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**PRESS RELEASE**

**For Immediate Release**

Date: April 7, 2009  
Re: Shooting Ruled Justified

**For More Information Contact:**

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**Modesto, California** - Stanislaus County District Attorney Birgit Fladager announced today that her office has completed its review of the shooting death of Richard Robles on January 11, 2009 and determined that Modesto Police Officer Latisha Leap was legally justified in her use of deadly force against the sword-wielding man.

On January 11, 2009, a Modesto Fire Department captain responding to a call at the Doubletree Hotel, noticed a man standing next to a pick-up truck who was acting strangely. When the fire captain later left the scene to respond to another call, he noticed the man leaning on what appeared to be a staff. It was only after he left the scene that he realized that the man was leaning on a samurai sword in a scabbard; he notified dispatch that the man with the sword should be checked on.

Officer Leap received the dispatch at 5:08 a.m. and responded to the location. Initially, she did not see a man with a sword, but as she drove her patrol car on "K" Street, she noticed a truck that matched the description given by the fire captain. She used her spotlight to illuminate the truck to determine if anyone was inside. She saw an arm rise up and the occupant "flipped" her off. She backed up her patrol car several feet and then called in the license plate number to dispatch for a registration check at 5:10 a.m. The officer then got out of her car; the occupant of the truck—later identified as Richard Robles—was already outside of his truck and leaning on what appeared to be a sword in a scabbard. The officer tried to talk with Robles but he began to rant. He was standing about 10 to 13 feet from the officer. The officer radioed for another unit to come to her location because Robles was uncooperative. That call was at 5:11 a.m.

Robles began to yell and demand that the officer leave. The officer told Robles she needed to talk with him and asked him to put down the sword. Suddenly, Robles pulled the sword from its scabbard and raised it over his head. The officer was then certain that the item was, indeed, a sword (over 3 feet in length) and she immediately drew her gun. She ordered him to stop and to drop the sword. Robles did not stop, but instead advanced on the officer. The officer backed away, yelling for Robles to stop and "drop it." A civilian witness who heard the confrontation confirms this. Robles continued moving toward the officer with the sword raised over his head.

The officer, fearing for her life, retreated and fired three rounds at Robles, however he did not stop or drop the sword.

Robles continued to advance on the officer and she continued to retreat and fired again. At this time Robles stopped, bent over, but still did not drop the sword. Robles then threw the sword at the officer as she continued moving backwards. Robles subsequently collapsed. From the moment of the officer's request for the registration, less than two minutes had passed.

Robles had previously been convicted on two prior occasions of violent assaults on peace officers—one in 1997 and one in 2006. After each of those incidents, he was found incompetent to stand trial and committed to state hospitals until he could be returned to court. Officer Leap did not know Robles, and therefore she did not know of his prior attacks on police officers or potential mental issues. She had, however, previously attended a 40-hour course called "Crisis Intervention Training" provided to peace officers and designed to give them tools and communication skills to help them in dealing with the mentally ill. Officer Leap simply did not have time to exercise any of those skills.

The physical evidence at the scene as well as the other witnesses support Officer Leap's account of the events. It has, therefore, been determined that Officer Leap was justified in her use of deadly force in self-defense.