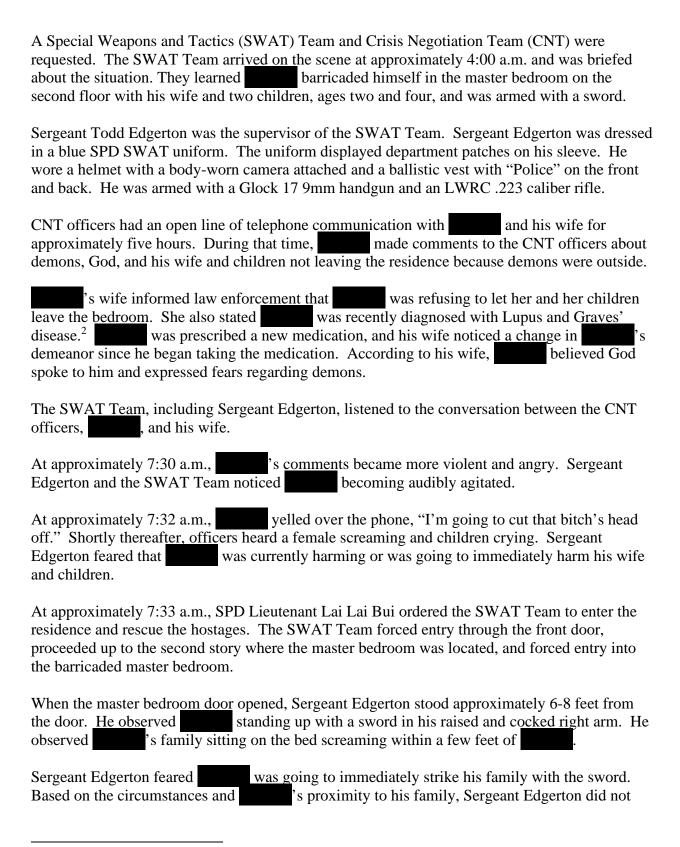


Sacramento County District Attorney's Office $\underset{\text{District Attorney}}{\text{THIEN HO}}$

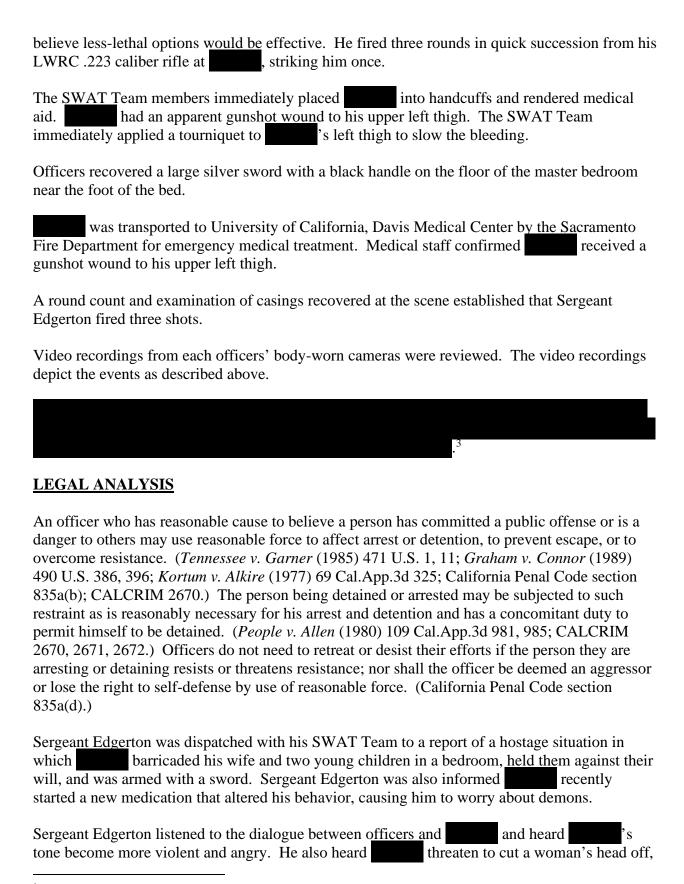
DATE:	December 28, 2023
TO:	Chief Katherine Lester Sacramento Police Department 5770 Freeport Boulevard Sacramento, CA 95822
FROM:	Sacramento County District Attorney's Office
SUBJECT:	Officer-Involved Shooting Case No. SPD-22-222841 Shooting Officer: SPD Sergeant Todd Edgerton #3131 Person Shot:
The District Attorney's Office, as an independent agency, has completed its investigation and review of the above-referenced officer-involved shooting. We only address whether there is sufficient evidence to support the filing of a criminal action in connection with the shooting of . For the reasons set forth, we conclude that the shooting was lawful.	
The District Attorney's Office received and reviewed written reports and other documentary items. These items include Sacramento Police Department report number 22-222841, video and audio recordings, dispatch calls, witness interviews, photographs, diagrams, evidence logs, and Sacramento County District Attorney's Office Laboratory of Forensic Services reports.	
FACTUAL SUMMARY	
his father was that he armed	called 9-1-1 and stated coming to stated 's house to break in and take his kids from him. stated himself with a sword and barricaded himself, his wife, and their two children in edroom at their two-story single-family residence on Dragonfly Circle in
Sacramento Police Department (SPD) officers arrived at the residence and attempted to contact. However, refused to answer the door. Officers were only able to contact and his wife via telephone. Over the next two hours, officers attempted to talk into coming out of the house peacefully.	

¹ This person's name has been redacted pursuant to Penal Code sections 832.7(b)(7) and 1001.97(a).

- sacda.org



² Lupus is an autoimmune disease that attacks the tissues and organs and may cause pain and inflammation throughout the body. Graves' disease is an autoimmune disorder that involves overactivity of the thyroid (hyperthyroidism).

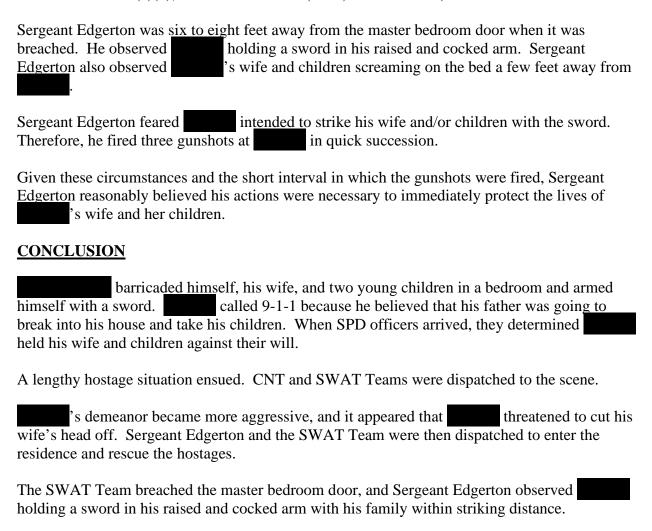


³ This information has been redacted pursuant to Penal Code sections 832.7(b)(7) and 1001.97(a).

appearing to refer to his wife, followed by a woman screaming and children crying.

Sergeant Edgerton and his SWAT Team then entered the house to rescue the hostages.

A peace officer may use deadly force under circumstances where it is reasonably necessary for self-defense or defense of another. California law permits the use of deadly force if the officer actually and reasonably believed he was in imminent danger of death or great bodily injury. (CALCRIM 505, 507, 3470; California Penal Code section 835a(c)(1)(A).) An officer who uses deadly force must actually believe that force is necessary. The appearance of danger is all that is necessary; actual danger is not. (*People v. Toledo* (1948) 85 Cal.App.2d 577; *People v. Jackson* (1965) 233 Cal.App.2d 639.) Thus, the officer may employ all force reasonably believed necessary. (CALCRIM 3470.) The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with 20/20 hindsight. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation. (California Penal Code section 835a(a)(4); *Graham v. Connor* (1989) 490 U.S. 386.)



Fearing for the safety of the family, Sergeant Edgerton justifiably fired his weapon to subdue the deadly threat presented.

Accordingly, we will take no further action in this matter.

Cc: SPD Sergeant Todd Edgerton SPD Detective Patrick Klutz Office of Public Safety Accountability