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January 23, 2026

Sheriff Donny Youngblood
Kern County Sheriff's Office
1350 Norris Road
Bakersfield, CA 93308

Re: KCSO Officer-Involved Shooting of Robert Robinson on May 14, 2024
Kern County Sheriff Deputy Zachary Richmond
10027 Shellabarger Road, Bakersfield, CA
Documented in KCSO Report 2024-00056817

Dear Sheriff Youngblood,

The Kern County District Attorney's Officer-Involved Shooting Committee has reviewed the reports and materials submitted by your agency regarding the shooting noted above. The Officer Involved Shooting Committee reviews cases for criminal liability under state law. The Committee has completed its review. The findings are noted below.

Summary

On May 14, 2024, at approximately 1958 hours, Kern County Sheriff Deputies were dispatched to Shellabarger Road in Bakersfield, following a report of the subject being under the influence of drugs, being in possession of a firearm, making threats, and having a mental breakdown. Dispatch advised deputies that the subject was a convicted felon. Deputies arrived and assessed the situation. Robert Robinson was observed at the back of the large property, standing on the steps of an RV yelling and gesticulating wildly. Air 1 provided support to the deputies on the ground. Multiple announcements were made to Robinson, telling him that he was not under arrest and that they wanted to help him. Robert Robinson continued to yell at deputies and make gestures toward the circling helicopter. The Mobile Evaluation Team (MET) arrived on scene but were not sent in to talk to Robinson due to his escalating conduct.

At 2125, because there was no change in the demeanor of Robert Robinson, the decision was made to leave the area. At 2128, Deputy Richmond, along with other Deputies, were in the process of leaving when Air 1 alerted Deputies that Robinson had come down the steps of the RV, was armed with an assault rifle with a scope attached and had just racked a round. Air 1 believed that it was a real firearm due to the way he was manipulating it. At 2134, Deputy Richmond and several other Deputies were stationed at the front of the property in the driveway to act as cover as other deputies began evacuating the other residences. Dispatch confirmed the Robinson was a felon and is suspected of being under the influence of a drug, turning this incident from a "keep the peace call" to a criminal investigation involving violations of Penal Code 29800, Penal Code 30305 and Health and Safety Code 11550(E). At 2139, a neighbor called 911, stating that she heard Robert Robinson say that he has a gun, 7 dogs, and is going to kill himself. Deputy Richmond and other deputies discussed that Robinson may attempt to use a work truck to make a run at getting through the gate, and that he cannot be allowed to get out of the yard with the assault rifle and hurt the public. Deputy Richmond discussed the fact that behind them is an open field but expressed concern that if Robinson came out that other people could take stray fire, including neighbors and the "live streamers" at the edge of the property. At 2153, Air 2, having switched out with Air 1, announced that Robinson was walking towards the truck, gun in his hand, yelling and holding the firearm in a threatening manner. He then went out of view of Air 2, and two muzzle flashes were seen coming from behind the trailer.

From Deputy Richmond's position, approximately 5-gun shots were heard coming from Robert Robinson's location, with rounds passing directly over Deputy Richmond's head. Deputy Richmond, fearing for his life, immediately returned fire striking Robinson. After the return fire, Air 2 observed Robinson lying on the ground near the RV. Air 2 observed that whenever the light was not shining on him, Robinson attempted to position his body closer to his nearby rifle. Robinson's actions caused a delay in medical care being offered to the Defendant so armored vehicles can be called in to protect responding deputies. An AR-15 equipped with a scope was located near to Robinson. Robert Robinson later succumbed to his injuries.

Legal Principles and Analysis

An officer who has a reasonable cause to believe a person has committed a public offense or is a danger to others may use reasonable force to affect arrest or detention, to prevent escape, or to overcome resistance. *Tennessee v. Garner* (1985) 471 U.S. 1; *Graham v. Connor* (1989) 490 U.S. 386. Use of deadly force while in the line of duty is justified, and therefore not unlawful, provided all of the following exist: 1) the person is a peace officer, 2) the killing was committed while performing any legal duty, 3) the killing was necessary to accomplish that lawful purpose, and 4) the peace officer had probable cause to believe that the person killed posed a threat of serious physical harm, either to the peace officer or others. In the present case, Robert Robinson was in possession of a semi-automatic assault rifle. Robinson failed to comply with numerous police commands to put down his weapon, place his hands in the air, and surrender. He fired at Deputy Richmond, with the rounds passing near the head of the Deputy.

In deciding whether an officer who fired his or her weapon did so lawfully, one must consider what a reasonable person would have done in a similar situation with similar knowledge and experience. One must decide whether the officers' beliefs and actions were objectively reasonable under all circumstances known to him or her, as they appeared at the time. "The calculus of reasonableness must embody allowance for the fact that peace 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." *Graham v. Connor*, supra at pp.396-397. For the use of deadly force to be "objectively reasonable," the officers must have probable cause to believe that the suspect posed a significant threat of death or serious physical injury to an officer or others. The law does not impose a duty to use less lethal options. "Where the peril is swift and imminent and the necessity for action is immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety." (*People v. Collins* (1961) 189 Cal.App.2d 575, 589) A peace officer threatened with an attack that justifies the exercise of the right of self-defense need not retreat. In the exercise of his right of self-defense a person may stand his ground and defend himself by use of force and means which would appear to be necessary to a reasonable person in a similar situation and with similar knowledge.

When Deputies arrived on scene, they were aware that Robert Robinson was under the influence of drugs, was having a mental health breakdown and had access to firearms. Attempts to de-escalate the situation were made over an extended period, none of which had any effect on him. Deputies were pulled away from the property because no firearm was seen by Air 1 or other officers. It was only after Robinson retrieved a firearm, did Deputies re-form their perimeter out of concern for public safety. He continued to make threats, to wave his firearm around and point it in the direction of Deputies, despite orders for him to drop it. It was reasonable for Deputy Richmond to believe Robert Robinson was a deadly threat to himself, other officers, and to civilians. Deputy Richmond was positioned at the entrance to the driveway, directly across from Robinson during the incident. Robinson initiated deadly force by firing multiple rounds at Deputy Richmond; passing so close to the Deputy that he could hear the rounds buzzing overhead. At the time Deputy Richmond fired at Robinson, Deputy Richmond was in fear for his own life, and for the safety of his fellow deputies and the civilians in the neighborhood. Prior to Deputy Richmond firing his duty weapon, Robinson was given many clear announcements to drop the firearm and surrender. The distance between Robinson and Deputy Richmond was 331 feet, rendering the use of non-lethal force unworkable. Based on Robinson's conduct, it was reasonable for Deputy Richmond to believe Robinson was a deadly threat to themselves, other officers, and civilians since Robinson was now firing shots directly at Deputy Richmond, with no regard for the safety of civilians in the residential area.

Conclusion

Based upon a review of the evidence submitted by the Kern County Sheriff's Office, Deputy Richmond responded reasonably in self-defense and defense of others to defend against an imminent threat of death or serious bodily injury posed by Robert Robinson. There is no state criminal liability for his use of deadly force under the circumstances of this case, and the shooting is legally justified.

Sincerely,


Cynthia J. Zimmer
District Attorney