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December 5, 2023

Chief David Nisleit  
San Diego Police Department  
1401 Broadway  
San Diego, CA 92101

Sheriff Kelly Martinez  
San Diego Sheriff's Department  
9621 Ridgehaven Court  
San Diego, CA 92123

**Re: Fatal shooting of Frank Brower on January 17, 2023, by San Diego Police Officer Salvador Laurel-Torres and San Diego Police Officer Robert Raynor; SDSD Case No. 23102399; DA Special Operations Case No. 23-008PS; Deputy District Attorney assigned: Leon Schorr**

Dear Chief Nisleit and Sheriff Martinez:

We have reviewed the reports and other materials compiled by the San Diego Sheriff's Department's Homicide Division concerning the circumstances leading to the fatal shooting of Frank Brower by Officer Salvador Laurel-Torres and Officer Robert Raynor on January 17, 2023. A District Attorney Investigator responded to the scene and was briefed about the incident. This case was submitted to the District Attorney's Office for review on April 17, 2023. The Medical Examiner's report was received on August 23, 2023, and the Toxicology Report was received on September 12, 2023.

***Summary***

San Diego Police Department (SDPD) communications center received a 911 call of a violent disturbance occurring inside a business. The responding officers located a female victim with multiple stab wounds. The officers provided her aid until paramedics arrived and transported her to a nearby hospital, where she was pronounced dead. CW1, an employee at the business, identified the suspect as Frank Brower and reported Brower had fled the scene. Officers obtained Brower's physical description, his vehicle information, and identified the location of his home address in an unincorporated area of San Diego County near El Cajon. SDPD officers along with deputies from San Diego Sheriff's Department (SDSD) responded to Brower's home address.

Laurel-Torres, Raynor, LE1, LE2, and additional law enforcement devised a tactical plan to attempt contact with Brower. Laurel-Torres, Raynor, LE1, and LE2 utilized LE2's marked patrol

vehicle as cover and approached Brower as he was reaching into the rear driver side door of his vehicle. LE1 was armed with a less-than-lethal bean bag shotgun. LE2 had his SDPD K-9 on leash.

The uniformed officers verbally identified themselves as police. Brower ignored commands to stop reaching into the vehicle and to show officers his hands. LE1 fired four bean bag rounds, striking Brower, but it was not effective in gaining Brower's compliance. Brower removed a shotgun from his vehicle and held it at a high ready position with his left hand near the trigger guard area and his right hand near the fore end. He began turning toward officers. Laurel-Torres and Raynor fired at Brower. Brower was struck and fell to the ground, dropping the shotgun. Officers provided Brower with medical aid, however, Brower subsequently died from his injuries. The autopsy report listed the cause of death as multiple gunshot wounds and classified the manner of death as homicide. Toxicological testing of blood taken from Brower revealed the presence of alcohol at a level of 0.021% in the peripheral blood sample and at a level of 0.013% in the vitreous blood sample. Further toxicological testing of the central blood sample showed the presence of diazepam at 27 ng/mL, oxazepam at 20 ng/mL, temazepam at 550 ng/mL, meprobamate at 5.4 mcg/mL, carisoprodol at 2.4 mcg/mL, desmethyloperamide at 5.1 ng/mL, and zolpidem at 640 ng/mL.

#### ***Persons Involved***

At the time of this incident, Brower was a 77-year-old resident of an unincorporated area of San Diego County near El Cajon. Laurel-Torres had been an officer for seven years and ten months. Raynor had been an officer for eight years.

#### ***Civilian Witness One (CW1)***

When officers arrived at the scene of the stabbing, they contacted CW1, an employee at the business. CW1 stated she was employed by Brower and the victim, who were co-owners of the business. At around 3:50 p.m., Brower had told CW1 she could go home for the day and that he would take care of the victim. CW1 asked the victim if she could go home, and the victim told her not to leave yet. Brower asked CW1 to leave and said he needed to talk to the victim. CW1 exited the room into the hallway of the business and then heard the victim start screaming. CW1 ran back into the room and observed Brower stabbing the victim with an approximately four-inch-long knife. CW1 was scared and ran back into the hallway where cleaning staff was present. She told the cleaning staff to call 911. She also called 911. CW1 observed Brower walk away from the business toward his vehicle. CW1 provided Brower's name, his description, and a description of his vehicle to the responding officers.

#### ***Law Enforcement Officer 1 (LE1)***

LE1 is an officer with SDPD. LE1 advised dispatch to show him as en route to the location of the stabbing incident. LE1 then heard a K-9 unit was going to a location in El Cajon to locate the suspect. LE1 offered to assist. LE1 continued to monitor the radio and learned the victim was unresponsive and CPR was in progress.

LE1's primary concern was that the suspect might still be armed with the knife used in the stabbing. Upon arrival at the location, LE1 met with other SDPD officers to formulate a plan

about how to approach Brower. LE1 was to be responsible for less-lethal coverage in case the suspect became uncooperative, assaultive, or was near a weapon. LE1 obtained his less-lethal bean bag shotgun from his patrol vehicle and loaded it with four bean bag rounds. LE1's partners were to handle lethal coverage of the suspect. LE1 joined two other officers who began following the K-9 vehicle on foot onto the property. LE1 and other officers observed Brower walking from the back of his house toward his vehicle. Officers started giving Brower commands to put his hands up and get on the ground. LE1 pointed his bean bag shotgun at Brower.

LE1 was positioned on the passenger side of the K-9 vehicle near the engine area approximately ten yards from Brower. Brower was reaching inside the open rear driver's side door of the SUV. Brower was commanded not to reach into the vehicle and to put his hands up. LE1 saw Brower look at him and other officers as they were making their approach. LE1 believed Brower knew they were officers. Brower didn't comply with any of the commands. LE1 saw something in Brower's right jacket pocket he believed to be the black handle of a knife. As Brower moved around the open vehicle door, the officer to the right of LE1 told LE1 to fire the bean bag shotgun. At this time, LE1 was able to see what he recognized as the wooden stock of a long gun inside the rear area Brower was reaching into. Brower still did not comply with commands. LE1 announced he was firing bean bag rounds and began firing his bean bag shotgun. LE1 fired three bean bag rounds impacting Brower. Brower did not comply and leaned back into the door of the vehicle. As LE1 was firing his last bean bag round, the officers to the right of him started firing their firearms at Brower.

Brower fell to the ground. Officers gave Brower commands to crawl away from the vehicle and not to reach for any weapons. Brower stopped moving. LE1 and other officers approached Brower, placed him in handcuffs, provided medical care, and called for emergency medical services.

***Law Enforcement Witness Two (LE2)***

LE2 is an officer with SDPD. LE2 heard a radio call of a man and woman fighting. The call detailed that the male was attacking the woman with a knife and the male then fled the scene. The male was later identified as Brower and dispatch provided information that Brower was heading east. LE2 began heading east on Interstate 8 to locate Brower. LE2 was aware the female victim of the stabbing sustained substantial injuries and his immediate safety concern was that Brower might still be armed with a knife. LE2's plan was to obtain more resources prior to contacting Brower. LE2 was provided Brower's home address and identifying information.

Upon arriving at Brower's residence, LE2 met with SDSD deputies. LE2 did not see any vehicles in front of Brower's residence. LE2 contacted his sergeant via telephone and held the front perimeter of the residence until other officers arrived. LE2 was aware there was probable cause to arrest Brower for the stabbing and was also concerned there might be additional suspects at the residence. Sheriff's ASTREA (Aerial Support to Regional Enforcement Agencies) helicopter arrived on scene and advised they had located Brower's vehicle at the back of the property. ASTREA directed LE2 and other officers to Brower's location, where they

formed a contact team to approach Brower. LE2 used his K9 vehicle as cover for officers approaching Brower.

LE2 observed Brower walking toward his vehicle. Brower stopped near the rear passenger door on the driver's side of Brower's vehicle. LE2 observed other SDPD officers approaching Brower without any cover, so he relocated his patrol vehicle to a position to provide cover and concealment for the officers. LE2 exited his vehicle and deployed his police service dog on leash while the three other SDPD officers took cover on the passenger side of the patrol vehicle. LE2 heard other officers giving Brower verbal commands to move away from the vehicle and get down on the ground. LE2 also provided Brower verbal commands and told him that if he did not comply, he would be bitten by the K9. LE2 was concerned for his safety and the safety of other officers due to not knowing if there were other weapons inside Brower's vehicle. LE2 observed a long knife sheath and the handle of a knife sticking out of Brower's pocket.

Brower continued to ignore verbal commands while reaching into his vehicle. Less-lethal bean bag shotgun rounds were fired at Brower. LE2 initially thought the bean bag rounds might have been effective, but Brower continued to ignore verbal commands and reached inside the vehicle. LE2 realized the bean bag rounds had not been effective. LE2 believed Brower was intentionally glancing toward officers to see where they were positioned. As Brower was moving around in the open door of the vehicle and glancing at officers, LE2 observed a brown object he believed might have been the stock of a firearm but could not be sure. At this point, LE2 looked down at his police service dog and grabbed the collar to initiate deployment and when he looked back up, he realized rounds were being fired at Brower. LE2 did not deploy his dog due to shots being fired. He observed a shotgun fall out of Brower's hand. LE2 and other officers moved towards Brower and took him into custody. LE2 observed officers administering CPR. LE2 did not recall Brower saying anything to officers.

#### ***Statement of Officer Laurel-Torres***

Laurel-Torres heard a radio call of an assault as he and Raynor were driving in the same patrol vehicle. The call provided information regarding the suspect's identity, vehicle description, license plate, and provided a potential address for the suspect in El Cajon. The suspect was identified as Brower. Laurel-Torres heard a SDPD K-9 officer advise over the radio that they were in route to the El Cajon address and Raynor offered to assist the K-9 unit.

As Laurel-Torres and Raynor were driving to Brower's residence, they heard radio traffic broadcasting Brower's vehicle description. Laurel-Torres activated his Body Worn Camera (BWC) as they arrived on scene. LE1 and a K-9 unit were already on scene when Laurel-Torres and Raynor arrived. Laurel-Torres and Raynor spoke to the deputy to begin formulating a plan. LE1 equipped himself with a bean bag shotgun for less-lethal enforcement. ASTREA broadcast over the radio that Brower was on the rear area of the property going back and forth to a vehicle. A K-9 unit vehicle began moving forward down the street. Laurel-Torres and other officers followed so they would not get separated. Laurel-Torres observed Brower as they were approximately fifty feet from him. They began shouting commands of "show us your hands" at Brower. He looked at them but did not follow the commands.

The K-9 vehicle pulled closer. Laurel-Torres, Raynor, and LE1 positioned themselves near the passenger door of the K-9 vehicle. LE1 was on the left, next to the vehicle door, Raynor was in the middle, and Laurel-Torres was on the right. They continued to give Brower commands to show them his hands. Brower continued to look at them but did not respond to commands. Laurel-Torres observed what he believed to be the handle of a knife in Brower's right jacket pocket. One of the officers yelled, "Rifle," indicating there was a rifle inside the vehicle. Laurel-Torres observed what looked like the stock of a firearm, but he could not tell if it was a shotgun or a rifle. Brower reached inside the vehicle, ignoring commands. LE1 began firing the bean bag shotgun at him. The bean bag rounds struck Brower and he turned his body saying, "Ow." Brower reached back inside the vehicle toward the firearm and LE1 continued to fire bean bag rounds. The bean bag rounds were not effective in getting Brower to comply. Brower removed a shotgun from the vehicle. Laurel-Torres fired his rifle twice at Brower. Laurel-Torres believed Brower was removing the shotgun from the vehicle with the intent to shoot at him and the other officers. Laurel-Torres shot at Brower with the knowledge Brower had just committed a violent assault.

Brower fell to the ground upon being shot. Officers gave him verbal commands not to reach for any weapons, then approached Brower, and moved the shotgun and knife away from him. The officers began administering CPR. Laurel-Torres secured his rifle inside LE1's patrol vehicle so he could assist with CPR. Paramedics arrived on scene and began providing care to Brower.

#### ***Statement of Officer Raynor***

Raynor's partner for the day was Laurel-Torres. Raynor heard a radio call of a stabbing at a pharmacy. Dispatch broadcast the name of the suspect, a vehicle description, and the license plate of the suspect's vehicle. The first officer that arrived on the scene of the stabbing advised over the radio that the victim was not conscious or breathing. Raynor knew the suspect would most likely be wanted for attempted murder or murder. A K-9 unit stated he was en route to the registered owner's address. Raynor and Laurel-Torres indicated they would assist the K-9 unit to provide cover.

As Raynor and Laurel-Torres were en route to the suspect's address, they heard ASTREA broadcast the suspect's vehicle was located on the rear of the suspect's property. When Raynor and Laurel-Torres arrived, several other police vehicles were on scene. ASTREA updated that the suspect was near the suspect's vehicle and appeared to be putting items inside the vehicle. LE1 asked if he should bring a less-lethal shotgun and Raynor confirmed he should so they would have a de-escalation tool available. Raynor also told Laurel-Torres to bring his rifle in case the suspect was armed with a long gun.

As Raynor and officers were preparing their equipment, a K-9 officer said they were going to move forward. Raynor told LE1 to get in his patrol vehicle and drive the vehicle to provide cover as they approached. Raynor and the officers traveled about 80 yards, at which point, Raynor saw Brower. Brower matched the description of the suspect provided by dispatch. Raynor had also viewed a photograph of Brower on his patrol vehicle computer prior to arriving at the residence. Brower was walking toward a vehicle matching the vehicle description provided by dispatch.

LE1 exited his patrol vehicle and joined Raynor and other officers on foot while they followed the K9 vehicle. As they got closer, Raynor observed Brower going towards Brower's vehicle. Brower was wearing a baggy jacket and Raynor could not tell if he had any weapons around his waistband. Raynor pointed his handgun at Brower and started giving him verbal commands to put his hands up and not to reach into anything or he would be shot. Brower was ignoring the commands and Raynor was worried Brower was attempting to ambush them. Raynor estimated there were at least six deputies and officers yelling verbal commands at Brower. Brower began reaching for the back door of the vehicle. Brower opened the door and Raynor saw him reach toward his waistband. Raynor directed LE1 to fire the bean bag shotgun at Brower.

Brower was struck with bean bag rounds and started screaming. Brower did not comply with commands and instead accessed the vehicle. Raynor saw the stock of a firearm in the back seat area and verbally notified other officers there was a firearm in the back seat. Officers continued to give Brower commands to not reach into the vehicle and get on the ground. LE1 struck Brower again with the bean bag shotgun. Raynor estimated Brower was struck three times with the bean bag projectiles. Brower reached into the back seat and grabbed a firearm, removing it from the vehicle. Raynor believed Brower was going to shoot at him and other officers. Raynor was scared for his life and the lives of the other officers so he fired his handgun at Brower. After Raynor fired at Brower, Brower fell backwards and the shotgun fell out of Brower's hand and landed a couple feet from his body. Officers approached Brower and handcuffed him. Raynor and other officers provided medical aid until paramedics took over.

### ***Investigation***

The scene was secured, photographed, and investigated by the San Diego Sheriff's Department Homicide Unit. All detectives' reports, crime scene investigators' reports, audio-recorded witness interviews, other audio recordings, body worn camera (BWC) footage, and ASTREA footage were reviewed. All these items were found to provide evidence corroborating the officers' statements. The shooting and the events that led to it were captured by BWC and ASTREA video footage. All officers and deputies involved were wearing clearly identifiable uniforms. All vehicles utilized in the incident were marked patrol vehicles.

The four SDSA deputies who provided cover to the SDPD officers during the incident corroborated the statements provided by Laurel-Torres, Raynor, LE1, and LE2. The deputies provided a consistent account of the events leading up to the shooting, including the approach to Brower's property, seeing Brower access his vehicle, Brower ignoring verbal commands, less-lethal bean bag rounds being fired at Brower, Brower removing a firearm from the vehicle, and medical aid being provided to Brower after the shooting. Three deputies observed the stock of a firearm inside the rear portion of Brower's vehicle prior to Brower removing it from the vehicle.

Laurel-Torres utilized his department issued Colt M4 5.56 caliber rifle. The rifle contained an inserted PMAG 30-round capacity magazine loaded with 28 .223 caliber rounds. Upon arriving on scene, Laurel-Torres chambered a round, leaving 27 rounds in the magazine. After the shooting, Laurel-Torres's rifle was inspected by a homicide detective and an evidence technician. The bolt of the rifle was closed and the magazine was inserted. The rifle contained one unexpended .223 caliber round in the chamber and 25 .223 caliber rounds in the magazine

for a total of 26 rounds. Two spent rifle casings containing the same headstamp as the rounds loaded in Laurel-Torres's rifle were located at the scene. Based on the number of rounds Laurel-Torres stated were loaded in his rifle, the number of rounds left in the rifle, and the spent rifle casings recovered at the scene, Laurel-Torres fired two rounds from his rifle.

Raynor utilized his personally owned Springfield XDM 9mm handgun. The handgun contained an inserted 19-round capacity magazine loaded with 18 9mm rounds and one 9mm round in the chamber. After the shooting, Raynor's firearm was collected by an evidence technician. The firearm contained one unexpended 9mm round in the chamber and 14 9mm rounds in the magazine for a total of 15 rounds. Four spent 9mm casings were located at the scene. Based on the number of rounds Raynor stated were loaded in his firearm, the number of rounds left in the firearm, and the spent 9mm rounds recovered at the scene, Raynor fired four rounds from his firearm.

Brower was armed with a Remington Sportsman 48 12-gauge shotgun. The shotgun was recovered from the ground near Brower's body, loaded with two unexpended 12-gauge shotgun rounds. A black fixed-blade knife in a sheath like the one described by officers as being seen in Brower's right jacket pocket was recovered from the ground close to his body. Six unexpended 12-gauge shotgun rounds were located inside Brower's jacket pocket.

LE1 utilized a Remington 870 Police Magnum less-lethal bean bag shotgun. The less-lethal shotgun was loaded with four bean bag shotgun rounds. The less-lethal shotgun was recovered from the ground on the passenger side of the SDPD K-9 vehicle. The shotgun was empty, the safety was on, and the slide was open. Four spent less-lethal Super Sock bean bag shotgun shells were recovered at the scene.

Brower's vehicle was processed and searched by SDSA detectives and evidence technicians. Two penetrating defects were located on the outside of the rear driver's side door. This is the door Brower was accessing when officers fired upon him. The defects were consistent with bullet strikes. On the interior of the door, three defects were located in the plastic door panel consistent with rounds penetrating through the door. Red staining consistent with blood was located on areas of the rear seat, door frame, and running board below the door. Two fired bullets and metal fragments were collected from inside the rear passenger side door panel. A long gun case was located in the trunk/cargo area of the vehicle. One box containing fifteen 12-gauge shotgun rounds was located on the rear seat and two additional shotgun rounds were located under the rear seat.

#### ***BWC and ASTREA Footage***

Laurel-Torres's BWC recorded him arriving on scene. Laurel-Torres and other officers met and began devising a plan on how to approach Brower's property, designating who would be responsible for duties such as less-lethal, spike strips, and lethal enforcement. Laurel-Torres obtained his rifle from his patrol vehicle. ASTREA can be heard over police radios broadcasting information regarding Brower's location and movement to and from his vehicle. BWC captured the approach of officers and deputies to Brower's property. While approaching the rear of the property, Laurel-Torres asked other officers, "Is that him?" Laurel-Torres and other officers

immediately began yelling, "Stop," "Show us your hands," and "Hands up." Laurel-Torres specifically told Brower, "Do not go to your car." Laurel-Torres chambered a round in his rifle and pointed it at Brower. Officers continued giving verbal commands to Brower throughout the incident. Brower ignored the commands as he accessed the rear driver's side door of his vehicle, reaching in and out of the door. At multiple points, Brower turned and looked directly at Laurel-Torres and other officers. Officers and deputies can be heard telling each other they see a knife in Brower's pocket and they see a rifle. Officers yelled, "Bean bag," and Brower was impacted by less-lethal bean bag rounds. Brower continued to reach into the vehicle and removed the shotgun while holding it a high ready position. Gunshots are then heard.

Laurel-Torres's BWC captured his left hand holding the foregrip of his rifle and the inserted magazine is visible. As shots are fired, Laurel-Torres's left arm and the rifle move from the recoil. Brower is seen falling to the ground and dropping the shotgun. Officers and deputies provided medical aid until emergency medical services arrived.

Raynor's BWC recorded a consistent chain of events as described above from a slightly different vantage point. When Brower was observed and contacted, Raynor pointed his handgun at him and gave verbal commands saying, "San Diego PD. Hands up," "Do not go into the vehicle," and "Do not reach into the vehicle. You will be shot." Brower removed the shotgun from the vehicle and Raynor fired his handgun at Brower.

ASTREA footage shows an aerial perspective of Brower's property as the events took place. ASTREA personnel can be heard on the recording providing information to officers and deputies regarding where to set up a perimeter and how to approach the property. ASTREA footage captured Brower loading items into his vehicle and shows officers and deputies approaching and contacting Brower as he is at the open rear passenger door. The footage shows Brower removing the shotgun and turning toward officers as officers fire at Brower.

### ***Autopsy***

An autopsy was performed by a Deputy Medical Examiner on January 19, 2023. Two penetrating gunshot wounds and a graze wound were observed on Brower's body. The two penetrating wounds were consistent with distant entry gunshot wounds. Two bullets were recovered and turned over to San Diego Sheriff's Department personnel present at the autopsy as evidence. No bullet was recovered in relation to the graze wound. Multiple abrasions were identified as consistent with injuries produced by beanbag shots. Samples of blood were retained for toxicological testing. The cause of death was classified as multiple gunshot wounds and the manner of death was classified as homicide.

Later toxicological testing of blood taken from Brower revealed the presence of alcohol at a level of 0.021% in the peripheral blood sample and at a level of 0.013% in the vitreous blood sample. Further toxicological testing of the central blood sample showed the presence of diazepam at 27 ng/mL, oxazepam at 20 ng/mL, temazepam at 550 ng/mL, meprobamate at 5.4 mcg/mL, carisoprodol at 2.4 mcg/mL, desmethyloperamide at 5.1 ng/mL, and zolpidem at 640 ng/mL.

### ***Legal Standard***



Penal Code section 835a(c) sets forth the standard to evaluate a peace officer's use of deadly force and the circumstances upon which an officer may use such force. The law provides, in part, that "a peace officer is justified in using deadly force upon another person only when the officer reasonably believes, based on the totality of circumstances, that such force is necessary...[t]o defend against an imminent threat of death or serious bodily injury to the officer or to another person." Penal Code section 835a(c)(1)(A).

"Deadly force" means any use of force that creates a substantial risk of causing death or serious bodily injury, including, but not limited to, the discharge of a firearm." Penal Code section 835a(e)(1).

"A threat of death or serious bodily injury is "imminent" when based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person." Penal Code section 835a(e)(2).

"An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed." Penal Code section 835a(e)(2).

"Totality of the circumstances" means all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force." Penal Code section 835a(e)(3).

"In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case, and shall use other available resources and techniques, if reasonably safe and feasible to an objectively reasonable officer." Penal Code section 835a(a)(2).

"[T]he decision by a peace officer to use force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight. The totality of circumstances shall account for occasions when officers may be forced to make quick judgments about using force." Penal Code section 835a(4).

***Conclusion:***

SDPD officers and SDSA deputies knew Brower had just committed a stabbing and the victim was unresponsive. They received information that Brower had fled the scene. They obtained his identity, vehicle information, and residence location. Officers and deputies responded to Brower's residence to take him into custody for the stabbing. Upon arriving on scene, they formulated a plan that included less-lethal options, and they utilized information from ASTREA to safely approach Brower. Upon contacting Brower, they gave him continuous verbal commands to stop accessing his vehicle and show them his hands. BWC evidence captured Laurel-Torres and Raynor giving Brower multiple commands. Officers and deputies observed a knife on Brower's person and saw the stock of a long gun in the back seat of the vehicle he was

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reaching into. Less-lethal bean bag shotgun rounds were fired and impacted Brower. The bean bag rounds were not effective, and Brower continued to reach into the vehicle. Brower armed himself with a shotgun he took from inside the vehicle and began turning toward officers. Laurel-Torres and Raynor were in fear for their lives and the lives of other officers and deputies. Laurel-Torres and Raynor fired their firearms at Brower, striking and fatally wounding him.

When they discharged their firearms at Brower, the officers reasonably believed, based on the totality of circumstances, that such force was necessary to defend against the imminent threat of death or serious bodily injury posed by Brower. As a result, Raynor and Laurel-Torres bear no state criminal liability for their actions. A copy of this letter, along with the materials submitted for our review will be retained in our files.

Sincerely,



SUMMER STEPHAN  
District Attorney

cc: Captain Richard Freedman  
San Diego Police Department  
Captain James Emig, Jr.  
San Diego Sheriff's Department