

**OFFICIAL INFORMATION\*\*CONFIDENTIAL\*\*EVIDENCE CODE SECTION 1040  
INTRADEPARTMENTAL CORRESPONDENCE**

DATE: February 28, 2019  
TO: Honorable Board of Police Commissioners  
FROM: Inspector General  
SUBJECT: OFFICER-INVOLVED SHOOTING 024-18 FOR 3/5/19 CLOSED-SESSION AGENDA

<u>Division</u>	<u>Date</u>	<u>Time</u>	<u>Duty-On (X) Off ()</u>	<u>Uniform-Yes (X) No ()</u>
Southwest	4/10/18	6:28 p.m.		

<u>Officer(s) Involved in Use of Force</u>	<u>Length of Service</u>
Lee, R./Sgt. I	15 years, 6 months
Robles, M./POII	5 years, 6 months

**Total Involved Officer(s)**

2 x Sgt. I  
1 x PO II

<u>Suspect</u>	<u>Deceased (X)</u>	<u>Wounded ()</u>	<u>Non-Hit ()</u>
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Grechario Tyzavian Mack: Male black, 30 years of age.

**COP Recommendations**

**Tactics** – Tactical Debrief, Sergeants Lee and White, along with Officer Robles.

**Drawing/Exhibiting** – In Policy, No Further Action, Sergeants Lee and White, along with Officer Robles.

**Lethal Use of Force** – In Policy, No Further Action, Sergeant Lee and Officer Robles.

**IG Recommendations**

**Tactics** – Same as COP.

**Drawing/Exhibiting** – Same as COP.

**Lethal Use of Force** – *In Policy, Sergeant Lee, rounds 1-4. Out of Policy, Sergeant Lee, round 5. Out of Policy, Officer Robles, rounds 1-9.*

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## **INVESTIGATION**

### **Synopsis**

On April 10, 2018, at approximately 1820 hours, uniformed officers assigned to Southwest (SOW) Patrol Division responded to a radio call of a 415 Man with a Knife at the Baldwin Hills Crenshaw Plaza located at 3650 W. Martin Luther King Junior Boulevard. At approximately 1825 hours, the officers encountered the suspect who was armed with an approximate 12 inch knife. They requested a back-up and attempted to convince the suspect to drop the knife. The suspect refused to do so and began to run through the mall with the knife, resulting in an Officer-Involved Shooting (OIS).

### **Annotated Force Investigation Division (FID) Incident Summary**<sup>1</sup>

At approximately 1535 hours, the suspect, later identified as Grechario Tyzavian Mack, entered the Baldwin Hills Crenshaw Plaza mall through an entrance off of Martin Luther King Junior Boulevard.<sup>2</sup>

**Note:** Professional Security Consultants (PSC), a private security company, provided security guards for the mall and utilized video surveillance to monitor activity throughout the plaza. From within the security office, the cameras had the ability to be zoomed, panned or tilted. The time stamps from the mall security video varied from camera to camera and were not used in this report to determine the time of events. Approximate times were derived from Los Angeles Police Department (LAPD) Communication Division (CD) recordings of the SOW Division base radio frequency and 911 recordings.

As Mack walked throughout the mall, PSC employees began monitoring him via security cameras after a security guard observed him with a knife in his waistband and notified security dispatch. Professional Security Consultants Security Supervisor [REDACTED] and Security Guard [REDACTED] approached Mack and asked him if he was in possession of a knife. Mack responded by stating that he had thrown the knife in the trash and was no longer armed. [REDACTED] informed Mack that if he was in possession of a knife, he would have to leave the mall. After Mack again denied being in possession of a knife, [REDACTED] directed security dispatch to continue monitoring him via mall security cameras, while security officers deployed on the second level, monitored Mack on foot. Approximately one hour later, [REDACTED] observed the handle of what he believed to be a knife in the waistband of Mack's pants as he walked past him. [REDACTED] broadcast on a security radio that Mack was on the second level of the mall and was still in possession

<sup>1</sup> The Incident Summary presented here is reproduced from FID's report regarding this case, and is supplemented with annotations by the OIG. All OIG annotations are referenced as an "OIG Note." All other references and citations in the reproduced FID Incident Summary (e.g., Investigators' Notes or Addenda Items) are reproduced directly from FID's report. Unless otherwise stated, all information provided in OIG annotations is derived from FID's investigation of this incident.

<sup>2</sup> Grechario Tyzavian Mack, male, 30 years of age, 6 feet tall, weighing approximately 200 pounds.

of a knife. [REDACTED] and [REDACTED] again approached Mack and instructed him to leave the mall. Mack responded by stating that he would not leave and then requested a psychiatrist. [REDACTED] described Mack's behavior as strange and believed he was possibly under the influence of drugs or alcohol. According to [REDACTED] she directed security dispatch to contact the police and request their response. [REDACTED] told her dispatcher to call the LAPD and advise them that Mack was possibly armed with a knife, refusing to leave, and was requesting a psychiatrist.

At approximately 1741 hours, PSC security dispatcher, [REDACTED], contacted CD and requested the Department's response to the Baldwin Hills Crenshaw Plaza. She provided a description of Mack and stated he was in possession of a knife and requested that the LAPD remove him from the mall. [REDACTED] also reported that Mack was on the second level near the H&R Block office. When asked if he had threatened anyone with the knife, [REDACTED] advised the CD operator that Mack was only carrying the knife in his left pocket.

**Note:** According to [REDACTED] she instructed security dispatch that Mack's request for a psychiatrist be conveyed to the police. A review of the 911 phone calls received by CD revealed that this information was not provided to the CD operator.

At approximately 1743 hours, CD broadcasted a radio call over SOW Division base frequency, of a "415 man with a knife" at the Baldwin Hills Crenshaw Plaza located at 3650 West Martin Luther King Boulevard. The suspect was described as a male Black, 35 to 40 years of age, wearing a sleeveless white shirt with a blue stripe, and blue jeans, armed with a knife in his left pocket.

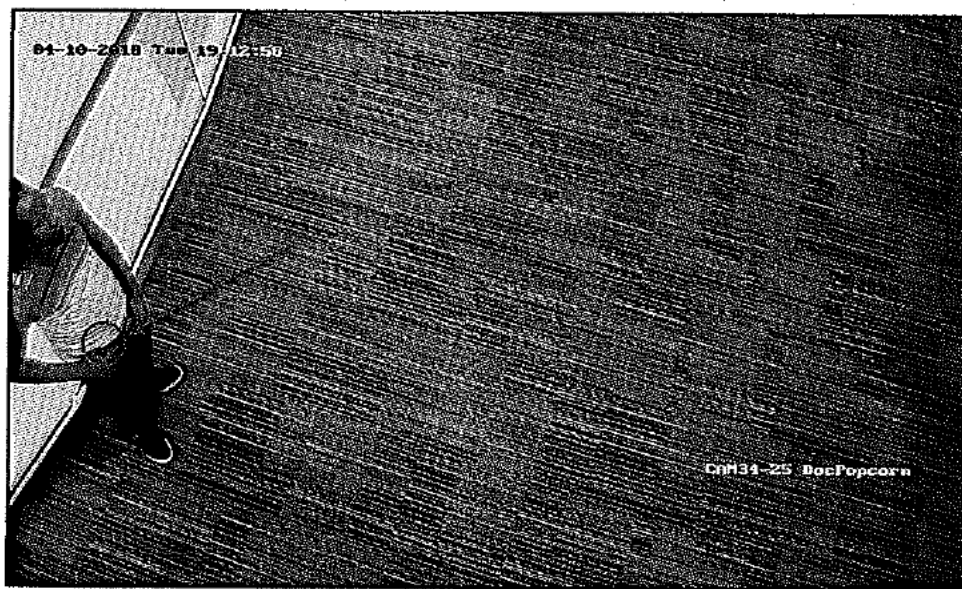
**Note:** Additional information entered into the comments of the call but not broadcast, indicated that no threats had been made and that mall security was requesting the suspect be removed from the location.

The radio call was prioritized as Code Two and broadcast three additional times between 1752 and 1807 hours for an available SOW Division unit. At approximately 1807 hours, the call was assigned to Southwest Patrol Division Sergeant I Ryan Lee, Serial No. 36603, Unit 3F50, and Southwest Patrol Division Sergeant I Anthony White, Serial No. 27743, Unit 3L120 (Investigators' Note No. 1).<sup>3</sup>

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<sup>3</sup> Sergeant Lee, 15 years, six months with the Department, 39 years of age, 6 feet tall, 180 pounds. Sergeant White, 27 years, 11 months with the Department, 51 years of age, 6 feet 1 inch tall, 275 pounds. They were dressed in clearly marked police uniforms over their ballistic vests and arrived in separate black and white police vehicles. They were equipped with Department-approved handguns, handcuffs, canisters of Oleoresin Capsicum (OC) spray and TASERs attached to their Sam Browne equipment belts. Sergeants Lee and White were not equipped with Hobble Restraint Devices (HRD). Their side-handle batons were in their police vehicles at the time of the incident; however, Sergeant White was also equipped with a collapsible baton on his equipment belt.

At approximately 1815 hours, mall security officers gathered in an area where Mack was loitering. Mall security video depicted Mack appearing to become more agitated as security officers positioned themselves around him at a distance, while waiting for the police to arrive. Mack was further depicted removing a knife from his waistband and holding it down at his side in his right hand. After approximately one minute, Mack placed the knife back into his waistband and pulled his shirt over the handle. As Mack paced back and forth, he again grasped the handle of the knife that protruded from the top of his pants and covered it again with his shirt.<sup>4</sup> While that occurred, security officers began diverting pedestrian traffic away from the area.



Photograph was captured from mall security video  
([Videolink](#))

At approximately 1815 hours, [REDACTED] placed a second call to 911 to report that officers had not yet arrived and that Mack was continuing to display the knife by removing it from his waistband. Simultaneously, PSC Security Guard [REDACTED], who had joined [REDACTED] and [REDACTED] in contacting Mack, placed an additional call to 911. He advised the CD operator that security officers had surrounded Mack and requested help from the police. [REDACTED] further reported that Mack had the knife in his hand but had not threatened anyone with it (Investigators' Note No. 2).

At 1817 hours, CD broadcast the information provided by [REDACTED] over SOW base frequency indicating that the suspect was located upstairs near the Payless shoe store brandishing a large knife and placing it back into his belt. After hearing this, Sergeant White upgraded his response to Code Three.

**Note:** Security video depicted Mack several times grab the handle of the knife as it protruded from his waistband, while security officers diverted patrons from the immediate area.

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<sup>4</sup> The referenced video footage was captured on security camera 34. The time stamp displayed by that camera was approximately 58 minutes ahead of actual time on the date of the OIS.

At approximately 1819 hours, Sergeant Lee arrived at the southeast entrance to the second level of the mall and broadcast that he was Code Six. He also broadcast that he planned to wait for Sergeant White to arrive before making contact with the suspect. Sergeant Lee coordinated his response with Sergeant White over SOW simplex radio frequency. According to Sergeant Lee, when Sergeant White advised him that he was nearing the location, Sergeant Lee entered the mall to assess the situation and develop a plan.

At approximately 1822 hours, CD broadcasted, "3F50, 3L120. Additional on your 415 man with a knife at Baldwin Hills Crenshaw Plaza, 3650 West Martin Luther King. Security has the suspect detained. Additional on Incident 4677."

**Note:** During his call with the CD operator, [REDACTED] did not indicate that Mack was detained. He merely advised that security officers had Mack surrounded.

At approximately 1823 hours, Sergeant Lee walked north along a walkway on the east side of the second level of the mall and contacted [REDACTED] [REDACTED] directed Sergeant Lee's attention to Mack, who was standing on the west side of the second level concourse, near a railing that overlooked the food court on the ground level.

According to Sergeant Lee, he did not initially observe Mack holding a weapon, but noted that he had a blank stare in his eyes and continually looked to his left and right. Sergeant Lee believed Mack was possibly suffering from agitated delirium. At approximately 1824 hours, Sergeant Lee broadcasted a request for a backup and a unit equipped with a beanbag shotgun. He made the decision not to immediately engage Mack, because he was calm and did not appear to have a weapon. Sergeant Lee believed that waiting to contact Mack would also provide him the time needed to develop a tactical plan and for additional resources to arrive (Investigators' Note No. 3).

At approximately 1825 hours, Sergeant White had entered the mall and joined Sergeant Lee on the second level concourse.<sup>5</sup> Sergeant White broadcast directions instructing responding units where to respond within the mall. Sergeant Lee briefed Sergeant White of his observations of Mack and discussed a tactical plan that involved waiting for additional units to arrive. He told Sergeant White that he (Lee) would utilize his TASER as a less lethal force option if needed and advised Sergeant White to be the designated cover officer in the event lethal force became necessary.

From approximately 30 feet away, Sergeant Lee continued to assess Mack's behavior from the opposite side of a popcorn vending kiosk situated in the middle of the mall concourse. Sergeant Lee believed Mack was growing more agitated as he observed him move his head from side to side and pull his pant legs upward as if he was preparing to take a fighting posture.

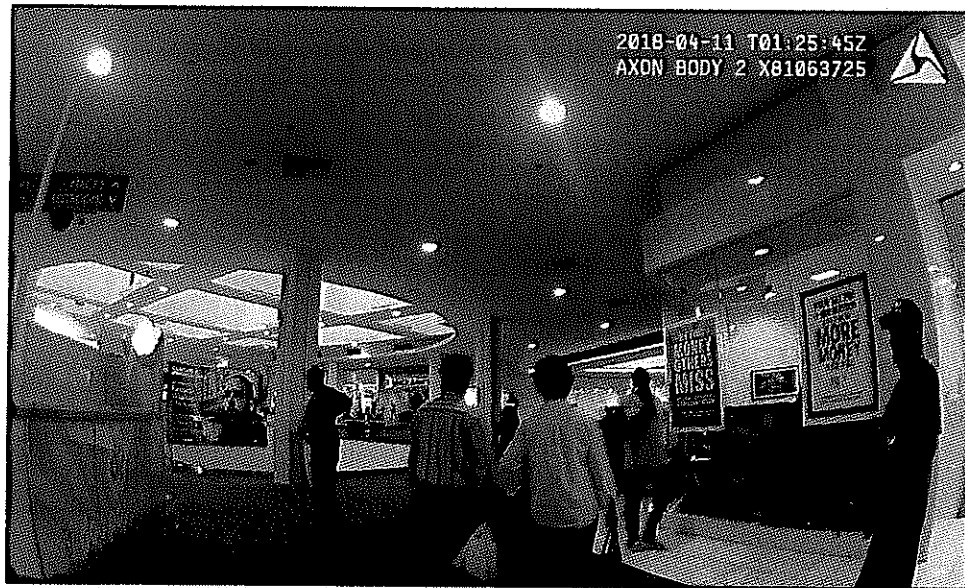
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<sup>5</sup> White broadcast that he was Code 6 at approximately 1820 hours.

**Note:** According to Sergeant Lee, during a two-year assignment as a Department Arrest and Control instructor, he received training and gave instruction in identifying preflight indicators. Based on his observations, Sergeant Lee believed that Mack was preparing for an altercation.

Sergeants Lee and White directed mall patrons to leave the area and continued to communicate with mall security to isolate the area around Mack.

**Note:** Sergeants Lee and White were equipped with Body Worn Video (BWV) cameras, which they activated during their encounter with Mack. Footage from both cameras depicted multiple patrons walking through the mall and entering and exiting stores in Mack's vicinity.<sup>6</sup>



Photograph was captured from Sergeant White's BWV  
([Videolink](#))

At approximately 1827 hours, as Sergeants Lee and White continued to wait for additional units to arrive, Mack removed the knife from the right side of his front waistband. He initially held the knife in his right hand at his right hip with the blade pointed upward along his forearm.

Believing that Mack posed a threat to the safety of people in the area, Sergeant White unholstered his pistol and utilized the corner of the popcorn kiosk counter as a platform and assumed a two-hand barricade shooting stance. According to Sergeant White, if deadly force became necessary, he believed he would have been required to take a precision shot due to the limited space and the presence of multiple people in the area and therefore thumb-cocked his pistol.

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<sup>6</sup> The OIG noted that the timestamp on the BWV system is presented in Zulu time which is seven hours ahead of Pacific Standard Time. This causes the date on the BWV to show 2018-04-11

**Note:** Regarding the position of his trigger finger, Sergeant White indicated that he placed his finger on the trigger at various times while holding his pistol in the barricade position, because he wanted a clean press and was concerned about his reaction time in the event Mack advanced toward him. Sergeant White stated that during the moments when Mack stood still, he (Sergeant White) moved his trigger finger back to the slide.

Mall security video and footage captured by Sergeant Lee's BWV camera depicted Mack clenching his left fist while he stood with his left foot back and his right foot forward. His legs were slightly bent at the knees and his upper body leaned slightly forward. Mack positioned his hands in front of his torso, at waist level, and moved them up and down with his arms bent at the elbows. He bobbed his body up and down in a manner consistent with a fighting posture and began waving the knife in front of him. He then changed his grip on the knife and held it with the blade extended forward from the top of his clenched hand. Mack quickly stepped forward several times toward Sergeants Lee and White, and then backed away from them.



Photograph was captured from mall security video  
([Videolink](#))

**Note:** Although mall security video depicted Mack appearing to speak, Sergeants Lee and White did not recall him making any statements, nor were any statements captured on BWV.

Sergeant Lee continued to maintain his distance from Mack and requested the estimated time of arrival of responding units through CD. According to Sergeant Lee, as he and Sergeant White waited for the arrival of those units, they tried to de-escalate the situation by speaking to Mack using a calm and controlled demeanor. They both issued repeated commands for Mack to drop the knife over an approximate one and-a-half-minute period. Sergeant White told Mack that if he did not drop the knife, he would



be shot. Despite that warning, Mack refused to comply or speak with them. Based on Mack's behavior, Sergeant Lee believed Mack was under the influence of an unknown substance or had already planned on taking a specific course of action. Sergeant White believed Mack was possibly mentally ill.

**OIG Note No. 1:** *According to Sergeant Lee, "When I taught arrest and control, we discussed pre-fight indicators [...] pre-fight indicators are generally when a suspect is – got clenched fists, is got a stare, a bladed stance, all those things to me, the way that his stance that he took, the way he would pull up his pants in the front, him always moving his head from side to side watching what other people are doing to me are indicators that he was preparing for some sort of altercation."*<sup>7</sup>

**Note:** Mack was advised to drop the knife approximately twenty times over the approximate one and-a-half minute period.

Sergeants Lee and White continued to discuss their options, including Sergeant Lee redeploying to a flanking position and utilizing a TASER, because Mack appeared to be focused on Sergeant White. Sergeant Lee ultimately decided not to use the TASER due to his distance from Mack and believed that a beanbag shotgun would be the most appropriate force option. Sergeant White's BWV footage captured him advising Sergeant Lee that he could see responding officers coming up the stairs and suggested that they could deploy a "beanbag" from the rear.

The officers observed by Sergeant White were Southwest Patrol Division Police Officers II Javier Tafoya, Serial No. 39069, and Andres Arellano, Serial No. 41236, Unit 3A1. They arrived at scene at approximately 1827 hours. Upon exiting their police vehicle, Officer Arellano removed their beanbag shotgun from its rack and chambered a round. They entered the mall on the first level and proceeded up an escalator, north of where Sergeants Lee and White were positioned. Upon reaching the second level of the concourse, they walked south on the east walkway toward Sergeants Lee and White.

**Note:** Officers Tafoya and Arellano's time of arrival was based on CD broadcasts captured on their BWV as they exited their police vehicle. According to Officer Arellano, he did not broadcast that they were code six in order to keep the frequency clear due to the critical nature of the situation.

Simultaneously, Southwest Patrol Division Police Officers II Martin Robles, Serial No. 41225, and Ikenna Okoro, Serial No. 42041, Unit 3C8, broadcast they were Code Six as they arrived at the southeast entrance to the second level of the mall.<sup>8</sup> Officer Robles

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<sup>7</sup> Lee, Page 25, Line 22 – Page 26, Line 6.

<sup>8</sup> Officer Martin Robles, 5 years and 6 months with the Department, 32 years of age, 5 feet 6 inches tall, 190 pounds. Officer Robles was dressed in a marked LAPD Bicycle Unit utility uniform over a ballistic vest. He was armed with a 5.56 Colt rifle, Model LE6920, and a Department approved holstered pistol.

removed his police rifle from its rack located between the driver and passenger seats, and loaded a round into the chamber. Meanwhile, Officer Okoro entered the mall and ran north toward Sergeants Lee and White's location. He arrived at approximately the same time as Officers Tafoya and Arellano, and moments ahead of Officer Robles.

***OIG Note No. 2:*** Officer Robles initially failed to place his police vehicle in park upon arrival at the mall. He was alerted by an unknown citizen to this fact and returned to the vehicle to remedy the situation.

*BWV of Officer Okoro shows that he entered the mall alone at 1828:07 hours and ran down towards the suspect's location.*

*BWV of Officer Robles shows that he entered the mall through the same entrance as Officer Okoro at 1828:33 hours, approximately 26 seconds after his partner.*

According to Officer Robles, he deployed his police rifle based on his belief that the suspect was armed with a knife inside of a mall crowded with people. Officer Robles believed his rifle would provide better accuracy than his pistol, in the event deadly force was needed (Investigators' Note No. 4).

As Officers Tafoya and Arellano approached, Sergeant Lee directed Officer Arellano to take a position by a pillar, approximately 30 feet east of Mack and shoot him with the beanbag shotgun. Once Officer Arellano reached the pillar, he raised the beanbag shotgun to his shoulder and announced, "Beanbag", and then ordered Mack to the ground.

Mack looked in the direction of Officers Tafoya and Arellano as they approached. He then looked back toward the south, took several steps in that direction and suddenly began running south along the west walkway. Mack ran toward a TJ Maxx store entrance with the knife in his right hand. Sergeants Lee and White followed Mack, crossing from the east side of the concourse to the west. Sergeant White continued to command Mack to drop the knife as Mack ran by several open kiosks that intermittently obstructed his view of the suspect.

As Sergeant Lee moved west toward Mack, he yelled for Sergeant White to shoot Mack, while he (Sergeant Lee) transitioned from his TASER and unholstered his pistol.<sup>9</sup> Sergeant Lee indicated that he drew his pistol because he believed Mack posed an

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Officer Robles was also equipped with handcuffs, a HRD, OC spray, a TASER and a collapsible baton attached to his Sam Browne equipment belt.

<sup>9</sup> Sergeant Lee was unable to quickly reholster his TASER that he held in his right hand, because his holster was mounted on the left side of his equipment belt in a cross draw configuration. He opted to drop his TASER to the ground so that he could quickly transition to his pistol. Before he could do so, Sergeant Lee advised Sergeant White to shoot Mack, due to the threat he believed Mack posed to the public.

immediate threat to the safety of patrons within the mall and that the situation might escalate to the point where deadly force would be necessary. According to Sergeant Lee, "But the moment that I said, 'Beanbag the suspect,' to the officers, the suspect then turned to his right, and my left, and began running towards open stores that were unsecured and had patrons inside. At that time, I advised Sergeant White to shoot because I believed that at that point in time, the suspect with a large knife was going to go into a store, and he was going to either -- either, one, somebody coming out unaware what's going on and he takes them hostage, or slices -- begins slicing them, or goes into a store with -- I mean, there -- there were -- in every single shop that he was in front of had numerous patrons in that we would then be fighting not only with somebody with a knife, but also, putting others in danger if he were to go in the stores."<sup>10</sup>

Sergeant White had a similar concern and was afraid that if Mack continued to run, he would attempt to grab someone. He also believed that if Mack went beyond the "bridge", he might end up in a crowd or possibly enter the TJ Maxx store, which was very crowded at the time.<sup>11</sup>

**Note:** Witnesses [REDACTED] and [REDACTED] were both employees of the Payless Shoe store located on the west side upper level of the mall. They observed Mack standing approximately ten feet from their store entrance waving a knife back and forth and were concerned for their safety. [REDACTED] ran to the rear of the store because she was afraid, while [REDACTED] closed their door to prevent Mack from entering and possibly taking a hostage.

Witness [REDACTED] was employed at the Game Stop video game store along the west side of the mall, south of the Payless Shoe store. She observed Mack outside waving a knife and locked the doors to her business. She characterized Mack's actions as "crazy" and observed him expose the knife to the officers as if he were going to "do something with it." According to [REDACTED] Mack appeared disturbed and she feared he would have run into her store if she had not secured the doors to her business.

Witness [REDACTED] observed Mack from the opposite side of the Doc Popcorn kiosk. He believed Mack was mentally ill due to his behavior, but he did not witness him threaten anyone with the knife. [REDACTED] believed Mack ran out of panic and fled toward an exit when he observed officers approach with a beanbag shotgun.

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<sup>10</sup> Lee, Page 12, Lines 8-22.

<sup>11</sup> Forty-one people were identified as having been inside of the TJ Maxx store during the OIS, none of whom were injured.

Believing that Mack would assault someone in the mall or possibly enter a business and take a hostage, Sergeant Lee acquired a two-handed grip on his pistol and fired one round at Mack's upper torso from an approximate distance of 23 feet. Sergeant Lee fired this round while moving in Mack's direction. As Mack ran south past Sergeant Lee, the round appeared to miss him and traveled through a glass display window of the Game Stop video game store.<sup>12</sup> Sergeant Lee veered to his left and then stopped at a glass railing overlooking the lower level of the mall to assess. Mack continued to run south away from him while holding the knife in his right hand. Sergeant Lee believed Mack still posed a threat to the safety of patrons inside of the businesses within the mall and to the officers who were arriving in response to his backup request. Sergeant Lee fired three additional rounds at Mack from an increasing distance of approximately 28 to 56 feet, using a two-handed grip and while aiming at Mack's upper torso.

Regarding his decision to utilize deadly force, Sergeant Lee stated, "And once the suspect began running, I was waiting for Anthony to shoot because he was the designated cover officer, and when he didn't fire, I took it upon myself that perhaps that he didn't have a good angle or I don't know, but I wasn't going to allow this guy, or the suspect with a knife, to run into one of these stores and hurt anybody that was in those stores, or hurt any officers ..."<sup>13</sup>

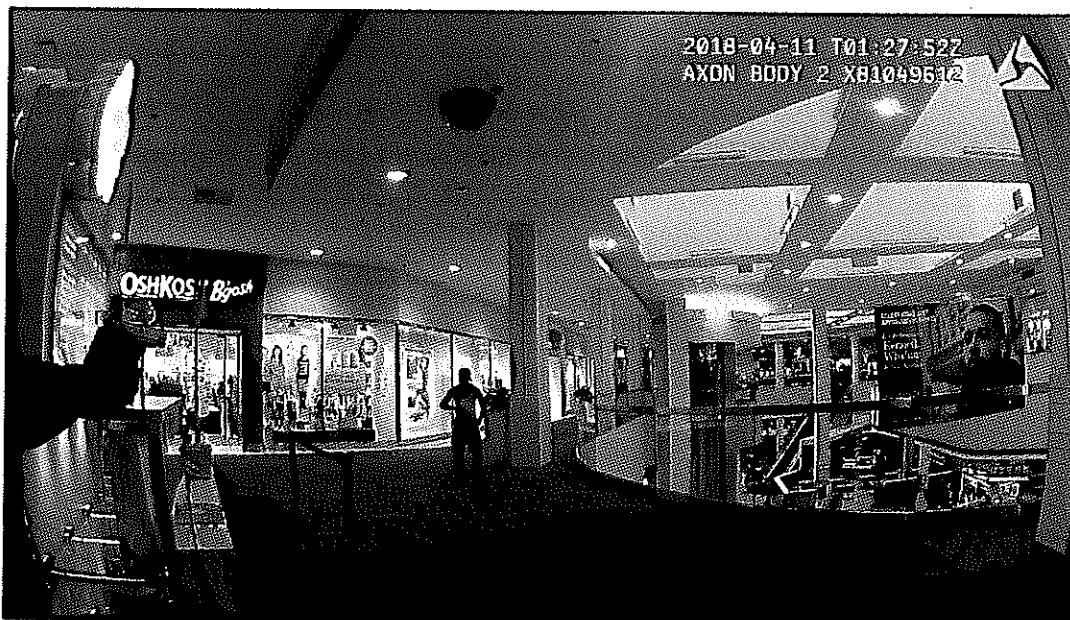
**Note:** Sergeant Lee believed there was a gap between businesses when he fired his first round, and that his background was clear of patrons. He perceived that his background during his subsequent shots were window displays, which he believed were also free of people.

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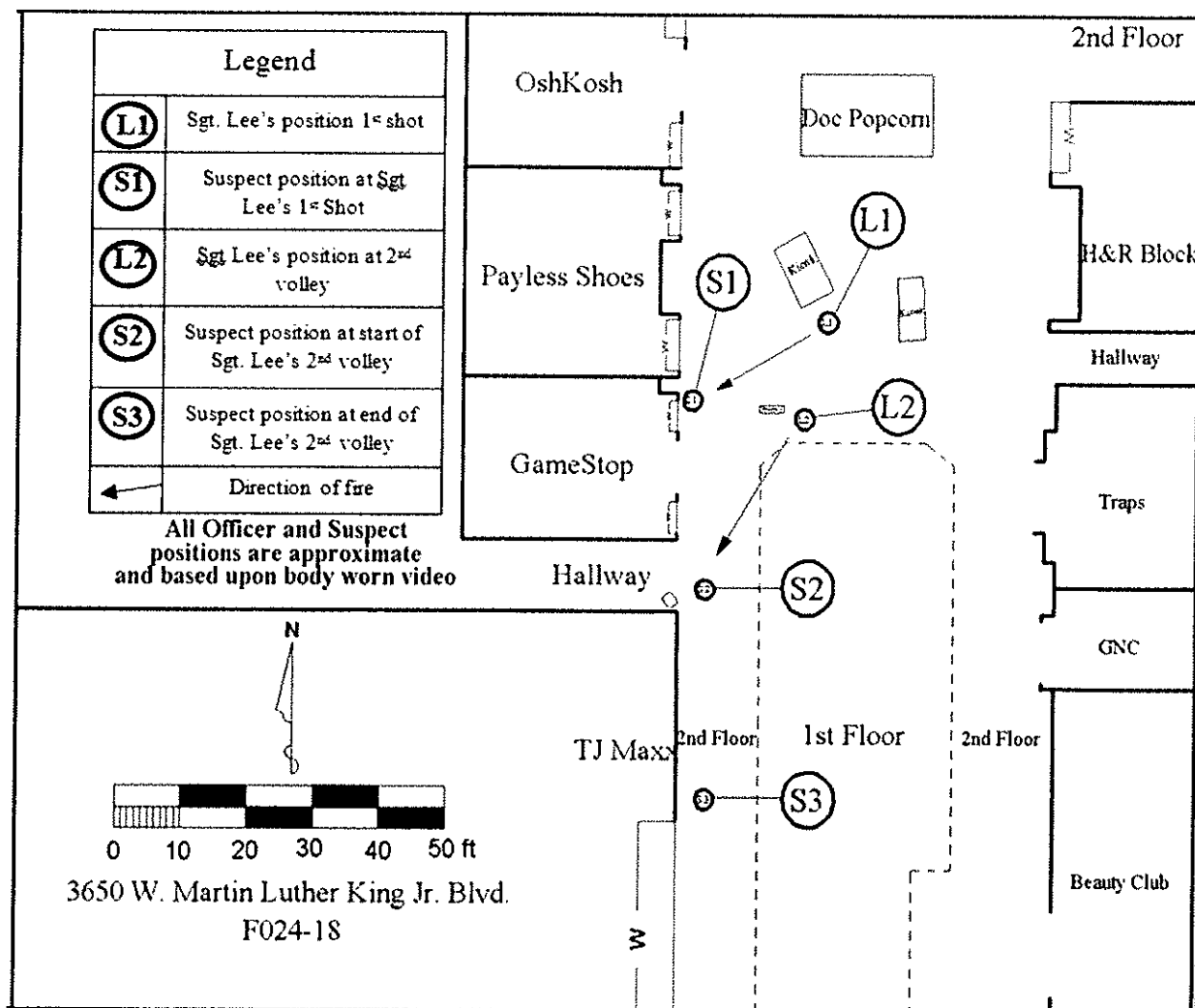
<sup>12</sup> Nine people were identified as having been inside the Game Stop video game store at the time of the incident. None of those individuals were injured.

<sup>13</sup> Lee, Page 13, Lines 18-25.



Photograph was captured from Sergeant Lee's BWV footage  
([Videolink](#))

[This space intentionally left blank.]



**Note:** Officer Okoro indicated that when he initially approached Sergeant Lee and White's position by the popcorn kiosk, he heard them issuing commands to drop the knife but was unable to see Mack. When Officer Okoro eventually observed Mack emerge from behind the kiosk armed with a knife, he believed Mack could cause serious bodily injury or death to those around him, and consequently unholstered his firearm. Officer Okoro remained on the east walkway and moved south to parallel Mack's movement. He momentarily raised his pistol and pointed it at Mack, but did not discharge his weapon during the incident.

As Sergeant Lee fired his fourth round, Mack neared the TJ Maxx store where he stumbled and fell to the floor. Sergeant Lee assessed and did not feel the need to fire additional rounds. Video footage from mall security cameras depicted Mack drop the knife as he fell. Mack immediately reached to his left, grabbed the knife with his right hand, and then stood back up and continued running south. With their pistols drawn, Sergeants Lee and White gave chase and followed behind Mack on the west walkway.

**Note:** Footage from mall security video and BWV cameras worn by Sergeants Lee and White as well as Officers Robles, Okoro, Tafoya, and Arellano, depicted the presence of numerous mall employees and patrons moving about the mall north and south of Mack's location, and within several businesses immediately prior to the OIS. Security video footage from TJ Maxx also depicted numerous patrons inside of that store and on the walkway in front of the store's entrance. Several individuals were captured running into TJ Maxx from the mall concourse as the first shots were fired. The area around Mack on the west walkway, immediately south of the Game Stop, was free of people as Mack ran south.

Officer Robles entered the mall moments before the first shots were fired and ran north along the east walkway of the second level concourse. As he reached the walkway that bridged the east and west sides of the concourse immediately north of the TJ Maxx entrance, Officer Robles' BWV captured the sound of gunshots being fired by Sergeant Lee, who was located northwest of his position. Officer Robles moved west onto the bridge and stopped in front of a waist-high glass safety railing, facing Mack.

Mack immediately stood after reacquiring the knife and held it in his right hand. He then continued to run south toward the intersection with the bridge and the west concourse walkway. Based on a review of mall security video, Mack appeared to try and cut his throat by pulling the knife across his neck several times as he ran. According to Officer Robles, he believed that Mack was going to run around the corner of the glass railing and move in his direction. Officer Robles was concerned that Mack was planning to attack him or the mall patrons he (Robles) had passed just prior to taking his position on the bridge.<sup>14</sup> Officer Robles believed Mack had already been struck by gunfire and appeared to be unfazed. He also noted that Mack did not respond to commands being yelled at him by other officers. Based on those observations, Officer Robles believed Mack may have been under the influence of phencyclidine (PCP), which in his opinion, would have placed him at a disadvantage if Mack had reached his position. Officer Robles indicated that he was aware of a children's play area located on the lower level of the mall, in the direction in which Mack was running, which was accessible by an escalator. He also believed there were patrons inside the TJ Maxx store and that Mack posed a threat to their lives if he did not take action.

According to Officer Robles, he commanded Mack to, "Drop it!" Mack failed to stop and continued to run south, while holding the knife raised in his right hand. In describing Mack's actions and the position of the knife, Officer Robles stated, "Its raised. You know, he's holding it up to his head level and still running with it. He's not, you know, he's not throwing it. He just has it up, you know, in – in an aggressive stance, charging from what I could see, he's charging at me with the up – with an up raised knife."<sup>15</sup>

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<sup>14</sup> Robles' position on the bridge was approximately 10 feet east of the west concourse walkway.

<sup>15</sup> Robles, Page 36, Lines 23-25 and Page 37, Lines 1-3.

Officer Robles believed that as Mack closed the distance to his position on the bridge, he was about to be cut or slashed. Officer Robles did not feel that redeploying was a viable option due to the numerous mall patrons, including children, he believed were behind him. In an effort to protect himself and those behind him, Officer Robles shouldered his rifle using an off-hand shooting stance and placed the selector switch to the fire position. He then aimed at the left profile of Mack's torso using an Aimpoint H-1 red dot optic mounted to his rifle and fired eight rounds in a northwesterly direction, from a closing distance of approximately 32 to 18 feet.<sup>16</sup>

Regarding his decision to utilize deadly force, Officer Robles stated, "I hold my ground, because like I said earlier, when I -- when I walked in, when I ran in, there were families, children behind me ---- making redeployment, you know, unsafe and unreliable because there's an armed man running towards us. I -- I see him, and I yell at him to drop -- to drop it, to drop the knife. He doesn't. He just keeps running at me with the knife raised. At this point, I engage -- I engage him thinking he's going to cut me, slash me, possibly attack the people behind me due to the crowd that's inside the mall. He's not fazed by the shots that are going on when I get there."<sup>17</sup>

***OIG Note No. 3:*** Mall security video footage at 1728:57 hours depicts Officer Robles's first round shatter the T.J. Maxx display window behind Mack. This occurred as Mack got to his feet, before he began to run south along the concourse.

**Note:** Officer Robles believed he fired two separate two to three round bursts from his rifle. After the first burst, he observed Mack stagger and then continue to run in his direction. He believed he then fired a second burst, which caused Mack to fall to the floor and drop the knife.

Based on a review of Officer Robles' BWV, it appeared his eight rounds were fired in one continuous volley. Officer Robles' first round impacted and shattered an enclosed TJ Maxx glass display window. His subsequent rounds impacted and shattered glass panes of the north-south safety railing along the west walkway.

[This space intentionally left blank.]

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<sup>16</sup> In addition to the Aimpoint red dot optic, Officer Robles' rifle was equipped with an Aimpoint 3X Magnifier that was flipped to the side of the rifle. According to Officer Robles, no magnification was used at the time of the OIS.

<sup>17</sup> Robles, Page 9, Lines 2-15.





Photograph was captured from Officer Robles' BWV footage  
([Videolink](#))

As Sergeants Lee and White pursued Mack south on the west walkway, Sergeant Lee initially followed behind Sergeant White. As Sergeant White continued to run, he heard the sound of Officer Robles firing south of him and observed the TJ Maxx display window shatter in front of him. Sergeants Lee and White momentarily stopped their forward movement, because they believed the potential for a crossfire existed.

Sergeant White's momentum caused him to fall to the ground and his eyeglasses to fall from his face.<sup>18</sup> Sergeant White indicated he did not fire his weapon during this incident because he felt he never had a good shooting platform, he had several obstacles in his way, and at times believed there was a crossfire with other officers.

**Note:** Officer Robles' BWV footage and mall security video footage depicted that Sergeants Lee and White were not in the direct line of fire when Officer Robles discharged his first round that shattered the TJ Maxx display window.

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<sup>18</sup> A review of Sergeant White's BWV depicted his weapon cocked in single action as he ran and eventually fell to the floor.



Photograph captured from Officer Robles' BWV at the approximate time he fired his first round

Footage from Officer Robles' BWV depicted Mack fall to the floor and drop the knife in front of Officer Robles, at the intersection of the west concourse and the bridge. In one motion, Mack rolled on to his back and then immediately raised his back off the floor, facing Officer Robles. While supporting his weight on his left arm, Mack reached across his body with his right hand and grabbed the knife, which was lying a few feet from his left leg. Simultaneously, Officer Robles again commanded Mack to, "Drop it!" Mack raised the knife to his throat as he began to lean back in a semi seated position and made several additional slashing motions across his neck.

According to Officer Robles, Mack ignored his commands and placed his left hand on the floor and grabbed the knife with his right hand with the blade pointed toward him (Robles). Mack simultaneously tucked his feet toward his body, which lead Officer Robles to believe that Mack was attempting to stand and charge at him. Officer Robles aimed his rifle at Mack's center mass and fired one additional round from an approximate distance of 23 feet.

**OIG Note No. 4:** Mall security video footage depicts members of the public inside T.J. Maxx, behind the store window, as Officer Robles's final round strikes and shatters the window.

**Note:** Officer Robles believed he might have fired two to three rounds during this final volley. In footage captured by his BWV camera, Officer Robles appeared to have fired one round, which struck the floor to the right of Mack's right hip and then shattered the TJ Maxx window behind him. Because of the echoing within the mall, the total number of rounds

fired by Officer Robles was not determined based solely on BWV footage, and was primarily determined during the inspection of his rifle.

Sergeant Lee stopped as Officer Robles fired his first volley of rounds. He then began to walk toward Mack after Mack fell at the bridge intersection. Sergeant Lee observed that Mack was still armed with the knife and attempting to stand. He believed that there were still numerous patrons inside of the TJ Maxx store and that other officers were responding to the scene. Sergeant Lee feared that Mack was going to continue to advance toward those patrons or responding officers if he (Mack) rose to his feet and that he (Mack) posed a continued threat to their safety. Based on that assessment, Sergeant Lee aimed his pistol at Mack's center mass and fired one additional round at him while utilizing a two-handed grip, and from an approximate distance of 32 feet.<sup>19</sup>

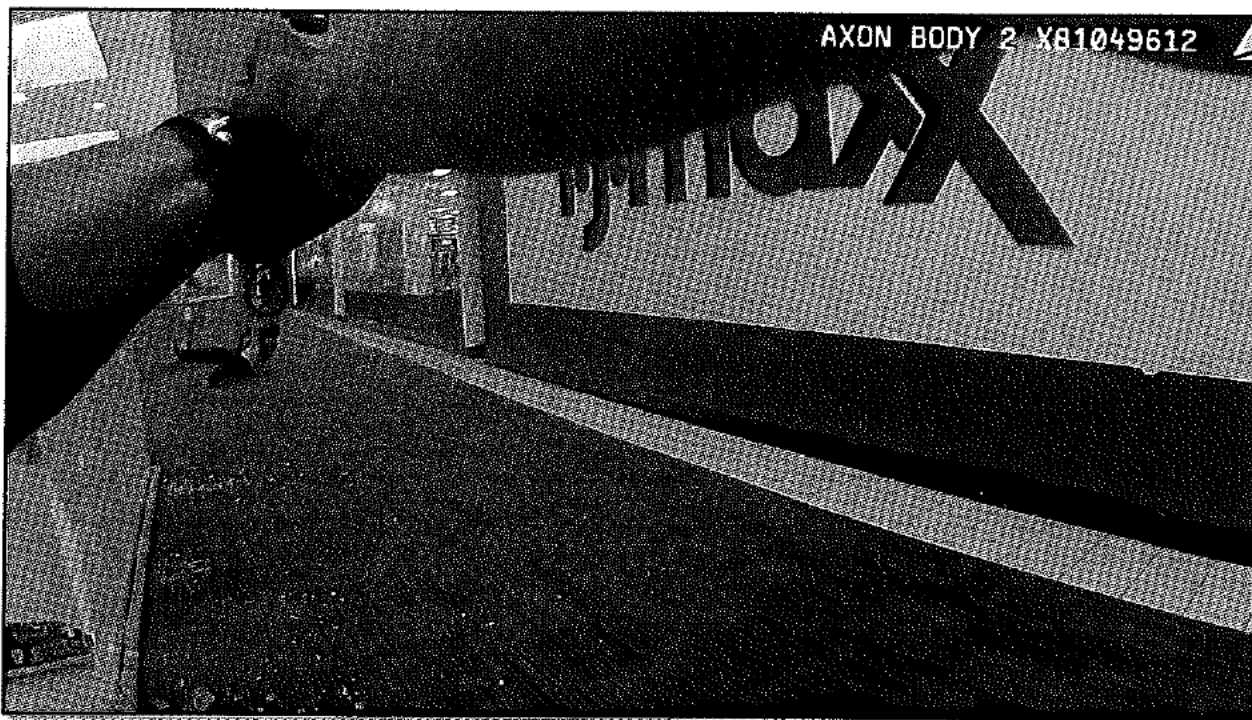
**Note:** According to Sergeant Lee, he did not initially recall firing his last round. It was only after reviewing his BWV that he remembered doing so. Additionally, Sergeant White was not aware that Sergeant Lee had fired his weapon during the incident.

In footage captured by Sergeant Lee's BWV, Witness [REDACTED] can be seen in the background, approximately 100 feet south of Mack, as Sergeant Lee fired his last round. [REDACTED] was in a motorized wheelchair and was in the process of moving across the west walkway from east to west to seek shelter inside the TJ Maxx store. She was not injured during the incident.

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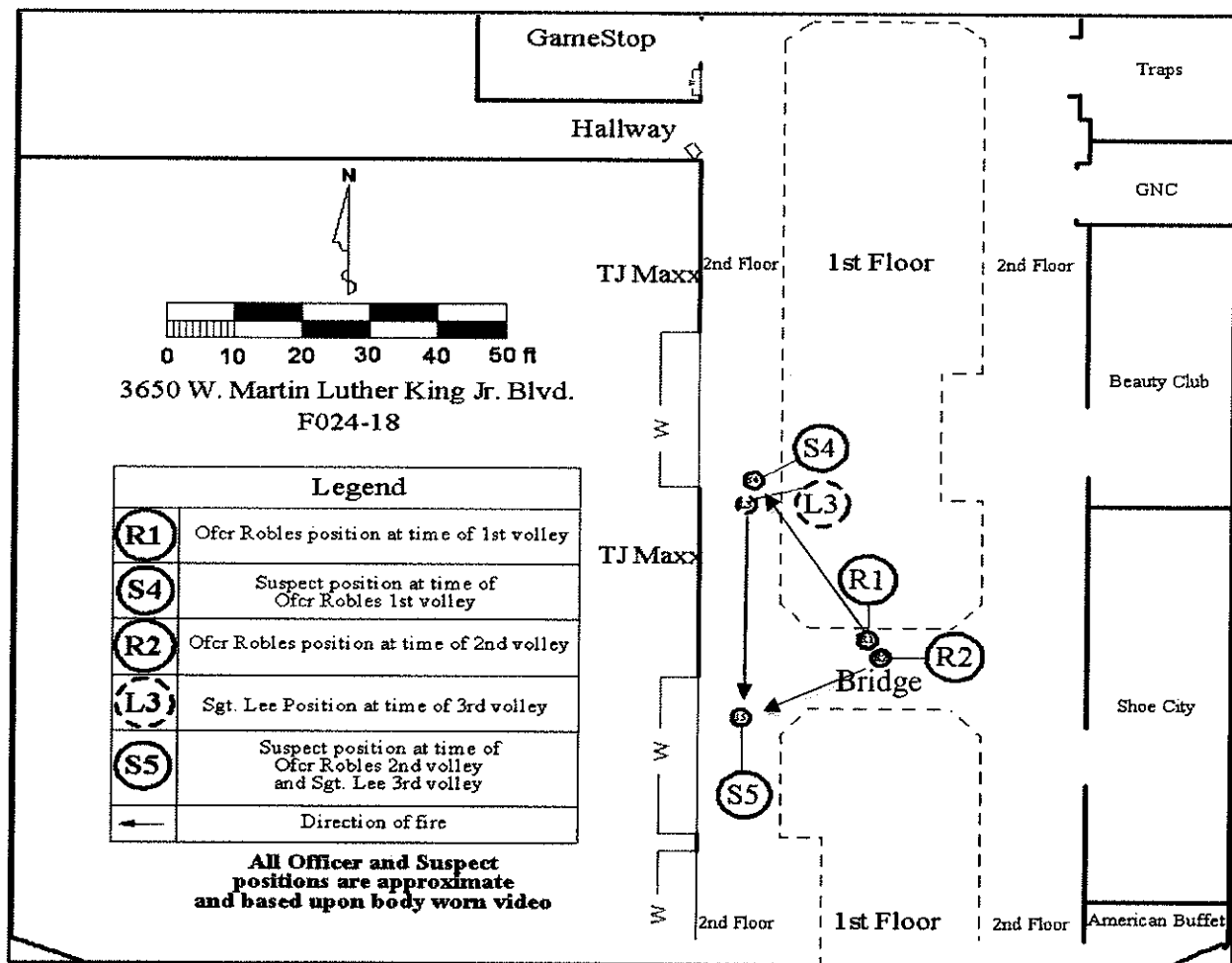
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<sup>19</sup> Based on a review of BWV, it appeared Officer Robles and Sergeant Lee fired their final rounds at approximately the same time.



Photograph captured from Sergeant Lee's BWV at the approximate time he fired his final round. [REDACTED] (encircled) is depicted in the background moving toward the entrance of the TJ Maxx.

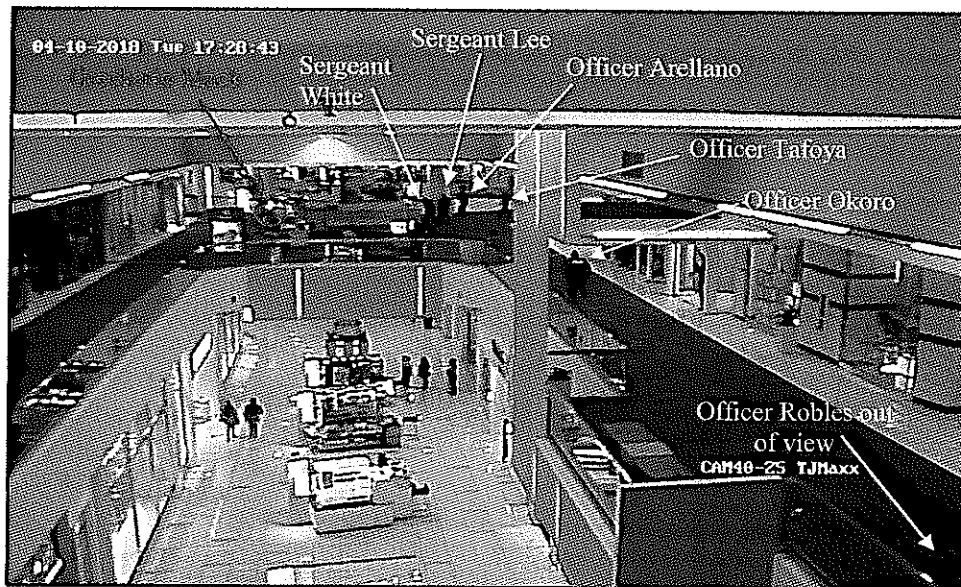
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**Note:** Following the final rounds fired by Sergeant Lee and Officer Robles, Sergeant White yelled, "crossfire, crossfire" and instructed officers to "stand-by".

Mall security video and BWV captured by Officer Robles depicted Mack make several slashing motions with the knife across the left and right sides of his throat after the last rounds were fired. He then discarded the knife to his right and rolled on to his right side with the knife lying a few inches from his body. Mack continued to move his body in what appeared to be an attempt to sit up, and then laid back on his right side.

[This space intentionally left blank.]



Photograph was captured from mall security video  
(Videolink)

Immediately following the OIS at 1828:43 hours, Officer Tafoya broadcast a help call over SOW base frequency as he and Officer Arellano continued south along the west walkway, behind Sergeants Lee and White. He indicated that shots had been fired on the second level of the mall and then immediately requested the response of a Rescue Ambulance (RA).<sup>20</sup>

Sergeant Lee walked to the bridge holding his pistol at the low ready, positioned himself next to Officer Robles, and gave multiple commands for Mack to remain on the ground. Meanwhile, Officer Okoro approached from the east walkway and stood behind Officer Robles, while Sergeant White walked toward Mack from the north on the west walkway and ordered Mack to crawl in his direction, away from the knife.

Simultaneously, Southwest Patrol Division uniformed Police Officers II James Quinata, Serial No. 37450, and Dolores Rodriguez, Serial No. 41039, Unit 3A57, Danielle Lopez, Serial No. 41361, and Jason Jaramillo, Serial No 39280, Unit 3A92, arrived at scene and formed an arrest team behind Officer Robles.

Officers Quinata and Rodriguez unholstered their pistols after hearing gunfire and observing Mack on the floor with a knife. They took positions behind Officer Robles and provided additional cover with their pistols.

According to Sergeant Lee, he recognized the need to reassume a supervisory role. He holstered his pistol at that point and declared to Sergeant White, "I got it from here."

<sup>20</sup> At approximately 1827 hours, LAPD Air Support Division (ASD), Sergeant II+3 Jaime Marin, Serial No. 30517, (Pilot) and Tactical Flight Officer (TFO) Police Officer II+5 Kevin Ishida, Serial No. 30952, Unit Air 8, arrived overhead. They assisted by directing responding officers to the parking area near the Sears entrance. Because the OIS occurred inside of the mall, the ASD personnel were not interviewed.

Sergeant Lee individually tapped the shoulders of each officer of the arrest team and verbally assigned them roles as designated cover or contact officers. He communicated a plan to take Mack into custody and tasked Officer Rodriguez with securing the knife upon their approach. Sergeant Lee then directed officers to request an RA. Officer Tafoya immediately responded that the request had been made.

Officers Lopez and Jaramillo did not unholster their pistols and positioned themselves behind Officer Rodriguez. After being designated as part of the arrest team by Sergeant Lee, they placed latex gloves on their hands in preparation to take Mack into custody.

**Note:** Officer Jaramillo arrived with a beanbag shotgun and handed it to Officer Okoro prior to approaching Mack.

Sergeant Lee told the arresting officers to be calm and directed them to move up when they were ready. Upon their approach, Officer Rodriguez kicked the knife away from Mack as directed by Sergeant Lee. Officer Jaramillo then rolled Mack on to his stomach and handcuffed him with the assistance of Officer Lopez. Officers Quinata and Rodriguez holstered their pistols once Mack was placed into custody.

**Note:** Sergeant White indicated he holstered his pistol after Mack had been taken into custody and after the knife had been kicked away from his body. A review of BWV however, depicted him holstering his pistol prior to those events occurring.

Officer Robles placed the selector switch of his rifle to safe and slung his rifle over his shoulder. Sergeant Lee immediately separated Officer Robles and directed responding officers to secure the scene, establish a perimeter around the area, and to begin identifying witnesses.



Photograph was captured from Sergeant Lee's BWV footage ([Videolink](#))



Southwest Division uniformed Police Officers II Gerald Chavarria, Serial No. 37560, and Police Officer III Steven Hollowell, Serial No. 37130, Unit 3A32, arrived at scene as Mack was being taken into custody. Officer Chavarria observed Mack's injuries and began administering medical treatment, including cardiopulmonary resuscitation (CPR).<sup>21</sup>

Southwest Division uniformed Sergeant I Gilbert Pedregon, Serial No. 31517, arrived at scene at approximately 1831 hours. He ensured the separation of Officer Robles and Sergeants Lee and White and obtained independent Public Safety Statements (PSS) from them. He admonished them not to speak with anyone regarding the OIS. During the PSS, Officer Robles estimated he had fired approximately five rounds. The FID investigation revealed that he had fired nine total rounds. Sergeant Lee estimated he had fired three to four rounds in his PSS. The investigation revealed he had fired five total rounds (Investigators' Note No. 5).

At approximately 1840 hours, LAFD RA No. 66, staffed by Firefighter/Paramedics (FF/PM) Damon Bowden and Brian Farris, arrived at scene and provided medical treatment. Upon their assessment, they determined that Mack had no signs of life and pronounced him dead at 1853 hours (Investigators' Note No. 6).

At approximately 1855 hours, Real-Time Analysis and Critical Response (RACR) Division was notified of the Categorical Use of Force by SOW Division Sergeant I Elmer Peraza, Serial No. 35659.

The first representative from Force Investigation Division (FID), Detective II Jerry Sally, Serial No. 36130, arrived at scene at approximately 1955 hours.

Force Investigation Division Detective II Christopher Linscomb, Serial No. 32289, reviewed all documents and circumstances, including BWV footage, surrounding the separation, monitoring and admonition to officers not to discuss the incident prior to being interviewed by FID investigators (Addendum No. 1) (Investigators' Note No. 7).

## **Scene Description**

The Baldwin Hills Crenshaw Plaza was located at 3650 West Martin Luther King Junior Boulevard. It was a two-level, enclosed structure consisting of multiple businesses that lined walkways on the east and west sides of the concourses on each level. Escalator rotundas were located near the north and south ends of the mall that provided access to either level from entrances on both floors, including a second level entrance located at the southeast portion of the building. The OIS occurred in the southwest portion of the second level.

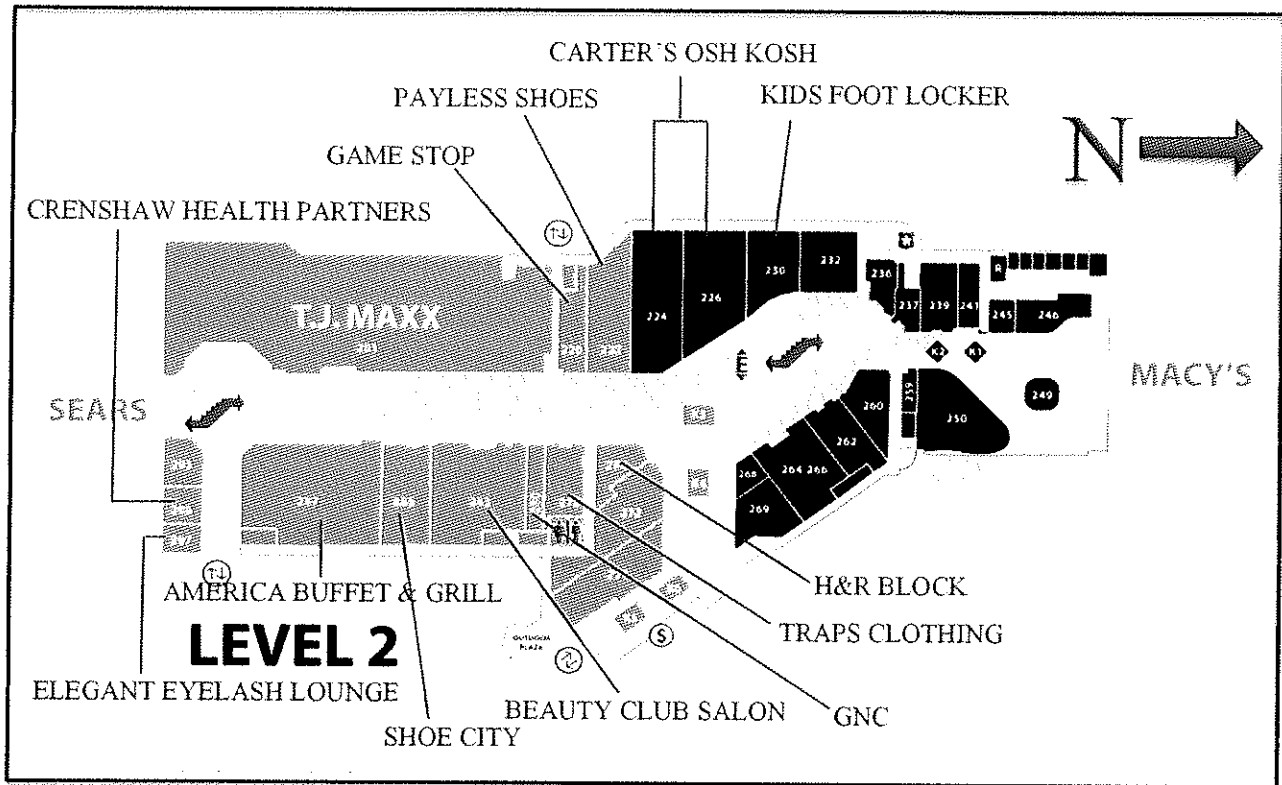
The incident occurred during daylight hours when the mall was open for business. The shopping areas were illuminated by interior lighting throughout the complex and within

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<sup>21</sup> According to Officer Chavarria, he held an Emergency Medical Technician (EMT) certificate between 1999 and 2016, and was employed as an EMT for seven years prior to becoming a police officer in 2005.



each business. The majority of businesses located toward the southern portion of the mall consisted of glass store fronts and window displays that faced the common walkways. The walkways on the second lever were lined with glass safety railings that overlooked the first level concourse. A bridge connected the east and west walkways of the second level, midway along the southern portion of the mall. A Sears department store was situated at the southern end of the concourse and a TJ Maxx store was located on the west side of the second level.



Baldwin Hills Crenshaw Plaza (2<sup>nd</sup> Level)

### Canvass for Witnesses

On April 10, 2018, SOW Patrol Division and FID personnel canvassed the interior of the Baldwin Hills Crenshaw Plaza for witnesses to the OIS. Additional canvasses were conducted by FID personnel on April 12, 2018, and April 25, 2018. As a result of those canvass efforts, 124 witnesses were identified. Attempts to contact those individuals resulted in 19 recorded interviews. Those interviews were recorded and transcribed and are contained in this report.

Witness accounts of this incident were generally consistent with officer's statements and the video evidence; however, they varied in the number of officers they observed during the OIS and the number of gunshots that were heard. Multiple witnesses heard officers directing Mack to drop the knife.

Witness [REDACTED] described hearing five to six gunshots from what she believed to be a beanbag shotgun. [REDACTED] had a similar belief and stated he observed one officer fire five to ten rounds from a "green" [beanbag] shotgun that shattered the Game Stop store window. The FID investigation determined that no beanbag shotgun rounds were fired during this incident and that it was Sergeant Lee's first round that shattered the Game Stop store window.

Witness [REDACTED] believed only one officer fired rounds. His description of that officer was consistent with the actions of Sergeant White. [REDACTED] believed that the same officer moved to a position south of Mack and fired in a northbound direction after the initial OIS. The FID investigation revealed that Sergeant White did not fire his weapon.

**Note:** According to [REDACTED] an unknown officer removed the involved officer's firearm following the OIS and pulled that officer to the side. Video evidence depicted that Sergeant Lee and Officer Robles retained their firearms following the OIS. Officer Robles slung his rifle after Mack was handcuffed and was immediately segregated.

Witness [REDACTED] was inside the TJ Maxx store during the OIS. She recalled hearing six to seven gunshots and then observed a male Hispanic through the store window fire what she believed to be a shotgun at Mack. The investigation determined that no shotguns were discharged during this incident (Investigators' Note No. 8).

Forty-two individuals were determined to have been "Heard Only" witnesses. Their statements were documented on "Heard Only" forms and were retained in the FID case file for this incident. The number of gunshots reportedly heard ranged between one and twenty. Recollections of the sequence of gunshots varied between consecutive gunshots and two separate volleys. Multiple efforts were made to contact the remaining witnesses; however, they did not respond.

### Suspect information



**Grechario Tyzavian Mack** was a male Black, with black hair and brown eyes. At the time of the incident, he was five feet, eight inches tall, and weighed approximately 200 pounds. He had a date of birth of October 26, 1987. Mack was identified by Criminal Identification and Information No. [REDACTED] and California Department of Motor Vehicles Identification No. [REDACTED]

Mack's criminal history included felony convictions for Robbery, Domestic Violence, and a Narcotics violation. He paroled from state prison on April 5, 2018, and was on Post Release Community Supervision under the Los Angeles County Probation Department (Addendum No. 2).

According to the Los Angeles County Probation Department, conditions of Mack's release included the enrollment and cooperation in a mental health and substance abuse program.

[REDACTED] On October 13, 2013, Mack was arrested for Criminal Threats after he had reportedly pointed a shotgun at his sister's acquaintance and threatened to kill him. He then reportedly turned the shotgun toward himself and threaten suicide. [REDACTED]

Mack was documented as a member of the Harbor City Crips street gang known by the monikers of "Baby Droops" and "Baby Dre."

### **Injuries**

As a result of the OIS, Mack sustained multiple gunshot wounds to his torso, left arm, and left leg. His death was determined at scene by the aforementioned LAFD personnel (Addendum No. 3).

### **Evidence**

At approximately 2300 hours, Forensic Science Division (FSD) Firearms Analysis Unit (FAU) Criminalist III [REDACTED], Criminalists II [REDACTED], Criminalists I [REDACTED], and Chief Forensic Chemist I [REDACTED], conducted an examination of the OIS scene for ballistic impacts, trajectories and projectiles. Criminalist [REDACTED] documented the collection of evidence, which included a knife from the second level walkway (Item 1), a fired bullet and five bullet fragments from the second level walkway in front of the TJ Maxx (Item 2 and Items 6-10), and three bullet fragments from the floor in front of the Game Stop store (Items 3-5). Six 5.56X45 caliber discharged cartridge cases were collected from the second level bridge between the east and west side walkways, and two from the east side of the first-floor walkway below the bridge (Items 11-18). Five .45 caliber discharged cartridge cases were collected from the west side of the second level walkway; one from the floor in front of the TJ Maxx, and four in front of the Game Stop store (Items 19-23) (Addendum No. 4).

### **Coroner's Investigation**

#### **Coroner's Response:**

On April 11, 2018, at approximately 0200 hours, Los Angeles County Coroner Investigator Kimberly Arnold responded to the scene and conducted a preliminary investigation under Coroner Case No. 2018-02860.

**Autopsy:**

On April 13, 2018, at 0830 hours, Los Angeles County Deputy Medical Examiner Doctor Timothy Dutra performed a post-mortem examination of Mack's remains. Force Investigation Division Detectives Linscomb, and Sally, Office of the Inspector General Police Special Investigator Danny Kono, Serial No. N4630, and Los Angeles County District Attorney Senior Investigator Gary Nakamura, were present during the examination. Doctor Dutra ascribed the cause of death to gunshot wounds to the chest and obtained specimens from Mack for toxicology analysis.

Doctor Dutra prepared an Autopsy Report which was received by FID investigators on September 5, 2018. In the report, Doctor Dutra noted multiple GSWs. His numbering of those wounds was for descriptive purposes only and were not intended to imply an opinion concerning the chronological order in which the wounds were sustained. No soot or stippling was observed by Doctor Dutra and the range of each wound was described as indeterminate  
(Addendum No. 5).

**Gunshot Wound No. 1** consisted of an entrance wound at the upper left back. The bullet traveled forward and slightly leftward causing injuries to the left lung and came to rest at the upper left chest. Doctor Dutra recovered the bullet from the chest just below the skin surface near the left clavicle.

**Gunshot Wound No. 2** consisted of an entrance wound along Mack's left torso at the ribcage. Doctor Dutra described the wound direction as rightward and forward with the bullet exiting the center chest.

**Gunshot Wound No. 3** was consistent with a bullet that entered Mack's outer left wrist and traveled upward along the outer arm. It was associated with an exit wound at the left upper arm.

**Gunshot Wound No. 4** was identified as a gunshot wound to Mack's outer left knee, consistent with a bullet that traveled from left to right and exited through a corresponding exit wound at the inner left knee. According to Doctor Dutra, the wound appeared to be consistent with a wound caused by rifle ammunition.

**Note:** The location of this exit wound was described twice in the autopsy report. The first time it was mentioned, was under the Anatomic Summary on Page 2. In that description, the round was listed as having exited from the right posteromedial knee. The second time it was mentioned, was under the external examination heading on Page 6. In that description, the round was listed as having exited the posteromedial aspect of the left knee. Based on the totality of information contained in the autopsy report, which included diagrams of the specific entrance and exit wounds for each gunshot, it appears the former description was in error.

**Gunshot Wound No. 5** was identified as a gunshot fragment wound to Mack's left buttock. Doctor Dutra described the wound direction as forward. He recovered a fragment of bullet jacketing from that wound.

The bullet and bullet jacket fragment recovered from Mack's body were subsequently booked as evidence by Detective Linscomb (Item 35) (Addendum No. 6).

On August 31, 2018, FAU Criminalist II [REDACTED], completed a Type and Caliber Report. Test fired bullets from Sergeant Lee's pistol and Officer Robles' rifle were compared to the bullet and bullet fragment removed during the autopsy.

Criminalist [REDACTED] concluded that the bullet removed from Mack's chest exhibited general rifling characteristics consistent with a test fired bullet from Sergeant Lee's pistol. The bullet fragment removed from Mack's left buttock exhibited general rifling characteristics consistent with a test fired bullet from Officer Robles' rifle (Addendum No. 7).

Doctor Dutra noted additional injuries not identified as gunshot wounds, which included a triangular laceration to Mack's right forehead and triangular abrasions around that laceration. Three linear abrasions were identified at the left neck and right shoulder. Additional abrasions were also noted to the upper right arm, right elbow, and left knee.

#### **Coroner's Test Results:**

##### **Toxicology:**

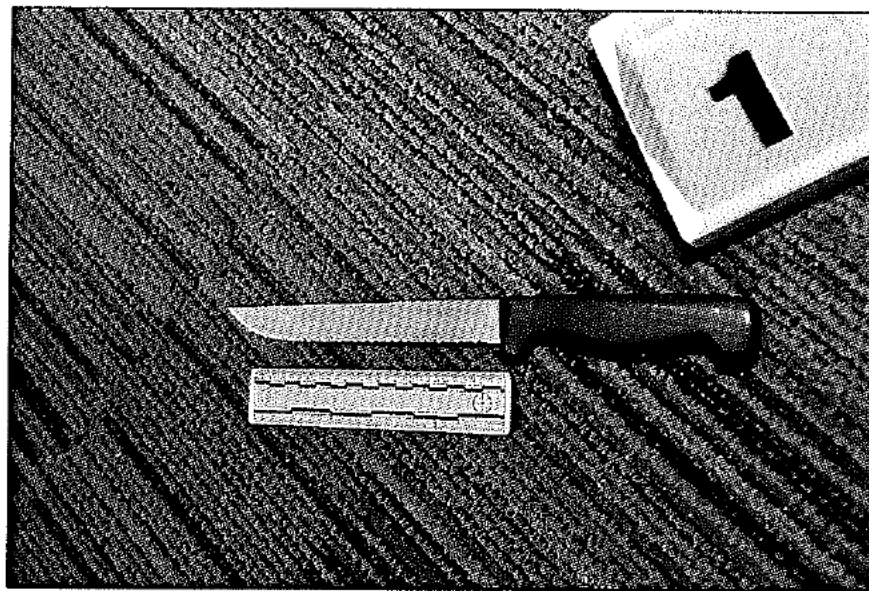
On June 28, 2018, a Los Angeles County Department of Coroner Laboratory Analysis Summary Report was completed in relation to Coroner Case No. 2018-02860. The analysis results documented the presence of cocaine, methamphetamine, marijuana, and PCP in Mack's urine and blood. The report was incorporated into the autopsy report.

##### **Clothing Analysis**

At the time of the OIS, Mack was wearing a white and blue striped tank-top shirt, dark blue denim pants, blue boxer style underwear, and blue shoes. Based upon the video evidence that determined the approximate shooting distance of the involved officers, a clothing distance examination was not conducted. In addition, no other clothing analysis was completed related to this incident.

## Weapons

**Mack** was armed with a kitchen knife with an approximate seven-inch blade and five-inch handle.



**Knife Possessed By Mack**

**Sergeant Lee** was armed with his Department-authorized Glock .45 caliber, Model 21 semiautomatic pistol. According to Sergeant Lee, the pistol was loaded to capacity with 14 rounds of Department-approved .45 caliber ammunition at the time of the OIS. Thirteen rounds were in the magazine and one round was in the chamber of the pistol.

On April 10, 2018, FID Detective II Timothy Grabe, Serial No. 32649, conducted a post-incident examination of Sergeant Lee's pistol. The examination determined that the pistol was loaded with one round in the chamber and eight rounds in the magazine of ACP Federal Premium .45 caliber, 230 grain ammunition, which was consistent with Sergeant Lee firing five rounds. Sergeant Lee possessed two additional magazines that were loaded to capacity, each with 13 rounds of Department-approved ammunition.

On April 12, 2018, Detective Linscomb verified that Sergeant Lee's pistol was included in his Firearm Inventory Tracking System record.

On May 14, 2018, FSD FAU Criminalist II [REDACTED], completed a report documenting the test-firing of Sergeant Lee's pistol. The pistol's trigger pull was within Department specifications (Addendum No. 8).

**Officer Robles** was armed with a Department-authorized Colt Firearm, Model LE6920, 5.56 x 45 caliber rifle. According to Officer Robles, the rifle was loaded to Department specified standards with 18 rounds of Department-approved, 5.56X45 caliber ammunition in a 20-round capacity magazine. At the time of the OIS, 17 rounds were in the magazine and one round was in the chamber of the rifle.

On April 10, 2018, FID Detective Grabe conducted a post-incident examination of Officer Robles' rifle. The examination determined that the rifle was loaded with eight rounds in the magazine and one round in the chamber, of Winchester 5.56 caliber, 55 grain full metal jacket ammunition, which was consistent with Officer Robles having fired nine rounds. The side of the magazine was marked with Officer Robles' serial number and "18 rnds", designating the magazine loading standard. Officer Robles was equipped with additional magazines that were inside his black and white police vehicle at the time of the OIS.

**Note:** Eight of the nine 5.56X45 caliber cartridge cases were located at scene.

On April 12, 2018, Detective Linscomb verified that the rifle was included in Officer Robles' Firearm Inventory Tracking System record.

Officer Robles was also armed with a Department-approved .45 caliber Smith and Wesson, Model M&P 45, semiautomatic pistol in a holster mounted to his Sam Browne equipment belt. He did not unholster his pistol during the incident.

On May 8, 2018, FSD FAU Criminalist II [REDACTED], completed a report documenting the test-firing of Officer Robles' rifle. The rifle's trigger pull was within Department specifications (Addendum No. 9).

Because the weapons of two involved personnel were of different calibers, a Bullet /Cartridge Case comparison was not completed in this case.

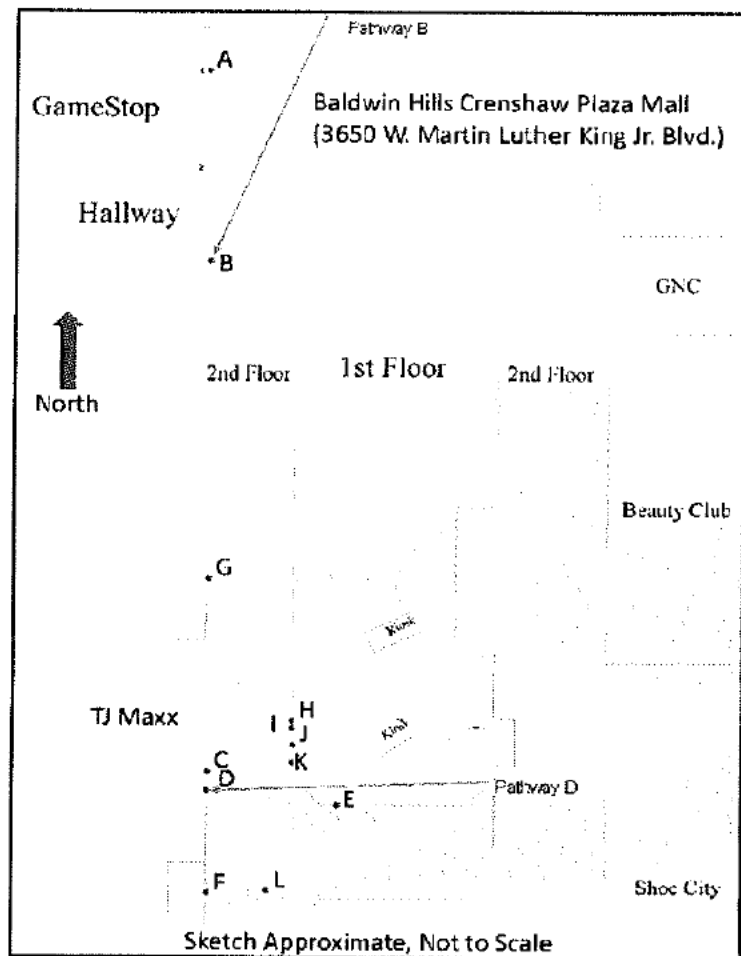
### **Firearms Analysis**

On August 10, 2018, FAU criminalists performed a bullet path analysis of the OIS scene. They searched the walls and walkways of the mall's second level west walkway.

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On August 29, 2018, FAU Criminalist [REDACTED] completed a Bullet-Path Analysis Report. Bullet impacts identified included one to a television monitor screen located behind a Game Stop video game store display window (Impact A). Impacts were also identified along a TJ Maxx store exterior wall (Impacts B-D), as well as to TJ Maxx storefront/display windows (Impacts F-G). Additional impacts were located to the safety railing glass panels along the west walkway in front of the TJ Maxx (Impacts H-K) and the top of the metal frame of a railing along the northern edge of the east/west bridge crossing (Impact E). An impact was also located on the carpet outside of TJ Maxx (Impact L) (Addendum No. 10).

The direction of impacts documented by Criminalist [REDACTED] were consistent with the firing positions of Sergeant Lee and Officer Robles as indicated by them and as depicted by their BWV footage.



On August 29, 2018, Detective Linscomb spoke with Criminalist [REDACTED] regarding his findings as indicated in his report. According to Criminalist [REDACTED] Impact A did not include the display window at the front of the Game Stop store, because it shattered after being struck by gunfire. Additionally, photographs of the television monitor inside the Game Stop depicted two defects, which included Impact A. The second defect was noted to have been inconsistent with a bullet impact and was possibly caused by glass projected from the shattered window. It was therefore not labeled as an impact.

Criminalist [REDACTED] also indicated that the pathway associated with Impact D was in an east to west, and slightly north to south direction. Officer Robles was the only officer in the area of that pathway during the various volleys of gunfire and was depicted on BWV as the only person firing as Mack passed the location of Impact D. Crime scene photographs depicted small defects to the paint immediately adjacent to Impact D, which could indicate that the bullet causing this impact may have traveled through an intermediate object prior to striking the wall of TJ Maxx. On a diagram included in Criminalist [REDACTED] report, Pathways B and D were illustrated with arrows. According to Criminalist [REDACTED] the arrows indicated an extension of the pathway from the point of impact with the possibility of slight degrees of variance.



No impacts were located south of the TJ Maxx store.

### **Visual Documentation**

On April 10, 2018, at approximately 2110 hours, Technical Investigation Division (TID) Police Surveillance Specialists I [REDACTED], and [REDACTED], responded to the scene. Specialist [REDACTED] obtained mall security video footage of the OIS from the Baldwin Hills Crenshaw Plaza security video system. The footage was stored at TID under Control Nos. 720725 and 687647. Specialist [REDACTED] also obtained video footage from the Doc Popcorn kiosk. That footage was stored at TID under Control No. 716789.

Additional security video was provided to FID investigators by TJ Maxx corporate representatives and was subsequently stored at TID under Control No. 718810.

Videos captured from social media internet sites were stored at TID under Control No. 646498.

### **Digital In-Car Video System (DICVS)**

Digital In-Car Video System footage of 60 units was reviewed. Footage from various DICVS cameras depicted the response of officers to various entrances outside of the mall and general perimeter crime scene activity.

The DICVS footage from responding units was found to be of no additional investigative value.

### **Body Worn Video (BWV)**

Sergeants Lee and White, Officers Robles, Okoro, Arellano, and Tafoya activated their BWV cameras during their response to this incident.<sup>22</sup> Each camera captured various portions of, and events preceding, the OIS. Also included in this footage was communication between Sergeant's Lee and White, their attempts to communicate with Mack, and Mack's behavior while in possession of the knife. Footage was also captured that depicted the number of people at various locations within the mall prior to and during the OIS. Officer Robles' camera captured his commands to Mack as Mack ran south in his direction.

Force Investigation Division investigators reviewed Body Worn Video footage from the 43 officers who activated their cameras during their response to this incident. Video footage of Officers Quinata, Rodriguez, Lopez, Jaramillo, and Robles depicted the officers' response to the scene, Mack being handcuffed, Officer Chavarria's efforts to provide medical treatment to Mack, and the ensuing crime scene activity.

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<sup>22</sup> Sergeant Lee appeared to have activated his BWV several minutes after entering the mall and making his first observations of Mack.

Unless otherwise noted, all BWV footage at the scene was captured after the OIS had occurred and depicted crime scene activity.

### **Social Media**

Personnel assigned to FID's Cyber Unit monitored social media sites from the date of the incident until the submission of this administrative report.

An apparent cellular telephone video of the OIS was posted on the internet website Instagram. The video partially depicted Mack's actions prior to the OIS and the sound of gunfire. Images of the OIS, however, were not captured. The sequence of shots heard were consistent with the number of rounds determined to have been fired during the post OIS inspection of Sergeant Lee's pistol and Officer Robles' rifle. The video was posted by an unidentified witness using the posted name of [REDACTED]. The footage was captured from a distance on the second level of the mall, north of Mack's location.

A second video was posted to Instagram by an unidentified witness using the posted name of [REDACTED]. It depicted Mack being taken into custody from a vantage point inside of the TJ Maxx store. The OIS was not captured.

An additional Instagram video, captured from the ground floor, north of the OIS location, was posted by an unidentified witness with the posted name of [REDACTED] [REDACTED]. It captured the sound of the initial four shots fired by Sergeant Lee.

A compilation of the Instagram video footage was posted to the YouTube internet website by a media source identified as [REDACTED] [REDACTED]. It depicted portions of the aforementioned Instagram video segments. The YouTube post also included a segment of Witness [REDACTED] providing his account of the event to news media outlets indicating that officers patiently ordered the suspect to drop the knife over an approximate ten-minute period prior to the OIS. He further expressed his belief that the suspect posed a threat to the safety of responding officers and patrons inside of the mall. [REDACTED] also posted an approximate 13-minute cellular telephone video on the internet website Facebook. It included the same narrative captured during his interview by the news media outlets. [REDACTED] was later identified and interviewed by FID investigators.

### **Outside Video**

Baldwin Hills Crenshaw Plaza security video footage was captured by multiple cameras throughout the mall. Cumulatively, the video depicted Mack enter the mall at approximately 1635 hours and walk through various portions of the mall's first and second levels and stopping at several locations. He was depicted pacing back and forth when contacted by security guards and removing the knife from his waistband prior to the arrival of LAPD personnel. The footage also showed Mack appear to become more agitated once contacted by police officers and remove the knife from his front waistband area in their presence. Additional footage captured the OIS and the ensuing efforts by officers and LAFD personnel to provide him medical treatment.

Video obtained from the Doc Popcorn kiosk depicted Mack as he paced in front of the counter, as well as the behavior he displayed upon being contacted by Sergeants Lee and White. The footage showed Mack remove the knife from his front waistband and was consistent with images captured by Sergeant Lee's BWV. The OIS was partially captured by a camera that covered the interior of the kiosk and depicted Sergeant Lee assuming various shooting positions as he followed Mack south behind the kiosk at the onset of the OIS. The footage covered an approximate 45-minute time span from five separate camera angles. The video time stamp was found to be approximately 12 minutes behind actual time. There was no audio recording associated with the Doc Popcorn video footage.

Video captured by security cameras inside the TJ Maxx was provided by store management. It depicted the positions of customers inside the store but did not capture the OIS. There was no audio recording associated with this video footage.

### **Photographs**

On April 10, 2018, TID Photographers III [REDACTED], and [REDACTED], photographed the OIS scene and associated evidence. The photographs were stored under TID Control Nos. D641133 and D641135.

Witness [REDACTED] emailed FID investigators a photograph he took with his cellular telephone of Mack standing on the mall concourse just prior to the OIS. The photograph was retained in the FID Case file.

### **Notifications**

At approximately 1855 hours, Real-Time Analysis and Critical Response (RACR) Division was notified of the Categorical Use of Force. The details of the subsequent notifications are included in this report (Addendum No. 11).

### **Personnel at Scene**

Crime scene logs documenting personnel at the location are contained within the FID case file and are available for review.

### **Communications**

Copies of the Communications Division printouts relative to this incident, Incident No. 180410004766, are on file at FID. Digital recordings of Southwest Division Base Frequency, spanning the time of this incident, along with the calls made to 911, are also on file at FID.

The digitally-recorded interviews of the involved and percipient officers and civilian witnesses are stored in the LAPD Training Evaluation and Management System (TEAMS II) database.

## Justice System Integrity Division

This case met the criteria for presentation to the Justice System Integrity Division of the Los Angeles County District Attorney's Office and will be presented shortly after the completion of this administrative report.

### Investigators' Notes

1. Upon the initial radio call broadcast at 1743 hours, no SOW units were available to respond. The call was rebroadcast at 1752 hours, 1801 hours, and again at 1807 hours. At 1807 hours, the call was assigned to Sergeant Lee and Southwest Gang Enforcement Detail Supervisor, Sergeant I Donald Poirier, Serial No. 31374, Unit 3G30. Sergeant Poirier was unable to respond however, and at approximately 1808 hours, Sergeant White advised CD that he would respond to the incident with Sergeant Lee.
2. Security Guard [REDACTED] described Mack's behavior by stating, "...like the kind of face he was making, it's like he seemed like he was crazy or something like something wasn't right with him."<sup>23</sup> [REDACTED] further reported feeling that, based on Mack's behavior, he was going to remove the knife from his waistband and cause injury to mall patrons or to a security guard.

Security Guard [REDACTED] described Mack as appearing to be mentally unstable. He recalled, "Like, he was just out of it. He was there, but then again, he wasn't there at all. It's like he just didn't have no state of mind or no -- no -- he just didn't have a regard at all. He was -- just seemed very upset, very agitated. Kind of like -- like a motion with no tears. Basically, just -- just upset about something, or I can't even describe it. Like, just mentally not there. Just dead to the world type of thing. It's like had no feeling."<sup>24</sup> [REDACTED] observed Mack brandishing the knife and made repeated efforts to prevent mall patrons from entering the area where Mack was standing.

The observations made by [REDACTED] and [REDACTED] regarding Mack's behavior were not conveyed to CD, and therefore were unknown to the officers upon their response to the mall.

3. Prior to the call being assigned, comments contained in the Incident Recall indicated that a supervisor and a Code-Sam equipped unit were to be dispatched on calls with edged weapons. A beanbag equipped unit (Code-Sam) had not been requested or assigned during this incident prior to Sergeant Lee's request. On April 10, 2018, FID Lieutenant II David Smith, Serial No. 30970, notified CD Captain III David Storaker, Serial No. 24229, via email regarding this issue. Captain Storaker indicated that he would address the matter with his personnel.

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<sup>23</sup> [REDACTED] statement, Page 10, Lines 11-13.

<sup>24</sup> [REDACTED] statement, Page 13, Lines 10-19.

4. Officer Robles initially failed to place his police vehicle in park upon exiting. He was alerted by an unknown citizen and returned moments later and placed the gear shift into the park position. The vehicle did not collide with other vehicles or objects, and no damage was caused.
5. Following the OIS, Officers Tafoya and Arellano provided scene security and canvassed for witnesses for approximately 20 minutes prior to identifying themselves to Sergeant Pedregon as witnessing officers. Once identified, Sergeant Pedregon obtained an independent PSS from each officer. During a review of Sergeant Pedregon's BWV, it was determined that he activated it upon his response to the scene and recorded himself obtaining the aforementioned PSS' and efforts to separate and monitor officers. Because the activity was documented on video, he was not formally interviewed.

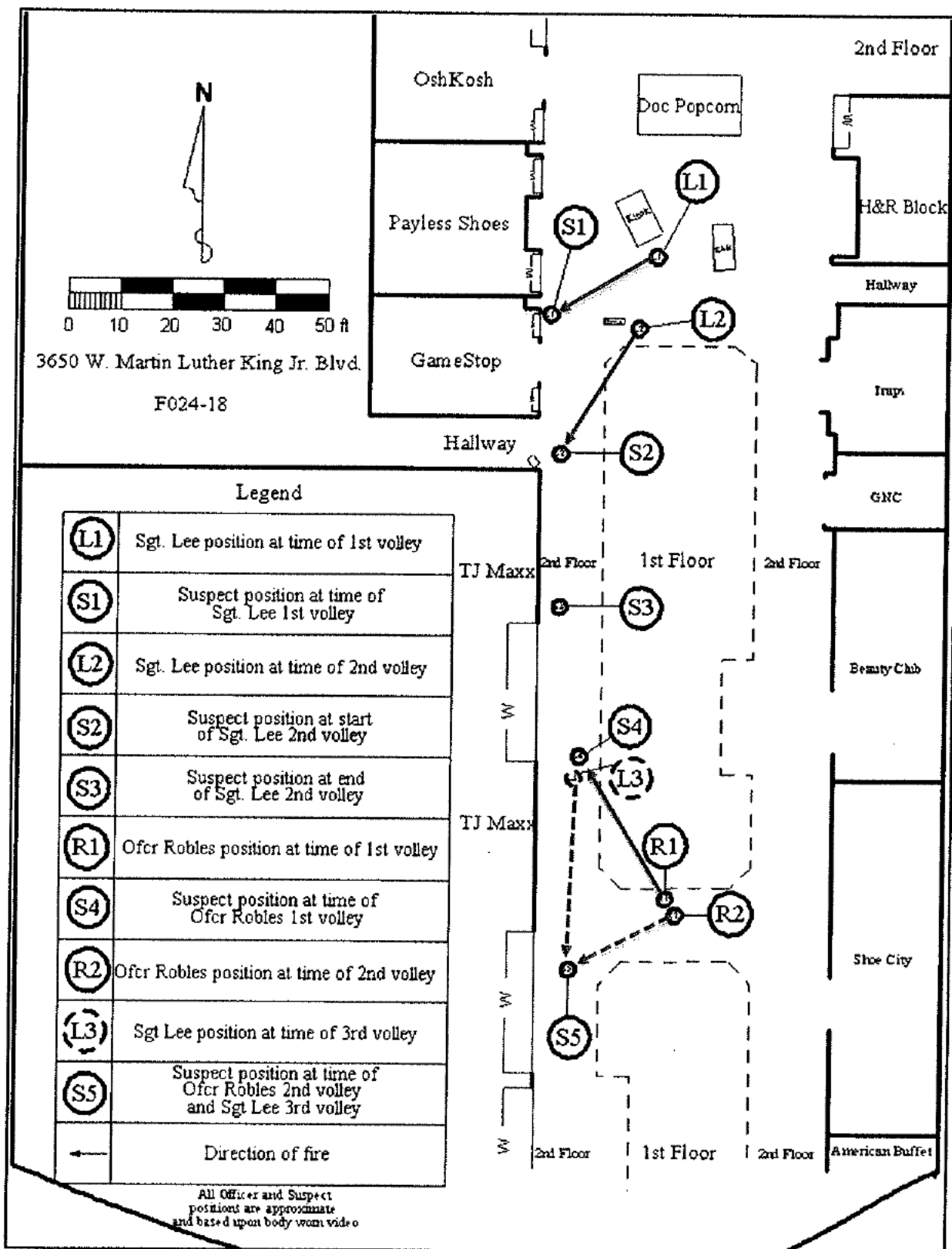
Officers Quinata, Rodriguez, Lopez, and Jaramillo where also separated and monitored at scene as directed by SOW Sergeant II Andre Wright, Serial No. 27962.

6. In addition to RA No. 66, the following LAFD personnel responded to the scene during the event:  
Engine No. 34: LAFD Captain Logan Fields, FF/PM Eddie Tiburcio, and FF Aaron Funez.  
Engine 94: FF/PM David Paulin, FFs Gregory Boatman, David Verduzco, and Christopher Lewis.  
Battalion 18: Battalion Chief Lance McCloskey, and FF Kevin Clarke.  
Los Angeles Fire Department Captain Fields, FF/PM Tiburcio, and FF Funez were the first LAFD Personnel at scene and relieved Officer Chavarria.

Firefighter/Paramedics Bowden and Farris arrived approximately one minute later. Los Angeles Fire Department personnel continued treatment for approximately 14 minutes before determining Mack's death. Their actions were captured by mall security video. According to FF/PM Bowden, Mack had no signs of life throughout medical treatment. Firefighter Bowden was later interviewed by FID investigators; however, no additional LAFD personnel were interviewed.

7. Upon a review of Sergeant Wright's Watch Commander's Daily Report, South Traffic Division Sergeant I Donni Ellison, Serial No. 30162, assumed monitoring duties of Sergeant Lee for approximately four minutes until being relieved by Southeast Division Sergeant I Kinard Moffatt, Serial No. 25812. Although documented by Sergeant Pedregon's BWV footage, Sergeant Ellison's monitoring duties were not included in a Sergeant's Daily Report.
8. Witness [REDACTED] was the security guard who operated the mall security camera that captured the OIS. She indicated that it was another security guard named [REDACTED], who first observed Mack in possession of the knife. Investigators from FID attempted to contact [REDACTED] in an effort to interview him, but he did not respond.

During an interview of Witness [REDACTED], he indicated that he had composed notes of the incident after returning home. He advised that he would email those notes to investigators at a later time; however, he has yet to do so.



## **CHIEF OF POLICE REPORT**<sup>25</sup>

### **Chief of Police Findings**

**Tactics** – Tactical Debrief, Sergeants Lee and White, along with Officer Robles.

**Drawing/Exhibiting** – In Policy, No Further Action, Sergeants Lee and White, along with Officer Robles.

**Lethal Use of Force** – In Policy, No Further Action, Sergeant Lee and Officer Robles.

### **Chief of Police Analysis**

#### **Detention**

The involved sergeants responded to a radio call of a man with a knife in a mall. Upon arrival, the sergeants were directed to the suspect. As the sergeants awaited the response of additional officers, the suspect produced a knife. The sergeants repeatedly ordered the suspect to drop the knife. The suspect failed to comply with the sergeant's commands and fled through the mall armed with a knife, resulting in an OIS. The sergeant's actions were appropriate and within Department policies and procedures.

#### **Tactics**

- *Department policy relative to Tactical Debriefs is: "The collective review of an incident to identify those areas where actions and decisions were effective and those areas where actions and decisions could have been improved. The intent of a Tactical Debrief is to enhance future performance" (Los Angeles Police Department Manual, Volume 3, Section 792.05).*

The evaluation of tactics requires that consideration be given to the fact that officers are forced to make split-second decisions under very stressful and dynamic circumstances. Tactics are conceptual and intended to be flexible and incident specific, which requires that each incident be looked at objectively and the tactics be evaluated based on the totality of the circumstances.

#### **Tactical De-Escalation**

- *Tactical de-escalation involves the use of techniques to reduce the intensity of an encounter with a suspect and enable an officer to have additional options to gain voluntary compliance or mitigate the need to use a higher level of force while maintaining control of the situation (Use of Force - Tactics Directive No. 16, October 2016, Tactical De-Escalation Techniques).*

Tactical de-escalation does not require that an officer compromise his or her safety or increase the risk of physical harm to the public. De-escalation techniques should

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<sup>25</sup> The information provided in this section summarizes the analysis and findings set forth in the Chief of Police's report for this case.

only be used when it is safe and prudent to do so. In this case, the sergeants formulated a plan to resolve the situation peacefully without the use of force despite observing that the suspect was armed with a knife inside a mall. The sergeants assessed the background, attempted to clear the location and utilized time and lines of communication in an attempt to de-escalate the situation and get the suspect to surrender. Additionally, the sergeants maintained their distance and repeatedly directed the suspect to drop the knife as they awaited the response of additional resources.

Before the beanbag shotgun could be discharged, the knife wielding suspect ran south through the occupied mall. Faced with an imminent threat of serious bodily injury or death to officers and or community members, a sergeant and an officer utilized lethal force to stop the deadly threat.

During a review of the incident, the following Additional Tactical Debriefing Point was noted:

- **Debriefing Point No. 1 Situational Awareness**

*No matter what patrol strategy is deployed, officers on patrol must rely on their own observation and perception skills. Officers must function as trained observers. Officers on patrol are expected to practice disciplined observation and apply their training and experience to accurately perceive what is occurring or is about to occur.*

*To an officer, observation means the ability to gather information by noting facts or occurrences with a heightened sense of awareness. While on patrol, officers must use not only their eyes, but all of their senses including hearing, smell, etc., to obtain information from the outside world. Observation can be enhanced by training (knowing what to look for), experience (knowing where and when to look for it), a variety of special tools (e.g., binoculars, night vision scopes, etc.) (California Commission on Peace Officer Standards and Training, Learning Domain No. 21).*

Officers, when faced with an ongoing tactical situation, must remain alert to improve their overall safety by their ability to recognize an unsafe situation and then work collectively to ensure a successful resolution.

In this case, Officer Robles observed police activity northwest of his location, heard shots fired, saw Mack running south on the west walkway and assumed a position on the connecting bridge. When he fired his Patrol Rifle during the first sequence, he did not observe Sergeants Lee and White running behind Mack. The Chief noted that Officer Robles was involved in a dynamic and time-compressed event and that his view of the sergeants may have been inhibited by the fact that they were at least 15-20 feet behind the area where his bullets initially impacted the TJ Maxx windows. Nonetheless, Officer Robles is reminded that situational awareness enhances the survivability of an incident for all involved.



Additionally, after Sergeants Lee and White heard shots fired, they observed officers positioned to the south, noted Mack was on the ground and continued to move south on the west walkway, closing the distance to Mack.

The UOFRB was critical, and the Chief concurred, that triangulating on a running suspect requires officers to remain increasingly alert to their surrounding areas in order to prevent a crossfire situation. Although Officer Robles was not aware of the sergeant's location, he mitigated the risk of crossfire by not over penetrating the bridge and entering the walkway, which would have created a crossfire situation. Officer Robles was then faced with what he perceived was an imminent deadly force situation and assessed his background prior to firing his Patrol Rifle.

Additionally, once they heard shots being fired, Sergeants Lee and White stopped their pursuit of Mack to prevent a crossfire situation. The sergeants only continued toward Mack when Officer Robles stopped firing.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, that while identified as an area for improvement, the sergeants' and officer's actions were not a substantial deviation from approved Department tactical training. The Chief directed that this be a topic of discussion during the Tactical Debrief.

#### **Additional Tactical Debrief Topics**

- **Basic Firearm Safety Rules** – The investigation revealed that after Sergeant White manually thumb-cocked his service pistol to single action mode, he placed his finger on the trigger at various times before he intended to shoot. The officers are reminded of adhering to the Basic Firearms Safety Rules to avoid a potential for an Unintentional Discharge. The Chief directed that this topic be discussed during the Tactical Debrief.
- **Non-Conflicting Simultaneous Commands** – The investigation revealed that Sergeants Lee and White gave simultaneous commands to Mack during the incident. Although the commands were non-conflicting, the sergeants are reminded that simultaneous commands can sometimes lead to confusion and non-compliance. The Chief directed that this be a topic of discussion during the Tactical Debrief.
- **Running with Service Pistols Drawn** – The investigation revealed Sergeants Lee and White ran after Mack with their service pistols drawn. In addition, Sergeant White's service pistol had been manually thumb-cocked to single action mode and remained in that condition as he ran. In this case, it is understandable because the sergeants were faced with a running suspect during a lethal force situation. While unavoidable in this case, Sergeants Lee and White are reminded that there is a heightened concern for an unintentional discharge when running with a drawn service pistol. The Chief directed that this be a topic of discussion during the Tactical Debrief.

- **Situational Awareness** – The investigation revealed that Officer Robles exited his vehicle without placing the vehicle in park. Officer Robles is reminded that not placing the vehicle in park can place officers and the community in danger. The Chief directed that this be a topic of discussion during the Tactical Debrief.
- **Target Acquisition** – The investigation revealed that several of Officer Robles' rounds struck glass storefronts and railings that were in the immediate area, rather than their intended target. Officer Robles is reminded of the importance of target acquisition, background, sight alignment and sight picture. The Chief directed that this topic be discussed during the Tactical Debrief.
- **Maintaining Control of Equipment** – The investigation revealed that in order to transition to his service pistol, Sergeant Lee dropped his TASER on the ground after being unable to holster it. In this case, it is understandable because Sergeant Lee was faced with a deadly force situation that required him to immediately draw his service pistol. Sergeant Lee is reminded, whenever tactically feasible, of the importance of maintaining control of his equipment prior to transitioning to other force options. The Chief directed that this topic be discussed during the Tactical Debrief.

The investigation also revealed that Officer Robles dropped his handheld radio on the ground as he ran toward the gunfire. Officer Robles is reminded of the importance of making every attempt to maintain control of his equipment, as it increases the likelihood of tactical success during incidents such as this. The Chief directed that this be a topic of discussion during the Tactical Debrief.

- **Preservation of Evidence** – The investigation revealed that Sergeant Lee directed Officer Rodriguez to kick the knife away from Mack to prevent him from re-arming himself. Sergeant Lee is reminded, whenever tactically feasible, it is preferable to leave evidence undisturbed until FID investigators can properly document and preserve the scene. In this case, it is understandable because the risk of the suspect re-arming himself outweighed the benefits of leaving the evidence in place. While it was unavoidable in this case, the Chief directed that this topic be discussed during the Tactical Debrief.
- **Protocols Subsequent to a Categorical UOF Incident** – The investigation revealed that after the OIS, Sergeant Lee directed an officer to canvass for witnesses and to try not to allow them to leave. According to Sergeant Lee, when asked regarding the above statement, he stated the law says that we can't make somebody stay at a crime scene. Although it is evident Sergeant Lee understands the rights of witnesses, he is reminded to clearly articulate these when providing direction to officers in the field. The Chief directed that this topic be discussed during the Tactical Debrief.
- **Public Safety at Critical Incidents** – The investigation revealed that after the OIS, it took approximately six minutes for officers to check the surrounding businesses for

possible victims struck by gunfire. In this case, it is reasonable because an arrest team was established, a tactical plan of approach was discussed, then executed, and the suspect's injuries resulted in the immediate medical treatment to Mack by police personnel. The Chief directed that this topic be discussed during the Tactical Debrief.

### **Command and Control<sup>26</sup>**

- Sergeants Lee and White responded to the location and Sergeant Lee assumed the role of IC. They assessed the situation, requested additional resources and less-lethal force options and attempted to clear the location of community members.

Additionally, the sergeants delineated their roles and communicated with each other and responding officers. Upon arrival of an officer equipped with a beanbag shotgun, Sergeant Lee directed deployment of the less-lethal force option on the suspect.

After the OIS, Sergeant Lee resumed the role of a supervisor. He ensured an RA was requested, assembled an arrest team and ensured each officer clearly knew their role. After Mack was taken into custody, Sergeant Lee directed officers to establish a crime scene and canvass for witnesses. Additionally, Sergeant Lee identified the involved personnel and appropriately separated them, himself included, until additional supervisors arrived.

Captain Davenport responded and assumed the role of IC.

Sergeant Pedregon responded, separated, monitored and obtained a PSS from Sergeants Lee and White and Officer Robles.

The actions of the supervisors were consistent with Department supervisory training and met the Chief's expectations of field supervisors during a critical incident.

### **Tactical Debrief**

- Each tactical incident also merits a comprehensive debriefing. In this case, there were identified areas where improvement could be made. A Tactical Debrief is the appropriate forum for the involved personnel to discuss individual actions that took place during this incident.

Therefore, the Chief directed that Sergeants Lee and White, along with Officer Robles attend a Tactical Debrief and that the specific identified topics are discussed.

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<sup>26</sup> Training Bulletin-Command and Control was adopted by the Department in July 2018 after this incident occurred.

**Note:** Additionally, the Tactical Debrief shall also include the following mandatory discussion points:

- Use of Force Policy;
- Equipment Required/Maintained;
- Radio and Tactical Communication (including Code Six);
- Tactical Planning;
- Tactical De-Escalation;
- Command and Control; and,
- Lethal Force.

### **General Training Update (GTU)**

- On April 19, 2018, Sergeants Lee and White, along with Officer Robles, attended a GTU. All mandatory topics were covered, including Encounters with Edge Weapons.

### **Drawing/Exhibiting**

- *Department policy relative to drawing and exhibiting a firearm is: "An officer's decision to draw or exhibit a firearm should be based on the tactical situation and the officer's reasonable belief there is a substantial risk that the situation may escalate to the point where deadly force may be justified" (Los Angeles Police Department Manual, Volume No. 1, Section 556.80).*

According to Sergeant White, he was briefed by Sergeant Lee and as they awaited the response of additional units, Mack displayed a knife with a long blade. Sergeant White drew his service pistol believing Mack could hurt himself or people walking by.

Sergeant White recalled, "I'm not sure in the very beginning that I saw a knife but while I'm standing there looking at him all of a sudden, he produces a knife. At that point that's when I knew that with this knife can cause serious bodily...serious injury and or death. He can hurt himself and other patrons around because people were just walking by like there was normal business. I unholster my firearm."<sup>27</sup>

According to Sergeant Lee, Mack was tracking Officers Arellano and Tafoya's approach. As the officers closed the distance, Sergeant Lee directed Officer Arellano to "Beanbag the suspect." Mack, armed with the knife, then began running towards open stores that were unsecured and had patrons inside. Sergeant Lee believed Mack was going to take somebody hostage or begin slicing them with the knife. Based on Mack's actions and his failure to listen to commands, Sergeant Lee ran after Mack and drew his service pistol.

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<sup>27</sup> White, Page 7, Lines 18-25.

Sergeant Lee recalled, "The suspect then turned to his right...and began running towards open stores that were unsecured and had patrons inside...I believed that at that point in time, the suspect with a large knife was going to go into a store, and he was going to either...somebody coming out unaware what's going on and he takes them hostage or...begins slicing them...and I unholstered my weapon because I had reason to believe that this was going to escalate to the use of deadly force..."<sup>28</sup>

According to Officer Robles, knowing that Mack was armed with a knife in a crowded place and believing that something involving violence was occurring, Officer Robles believed the Patrol Rifle would allow him better accuracy in a crowded mall situation. Upon arrival, Officer Robles retrieved his Patrol Rifle and entered the second floor of the mall through the southeast entrance.

Officer Robles recalled, "I was taking my rifle out because you know the guy is armed with a knife. We know he's inside a very crowded place, the Crenshaw Mall. We know that there's something going on where if there's violence involved, because they put out the backup...If I'm going to a crowded mall situation, I want better accuracy with any type of weapons that I'm bringing in because the people...I want to be able to put rounds accurately on target if the situation arose."<sup>29</sup>

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, that an officer with similar training and experience as Sergeants White and Lee, along with Officer Robles, while faced with similar circumstances, would reasonably believe that there was a substantial risk the situation may escalate to the point where deadly force may be justified.

Therefore, the Chief found Sergeants White and Lee's, along with Officer Robles' Drawing/Exhibiting to be In Policy, No Further Action.<sup>30</sup>

**Note:** In addition to the above listed employees, there were additional personnel that either drew or exhibited firearms during the incident. This Drawing/Exhibiting was appropriate and requires no specific findings or action in regard to these officers.

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<sup>28</sup> Lee, Page 12, Lines 9-25 and Page 13, Lines 1-3.

<sup>29</sup> Robles, Page 13, Lines 6-21.

<sup>30</sup> Starting September 2018, the Los Angeles Police Department has implemented a supplemental training program for the Patrol Rifle Cadre, which emphasized the proper selection of weapon systems based on the circumstances of the incident.

## Lethal Use of Force

- *Law enforcement officers are authorized to use deadly force to:*
  - *Protect themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury; or,*
  - *Prevent a crime where the subject's actions place person(s) in imminent jeopardy of death or serious bodily injury; or,*
  - *Prevent the escape of a violent fleeing felon when there is probable cause to believe the escape will pose a significant threat of death or serious bodily injury to the officer or others if apprehension is delayed. In this circumstance, officers shall, to the extent practical, avoid using deadly force that might subject innocent bystanders or hostages to possible death or injury (Los Angeles Police Department Manual, Volume No.1, Section 556.10).*

**Sergeant Lee** – .45 caliber, five rounds in a southerly direction

Rounds One through Four – From an approximate increasing distance of 23 to 56 feet.

According to Sergeant Lee, he was waiting for Sergeant White, the DCO, to shoot, but he believed Sergeant White did not have a good angle. Sergeant Lee was not going to allow Mack to enter any of the open stores and hurt anybody. Sergeant Lee then fired four rounds from his service pistol at Mack to stop the threat.

Sergeant Lee recalled, "The suspect began running, I was waiting for Anthony [Sergeant White] to shoot because he was the designated cover officer, and when he didn't fire, I took it upon myself that perhaps that he didn't have a good angle...I wasn't going to allow this guy, or the suspect with a knife, to run into one of these stores and hurt anybody that was in those stores, or hurt any officers that were coming up and they were approaching ...And at that time, I fired my weapon. And I continue to fire, assess. He was still running. I fired. Assessed. He was still up. I fired again and there was a time where I fired I knew that I struck the suspect. He started to go down.

If I wouldn't had engaged that suspect...that suspect was going hurt somebody...he had a knife...and if he wasn't intending to use it on somebody, then he would have put that back in his pocket, he would have dropped it and tried to flee, but he maintained control of that knife, and he was running towards open stores."<sup>31</sup>

Round Five – From an approximate distance of 32 feet.

According to Sergeant Lee, Mack fell to the ground and attempted to get back up, while still armed with the knife. Believing Mack was going to advance towards him,

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<sup>31</sup> Lee, Page 13, Lines 18-25, Page 14, Lines 1-7 and Page 54, Lines 5-11.

other officers, or retreat into the TJ Maxx where numerous patrons were located; Sergeant Lee fired one round from his service pistol at Mack to stop the threat. Mack then fell to the ground and dropped the knife.

**Note:** According to Sergeant Lee, he did not initially recall firing his last round. However, reviewing his BWV gave him some recollection of the events.

Sergeant Lee recalled, "I realized that after he went down, he was trying to get back up. And to me, the threat was still very, very much there watching him attempt to try to get back up. And he was also in front of a very large retail store with numerous patrons on the inside. And so I fired again to stop the threat.

...at that point, there was no doubt in my mind that he was going to use that weapon that he had to either advance towards me, or to advance towards the officers that were coming into play, or then retreat into the store which was available for him to be able to go in and where there were numerous patrons inside."<sup>32</sup>

**Officer Robles** – 5.56 mm, semi-automatic rifle, nine rounds.

Rounds One through Eight – in a northwesterly direction from an approximate decreasing distance of 32 to 18 feet.

According to Officer Robles, he yelled at Mack to "Drop the knife." Mack looked directly at Officer Robles, but did not seem to be registering him. Mack continued running towards Officer Robles with the knife raised. Recalling he had run past families and children that were now behind him, Officer Robles believed redeployment was unsafe and not a viable option.

In fear for his life and the lives of others, Officer Robles fired eight rounds from his Patrol Rifle at Mack to stop the imminent threat.

Officer Robles recalled, "I'm running towards the backup...I hear shots...I see...the male suspect...running towards me but on the west side of the mall...I see him stumble, fall, and I heard shots...so I'm assuming he got hit...I hold in that cross bridge...That way, I have a little barrier between me and this guy...But despite falling down, he pops right back up, has a large kitchen knife...Probably like an eight-inch blade in his right hand, and he's just sprinting down the - - the walkway. I hold my ground because...when I ran in, there were families, children behind me...making redeployment, you know, unsafe and unreliable because there's an armed man running towards us...I yell at him...to drop the knife. He doesn't. He just keeps running at me with the knife raised...I think he's going to come and slash me open...I deploy my rifle and I do a couple quick bursts to stop him from running at me with a knife and - - and the people behind me.

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<sup>32</sup> Lee, Page 14, Lines 8-14 and Page 34, Lines 15-21.

After the first initial burst, he kind of staggers but doesn't stop... I'm shooting at him and he's not stopping with this knife in his hand. So I - - I did a second burst, two or three shots, and he falls to the ground. I see the knife fall out of his hand in front of him."<sup>33</sup>

Round Nine – in a westerly direction from an approximate distance of 23 feet.

According to Officer Robles, Mack fell to the ground and the knife fell out of his hand. The moment Mack's back touched the ground, he rolled over, reached with his right hand and grabbed the knife while placing his left hand on the ground and tried to get back up. Mack was directly in line with Officer Robles, approximately 10-15 feet away. Mack raised the knife and pointed it at Officer Robles. Believing Mack was preparing to charge and stab him, nearby officers, or the people inside TJ Maxx, Officer Robles fired one round from his Patrol Rifle at Mack to stop the threat. Mack then fell to the ground and dropped the knife.

Officer Robles recalled, "...the moment his shoulder hits the floor, he's back up, he's pushing himself up with his hand, and he reaches back and grabs the knife back up. At that point, his feet are down, he plants a hand, and it looks like he's about to stand back up. And at this point, he's 10, 15 feet away from me and the people behind me. And it looks like he's getting ready to charge at me. So I take another shot at him as I'm giving him commands to drop the knife, not to grab it, and because I think he's going to come up and slash us again."<sup>34</sup>

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, that an officer with similar training and experience as Sergeant Lee and Officer Robles, would reasonably believe Mack's actions presented an imminent threat of death or serious bodily injury and that the Use of Lethal Force would be objectively reasonable.

Therefore, the Chief found Sergeant Lee and Officer Robles' Use of Lethal Force to be objectively reasonable and In Policy, No Further Action.

### **Additional/Equipment**

- **Body Worn Video Activation** – The investigation revealed that Sergeant Lee did not active his BWV until after he arrived at the second-floor concourse of the mall. Captain A. Baez, Serial No. 26623, Commanding Officer, Southwest Patrol Division, was advised and addressed this issue through a Comment Card. Captain Baez ensured audits will be completed on the involved sergeant for a 60-day period, following the Tactical Debrief to ensure the sergeant is properly activating his BWV. The commanding officers of Operations South Bureau (OSB) and Office of

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<sup>33</sup> Robles, Page 8, Lines 5-25, Page 9, Lines 1-10, and Page 10, Lines 4-7 and 9-16.

<sup>34</sup> Robles, Page 10, Lines 19-25 and Page 11, Lines 1-4.



Operations (OO) concurred with this action. As such, the Chief deemed that no further action is necessary.

- **Edged Weapons Dispatch Protocol** – The investigation revealed that Police Service Representative M. Moreno, Serial No. N5208, CD, did not dispatch a field unit equipped with a beanbag shotgun to the radio call, which involved an edged weapon. Captain D. Storaker, Serial No. 24229, Commanding Officer, CD, was advised and addressed this issue through a Comment Card.

**Note:** On July 31, 2018, Captain Storaker directed a change in procedure regarding Edged Weapons Dispatch Protocols via Communications Division, Divisional Order No. 15-2018. The order changed the responsibility for assigning a supervisor and unit equipped with a beanbag shotgun from the Emergency Broadcast Operator (EBO) to the Radio Telephone Operator (RTO). Additionally, Captain Storaker caused daily audits of Edged Weapons Dispatch Protocols in December 2018 and directed that those audits continue in January 2019 to ensure compliance. CD is also discussing the Edged Weapons Dispatch Protocols on a regular basis in each roll call. The Commanding Officer of Administrative Services Bureau (ASB) and the Director of the Office of Support Services (OSS) concurred with this action. As such the Chief, deemed that no further action is necessary.

- **Beanbag Shotgun Manipulations** – The investigation revealed that Officer Arellano disengaged the safety on his beanbag shotgun because he intended to fire it at Mack. When Mack ran south through the mall, Officer Arellano followed behind, but did not reengage the safety. This was brought to the attention of Captain Baez who addressed the issue through divisional training. This training was documented in the Learning Management System (LMS). The commanding officers of Operations South Bureau (OSB) and Office of Operations (OO) concurred with this action. As such, the Chief deemed that no further action is necessary.
- **Running with Service Pistol Drawn** – The investigation revealed Officer D. Rodriguez, Serial No. 41039, Southwest Patrol Division, heard shots fired and ran inside the mall with her service pistol drawn. Although in this case, the action was reasonable based on the perceived threat level, Officer Rodriguez is reminded that there is a heightened concern for an unintentional discharge when running with a drawn service pistol. This was brought to the attention of Captain Baez who addressed the issue through divisional training and was documented in the LMS. The commanding officers of OSB and OO concurred with this action. As such, the Chief deemed that no further action is necessary.
- **Weapons Handling** – The investigation revealed that Officer Rodriguez maintained her service pistol in her right hand, while simultaneously placing a latex glove on her left hand. Officer Rodriguez is reminded that there is a heightened concern for an unintentional discharge when multi-tasking with the hand holding a service pistol.

This was brought to the attention of Captain Baez who addressed the issue through divisional training. This training was documented in the LMS. The commanding officers of OSB and OO concurred with this action. As such, the Chief deemed that no further action is necessary.

- **Preservation of Evidence** – The investigation revealed that at the direction of Sergeant Lee, Officer Rodriguez kicked the knife away from Mack to prevent him from re-arming himself. Officer Rodriguez is reminded, whenever tactically feasible, it is preferable to leave evidence undisturbed until FID investigators can properly document and preserve the scene. In this case, it is understandable because the risk of the suspect re-arming himself outweighed the benefits of leaving the evidence in place. While it was unavoidable in this case, Captain Baez addressed the issue through divisional training and it was documented in the LMS. The commanding officers of OSB and OO concurred with this action. As such, the Chief deemed that no further action is necessary.
- **Protocols Subsequent to a Categorical Use of Force Incident** – The investigation revealed that Sergeant Pedregon did not deactivate his BWV before obtaining PSS's from the involved personnel. Additionally, Sergeant Pedregon, along with an additional uninvolved supervisor were also captured on BWV advising Officer Robles not to turn off his BWV when he inquired if he should turn it off. This was brought to the attention of Captain Baez who addressed the issue through divisional training with Sergeant Pedregon and during divisional supervisor meetings. The commanding officers of OSB and OO concurred with this action. As such, the Chief deemed that no further action is necessary.

The investigation also revealed that Officer Okoro, a percipient witness, interviewed civilian witnesses at the scene prior to being separated. This was brought to the attention of Captain Baez who addressed the issue through divisional training. This training was documented in the LMS. The commanding officers of OSB and OO concurred with this action. As such, the Chief deemed that no further action is necessary.

The investigation further revealed that Sergeant D. Ellison, Serial No. 30162, South Traffic Division, did not document his monitoring duties in his Sergeant's Daily Log. Captain A. Neal, Serial No. 30599, Commanding Officer, South Traffic Division advised that this issue has been addressed through training at the divisional level. The commanding officers of Transit Services Group and Transit Services Bureau concurred with this action. As such, the Chief deemed that no further action is necessary.

- **Reverence for Human Life** – The investigation revealed that Officer G. Chavarria, Serial No. 37560, Southwest Patrol Division, provided medical treatment to Mack after he was handcuffed and prior to the arrival of LAFD personnel. His actions were exemplary and demonstrated that his thoughts were directed to the well-being of another human being despite his involvement in an OIS.

## Audio/Video Recordings

- **Digital In-Car Video System (DICVS)/BWV** – Southwest Division vehicles were equipped with DICVS. However, none of the DICVS captured the OIS as it occurred inside the mall.

Southwest personnel were equipped with BWV at the time of the incident. Sergeants Lee and White, along with Officers Robles, Okoro, Arellano and Tafoyo's BWV captured portions of the OIS, Mack being taken into custody and post OIS activities.

Southwest Patrol Division Officers Rodriguez, J. Jaramillo, Serial No. 39280, D. Lopez, Serial No. 41361, J. Quinata, Serial No. 37450, BWV's captured the audio of the OIS, Mack being taken into custody and post OIS activities.

- **Outside Video** – Surveillance video cameras from the Baldwin Hills Crenshaw Plaza captured Mack's actions prior to his contact with police personnel and the OIS. A surveillance video camera from the Doc Popcorn kiosk captured the sergeants initial contact with Mack.

Additionally, there were two Instagram videos posted by [REDACTED] and [REDACTED] that captured audio of the OIS.

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## **INSPECTOR GENERAL REVIEW**

### **Inspector General Analysis**

#### **Investigation Quality**

- No significant issues of concern were identified in relation to investigation quality.

#### **Training Issues**

- No significant issues of concern were identified in relation to training.

#### **Equipment Issues**

- No significant issues of concern were identified in relation to equipment.

#### **Detention**

- The OIG concurs with the Chief's analysis.

#### **Tactical De-Escalation**

- The OIG concurs with the Chief's analysis regarding the actions of Sergeants Lee and White during their initial encounter with Mack. As noted in the *Inspector General Recommendations* section of this report, however, some of the subsequent rounds fired violated the Department's use of force policy and thus represented an undue escalation of force.

### **Inspector General Recommendations**

#### **Tactics**

- The OIG concurs with the Chief's findings.

#### **Drawing and Exhibiting**

- The OIG concurs with the Chief's findings.

#### **Lethal Use of Force**

- *In Policy, Sergeant Lee, rounds 1-4.*
- Sergeant Lee observed behavior by Mack that was indicative of Mack becoming increasingly agitated, and of Mack being in mental distress. Further, Mack's body language, which included assuming a bladed stance, visibly tensing his chest and

arms, and holding his knife in an aggressive manner, was consistent with pre-assaultive cues and was appropriately recognized as such by Sergeant Lee.

In light of Mack's behavior, as observed by Sergeant Lee, it was objectively reasonable for Sergeant Lee to believe that Mack presented an imminent threat of serious bodily injury or death to other people in the mall when he (Mack) began to run.

Officer Lee fired four rounds at Mack as he ran, and then he ceased that sequence of fire when Mack went to the ground. The available evidence supports that Sergeant Lee's decision to fire these rounds was consistent with Department policy.

- *Out of Policy, Officer Robles, rounds 1-8.*
- In its review of the use of lethal force by Officer Robles, the OIG considered the totality of the circumstances encountered by the officer, including the following factors:
  - Officer Robles responded to assist with a 415 man with a knife call;
  - Officer Robles was not in a position to witness Mack's actions or behavior prior to encountering him during the OIS, at which time he was running with a knife while being shot at;
  - As he reached the location of the incident within the mall, Officer Robles observed Mack running and heard shots being fired;
  - Officer Robles believed Mack was hit by gunfire, and observed Mack fall to the ground. He then observed Mack get back to his feet and begin to run again;
  - Officer Robles first observed that Mack had a knife when Mack was getting back to his feet after first having fallen. It was at this time that Officer Robles fired his first round;
  - Officer Robles was aware of the presence of members of the public in the mall;
  - No members of the public appeared to be in close proximity to Mack (and thus *immediately* threatened by his actions) at the time Officer Robles became involved in the OIS; and,
  - Officer Robles fired multiple rounds in rapid succession, missing Mack with the majority of those rounds.


Officer Robles arrived on the scene of this incident as an OIS was already taking place. Although Officer Robles could see that Mack had not been stopped by the shots that had already been fired, Officer Robles's observations were limited to the

fact that Mack was running, went to the ground, and then got back up with a knife in his hand and continued to run. These known factors were insufficient to support an objectively reasonable belief on the part of Officer Robles that Mack presented an imminent threat of serious bodily injury or death at the time he fired his weapon at Mack.

In addition to not being objectively reasonable, the manner in which Officer Robles employed deadly force is of concern. In particular, Officer Robles's actions of rapidly and inaccurately firing his weapon were inconsistent with the principle established in Department firearms training regarding the balancing of speed with accuracy.<sup>35</sup> Officer Robles's discharge of multiple inaccurate shots unduly increased the risk of injury or death to the members of the public present in the mall.

- *Out of Policy, Sergeant Lee, round 5, and Officer Robles, round 9.*
- Following Officer Robles's initial sequence of gunfire, Mack fell to the ground and dropped his knife. He then sat up, reacquired his knife, and placed it to his own neck. At that time, Sergeant Lee and Officer Robles each fired one additional round at Mack.

At the time these final rounds were fired, it was not objectively reasonable to believe that Mack presented an imminent threat of death or serious bodily injury to the officers or others. In particular, Mack had not attempted to get to back to his feet, and nobody was in his immediate vicinity. Given the lack of an imminent threat, the discharge of these rounds by Sergeant Lee and Officer Robles was not within Department policy.



MARK P. SMITH  
Inspector General

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<sup>35</sup> Under the heading of *Balancing Speed and Accuracy*, the Los Angeles Police Department Basic Firearms Manual, 2015, states in relevant part: "Officers must learn to balance their shooting speed with accuracy. It is common for accuracy to degrade as shooting speed increases [...] The decision making process of knowing when to shoot faster or slower is known as balancing your speed and accuracy."