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September 5, 2024

**PUBLIC REPORT ON OFFICER INVOLVED SHOOTING OF
CONNOR JEFFREY AMADOR BY LAW ENFORCEMENT OFFICERS
ON DECEMBER 29, 2023**

The Santa Barbara County District Attorney's Office has completed its review of the investigation of the homicide of Connor Jeffrey Amador, age 21, occurring on December 29, 2023, in Lompoc, California.

The following analysis is based upon investigative reports, coroner's reports, toxicology reports, audio recordings including 911 calls, photographs, video surveillance recordings, and witness interviews collected during the investigation conducted by the Santa Barbara County Sheriff's Office ("SBSO") and submitted to this office by SBSO Detective Joaquin Oliver.¹

The District Attorney finds the shooting by Lompoc Police Officer Alexander Justice was a justified use of force pursuant to Penal Code section 835a, and he bears no state criminal liability.

FACTUAL HISTORY

Summary

On December 28, 2023, Connor Amador robbed the Circle K convenience store on Ocean Avenue in Lompoc at approximately 11:30 p.m. During the robbery he used what appeared to be a handgun to pistol-whip a store employee before fleeing. Lompoc Police officers responded to the store and searched for the robbery suspect without success.

¹ All Lompoc Police Department personnel involved in this incident cooperated with the investigation and provided voluntary statements regarding the incident, greatly aiding the Office of the District Attorney in providing this comprehensive analysis.

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Approximately two hours later, Amador returned to the Circle K store, armed with a handgun² and a machete. Amador approached a man sitting in a car parked outside the store, banged on his window, pointed the gun at him and demanded his car. The man fled out the passenger door. Amador briefly chased him, demanding the keys. Amador then entered the Circle K. He held the gun to an employee's head, waved the machete around and demanded she give him money from the cash register. When the employee was unable to open either the register or the safe, Amador knocked over merchandise and exited the store.

Lompoc Police Officer Tara Newton arrived at the store as Amador was again standing next to the parked car. She was in full police uniform and driving a marked patrol car. She saw Amador holding a handgun in one hand and a long object in the other hand. She drew her service weapon and pointed it at Amador. Lompoc Police Officer Alexander Justice arrived on-scene, also in full police uniform and driving a marked patrol car. Officer Justice drew his service AR-15 rifle and yelled at Amador to get on the ground, but Amador did not comply. As Officer Newton attempted to reach into her patrol car to retrieve her rifle, Amador took several steps toward the officers, raised his arm and pointed his gun at them. Fearing Amador would shoot one of the officers, Officer Justice fired three rounds at Amador, striking him three times. After the shooting, officers approached Amador to render medical aid. Medics from American Medical Response ("AMR") also assisted. Amador was pronounced dead at the scene.

First Robbery

Just before 11:30 p.m. on December 28, 2023, a subject later identified as Connor Amador, age 21, entered the Circle K convenience store on the corner of Ocean Avenue and Seventh Street in Lompoc. After taking two 24-ounce cans of beer from the cooler, he approached the cashier, E.L. Amador pulled what appeared to be a handgun out of his back pants pocket and pointed it at E.L. Amador told E.L. to give him everything in the register. Amador then turned to two male customers in the store and told them not to move, that he had a gun and he would kill them. Amador went around the counter to the register and told E.L. to give him all the cash. E.L. complied and gave Amador approximately \$100 in cash from one of the registers.

² The handgun was later determined to be a pellet gun with a CO2 cartridge and laser sight.

Amador then asked if there was a safe. When E.L. could not open the safe, Amador told him to open the second cash register. E.L. explained he was not able to open the second register while logged into the other register. Amador pointed the gun at E.L.'s face and said, "don't fucking lie to me. I'll shoot you right here. You want to die today?" Amador struck E.L. in the abdomen with a fist, then hit him in the head with the butt of his gun.

Amador turned to the customers and told them to "get the fuck out of here," They both left the store. One of them called 911 from his car. This customer was familiar with firearms through his work as a security guard. He said the gun Amador had was black, had a scope or red dot sight on it, and appeared to be real. He recalled hearing Amador "racking" the gun to put a bullet in the chamber.

After the customers left, Amador covered his face with a cloth ski mask. He pointed the gun at E.L.'s head and threatened to have his "homies" come kill E.L. if he called the police. Amador took the money and the beers and left the store. E.L. called 911.

Law Enforcement Response

At 11:31 p.m., Lompoc Police Officer Tara Newton was dispatched to the Circle K; she arrived approximately two minutes later, but Amador was already gone. Officer Newton spoke with E.L. who described the robbery and gave a description of Amador, what he was wearing and the gun. E.L. told Officer Newton that he was frightened that he was going to be killed or harmed because Amador had pulled the trigger to his firearm twice during the robbery but the gun failed to fire.

While Officer Newton took photos of the scene and other Lompoc Police personnel processed the scene, D.J., a manager for Circle K arrived. D.J. was able to access the store's video surveillance system. She showed surveillance footage to Officer Newton who was able to take still photographs of the footage in order to disseminate the images to other officers searching for Amador. Officer Newton observed that Amador had a circular tattoo on his right hand and a tattoo of bones on the top of his fingers. She also noticed that he had uniquely colored sneakers. D.J. told Officer Newton that she would send E.L. home and D.J. would continue to operate the store that night. Officer Justice and other Lompoc police officers searched the area for Amador but were unable to locate him.

At approximately 12:45 a.m., Officer Newton left the Circle K and went to the Lompoc Valley Medical Center to locate a person. While she was there, Officer Justice and another officer brought in a combative suspect, so she stayed at the medical center to assist them.

Carjacking and Attempted Robbery

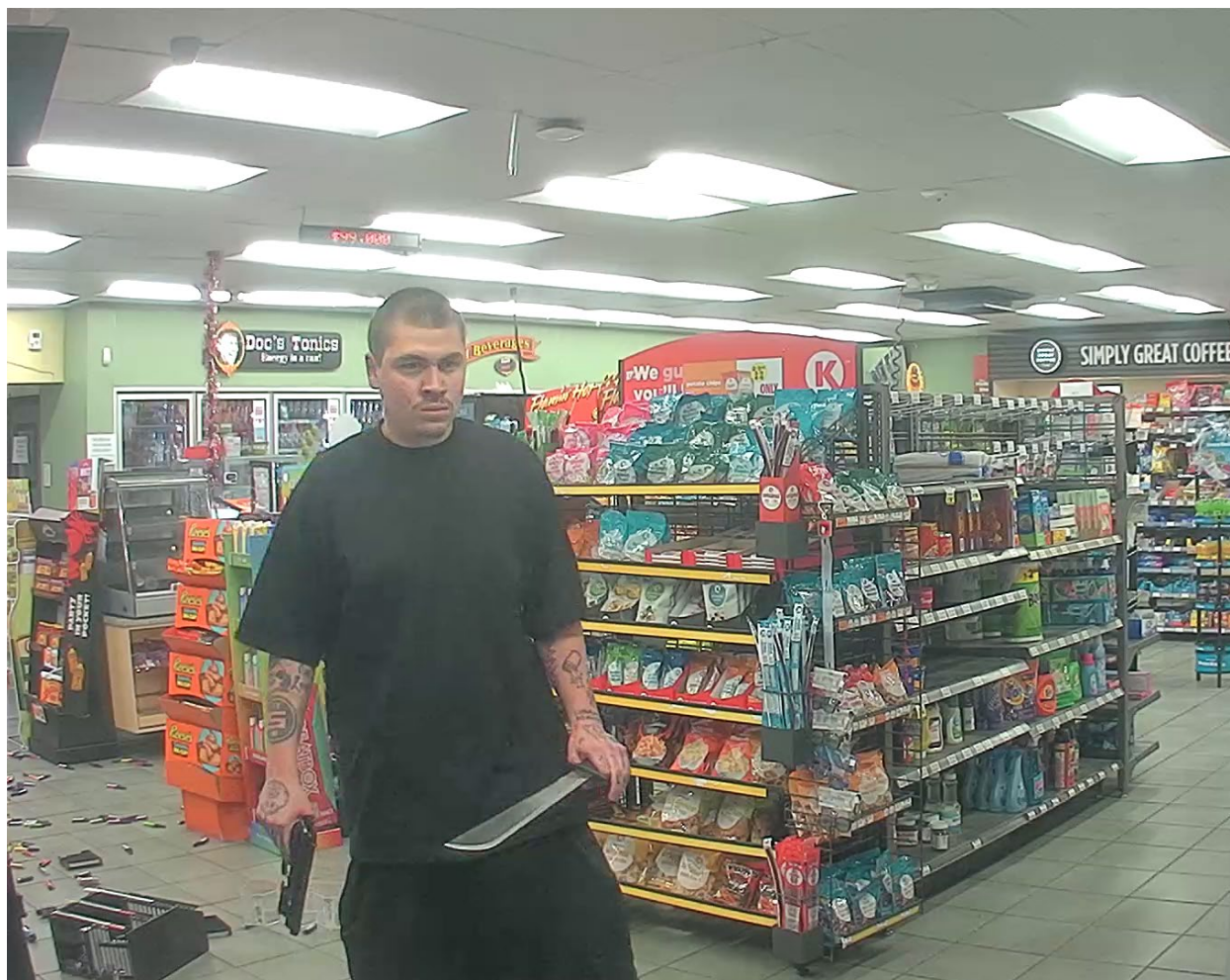
Shortly after 1:15 a.m. on December 29, 2023, J.B. drove a white SUV to the same Circle K. J.B. parked in a spot near the front door of the store.³ As he was sitting in the SUV scratching off lottery tickets, Amador approached the driver's side door and began banging on the window. Amador had a machete in one hand and a gun in the other. Amador pointed the gun at J.B.'s face and said, "Give me your fucking car" and "I'm going to fucking kill you." Amador then started hitting the window with the machete. J.B. was afraid for his life, so he slid across the seat to the front passenger door and exited the SUV. J.B. ran from the passenger side of the SUV toward Seventh Street and then up Seventh Street toward the Lompoc Valley Medical Center, yelling for help.

As J.B. ran away, Amador tried to open the driver's side door, but was unable to. He then raised his arm pointing the gun in the direction J.B. fled and chased after J.B., yelling for the keys. Amador ran through the parking lot to Seventh Street, chasing J.B. J.B. yelled that the keys were in the ignition. Amador stopped chasing J.B. and walked back to the entrance of the Circle K. When J.B. got to the entrance of the medical center's emergency room and realized that Amador was no longer chasing him, he called 911 and reported the incident.

D.J. was inside the Circle K when Amador confronted J.B. When D.J. heard banging outside the store, she called 911 and went to the front glass doors to see what was happening. As she approached the doors and before she spoke to the dispatcher, Amador came into the store holding a machete in his left hand and a gun in his right hand. He walked toward her, yelling at her to open the cash register and pointing the gun at her. Some of this exchange was captured on the 911 recording.

³ The Circle K video surveillance system recorded video, but not audio, of the events inside the store and in the parking lot near the store. The police car lights were visible on the recording, but not the officers. Two other cameras in the area captured audio and video footage of events outside the store. In one video, however, trees obstruct the view of the front of the store and the part of the parking lot where Amador was. In the other video, the lights from the store are so bright that the parking lot is overexposed making it impossible to see Amador.

Amador walked with D.J. around the counter, yelling at her to open the cash register. He stood next to her, holding the gun to her temple and waving the machete at her. D.J. was afraid; she said Amador pulled the trigger of the gun while it was pointed at her head but it did not fire. When D.J. told Amador that she could not open the register or the safe, he got mad. He pushed the monitor to one of the cash registers and knocked over store merchandise. He exited the store out the front door.



Still image captured from Circle K video surveillance footage of Amador walking toward the exit of the store at approximately 1:19 a.m. on December 29, 2023.

Officer-Involved Shooting

In addition to the 911 calls by D.J. and J.B., several other people called 911 to report a disturbance involving a gun at the Circle K, including at least one caller who reported that shots had been fired. These calls were received by

police dispatch at 1:19 a.m. Officer Newton was dispatched back to Circle K immediately. She left Lompoc Medical Center with the red and blue lights on her patrol car illuminated. Officer Justice also responded to Circle K from the medical center.

Officer Newton arrived first at 1:20 a.m. She was in full police uniform and driving a marked police car. Officer Newton parked her patrol car in the driveway of the Circle K from Ocean Avenue.⁴ She saw a white SUV parked in front of Circle K with the front passenger door open. Amador was near the driver's side of the white SUV. He had what appeared to be a black semi-automatic handgun in one hand and a long object in the other hand. Officer Newton said he appeared agitated and pounded on the SUV's window. She broadcast on the radio that she had a subject with a gun and she drew her department-issued handgun.

Amador began walking toward Officer Newton, holding the gun and another object at his side. Officer Newton wanted to transition from her handgun to her rifle, but did not want to take her eyes off of Amador or lower her handgun to do so. She knew that Officer Justice was responding to the Circle K as well. Just as Officer Newton began to reach inside her patrol car to get her rifle, Amador raised his arm and pointed the gun at her. Officer Newton heard three or four gunshots. She was unsure if Amador had fired at her or if shots had been fired at Amador. She did not fire her weapon because she did not have Amador clearly in her sights, but when Amador pointed the gun at her, she feared that he was going to shoot her or Officer Justice.

Officer Justice arrived moments after Officer Newton. He initially positioned his patrol car in the entrance to the Circle K parking lot, at an angle to Officer Newton's patrol car, but then pulled closer to her car.⁵ Because the 911 calls indicated a possible active-shooter, Officer Justice retrieved his department-issued AR-15 rifle as he was driving to the scene. Upon arrival Officer Justice saw Amador walk toward Officer Newton. He heard Officer Newton yell something but could not tell what she said. As Officer Justice was trying to engage his parking brake, he saw Amador turn back toward the white SUV and begin hitting the SUV window.

⁴ No in-car video footage was available from Officer Newton's patrol car. This was due to the system automatically shutting down after 30 minutes of being inactive while she was at the medical center. The system then took three minutes to become fully operational again once she headed to Circle K. The confrontation with Amador happened less than three minutes after she left the medical center.

⁵ No in-car video footage was available from Officer Justice's patrol car due to a malfunction of the system. At the time of this incident, Lompoc Police Department was in the process of replacing the in-car camera system with a new one.

Officer Justice saw that Amador was holding a gun in one hand and a machete in the other. Once Officer Justice parked his patrol car, he opened the driver door and stood straddling the driver floorboard and vehicle running board. He pointed his rifle at Amador, ordered him to get on the ground and warned him he could be shot. Amador turned toward the officers and took several steps toward them. Amador raised his right arm, pointing the gun at the officers. Officer Justice feared that Amador was going to shoot one of the officers, so he fired the rifle three times until he saw Amador fall to the ground and felt he no longer posed an imminent threat. It was less than one minute from the time Officer Newton arrived at the scene to when Officer Justice fired his rifle.

Once Amador was on the ground, the officers gave him verbal commands not to reach for the gun. Officer Newton broadcast on the police radio that shots had been fired and the suspect was down. Other officers responded immediately. They developed a plan to approach Amador safely to render medical aid to him. Utilizing a ballistic shield, they approached Amador. They placed him in handcuffs, rolled him to his back and assessed his injuries. Officer Newton began administering cardio-pulmonary resuscitation (CPR) while other officers placed a chest seal on him. Medics from American Medical Response responded to the scene. They assessed Amador and pronounced him dead.

Subsequent Investigation

SBSO investigators responded to the Circle K shortly after the shooting. The forensic team photographed the scene and collected evidence. They retrieved the gun from near Amador's body. Upon examination, the gun was determined to be a pellet gun with a CO2 cartridge and laser sight. They also retrieved a machete with a black handle and an approximately 12-inch silver blade.



Photos of Amador's pellet gun and machete taken by SBSO forensic team in the parking lot of the Circle K during their investigation of the shooting on December 29, 2023.

Following Amador's death, SBSO investigators spoke to Amador's family and girlfriend. They learned Amador's brother had died approximately two years earlier. They also learned that on the night of the Circle K robbery, Amador had sent some suicidal text messages. Investigators obtained a search warrant for Amador's phone and found the following relevant text messages:

Dec. 28, 2023 at 9:52 p.m.: "I loves u babe with all my heart and ur the last true love I've ever had and the only true love I've ever had im just telling u this now don't tell amber and my unc ima do something really bad I guess it's my time to see my brother in the after life and be with him forever I give up on my gang and just wanna see him and my dead homies ..."

Dec. 28, 2023 at 10:15 p.m.: "I loves babe this the last time u gonna hear from me u meant the most to me and I hope u will at least show up to my funeral and u know my song."

Dec. 28, 2023 at 10:31 p.m.: "... but all ima say now is I hope u remember me after death and show up to my funeral and u know my song ..."

Dec. 28, 2023 at 10:45 p.m., "I loves u y'all for reals bye this the last message y'all hear from me." "Wats the worse that can happen I can see my brother and my uncle behr and my dead homies."

Dec. 29, 2023 at 12:44 a.m.: "Im just letting u know don't text me know more I'ma get into a shootout with the police."

Autopsy

On January 5, 2024, Dr. Manuel Montez, a forensic pathologist employed by SBSO, performed a post-mortem examination of Amador. Amador weighed 202 pounds and was approximately 5'11" tall.

Dr. Montez observed a total of three gunshot wounds to Amador's head, abdomen, and right arm. A toxicological analysis of Amador's blood showed he had a blood alcohol level of 0.254 at the time of his death. Dr. Montez opined that the cause of death was multiple gunshot wounds. The SBSO Coroner's Office certified the manner of Amador's death as homicide.

LEGAL ANALYSIS

Applicable Law

Homicide is the killing of one human being by another, either lawfully or unlawfully. Homicide includes murder and manslaughter, which are unlawful, and the acts of excusable and justifiable homicide which are lawful. The shooting of another person in self-defense or in the defense of others is justifiable and, therefore, lawful. Penal Code section 196(b) states that homicide by a peace officer is justified when it results from a use of force in compliance with Penal Code section 835a.

A peace officer is justified in using deadly force upon another when the officer reasonably believes, based on the totality of the circumstances that such force is necessary for either of the following reasons: (1) to defend against an imminent threat of death or serious bodily injury to the officer or another; or (2) to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. *Penal Code section 835a(c)(1)(A) and (B).*

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. 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)*.

The decision by a peace officer to use force shall be evaluated from the perspective of a reasonable peace officer under 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 the circumstances shall account for occasions when an officer may be forced to make quick decisions about using force. *Penal Code section 835a(4)*; see also *Graham v. Connor* (1989) 490 U.S. 386.

In determining whether the use of deadly force is necessary, officers shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer. *Penal Code section 835a(2)*.

Analysis

On December 29, 2023, Lompoc Police Officers Newton and Justice responded to a carjacking and armed robbery in progress at the Circle K store, with a report that shots had been fired. The same officers had responded to the same location approximately two hours earlier to investigate an armed robbery in which a store employee had been pistol whipped and threatened.

On arrival, Officer Newton encountered Amador standing next to a parked SUV with an apparent handgun in one hand and a long object (later identified as a machete) in the other hand. He appeared agitated and pounded on the SUV window. Amador turned and walked toward her still holding the firearm and machete, making Officer Newton decide to transition to her department-issued AR-15 rifle. Officer Justice arrived within seconds of Officer Newton. He observed Amador pound on the SUV window, then turn and walk toward the officers. Officer Justice yelled at Amador to get down on the ground, but Amador did not comply. Instead, Amador took several steps toward the officers and raised his arm, pointing an apparent handgun at the officers.

Fearing that Amador was going to shoot the officers, Officer Justice fired his department-issued rifle three times until he saw the threat stop and Amador go to the ground.

These events happened very quickly, without time for the officers to employ any de-escalation tactics or alternative techniques. Amador's actions would lead a reasonable officer to believe that he had the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to Officers Justice and/or Newton. Officer Justice's belief that he had to instantly confront and address the deadly threat posed by Amador with deadly force was reasonable under all of the circumstances.

CONCLUSION

When Amador ignored commands to get down on the ground, stepped toward Officers Newton and Justice, and pointed an apparent handgun at the officers, his actions created a reasonable fear of death or great bodily injury in the mind of Officer Justice. Based on the investigation by the Santa Barbara County Sheriff's Office, applying the law as set forth in Penal Code sections 196(b) and 835a, as well as relevant case law, Officer Justice acted reasonably in his use of deadly force; therefore, the shooting of Connor Jeffrey Amador was a justifiable homicide.