



SAN FRANCISCO DISTRICT ATTORNEY



**REPORT ON THE INVESTIGATION INTO THE
OFFICER-INVOLVED SHOOTING OF RYANT BLUFORD ON
JULY 26, 2023**

INDEPENDENT INVESTIGATION BUREAU, January 24, 2025



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Background

The San Francisco District Attorney's Office (SFDA) investigates, independently evaluates, and reviews all officer involved shooting incidents resulting in serious injury or death as well as any instance where the death of an individual occurs while in the custody of any peace officer in the City and County of San Francisco. This responsibility was assigned to the SFDA in conjunction with the San Francisco Police Department (SFPD) and is codified in the Memorandum of Understanding.¹

The Independent Investigation Bureau (IIB) is an independent unit within the SFDA comprised of District Attorney Investigators (DAI) with decades of experience as law enforcement officers, Assistant District Attorneys (ADA), and specialized legal assistants. The IIB investigates covered incidents independently from SFPD and other outside law enforcement agencies and reports its findings directly to the elected District Attorney.

The investigation and review conducted by the IIB solely addresses whether any officers involved committed any crimes against any person against whom force was used, or who died while in custody. As part of that investigation and review, the SFDA does not consider or offer opinions on issues of civil liability for any involved officers, police tactics, or police department policies and procedures.

The role of the IIB is to ensure the residents of the City and County of San Francisco that the investigation and review of qualifying events are conducted in a fair and objective manner that will serve the interests of justice to the community, the officers involved, the injured persons and their families.

The SFDA understands how these events affect the community at large and believes the loss of life during an event involving any police or peace officer leaves everyone affected with extreme grief, questions, and concerns. It is the intention of the SFDA to do what can be done to explain what took place in the hope that the truth about the events will assist with the healing process.

Privacy Statement

This report includes redactions of the names and other identifying information of witnesses. The public interest in such information is limited as it is not necessary to gain an understanding of the incident. Thus, the interest in nondisclosure clearly outweighs any public interest in disclosure.

For reasons related to privacy, as well as the readability of this report, the witnesses will be indexed as follows:

Witness 1 (W-1), Arrestee

Witness 2 (W-2), SFPD CVRT officer S. Jones

Witness 3 (W-3), SFPD CVRT officer T. Brophy

Witness 4 (W-4), SFPD CVRT officer E. Viola

Witness 5 (W-5), SFPD officer R. Biagini

Witness 6 (W-6), SFPD officer R. Haro

¹ Memorandum of Understanding, eff. April 2019.



Witness 7 (W-7), SFPD officer B. Wong

Introduction

On July 26, 2023, at 2:46 p.m., San Francisco Police Department (SFPD) Community Violence Reduction Team (CVRT) officers went to 1101 Fairfax Avenue in San Francisco to arrest an individual (W-1) for an active felony warrant. The CVRT officers were all in plain clothing but identified themselves as SFPD to individuals they contacted. W-1 was identified and handcuffed in a public (common) area of the apartment complex where he was contacted by police. W-1 was minimally cooperative, and because CVRT officers arrived in an unmarked car, demanded to be transported to the police station by a “real” police vehicle. W-1 vociferously refused to enter the unmarked vehicle and claimed concern that he was being kidnapped. The officers called for a black and white police car to come to their location to transport W-1.

A short while later, CVRT officers noticed a man, later identified as Ryant Bluford (Bluford), approach them and W-1, who was handcuffed, while they waited for a marked police cruiser to transport W-1 to be booked at Bayview Station. Bluford appeared extremely agitated, was dressed in multiple layers of clothing despite the 68–70-degree weather,² yelled, screamed and threatened the officers, and demanded the officers release W-1.

Bluford displayed extremely hostile behavior towards the officers while almost continually reaching towards his waist area and pockets. Officers stated they quickly realized Bluford likely had a gun in his waistband. Initially, CVRT officers tried to calm Bluford, but once he produced the handgun additional police officers were called as the CVRT officers sought cover for themselves, W-1, and other civilians in harm’s way. Due to the commotion and high visibility of the officers and Bluford, a crowd of civilians formed in response to Bluford’s behavior.

Additional police units arrived with lights and sirens to witness Bluford with the handgun in his right hand as he stood in the middle of the adjacent intersection to meet the responding officers. The responding officers gave multiple commands to Bluford to drop the gun to no avail. Bluford drew the gun, leveled and pointed it towards two police officers who took cover behind their patrol car’s doors. Bluford ignored the commands to drop the gun, and the officers fired their service weapons at him in defense of themselves.

Bluford was transported to the hospital and later died from the injuries he sustained.

The San Francisco District Attorney’s IIB responded to the event, viewed the scene, and reviewed the entire investigative file as well as all evidence obtained from the scene of the event. This report is the final step in the IIB’s review of the fatal Officer Involved Shooting (OIS) of Ryant Bluford and is limited to the determination of whether criminal charges should be brought against any involved officers, specifically the two officers who fired on Bluford: Officers Van Zandt and Radin. Upon thorough examination and a comprehensive review of the incident, the SFDA concluded no criminal charges will be filed because the evidence is insufficient to prove that any officer committed a crime and moreover given the circumstances of Bluford having pointed a gun at two police officers, the OIS was legally justified.

Caution: The images and information contained in this report may be graphic and disturbing to some viewers. Therefore, viewer discretion is advised, especially for

² <https://www.wunderground.com/history/daily/us/ca/san-francisco/KSFO/date/2023-7-26>.



young children and individuals with sensitivity to violence, racial slurs, epithets, and guns.

Summary of Incident

On the afternoon of July 26, 2024, in the Bayview-Hunter's Point neighborhood of the City and County of San Francisco, Community Violence Reduction Team (CVRT) plainclothes officers Jones, Brophy and Viola, arrived to look for and arrest an individual (W-1) for an active felony warrant.

All officers had their badges and weapons exposed, identified themselves as police, and activated their body worn cameras (BWC) per SFPD protocol prior to their contact with W-1. Audio and video footage reviewed from officers' BWCs, civilian cell phones, and surveillance cameras was reviewed in their entirety and corroborate the entire incident described below.³

The CVRT officers identified W-1, who was in the common, public area of the apartment complex, and advised him of the warrant. W-1 was then quickly placed in handcuffs and escorted to the CVRT unmarked car, parked nearby, to be transported to jail. W-1 objected to being placed in the unmarked car and became somewhat belligerent. Officers then called for a marked police vehicle and waited with W-1 on the northwest corner of the large intersection at Catalina Street and Fairfax Avenue for the unit to arrive. A small group of mostly non-confrontational on-lookers stood by as officers and W-1 waited.

An adult man dressed in layers of clothing, later identified as Ryant Bluford, approached on foot from southbound Fairfax Avenue as the officers and W-1 waited. Bluford appeared demonstrably agitated, stood in front of the officers with his hands near his waist, and yelled loudly to the officers, "What the fuck y'all doing? What the fuck y'all doing in my neighborhood?" W-1 appealed to Bluford and complained of the arrest. W-1 also encouraged and egged Bluford on by responding to his questions with statements such as: "Tell them, big bruh! [sic] I ain't do shit nigga [sic]!" The officers tried to pacify Bluford and told them they had a warrant for W-1's arrest. To which Bluford excitedly and loudly responded, "He ain't got no warrant nigga [sic]. Fuckin' police, nigga [sic]!" Bluford visibly became more antagonistic, balled his hands into fists, stood directly in front of the officers and screamed, "[You] Ain't [sic] no fucking police! Ain't no police, bitch ass-nigga! [sic]!" Visible as Bluford became more animated was a large bulge protruding from his waist area and hem of his black sweatshirt met.

CVRT Officer Jones, with her SFPD badge displayed attempted to calm Bluford and asked him to "relax." But Bluford ignored Jones, continued to yell, and excitedly paced back and forth in front of the officers while reaching towards his waist and threatening the officers. Jones told Bluford that he needed "to back up" as Bluford came closer to the officers and W-1.

³ BWC clock counter was captured in "Greenwich Mean Time" and displayed in military time. The conversion to "Pacific Standard Time" requires converting the military time and subtracting nine hours (i.e. 21:00 would be 2:00 p.m.) All times therefore should be converted by the reader.



W-1 continued to encourage, incite, and provoke Bluford by telling the officers that Bluford did not need to back up. W-1 then called Jones a “bitch” and a “rookie.” Bluford appeared to take a step back but continued to pace back and forth in the direction of officers and W-1, while continuing to yell, scream profanities, and orders to the officers to “uncuff” W-1.



Figure 1- Screenshot from BWC with Bluford as he approached officers with a noticeable bulge in his sweatshirt/waistband area. The unmarked CVRT vehicle is depicted in the background behind Bluford.

Figure 2 – Bluford (below) with bulging object visible in his front pocket/waist area. W-1 (person on the right with light-colored pants) shown in the foreground.



Bluford walked a short distance away but audio recording from the BWC captured his voice when he issued the ultimatum to the officers of: “On my momma’s soul, uncuff him (W-1) right now before I kill one of you niggas [sic]. Uncuff him (W-1) right now!”



In response, CRVT officers alerted via radio other units nearby that a crowd had formed at their location, provided a description of Bluford as Bluford continued to yell, “He (W-1) ain’t going nowhere! What the fuck you mean?!” Bluford had two hooded sweatshirts on over an untucked shirt and for most of the encounter continued to move his hands between his waistband and the front pocket of his hooded sweatshirt where a large unknown bulky protrusion was visible. BWC captured Bluford suddenly lifting his sweatshirt and grabbing a gun that became visible near the right side of his waistband.



Figures 3 and 4 (below) - Bluford with his right hand in his waistband at 2:52:02 p.m.

Bluford then again commanded the officers as he held onto the gun clearly visible in his waistband and yelled another ultimatum to officers “Nigga [sic], we finna [sic] go up... uncuff that nigga (W-1) right now!” Brophy warned Jones and Viola that Bluford was armed: “He [sic] got a gun!”





The CVRT officers, while they maintained control of their detainee, ordered Bluford to show them his hands. Some bystanders from the crowd appeared to realize that Bluford had a gun and ran from the location. Several bystanders tried to calm Bluford by telling him to “be cool.” The CVRT officers also updated dispatch via their radios to warn responding units that Bluford had a gun. However, Bluford did not calm, and continued to pace with his hand on the gun in his waistband.

Bluford then directed his attention to the police units that had responded to the call for help and walked towards the center of the intersection as they drove up the hill to the intersection. Bluford stood near the center of the intersection and held the firearm in his waistband as responding officers in marked black and white vehicles arrived on scene. Jones directed responding officers to Bluford’s location and radioed that Bluford was in the “middle of Catalina and Fairfax walking up towards...that [police] unit right there! Him [Bluford] right there with the gun!”

SFPD officers Van Zandt (driver) and Radin (passenger), in full uniform, arrived in the approaching marked SFPD police unit. Van Zandt and Radin arrived on scene approximately thirty seconds after the CVRT officers saw Bluford with his hand as described. Radin had a department-issued rifle and Van Zandt, a department-issued handgun. Van Zandt parked the police vehicle facing northbound on Fairfax Avenue and towards Bluford.

Radin exited the front passenger side of the vehicle, positioned himself behind the passenger door for cover, drew his rifle, and yelled multiple commands to Bluford, at time with expletives, to “Get his fucking hands up” or he would shoot and to “Drop the weapon!” Van Zandt exited the driver’s side of the vehicle, also positioned himself for cover, drew his handgun, and commanded Bluford to “Please get your hands up” and to “Drop the weapon!” Based on aerial estimates, Van Zandt and Radin were approximately less than 30 feet from where Bluford stood as they continued to command Bluford to drop the gun that he pointed at them, without success.

But Bluford had, with his left hand, pointed his middle finger towards officers Van Zandt and Radin Bluford. He then removed the gun from his waist area and raised and pointed it directly at Radin and Van Zandt, who were still behind the doors of their patrol vehicle and less than thirty feet away. Investigators reviewed the BWC video and audio and counted Van Zandt ordering and pleading to Bluford twenty-seven times and Radin twenty times for just over one minute to drop or surrender the gun or to show them his hands.

Figure 5-Capture from Radin’s BWC captured Bluford as he stood with the gun pointed (red arrow).





Up to this point, Van Zandt and Radin had held their fire but when Bluford pointed and leveled the gun at them, both officers immediately discharged their firearms at Bluford. Bluford was struck four times and fell to the ground but with his gun still in reach. Responding Officer Wong approached Bluford before it was completely safe to do so, placed his foot on the gun as he approached where Bluford lay and moved the gun out of reach. Only when it was completely safe to approach Bluford were Radin, Van Zandt, and other officers able to provide emergency aid to Bluford. Bluford was transported from the scene by ambulance but died a short time later at San Francisco General Hospital (SFGH) from his injuries.

Bluford's gun was seized by SFPD and when later inspected by CSIU was found to be loaded, fully operational and to have one live round in the chamber.

Investigation

On July 26, 2023, at 2:46 p.m., the San Francisco District Attorney IIB investigation team ("IIB") was notified of an OIS event and responded to 1101 Fairfax Avenue and the Officer-Involved Shooting (OIS) that took place. When the IIB arrived, the incident scene was well-controlled and guarded by SFPD officers who had blocked off the scene with crime scene tape. IIB met with SFPD's Investigative Services Detail (ISD) team. A preliminary briefing was conducted to share the known details of the incident and to inform the IIB of what investigative steps SFPD had already taken. IIB Investigators observed the scene and key items of evidence and participated in a "walk-through" of the interior and exterior crime scene.

The SFPD officers Van Zandt and Radin involved in the incident were sequestered and not on scene but later provided a voluntary statement to IIB investigators.

Statements were taken from the cooperative on-scene witnesses. The IIB also reviewed multiple BWC camera footage and surveillance footage captures of the incident and what occurred after the shooting.

The IIB investigation into the death of Ryant Bluford was comprehensive, thorough, objective, and independent. Of the civilians who witnessed the events prior to shooting as well as the shooting, most claimed to not have seen anything and to date no additional witnesses have come forward to be identified. All cooperative witnesses were interviewed, and the incident scene was processed for evidence. The entire investigation was conducted over weeks and months following the incident and included work performed by personnel from the Office of the Chief Medical Examiner (OCME), SFPD, and SFPD CSIU.

Evidence Reviewed

- The incident scene at the intersection of Fairfax Avenue and Catalina Street, San Francisco, CA.
- SFPD-Internal Services Division (ISD) Investigative case file.
- Computer Aided Dispatch (CAD) records and logs of the incident.
- Criminal History Information for Ryant Bluford.
- Interviews of civilian witnesses
- Voluntary statements of the involved officers
- Interview of witness officers
- CSIU photographs of incident scenes, involved officers, and involved-weapons.



- Body worn camera footage of the incident from officers present
- Video footage captured by civilians or surveillance camera systems
- OCME autopsy reports and photos of Ryant Bluford.
- OCME toxicology report for Ryant Bluford.

Incident Scene Description

The incident occurred at the intersection of Fairfax Avenue and Catalina Street in the Bayview-Hunter's Point neighborhood of San Francisco, California.

Fairfax Avenue is a northbound/southbound street. Catalina Street is an eastbound/westbound street. This is a paved concrete intersection controlled by four-way stop signs. The incident occurred in daylight. To the southeast, there are surveillance cameras attached to a light pole that per San Francisco officials were not operational and captured no footage of the events.



Figure 6 - Overhead image of the intersection of Catalina Street and Fairfax Avenue where OIS occurred. Bluford's first encounter with CVRT officers is at the top of the image and denoted with a red star. Bluford's second encounter with responding officers, who shot him, is depicted with the second red star. The location of the involved officers and their vehicle is denoted with a blue star. Image and measurements courtesy of Google Maps.



Incident Scene Evidence Recovery

The evidence at the incident scene was processed by criminalists from the San Francisco Police Department's Crime Scene Investigations Unit (CSIU) as well as responding officers. All evidence recovery, scene documentation, and photographs were completed by the CSIU and reviewed by the IIB.

CSIU noted the location of the expended shell casings and the where Bluford stood when the OIS occurred. CSIU also examined Bluford's firearm. All items and locations were photographed and booked into evidence.

Firearms and Ballistics Evidence



Figure 7 - Image of Bluford's firearm and ammunition.



Figure 8 - Image of Van Zandt's gun and ammunition.



Figure 9 - Image of Radin's rifle and ammunition.



Figure 10 - Image of located expended casings.



Figure 11- Image of located expended casings



Figure 12- Image of located expended casing.



Video Footage Obtained

Civilian Videos of Incident

All videos obtained and reviewed by investigators corroborated the events above.

Dailymail.Uk

Video footage taken by an unknown individual from one of the nearby apartment complexes depicted a partial overhead view along the west side of Fairfax Avenue. The video was posted online shortly after the incident occurred and obtained by investigators while at the incident scene.

The video footage captured Bluford as he paced back and forth in the middle of the intersection while a police vehicle with two officers focused on him. Bluford visibly agitated, yelling, and pacing, raised a clearly depicted handgun with his right hand, held the gun perpendicular to his body, and pointed the barrel of the gun in the direction of Radin and Van Zandt, and a third officer who arrived as they stood behind the police vehicle doors. The sound of gunshots was audible shortly thereafter and Bluford fell to the ground.

Instagram Video

Video footage was uploaded to Instagram™ by an unknown female civilian who was a part of the initial crowd that stood with the CVRT officers and W-1 as they waited for the marked police car to transport W-1. The angle of the footage was street level and captured Bluford as he paced back and forth in the intersection, turned and pointed at the crowd behind him and the officers in front of him, yelling indiscernible comments. The video footage also captured a voice identified as CVRT Jones as she tried to convince the unknown female who was filming that she was in danger and to move away from the intersection where Bluford paced. The unknown female repeatedly belligerently refused CVRT Jones's pleas, She told Jones that she [the woman] did not "give a fuck" and to stop touching her, and remained in the intersection filming while the OIS occurred.

The video captured a portion of Bluford and his right arm as he raised it with a clearly visible gun in his hand. As Bluford raised his arm, a significant portion of his body left the camera view, however, the gun in his right hand remained visible within the frame. The frame then focused on Bluford who after audible gunshots was on the ground. The woman continued to film and yelled obscenities at the police as she moved closer to where Bluford lay to film him. As she did so, a silver/metallic gun was clearly in view and lay to Bluford's left side. The woman narrated the video, blamed the entire incident on SFPD, and screamed at officers to not touch her as they tried to move her back away from the injured Bluford. The woman screamed to police that she was allowed to walk wherever she wanted to walk and protested the request from multiple officers to step back and away from Bluford, despite Brophy's declaration to her that the intersection was a crime scene.

Body Worn Cameras

Body-worn cameras (BWC) worn and activated by all responding officers captured the key incidents and the OIS event. Each camera captured different parts of the events from the perspective of the wearing officer. The footage from the initial encounter, obtained captured Bluford's heated interaction with CRVT officers (yelling, threatening, gestures, and use of expletives), Bluford's possession and display of a gun, civilian witness comments, VanZandt and Radin's pleas to Bluford to drop the gun, and the actual shooting.



Freeze frame images from the video footage were used to closely inspect the video and to provide information for investigators.

The footage obtained by investigators captured Brophy, Viola, and Jones, and their initial interaction with Bluford. The BWC clearly captured a firearm in Bluford's waistband and his threats and demands that the CRVT officers release W-1.

Other BWC footage from Van Zandt and Radin captured their initial approach, perspective, and interaction with Bluford. Bluford's agitation, pacing, the officers' pleas to Bluford to drop the gun and surrender, and then finally when Bluford raised his firearm from his waistband which the officers responded to by firing their weapons were all captured as well. Finally, BWC among other things also captured the chaos of the immediate aftermath of the shooting, the difficulty SFPD had in keeping the immediate area secured, the efforts to secure Bluford's weapon, and the medical care provided to Bluford after the shooting.

CSIU Photographs and Communications

Photographs

CSIU members arrived at the location and photographed the intersection, the location of the expended shell casings, Bluford's firearm, and location of police vehicles in relation to Bluford when the shooting occurred for later diagramming and examination. Investigators obtained all photographs. It was determined by investigators that the locations for all expended shell casings corroborated the positioning of individuals who fired their guns.

Communications

A copy of the SFPD Computer Aided Dispatch (CAD) audio call and printout associated with this incident was obtained by investigators. Audio police transmissions were reviewed as part of the investigation. The CAD report documented the time stamps for the 911 call, the relay to officers, and officer communications once on scene. All documentation generated in this regard corroborated the above events.

Autopsy and Toxicology

Dr. Ellen Moffatt performed the autopsy of Ryant Bluford, age 41, on July 27, 2023, at the San Francisco Office of the Chief Medical Examiner (OCME). Dr. Moffatt determined the cause of Bluford's death from multiple gunshot wounds. The manner was homicide as Bluford was indeed killed by SFPD.

A post-mortem blood sample taken from Bluford revealed multiple substances, including ethanol-alcohol (0.10% weight by volume), methamphetamine (10 ng/mL), and Tetrahydrocannabinol (THC), the psychoactive compound found in marijuana (29 ng/mL) and their metabolites in Bluford's blood. (See Figure 15 below.)



City and County
of
San Francisco



FORENSIC LABORATORY DIVISION

Office of the
Chief Medical Examiner

REPORT OF FORENSIC TOXICOLOGY ANALYSES

Name:	BLUFORD, Ryant	SFOCME Case No.:	2023-1071
Submitter:	Moffatt, Ellen, MD	Initial Submission Date & Time:	07/27/2023 1428 hrs
Sub. Ref. No.:	N/A	Date of Report:	08/18/2023

SPECIMENS ACCESSIONED						
SPECIMEN TYPE	SPECIMEN ID	VOL (mL)	COLLECTED		DESCRIPTOR(S)	PROTOCOLS
Blood (Peripheral)	383571	9	07/27/2023	1005 hrs	Oily.	GCET, LCQB, LCQC
Vitreous Humor	383572	5	07/27/2023	1005 hrs	Cloudy.	GCET
Urine	383573	9	07/27/2023	1005 hrs		LCQB, LCQC

ANALYTICAL RESULTS					
SPECIMEN TYPE	SPECIMEN ID	COMPONENTS DETECTED			PROTOCOL PERFORMED
Blood (Peripheral)	383571	Ethanol	0.084 ±0.004	% (w/v)	GCET/GCET
Vitreous Humor	383572	Ethanol	0.107 ±0.009	% (w/v)	GCET/GCET
Blood (Peripheral)	383571	Methamphetamine ¹	≥ 10	ng/mL	LCQB
Blood (Peripheral)	383571	Tetrahydrocannabinol (THC)	29 ±10	ng/mL	LCQB
Blood (Peripheral)	383571	11-Hydroxy THC	1.4 ±0.3	ng/mL	LCQB
Blood (Peripheral)	383571	Carboxy THC	39 ±7	ng/mL	LCQB
Blood (Peripheral)	383571	Cannabinol (CBN)	1.2 ±0.3	ng/mL	LCQB
Urine	383573	Methamphetamine	≥ 50	ng/mL	LCQB
Urine	383573	Amphetamine	≥ 50	ng/mL	LCQB
Urine	383573	Norephedrine/Norpseudoephedrine	≥ 10	ng/mL	LCQB
Urine	383573	Carboxy THC	≥ 5.0	ng/mL	LCQB

Figure 13 - Image of toxicology analyses for Bluford’s blood sample.

Interviews of Involved Police Officers

Both involved officers Van Zandt and Radin provided voluntary statements to SFPD and IIB investigators with their attorneys present on July 28, 2023. Those statements were recorded and are summarized below.

Statement of Officer Peter Van Zandt:

Van Zandt told investigators he heard CVRT officers broadcast their location and request assistance to transport a subject in-custody, and that a crowd had formed in the same area. The call was upgraded when the same officers requested emergency backup because, a man (Bluford) had a gun. Van Zandt, as the driver officer and Radin, as passenger, were a block away, and responded to the priority 911-call with emergency lights and sirens to the intersection of Catalina Street and Fairfax Avenue.⁴ Both Van Zandt and Radin were in full police uniform and in a marked police car.

On arrival, Van Zandt told investigators he saw police officers point towards Bluford who paced and stood in the middle of the intersection. VanZandt described the hostile crowd of people he saw and heard yell at officers to leave the location and to not kill Bluford. Van Zandt said he turned and saw Bluford yelling and “gripping something in his waistband.” Van Zandt told investigators that he believed Bluford saw him as Bluford looked in his direction.

⁴ A priority call (Code 3) is an emergency call that requires a rapid response because there may be an immediate threat to life or a substantial risk of major property loss or damage. Police respond to a priority call using their vehicle’s lights and sirens (<https://www.sf.gov/data/response-time-priority-calls>).



Van Zandt quickly stopped and positioned the police cruiser northbound approximately 30 feet from Bluford. Van Zandt retrieved his handgun and took cover behind the driver's side door to prepare if Bluford fired his gun at him.

Van Zandt also commanded Bluford to put his hands up multiple times and pleaded with him to do so. Van Zandt told investigators he heard Bluford say, "Let him go" and "Fuck you!" Van Zandt believed Bluford heard and understood his commands because Bluford at one point mocked Van Zandt and said, "Oh, put your hands up!" Van Zandt then repeated multiple warnings to de-escalate the situation without success as Bluford continued to pace back and forth and refused to surrender his gun. Van Zandt told investigators that when he saw that Bluford had pulled the gun from his waistband and pointed it at him, Van Zandt discharged his gun at Bluford to in self-defense. Van Zandt told investigators that after he fired, he and Radin approached Bluford and provided emergency medical aid while another officer moved the firearm out of Bluford's reach.

When asked what would have happened if he hadn't shot Bluford, Van Zandt stated he believed "[Bluford] would have shot me."

Statement of Officer Marco Radin:

Radin told investigators a call came from CVRT officers requesting assistance with transport at Catalina Street and Fairfax Avenue due to a hostile crowd forming. During the broadcast, Radin heard the radio cutting off, people yelling in the background, and "some sort of commotion going on." Radin stated based on his time and experience working in the Bayview neighborhood that crowds in the area tend to be hostile towards law enforcement.

Radin and Van Zandt were responding to the scene when the call for assistance was updated with a call for "emergency backup" and that there was somebody at the location with a gun. Radin told investigators that based on the call for help, he believed the officers at that scene were in immediate danger. Upon arrival, Radin saw the CVRT plainclothes officers point at Bluford and yell, "That's him!" Radin then saw Bluford with his hands at his waistband confronting the CVRT officers. Radin told investigators that Bluford walked towards where he and Van Zandt had stopped their car and paced east to west with his hand continually in his waistband. Bluford was the only person who fit the description broadcasted "of a man with a gun" in the intersection of Catalina Street and Fairfax Avenue.

Radin positioned himself behind the open passenger side door of the police cruiser to protect himself from Bluford and retrieved his rifle. Radin told investigators he yelled to Bluford, to "Put your hands up!" and "Get down on the ground!" to de-escalate the situation and hopefully avoid the use of deadly force. But Bluford did not follow any of the commands Radin or Van Zandt yelled.

Bluford walked out of Radin's sight for a moment due to an obstruction (parked car) but then reappeared and "he just...[Bluford] has a gun in his hand and it's coming up. So, the first thing I see is the gun it's already coming up at me and Van Zandt... and that's when I fired back [sic] with the rifle." Radin told investigators he believed Bluford would have shot him and that he would have been killed if he had not shot at Bluford. After Radin shot, he saw Bluford and the firearm fall to the ground. The gun fell next to Bluford's hand.

Once W-5 (another officer) moved the firearm away from Bluford (and the encroaching crowd), Radin then approached Bluford and rendered medical aid.



Interviews of Witness Officers

CVRT Officers Brophy, Jones, Viola:

CVRT officers Brophy, Viola, and Jones were working in plainclothes capacity when they arrested W-1 for an outstanding felony warrant. After they placed W-1 handcuffs, Brophy and Viola walked W-1 to the corner of Fairfax Avenue and Catalina Street to wait for a marked police unit for transport to Bayview Station as W-1 refused to enter their unmarked vehicle and demanded to be transported by a “real” police vehicle. Viola heard W-1 tell a woman to follow them to the corner and several associates of W-1 followed and waited as well. W-1 then began to challenge the CVRT officers, yelled profanities, and pulled away from Viola’s grip. Because of W-1’s vocal objection to being arrested, a crowd began to grow. Viola requested additional units in addition to the transport unit, to their location.

While waiting for the police units to arrive, a man, later identified as Ryant Bluford angrily approached and demanded the officers uncuff W-1 and to let him go. Brophy told Bluford that they had a warrant for W-1’s arrest. Bluford, within a few inches of Brophy’s face, continued to scream to uncuff W-1. Viola described Bluford’s actions and demeanor as angry, hostile, and threatening; “[Bluford] balled up [his] fists, puffed his chest out, and tensed his body as he screamed profanities” toward Brophy. Jones tried to verbally calm Bluford, but Bluford redirected his attention towards Brophy, angrily walked towards him, and stated, “I don’t care about females (Jones and Viola), I’m focused on you!”

Bluford paced back and forth in an agitated manner when Brophy saw Bluford grab a beige gun from his waistband. Viola also saw Bluford take several steps back, reach into the right side of his waistband, lift his sweatshirt, and hold the grip of a tan-colored gun. Jones also stated she saw Bluford lift his sweatshirt and grab the grip of a tan-colored gun. Brophy yelled to Jones and Viola that Bluford had a gun, drew his own department-issued gun and ordered Bluford to drop the gun. Viola requested immediate emergency backup via dispatch and described Bluford to the responding units.

But Bluford refused to drop the gun and continued to pace back and forth in the middle of the intersection while holding the gun in his waistband area until back-up units arrived. Bluford then directed his attention towards the responding units.

Brophy stayed focused on crowd control due to the large crowd formed when the officer involved shooting occurred. Viola told investigators her attention was directed toward ordering an unknown female subject whom she tried to convince to move away from the intersection when the officer involved shooting occurred. Jones told investigators her focus was to try and move W-1 and an unknown female subject away from Bluford to find protective cover when the officer-involved shooting occurred.

SFPD Bayview Housing Officer Rigoberto Haro:

Haro told investigators he was in the Bayview area responding to an unrelated call for police service when he heard a request for assistance at Fairfax Avenue and Catalina Street. Haro drove to assist CVRT officers with transportation. While enroute, Haro heard the CVRT officer request a “1025” which is “police officer needs emergency help” and a “221” which is used to describe “a person with a handgun.” The broadcast also gave the description of a “Black male, black sweater” as the person with the gun at the intersection of Fairfax Avenue and Catalina Street.



Haro drove to the priority 911-call with his vehicle's lights and sirens on and parked behind Van Zandt and Radin's patrol car. From that position, Haro told investigators he saw Bluford in the middle of the intersection pacing back and forth. Haro carefully walked closer to the intersection and saw Bluford "raise his right hand, with a firearm, and heard gunshots immediately after that." Haro told investigators he believed Bluford intended to shoot his gun towards the officers when he raised the firearm. After shots were fired, people on the street began walking towards Bluford who was lying in the intersection with the firearm in reach. Haro approached Bluford where he lay and moved the tan-colored firearm away with his foot for officer safety and to secure the firearm.

SFPD Bayview Housing Officer Raymond Biagini:

Biagini was on scene and told investigators he saw two stationary patrol vehicles with their front doors open, officers with their firearms out, and Bluford who stood alone in the center of the intersection. Biagini saw Bluford, "pacing back and forth" but noticed Bluford was "also looking at [the officer's] vehicle." Biagini also saw a man and woman video recording with their cell phones near Bluford and about five to ten other people yelling behind the people with phones out. Biagini looked down the hill and he saw "[Bluford] stop, pull a handgun" and "then [Bluford] turned sideways and pointed the gun (chest level) toward the uniformed officers." Biagini believes Bluford was about ten yards away from the officers when he pointed the firearm at the officers. Biagini told investigators that he "believed [Bluford] intended to shoot at the officers."

SFPD Officer Brandon Wong:

Wong responded to the initial call for service and was present for the officer involved shooting. Upon arrival, Wong saw Van Zandt and Radin had Bluford at gunpoint. Wong positioned himself to the left of Van Zandt and used the driver's side panel of Van Zandt's patrol car. Wong heard Van Zandt and Radin order Bluford to take his hands out of his waistband. Bluford then suddenly took his hands out from his waistband while holding a gun. Wong heard multiple shots fired and Bluford fell to the ground. Radin and Haro approached to render aid to Bluford. Wong saw Bluford's gun on the ground and put on latex gloves to pick up the gun which he then placed in the trunk of a marked patrol vehicle.

Interview of Civilian Witness, W-1

W-1 was arrested for an outstanding felony warrant (SFPD case #230-522-375) prior to the officer-involved incident. W-1 stated he heard gunshots but claimed he did not see the shooting occur. W-1 also told investigators that he only knew Bluford as "Unc" from the neighborhood but was not personally familiar with him.

No other civilian witnesses who observed the shooting came forward or agreed to be interviewed.



Ryant Bluford – Background



Figure 14 – Bluford’s California Driver’s License Photo

Ryant Bluford was 41 years old, stood approximately 6 feet and 2 inches tall and weighed 202 lbs. at the time of the incident. His listed home address indicated that he was not a resident of the location where the OIS took place.

Bluford had prior arrests in San Francisco from 2004 to 2022. Notably, Bluford’s criminal history revealed to investigators convictions for forcible kidnapping as a member of a street gang and a sex-based assault with force likely to cause great bodily injury that resulted in a 14-year prison sentence.⁵ Bluford was arrested for felony infliction of corporal injury to spouse and child abuse, felony criminal threats, and obstruction of a police officer in 2022. This case was pending adjudication when the OIS occurred.

Applicable Legal Sections

Per the California Commission on Peace Officer Standards and Training (P.O.S.T.) Use of Force Guidelines (2021), and Cal. Penal Code §835, a use of force by a police officer must be for a lawful objective. The authority to use force is a serious responsibility that shall be exercised judiciously and with respect for human rights and dignity, and for the sanctity of every human life. Officers may use force, which includes deadly force, to meet legitimate law enforcement objectives including:

- I. To effect a lawful arrest, detention, or search;
- II. To overcome resistance or to prevent escape;
- III. To prevent the commission of a public offense;
- IV. In defense of others or in self-defense;
- V. To gain compliance with a lawful order;

⁵ The gang allegation was later set aside and Bluford was resentenced to 4 years state prison in 2008.



- VI. To prevent harm to the officer or another person during intervention in a suicide or other attempt to self-inflict injury.

Prosecutor's Burden of Proof

A prosecutor bears the burden of proving a criminal defendant's guilt beyond a reasonable doubt. (Pen. Code, § 1096.) Where an investigation is complete and all of the evidence is available for review, prosecutors should file charges only if they believe there is sufficient admissible evidence to prove the charges beyond a reasonable doubt at trial. (See, e.g., Nat. Dist. Attys. Assn., National Prosecution Standards (3d ed. 2009) Part IV, § 2 pp. 52-53; United States Department of Justice Manual § 9-27.220; Melilli, Prosecutorial Discretion in an Adversary System (1992) B.Y.U. L. Rev. 669, 684-685 [surveying ethical standards used in the exercise of charging discretion by prosecutors]; accord, *People v. Catlin* (2001) 26 Cal.4th 81, 109 ["A prosecutor abides by elementary standards of fair play and decency by refusing to seek indictments until he or she is completely satisfied the defendant should be prosecuted and the office of the prosecutor will be able to promptly establish guilt beyond a reasonable doubt," quotation and internal quotation marks omitted]; *People v. Spicer* (2015) 235 Cal.App.4th 1359, 1374 [explaining that a prosecutor may have probable cause to charge a crime but reasonably decline to do so if they believe there is a lack of sufficient evidence to prove the charge beyond a reasonable doubt at trial]; cf. Rules Prof. Conduct, Rule 3.8(a) [prosecutor should not initiate or continue prosecution of charge that is not supported by probable cause].)

Justifiable Homicide Based on an Officer's Reasonable Belief that the Use of Deadly Force Is Necessary

A homicide is justified and lawful if committed in self-defense. Self-defense is a complete defense to a homicide charge, and if found, the killing is not criminal. (*People v. Sotelo-Urena* (2016) 4 Cal. App.5th 732, 744.) When a person is charged with a homicide-related crime and claims self-defense, the prosecution must prove beyond a reasonable doubt that the homicide was not committed in self-defense. (*People v. Winkler* (2020) 56 Cal.App.5th 1102, 1167.)

Penal Code sections 196 et. seq. sets forth the law of self-defense in homicide cases. Specifically, Penal Code section 197 lists the circumstances where homicide is justifiable, which includes self-defense or the defense of others. (Pen. Code, § 197, subd (1).) Self-defense arises when a person actually and reasonably believed in the necessity of defending against imminent danger of death or great bodily injury. (*People v. Randle* (2005) 35 Cal.4th 987, 994.) There is both a subjective and objective component to a self-defense claim. (*People v. Humphrey* (1996) 13 Cal.4th 1073, 1082.)

The subjective element of self-defense requires that a person actually believes in the need to defend against imminent peril or great bodily injury. (*People v. Viramontes* (2001) 93 Cal.App.4th 1256, 1262.) The objective element also requires that the person's belief be objectively reasonable. In assessing the objective element, the trier of fact must consider what would appear to be necessary to a reasonable person in a similar situation with similar knowledge by assuming the point of view of a reasonable person in the position of the accused. (*People v. Brady* (2018) 22 Cal.App.5th 1008, 1014, citing *People v. Humphrey*, supra, 13 Cal.4th at pp. 1082-1083.)

When considering the objective reasonableness of a person's belief, it is worth noting that reasonableness is assessed in terms of a person of ordinary and normal mental and physical capacity. A person's individual background is not the standpoint from where reasonableness is



considered. (*People v. Brady*, supra, 22 Cal.App.5th at pp. 1014-1015.) However, a jury may take into account the knowledge that a person had which might increase his or her ability to accurately predict the risk of impending violence. (*Id.* at p. 1017.) For example, knowledge of another person's prior threatening or violent conduct or reputation for dangerousness may provide evidence to support reasonable belief in imminent harm. (*People v. Bates* (2019) 35 Cal.App.5th 1, 9-10.)

Another aspect of self-defense is the assessment of whether danger was imminent. Mere fear that a danger will become imminent is not sufficient. (*People v. Lopez* (2011) 199 Cal.App.4th 1297, 1305.) Fear of future harm, regardless of how great the fear or the likelihood of the harm, will not suffice. (*In re Christian S.* (1994) 7 Cal.4th 768, 783.) Imminent peril has been defined as appearing to a person as "immediate and present and not prospective or even in the near future. An imminent peril is one, that from appearances, must instantly be dealt with." (*People v. Lopez*, supra, 199 Cal.App.4th at p. 1306, quoting *People v. Aris* (1989) 215 Cal.App.3d 1178, 1187.)

The amount of force used by a person is also something that must be found to be reasonable by the trier of fact. "[O]nly that force which is necessary to repel an attack may be used in self-defense; force which exceeds the necessity is not justified." (*People v. Hardin* (2000) 85 Cal.App.4th 625, 629, quoting *People v. Clark* (1982) 130 Cal.App.3d 371, 380.) In a related vein, "deadly force or force likely to cause great bodily injury may be used only to repel an attack which is in itself deadly or likely to cause great bodily injury." (*Id.* at pp. 629-630.) Even if an individual was in actual and reasonable belief of imminent danger, the use of force may not exceed what is reasonably necessary to repel the attack. (*Ibid.*)

Penal Code section 196 provides a justification for homicide committed by a peace officer when the use of force complies with Penal Code section 835a. Effective January 1, 2022, Penal Code section 835a was amended to further refine when an officer's deadly use of force is justified. Under section 835a, subdivision (a)(2), peace officers may lawfully use deadly force "only when necessary in defense of human life." To determine 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." (Pen. Code, § 835a, subd. (a)(2).) Tactical conduct and decisions preceding the use of deadly force are relevant, as part of the totality of circumstances, when determining whether the use of deadly force was reasonable. (*Hayes v. County of San Diego* (2013) 57 Cal.4th 622, 637-639; *Koussaya v. City of Stockton* (2020) 54 Cal.App.5th 909, 935.)

When an officer's use of force is evaluated, it must be considered "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, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force." (Pen. Code, § 835a, subd. (a)(4).)

An officer may use deadly force only when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary when: (1) defending against an imminent threat of death or great bodily injury to the officer or another person or (2) to apprehend a fleeing person who has committed a felony that threatened or resulted in death or great bodily injury and the officer reasonably believes the person will cause death or great bodily injury if not immediately apprehended. (Pen. Code, § 835a, subds. (c)(1)(A), (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 to another person. 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. (Pen. Code, § 835a, subd.(e))

“The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.” (*Graham v. Connor* (1989) 490 U.S. 386, 396.) “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.” (Id. at pp. 396-397.) “[T]he question is whether the officers’ actions were ‘objectively reasonable’ in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation.” (Id. at p. 397.)

The People have the burden of proving beyond a reasonable doubt that the killing was not justified. It is not a criminal defendant’s burden to prove that force was necessary or reasonable. The People must prove beyond a reasonable doubt that the officer did not have an actual or reasonable belief in the need for self-defense or the defense of others. (*People v. Frye* (1992) 7 Cal.App.4th 1148, 1158; *People v. Banks* (1976) 67 Cal.App.3d 379)

Legal Analysis

The SFDA has completed an independent investigation and review of the facts and circumstances that led to the officer involved shooting death of Ryant Bluford. This analysis was informed by the comprehensive evaluation of all the available evidence provided to the SFDA by the SFPD and the SFDA’s own investigative review, which includes in this matter the police reports, witness statements, forensic evidence, autopsy report, body-worn camera footage, and later-obtained documents such as Bluford’s criminal history information.

The issue presented in matter is whether officers Van Zandt and Radin acted lawfully in self-defense or defense of others, when they fired their respective firearms at Ryant Bluford. A detailed analysis of the evidence surrounding the OIS shows that both Van Zandt and Radin reasonably believed the use of deadly force was necessary to defend against the imminent threat of death or great bodily injury to the officers that Bluford posed when he refused all of their commands to surrender himself or the firearm he held and then pointed at Van Zandt and Radin.

The totality of the evidence supports the officers’ stated belief that they were acting in self-defense or defense of others when they shot Bluford. Van Zandt and Radin told investigators when they arrived at the intersection of Catalina Street and Fairfax Avenue, they were informed by radio broadcast that CVRT officers required assistance with transportation for a subject with a felony warrant in the Bayview/Hunter’s Point neighborhood. Moments later they received information that a hostile crowd was forming, intensifying the event. The request for service was further escalated when the same CVRT radioed the need for emergency backup due to a man with a gun.

When they arrived, CVRT officers pointed at Bluford who had moved in the direction of Van Zandt and Radin as they stopped on the southeast corner of Catalina and Fairfax. Bluford was obviously agitated as he yelled and gripped something in his waistband. Van Zandt and Radin exited the patrol car, took cover, and gave repeatedly commands to Bluford to “drop the gun” they had been



told via police radio he had. The commands Van Zandt and Radin repeatedly gave reflect their belief that the situation was a dangerous one and that the item Bluford gripped was indeed a gun.

The evidence overwhelmingly showed that Van Zandt and Radin's belief that the use of deadly force was necessary to defend against the imminent threat of death or great bodily injury that Bluford represented and on review was both objectively and subjectively reasonable.

Bluford was identified by multiple people on scene as having a gun in his waistband. The civilians who ran for cover when Bluford produced the gun and the officers on scene provided consistent evidence that Bluford was armed. Bluford was highly agitated, paced back and forth while ignoring commands to drop the gun and with multiple police with trained weapons on him, Bluford inexplicably, suddenly drew a gun from his waistband and pointed it at Van Zandt and Radin. Both Van Zandt and Radin told investigators, and video corroborated, that Bluford pulled out a gun, raised his right arm, leveled the gun, and appeared to take aim at Van Zandt and Radin who stood just feet away. Objectively this situation should be viewed as life threatening to all present.

Both Van Zandt and Radin's actions were subjectively reasonable as well. Van Zandt stated in his interview when Bluford pulled the gun from the waistband and pointed it at him, Van Zandt discharged his gun to protect himself because he believed "[Bluford] would have shot [him]." Radin stated he fired because he "... believe[d] [Bluford] would have shot [him]" and that he believed he would have been killed when Bluford pulled the gun out. This shared subjective belief is supported by the fact that Van Zandt and Radin did not fire on Bluford until Bluford raised and pointed the gun at them; the threat Bluford presented became imminent. Neither Van Zandt nor Radin fired their weapons when Bluford initially raised his left hand and pointed his middle finger towards them. It was only when Bluford raised the gun in his right hand that Van Zandt and Radin believed their lives were in danger and both fired.

Under the totality of the circumstances present all of which were corroborated by both police and civilian video footage, both Van Zandt and Radin objectively and reasonably believed that Bluford posed an imminent threat of great bodily harm or death to them when he pointed a gun at them.

Conclusion

The totality of the evidence overwhelmingly supports the officers reasonably held belief that their use of deadly force was subjectively and objectively reasonable and necessary. Because the shooting of Bluford was justified by self-defense, criminal charges are unwarranted against either Van Zandt or Radin, and no further action will be taken in this matter.