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March 25, 2022

**PUBLIC REPORT ON OFFICER INVOLVED SHOOTING OF TRAVIS DANIEL
CARLON ON OCTOBER 9TH, 2021**

The Santa Barbara County District Attorney's Office has completed its review of the Santa Barbara Sheriff's Office ("SBSO") investigation into the homicide of Travis Daniel Carlon, age 32, occurring on October 9, 2021, in the County of Santa Barbara, California.

The following analysis is based upon investigative reports, coroner's reports, video and audio recordings, photographs, and witness interviews taken during the investigation and submitted to this office by SBSO Detective Daniel Kohli.

The District Attorney finds the shooting was a justifiable homicide under Penal Code sections 196 and 835a.

FACTUAL HISTORY

Summary

On October 9, 2021, at approximately 6:30pm, Lompoc Police Department (LOPD) Officers responded to Lompoc Liquor after receiving a 911 call regarding a domestic disturbance with a gun. Officer contacted the reporting party David W., who stated that his roommate, Travis Carlon held a gun to Roxanne M.'s head and threatened them at their residence located at 722 West Cypress Avenue earlier in the day. David told LOPD that Roxanne and Carlon were still at the house on Cypress and that Carlon still had the gun, which David described as a revolver.

LOPD responded to 722 West Cypress Avenue and set up a perimeter around the house at approximately 6:40pm. While developing a tactical plan and waiting for SWAT response, LOPD had the Armored Rescue Vehicle (ARV) come to the residence and officers identified themselves and gave commands over the PA system asking Carlon to come out of the residence and to throw the gun out of the residence. Officers Calderon, Mendoza, and Molina set up across the street from the house behind cars that were parked across the street. All three could see the house and the front door. As the announcements were being made, Officers could see Carlon looking out the windows. Carlon also came to the front door and opened and closed the front door multiple times. At 8:26pm, Carlon opened the door a final time and came out of the house onto the front porch. In his hand was a revolver, he pointed the revolver at the ARV and then at the officers directly across the street from him. Officers Calderon, Mendoza, and Molina fired their weapons at Carlon.

Carlton was hit 15 times and was pronounced dead on scene. A black revolver was found on the front porch with two rounds, one spent and one live, in the revolver. Upon search of the home, a suicide note was found where Carlton wrote notes to his children.

Initial Reports

On October 9, 2021, at approximately 6:30pm, Lompoc Police Department (LOPD) interviewed David W. after responding to David's 911 call. David stated that he was sleeping in his bedroom, with his girlfriend, Melissa S. David heard crying in the other room and was surprised. He exited the bedroom and went into the living room area and saw his roommate, Travis Carlton holding Roxanne M. at gunpoint. Roxanne M. was the girlfriend of Carlton. David stated that Roxanne was crying uncontrollably. As David tried to exit the living room, Carlton pointed the gun at him and told David to freeze and stop moving. David was trapped in the living room with Carlton for approximately 20 minutes as Carlton pointed the gun back and forth between David and Roxanne. During the 20 minutes, Carlton slowly walked up to David with the firearm pointing at David until the firearm touched the temple of David's head. David also stated that during the 20 minutes, Carlton put a pillow and the muzzle of the gun up to the bottom of Carlton's chin as if Carlton was going to commit suicide. After the firearm was pointed at David's head, Roxanne distracted Carlton and David was able to escape out of the window and get out of the house. Melissa had already managed to get out of the house and picked up David and they drove away and contacted law enforcement. David told LOPD that Roxanne and Carlton were still at the house and that Carlton still had the gun, which David described as a revolver.

Law Enforcement Response and Officer Involved Shooting

LOPD began arriving on scene around 6:40pm. Sgt. Morgan, Corporal Powell, and Corporal Garcia were developing a tactical plan to handle the situation. They started a SWAT call out. They decided to use the Armored Rescue Vehicle (ARV) to assist with the incident while they were waiting for the SWAT team to respond. While they were waiting for the ARV to respond, Roxanne exited the house and sat on the front porch of the residence. Officer Molina approached her to try and take her to safety because he saw that she was hysterical and crying on the front porch. As he approached the house and Roxanne, the ARV arrives and Corporal Garcia began giving commands over the PA system identifying them as LOPD and asking for Carlton to come out with his hands up and to throw the gun out of the house. As Corporal Garcia is giving commands Roxanne comes off the front porch and officers take her to safety. While Officer Molina was approaching Roxanne, he and other officers heard what they believed was a gunshot go off inside the house. Roxanne was hysterical and could not tell officers what was going on inside the house. Corporal Garcia continued making announcements over the ARV PA system after Roxanne was secured with officers.

Officers Molina, Mendoza, and Calderon set up directly across the street from Carlton's house. The three officers took cover behind cars that were parked across the street from the residence. Carlton's residence had the front lights on as well as some internal lights and the ARV was also lighting up the house. The front porch was visible and there was a direct line of sight from where the three officers were positioned. The three officers had their service rifles pointed at the house and they were waiting for Carlton to comply with the commands coming from the ARV. While

they were watching the house, they started to see Carlon move the curtains and look out at law enforcement. At least three times, Carlon opened the front door, but did not come out and closed the door again. At 8:23pm, Carlon opened the door, said “fuck you” and showed the gun, he stayed behind the door, closed the door and went back into the house. At 8:26pm, Carlon opened the front door and walked out onto the porch with his arm raised at chest height and a gun in his hand. He pointed the gun at the ARV and then pointed the gun towards where the three officers were position behind the cars. At 8:27pm, Officers Calderon, Mendoza, and Molina opened fire. The three of them fired 26 shots total: Officer Mendoza fired 10 times, Officer Molina fired 10 times, Officer Calderon fired 6 times.

The home behind the three shooting officers that was directly across the street from 722 West Cypress Avenue was occupied by three civilians. One of the witnesses in this home recorded the incident and streamed it on Facebook Live (the video was almost immediately taken down). Multiple videos of the incident were recovered off of this witness’s phone. In the video that captures the time of the shooting, the video showed Carlon come out of his residence and point a black object at law enforcement. The video captured the sound of the shots being fired by law enforcement. The video also captured one of the witnesses on the video saying “He pointed a gun at them, what do you expect?” a second male voice responds “cop suicide.” All three civilian witnesses were interviewed. Two of the witnesses’ saw the incident and saw Carlon come in and out of his residence multiple times. These two witnesses indicated that they did not see or could not see a gun in Carlon’s hand when he exited the residence the final time. The third witness also saw the incident and saw Carlon come in and out of his residence multiple times. The third witness did see the gun in Carlon’s hand. The witness indicated Carlon pointed the gun at the “police van” and then swung his arm back to left, pointing it at where officers were located behind the cars in front of the witnesses’ house.

The incident is also captured on the in car video camera of Officer Mendoza’s police vehicle. This video starts recording at 18:38:07. The times are logged in 24 hour clock style on the in car video, so 18:38:07 translates to 6:38:07pm. The times have been adjusted to standard time below for ease of reading. The below is a timeline of what is visible in the in car recording.

- At approximately 6:39:59pm, Officer Mendoza parked his patrol car in the driveway of Ryan Park, facing east bound. The residence, 722 West Cypress Avenue is located on the corner of West Cypress Avenue and South O Street. The house is on the southwest corner of the street. From the view of the in-car video camera, Carlon was located on the porch of the residence on the right side of the screen.
- At approximately 7:13:15pm, Officer Mendoza broadcasted that a light inside the residence was turned on. The illumination is evident on the right side of the camera screen.
- At approximately 7:50:11pm, the Lompoc Police Department ARV (Armored Rescue Vehicle) arrived on scene and parked facing the residence. At the same time, Jane Doe 2 is seen walking from the front porch of the residence and toward the ARV. Jane Doe 2 is being given commands by the Lompoc Police Department officers.
- At approximately 7:50:35pm, two officers position themselves behind the white vehicle parked across the street (north) from the residence. Jane Doe 2 walks toward the ARV and disappears from the view. The officers can be heard asking for an ambulance to be staged in the area.

- At approximately 7:52:52pm, announcements are made from the ARV identifying themselves as law enforcement and telling the occupants of 722 West Cypress to exit the residence.
- At approximately 8:00:10pm, an announcement was made from the ARV asking Travis Carlon to surrender. Several announcements were made from the ARV loudspeaker urging Travis Carlon to surrender.
- At approximately 8:13:17pm, officers can be heard saying there is a subject at the front door of the residence.
- At approximately 8:13:54pm, an announcement is given from the ARV telling Travis to drop the item in his hand and surrender. In the video, you can see a shadow moving near the front door of the residence.
- At approximately 8:23:07pm, a shadow can be seen moving near the front door again. One of the officers can heard saying the subject had an object in his right hand.
- At approximately 8:26:56pm, Carlon exited the front door, stood on the front porch, and point his right hand. The right arm is parallel to the ground at chest height and pointed in the direction the officers outside. The officers can be heard yelling "gun".
- At approximately 8:27:00pm, several shots are fired by the officers that were positioned north of the residence.

After the Shooting

After the shooting, AMR and Fire responded and Carlon was given medical aid but was pronounced dead on the scene. Officers located a revolver at the bottom corner of the front porch. In the revolver are two bullets, one of the bullets has been fired and the other is a live bullet that is ready to fire. Officers also recovered a suicide note during the search of the residence where Carlon left notes for his children.



Location where Carlon's gun was recovered



Carlson's Revolver



Cylinder of the revolver

Autopsy

On October 13, 2021, Dr. Manuel Montez, a forensic pathologist employed by the SBSO, performed a post-mortem examination of Carlon and obtained toxicological samples. Dr. Montez opined that the cause of death was multiple gun shot wounds with a significant condition of acute methamphetamine and alcohol intoxication. Dr. Montez observed a total of 15 gunshot wounds to Carlon's head, neck, chest, abdomen, left upper arm, left thigh, right lower leg, right foot, and right hand. Dr. Montez also observed shrapnel injuries, graze wounds, and blunt force injuries consistent with the cause and manner of death.

Testing of the toxicological samples indicated Carlon had 3115ng/mL of methamphetamine in his blood, 216ng/mL of amphetamine in his blood, and that his blood alcohol content was a .28%. Detective Bibby from SBSO Coroner's Office certified the manner of Carlon's death as homicide.

LEGAL ANALYSIS

Applicable Law

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 to 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 on 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)*.

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)*.

“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 force. *Penal Code section 835a(e)(3)*.

Legal Analysis

On the night of the shooting, LPD responded to 722 West Cypress after a 911 caller reported that Carlon had threatened him and held him at gunpoint. David described Carlon holding David and Roxanne hostage in the home at gunpoint. Carlon held the gun to David’s head and Carlon threatened suicide with the gun as well. David and Roxanne were terrorized by Carlon as evidenced by Roxanne’s hysterical demeanor and David escaping the home by jumping out of a window.

When officers arrived and set a perimeter, they asked Carlon to surrender multiple times. Officers gave commands for over 30 minutes. Carlon came out of the residence with a gun and pointed the

gun directly at officers. Officers Molina, Mendoza, and Calderon opened fire. Officers Calderon, Molina, and Mendoza reasonably feared that Carlon would shoot and hurt or kill them or their fellow officers on scene with the revolver causing great bodily injury or death. LOPD had attempted to resolve the situation peacefully by trying to get Carlon to surrender for over 30 minutes. Once Carlon exited his residence with the gun at chest height, with his arms straight out, pointing the gun directly at officers, none of the three officers who fired had any other available resource or technique to de-escalate the threat of Carlon being armed with a gun.

After the lethal force was deployed, Officers got medical attention for Carlon from AMR and Fire, but Carlon died on the scene.

Officers Calderon, Molina, and Mendoza who used lethal force that night, reasonably discharged their firearms to stop Carlon from inflicting death or great bodily injury on themselves or their fellow officers.

CONCLUSION

When Carlon came out of his residence and pointed his gun at Officers, after being given multiple commands to come out and surrender, he created a reasonable fear of death or great bodily injury in the minds of Officer Calderon, Officer Molina, and Officer Mendoza. Based on the totality of the circumstances and applying the law as set forth in Penal Code sections 196 and 835a, the officers both acted reasonably in their use of deadly force; therefore, the shooting of Travis Daniel Carlon is a justifiable homicide.