individuals struggling with addiction. This location is a two-story apartment complex with an exterior walkway along the second floor that connects several apartments and a communal bathroom.

Oxnard Police Department (Oxnard PD) Officer Manuel Garcia responded to a call for service shortly after midnight and located fire personnel and paramedics on the first floor. Fire Department Captain Adam Strong told Officer Garcia that Mr. Owens had barricaded himself in a second-story bathroom, was getting aggressive, and cutting his wrist with a knife. As he was speaking with fire personnel and paramedics, Officer Garcia saw Mr. Owens above him on the second floor.

Less than one minute after speaking with fire personnel, Officer Garcia walked up the stairway located at the south end of the apartment complex. However, before Officer Garcia went up the stairs, Oxnard PD Sergeants Brian Woolley and Joe Bentley parked nearby, announced their arrival over the radio, and began walking towards the building. While walking up the staircase, Officer Garcia paused to ask fire personnel for the subject’s name. Mr. Owens retreated inside the communal bathroom before Officer Garcia walked up the stairs. Then Officer Garcia walked up the stairs and stopped at the top of the stairway landing.

About 30 seconds after Officer Garcia reached the top of the landing, Mr. Owens exited the bathroom. Officer Garcia told Mr. Owens, “Hey Michael, come over here please sit down so we can help you out. Do me a favor, just sit down over here.” Officer Garcia then followed: “Just don’t bring anything with you.” As the two sergeants walked towards the building, they could see Officer Garcia on the second-floor landing and Mr. Owens in a doorway on the second floor.

Mr. Owens walked quickly towards Officer Garcia with a knife in hand. Officer Garcia unholstered his firearm, pointed it towards Mr. Owens, and ordered: “Stop.” Mr. Owens pointed the knife in Officer Garcia’s direction and continued to walk towards him. Officer Garcia fired seven rounds at Mr. Owens. He fell to the ground and dropped the knife. Officer Garcia yelled at Mr. Owens not to reach for the knife. Approximately four seconds after falling to the ground, Mr. Owens stood up, lunged forward with his left hand stretched out towards Officer Garcia, and yelled, “Give me your gun, you little bitch.” Officer Garcia took a step back, but Mr. Owens reached his right arm towards Officer Garcia’s firearm. Officer Garcia used his left hand to block Mr. Owens from reaching his firearm. Officer Garcia also pushed Mr. Owens away. In his interview, Officer Garcia said he felt Mr. Owens grabbing onto the left side of his body and was afraid Mr. Owens would grab his firearm or push him over the railing. Then, Officer Garcia fired two additional rounds at Mr. Owens with one round striking Mr. Owens in the head. Mr. Owens fell to the ground again.

Sergeant Bentley arrived at the top of the stairs and promptly called for paramedics to render aid. Mr. Owens was pronounced dead the following day.

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 Oxnard PD to review and implement the following three recommendations:¹

Recommendation One: Continue Mental Health Crisis Training

The Police Practices Section commends Oxnard PD for the affirmative improvements it made following this incident and recommends that Oxnard PD continue to develop and train officers on responding to individuals in a mental health crisis.

Following this incident, Oxnard PD engaged the OIR Group, an independent entity that provides a range of consultations and evaluations for law enforcement agencies, to evaluate Oxnard PD’s response to persons in crisis. In April 2024, OIR Group provided a public report. Relevant to this incident, Oxnard PD was advised to refresh its training related to tactical disengagement, to incorporate training with Ventura County Behavioral Health, and to increase the frequency of crisis intervention training classes to improve responses to critical incidents. Oxnard PD reports that it has implemented several of OIR Group’s recommendations including training on tactical disengagement and increased training with Ventura County Behavioral Health.

At the time of the incident, Oxnard PD had multiple resources available to respond to persons experiencing mental health crises. Oxnard PD uses a police-based response model, commonly referred to as a Crisis Intervention Team (CIT) program.² CIT officers are provided with 40 hours of training on

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- 1 Officer Garcia fired two different volleys at Mr. Owens. The first volley of seven shots was while Mr. Owens walked towards Officer Garcia with a knife. Mr. Owens fell. He then stood up, without the knife, and reached towards Officer Garcia’s firearm. Officer Garcia fired two additional shots at Mr. Owens, thereby making this a qualifying event pursuant to Government Code section 12525.3.
 - 2 Police Executive Research Forum, [Rethinking the Police Response to Mental Health-Related Calls](#) (Oct. 2023) p. 19; National Alliance on Mental Illness, [Crisis Intervention Team \(CIT\) Programs](#) (as of July 16, 2026).

mental health issues, risk assessment, and de-escalation techniques.³ According to the California Commission on Peace Officer Standards and Training (POST): “The primary goals of CIT are to reduce injuries to officers and mental health consumers during contacts, and to appropriately redirect mental health consumers from the judicial system to the services and support needed to stabilize consumers and reduce contact with police.”⁴ Oxnard PD requires all officers to be CIT-trained.

After this incident, Oxnard PD issued additional guidelines on handling crisis intervention incidents and notifying the Ventura County Mobile Crisis Response Team, which is a co-response model comprised of a police officer and mental health professional together responding to mental health crisis calls. In August 2023, Oxnard PD issued a training bulletin requiring dispatch to contact the Mobile Crisis Response Team for “any call where an individual is experiencing a mental health crisis or episode.” The training bulletin also provides that an officer can directly call the Mobile Crisis Response Team.

The Police Practices Section commends Oxnard PD’s continued development of its CIT training program and recommends that Oxnard PD continue to train officers with an emphasis on de-escalation, including scenario-based crisis intervention training, and working with Ventura County Behavioral Health when responding to persons in crisis.

Recommendation Two: Continue Disengagement Training to Enhance Officer and First Responder Safety and Public Safety

Given the call involved an individual at the Rescue Mission who barricaded himself in an upstairs bathroom and was cutting himself with a knife, before walking up the landing to engage with Mr. Owens, the responding officer should have considered additional options, not limited to disengagement, to enhance officer safety and public safety.

Oxnard PD’s disengagement policy’s purpose is “[t]o clarify procedures regarding tactical disengagement, and to recommend re-engagement plans.” (Training Bulletin 21-006, Tactical Disengagement at p. 1.) Oxnard PD defines tactical disengagement as “the decision to leave, delay contact, delay custody, or plan to make contact at a different time and under different circumstances that increase everyone’s safety.” (*Ibid.*) Oxnard PD instructs officers that “[t]his tactic should be considered when continued contact may result in an unreasonable risk to the person in crisis, the community, and members of this department.” (*Ibid.*) The training bulletin noted, among other items, that “[a]n individual’s mere refusal or treatment for a possible mental health crisis, or a refusal to take medication, does not necessarily require immediate police action, nor does such a refusal constitute a crime.” (*Id.* at p. 2) The 2024 OIR Report identified this bulletin as an important step in training and encouraged reinforcement of tactical disengagement through refresher training.⁵ The OIR report suggested that supervisors could verbally cue

3 Police Executive Research Forum, [Rethinking the Police Response to Mental Health-Related Calls](#) (Oct. 2023) p. 6.

4 California Commission on Peace Officer Standards and Training, [The Crisis Intervention Team](#) (Feb. 18, 2026).

5 OIR Group, [Review of Oxnard Police Department’s Response to Persons in Crisis](#) (April 2024) pp. 28-30.

officers over the radio to take a “tactical pause” when assessing situations that might benefit from tactical disengagement.⁶

Officer Garcia was informed by dispatch that a code 3 call for service was needed at the Rescue Mission for a person who was being “uncooperative” with paramedics, “hallucinating,” and was cutting himself with a knife. Shortly after walking into the Rescue Mission, Officer Garcia radioed to inform the sergeants the best way to enter the location. Upon arrival to the scene, Officer Garcia spoke with Fire Captain Strong and was told that Mr. Owens was in a mental health crisis and cutting himself with a knife.

At first, Officer Garcia attempted to speak to Mr. Owens from the first floor while Mr. Owens was on the second floor of the complex. Officer Garcia asked Mr. Owens if they could “help” him and Mr. Owens said “no” and walked back into the restroom. While Officer Garcia was talking to Mr. Owens, Sergeants Woolley and Bentley approached the building. Sergeant Woolley previously advised over the radio that he had arrived and had a less lethal shotgun.

Without waiting for backup, Officer Garcia moved to the second-floor landing. After Mr. Owens exited the restroom, Officer Garcia asked him to “come and sit down” and “just don’t bring anything with you.” Officer Garcia was aware that Mr. Owens possessed a knife, that Mr. Owens had blood on him, and had harmed himself. Instead of moving to the second-floor landing to speak to Mr. Owens by himself, tactical disengagement could have been used, including delaying contact with Mr. Owens until Officer Garcia discussed a plan with Sergeants Woolley and Bentley on options for engaging with Mr. Owens.

According to body worn camera video and radio audio, the officer and sergeants did not discuss a plan before Officer Garcia ascended to the second floor. It does not appear that Officer Garcia considered the limited amount of space or ability to retreat from Mr. Owens once he was positioned at the top of the stairs. Such considerations would have been consistent with de-escalation tactics.

The Police Practices Section recommends continued disengagement tactical training consistent with Oxnard PD’s crisis intervention and de-escalation policies to further officer safety and public safety, including options for disengagement and tactical planning.

Recommendation Three: Provide Additional Training on Muting of Body Worn Cameras

The Police Practices Section recommends that Oxnard PD should provide additional training on muting of body worn cameras (BWC) because multiple officers, including Sergeant Bentley, responding to the scene muted their BWC.

Oxnard PD Policy Manual No. 452 regarding When to Deactivate a BWC Recording states, “Officers will verbally articulate on camera the specific reason for discontinuing/muting the recording before deactivating/muting any BWC recording.” Further, Oxnard PD Policy Manual No. 452.6 regarding Use of Force and Critical Incidents reads in part: “The public potentially has a compelling interest in any use of

⁶ *Id.* at p. 30.

force or critical incident Under no circumstances shall a BWC recording be deactivated/muted during, or after, a use of force or critical incident, if any police-civilian interaction/encounter is still in progress.”

Several Oxnard PD officers activated their BWCs during and after the incident. However, there were numerous instances of Oxnard PD officers muting their BWC audio without articulating reasons for muting. For instance, a sergeant muted his BWC for 60 minutes (out of a total recording of 90 minutes). During the silent recordings, he walked to various locations on the Rescue Mission property as well as engaged in conversations with other officers. Another responding officer’s video was muted 98 minutes (out of a total recording of 112 minutes), while walking around the property and speaking to other officers. A second responding officer muted his BWC for 66 minutes (out of a total recording of 109 minutes) while speaking with other officers and moving about the property. A third officer muted his BWC for 89 minutes (out of a total recording of 103 minutes) while moving around the property and speaking to other officers. No officer stated a basis for muting their BWC prior to doing so.

The purpose of BWC is to record entire encounters so that the BWC can serve as an accurate record of events. When officers silence microphones, it may create unnecessary suspicion of law enforcement and could act as a denial of public access to all the information regarding what transpired in a given incident.

The Police Practices Section recommends further training on Oxnard PD’s policies and how and when to properly mute a body worn camera, and to articulate reasons for muting prior to muting.