Office of the New York State Attorney General Letitia James

Office of Special Investigation

November 10, 2026

Report on the Investigation into the Death of Damon Louther

OVERVIEW

New York Executive Law Section 70-b (Section 70-b) directs the Attorney General's Office of Special Investigation (OSI) to investigate and, if warranted, to prosecute offenses arising from any incident in which the death of a person is caused by a police officer. When, as in this case, OSI does not seek charges against the officer, Section 70-b requires OSI to issue a public report describing its investigation. This is the public report of OSI's investigation of the death of Damon Louther, who was shot and killed on May 13, 2025, by New York City Police Department (NYPD) Police Officer James Humpf in Kings County.

At 2:57 p.m. on May 13, 2025, S.H. (OAG does not publish the names of civilian witnesses) called 911 to report that she was afraid for her safety because her ex-boyfriend, Mr. Louther, was on his way to her apartment. She reported that she had children at home, including a child in common with Mr. Louther, and that Mr. Louther was upset and sometimes carried weapons, including machetes. At 2:59 p.m. Officer Humpf and Officer Jeffrey Cattani arrived at S.H.'s apartment building on Christopher Avenue in Brooklyn and spoke to S.H. outside the building while another adult was in the apartment with S.H.'s two children.

At 3:17 p.m. S.H. received a text message that Mr. Louther was in her apartment. S.H. and Officers Humpf and Cattani went to the apartment and, when they entered, Mr. Louther appeared from around a corner of the entrance hallway and took a large knife from his waistband. Mr. Louther pushed S.H. out of the way and advanced toward the police officers, holding the knife. Officer Cattani deployed his Taser, striking Mr. Louther. Mr. Louther pulled the Taser prongs out of his body and continued to walk toward the officers, still holding the knife. Officer Humpf fired two shots at Mr. Louther, striking and killing him.

Mr. Louther was 25 years old when he died.

Having thoroughly investigated the matter and analyzed the law, OSI concludes that a prosecutor would not be able to disprove beyond a reasonable doubt at trial that Officer Humpf was justified when he shot Mr. Louther and, therefore, will not seek charges against him and closes the matter with this report.

FACTS

Interview with S.H.

NYPD Force Investigation Division (FID) detectives interviewed S.H., and OSI reviewed the recorded interview. S.H. said she had been in a relationship with Mr. Louther and had two young children, one of which was her child with Mr. Louther. S.H. said her relationship with Mr. Louther was marked by physical altercations, and, when the relationship ended about a

month prior, Mr. Louther was upset and damaged the door to her apartment. S.H. said that on May 13, 2025, she lived in her apartment alone with her two children.

S.H. said that on May 13, 2025, she asked her friend J.K. (a man) to watch the children so she could go grocery shopping. S.H. said Mr. Louther messaged her while she was at the grocery store and said he was coming over to pick up some of his things. S.H. told him not to come over and that J.K. was at the apartment watching his child. S.H. said Mr. Louther was upset that another man was watching his child. The two got into an argument, and Mr. Louther said he was coming to the apartment. S.H. said she was nervous because of their relationship history and because Mr. Louther was very angry, so she called 911 hoping the police would come and "dismiss him" from her house and make sure everyone was safe.

The police arrived five minutes after she called 911. She said she spoke to the police outside the apartment building so that she would not make the children nervous. She said she had hoped to meet Mr. Louther outside with the police before he went into the building. While talking to the police outside, she received a text message from J.K. at 3:17 p.m. stating that Mr. Louther was upstairs and in the apartment.



NYPD photograph of the front of the building, showing where S.H. was speaking with the the officers.

S.H. said the police went upstairs with her and, as soon as she saw Mr. Louther inside the apartment, he took out a "machete." She said one officer fired a Taser, but it only stopped Mr. Louther for two seconds. (S.H. said she believed Mr. Louther dropped the knife after he was Tasered, but this was disproved by the body-worn camera (BWC) footage described below.) S.H. said she then heard gunfire.

Interview with J.K.

OSI reviewed the recorded interview between J.K. and FID detectives. J.K. said he had been friends with S.H. for years and had met Mr. Louther in childhood. J.K. said that while he was babysitting S.H.'s children, S.H. texted him about an argument with Mr. Louther. J.K. said he knew the police were on their way. He said he heard knocking at the door and saw Mr. Louther come into the apartment. J.K. said he did not know how Mr. Louther got into the apartment and did not know if the door was locked. J.K. said that when Mr. Louther came into the apartment, he was in the kitchen and put two knives in his back pocket in case he needed to defend himself. When Mr. Louther saw J.K. in the apartment, he asked, "What are you doing here?" J.K. said he did not respond and the two did not interact beyond that. J.K. said Mr. Louther went directly to his child to change their diaper and clothes. J.K. texted S.H. to let her know that Mr. Louther was in the apartment.

J.K. said when S.H. came back to the apartment with the police, she asked him, "Where is he?" as Mr. Louther was coming out of a back room. J.K. said he moved to a different area of the apartment and did not see what happened afterward. J.K. said he heard S.H. ask Mr. Louther, "What are you doing?" and Mr. Louther said, "Move," then heard a scuffle. J.K. heard a police officer say, "What up, bro?" and "Come on." J.K. said he heard Mr. Louther get Tasered and heard Mr. Louther say, "This shit ain't nothing." J.K. said he heard two pops but did not see Mr. Louther with a knife and did not see the gunshots.

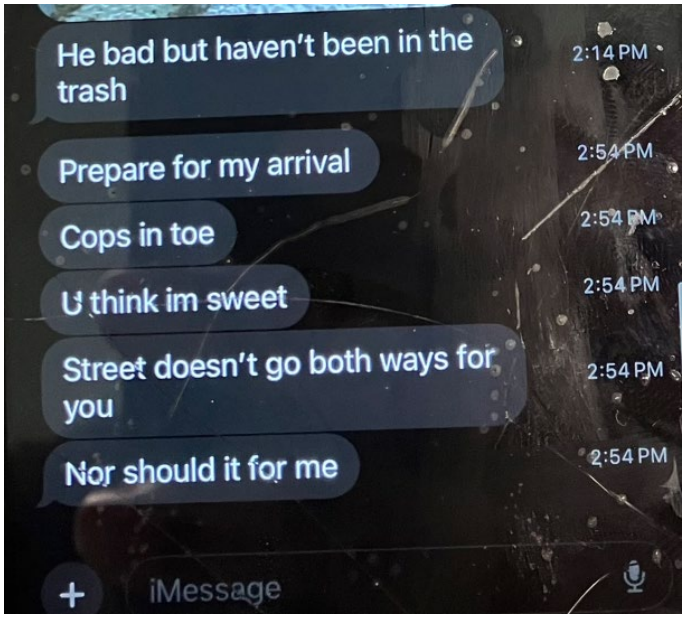
911 Call and Radio Transmissions

OSI reviewed the NYPD 911 and radio transmission recordings related to this incident. S.H. called 911 at 2:51 p.m. and reported that her child's father was 15 minutes away from her house and was upset that there was another man in her home watching his daughter while she was at the grocery store. She provided her address and Mr. Louther's name and physical description. S.H. told the 911 operator that Mr. Louther sometimes carried weapons, like hammers and a "machete." According to radio transmissions and a report from the Intergraph Computer Aided Dispatch System (a computerized system containing data from 911 calls and police radio transmissions), Officers Humpf and Cattani arrived at S.H.'s apartment building at 2:59 p.m.

BWC and Security Video

Officers Humpf and Cattani were equipped with BWCs (BWC footage: Officer Humpf and Officer Cattani). According to their BWC footage, the two officers knocked on S.H.'s apartment door at 3:01 p.m. and had a brief conversation with her. S.H. told the officers that she wanted to go downstairs so they could speak away from the children. According to the BWC footage, S.H. and the two officers took the elevator to the ground floor and left the building, while J.K. stayed with the children in the apartment. The officers spoke to S.H. about her concerns and

her history with Mr. Louther and filled out a New York State Domestic Incident Report to document the incident. BWC video showed that S.H. told the officers that she had warned Mr. Louther that she was calling the police. She showed the officers a message from Mr. Louther indicating that he was aware the police would be present.



Photograph of S.H.'s phone screen showing messages Mr. Louther sent to S.H. before he arrived at the apartment building.

Officer Humpf's BWC footage showed that, at 3:17 p.m., S.H. looked at her phone and said, "He is here, upstairs." She said J.K. messaged her that Mr. Louther was in the apartment. The officers and S.H. went into the building and up the elevator to her apartment.

According to Officer Cattani's BWC footage, at 3:18:36 p.m., S.H. opened the door to the apartment and walked inside. Officer Cattani and Officer Humpf entered behind her. The three walked in single file because the entrance hallway of the apartment was narrow. The BWC footage showed J.K. standing at the end of the hallway and S.H. asked, "Where's he at?" The BWC footage did not capture a verbal response. J.K. turned away from S.H. and went into the kitchen and out of view. S.H. turned in the opposite direction toward the back rooms. Once S.H. turned left at the end of the entrance hallway, Mr. Louther appeared and walked toward S.H. and the officers.

Officer Cattani's BWC footage showed that Mr. Louther appeared from around the corner of the hallway at 3:18:43 p.m. Officer Cattani said, "Bro, come on" and gestured with his hand for Mr. Louther to follow him. Mr. Louther responded, "Bro, who?" and reached into his front waistband with his right hand and pulled out a large knife. BWC footage showed that Mr. Louther pushed S.H. out of the way and advanced toward Officer Cattani. Officer Cattani pulled out his Taser and backed down the entrance hallway, with Officer Humpf behind him.

According to his BWC footage, Officer Cattani deployed his Taser at 3:18:48 p.m. as Mr. Louther was getting closer to him and holding the knife. Mr. Louther did not break his stride after the Taser strike and was still holding the knife. BWC footage showed that Mr. Louther said, “That shit ain’t nothin” as he pulled the Taser prongs out of his body with his left hand while still holding the knife in his right hand. Officer Cattani backed up, and Officer Humpf fired his department issued firearm at 3:18:50 p.m.



Still from Officer Cattani’s BWC showing Mr. Louther reaching for the knife in his waistband.



Still from Officer Cattani's BWC showing the moment Officer Cattani fired his Taser at Mr. Louther, who is facing him, with S.H. between them; the knife is circled in yellow.



Still from Officer Cattani's BWC showing the moment after Mr. Louther swiped the Taser prongs out of his body, one second before Officer Humpf fired his gun.

Officer Humpf walked into the apartment behind S.H. and Officer Cattani, so much of his BWC footage is blocked by Officer Cattani. According to Officer Humpf's BWC footage, his gun was pointed at Mr. Louther when Officer Cattani fired the Taser at 3:18:48 p.m. Officer Humpf fired his gun at 3:18:50 p.m., after Mr. Louther swiped the Taser prongs from his body and advanced toward him and Officer Cattani while holding the knife in his hand.



Still from Officer Humpf's BWC showing his gun (enclosed in red), and Mr. Louther's knife, (circled in yellow), a moment after Mr. Louther pulled the knife from his waistband.



Still from Officer Humpf's BWC showing the moment before he fired his gun, and the moment after Mr. Louther said, "That shit ain't nothin," with the knife circled in yellow.

Officer Interviews

Officer Cattani

OSI interviewed Officer Cattani who said he had not met Mr. Louther prior to this incident. Officer Cattani said he responded to the scene after receiving a radio dispatch of a family dispute. He said they met S.H. at her apartment, spoke briefly, then went outside the apartment building to fill out the NYPD Incident Report. Officer Cattani said he did not see Mr. Louther enter the apartment building while he was outside with S.H. and his partner. Officer Cattani said S.H. warned them that Mr. Louther sometimes carried a machete. He said they went upstairs to the apartment when S.H. said Mr. Louther was inside the apartment.

Officer Cattani said when they entered the apartment, he saw Mr. Louther take a knife out of his waistband, and he drew his Taser in response. Officer Cattani said there was nowhere to go in the apartment because the hallway was a narrow space and Mr. Louther was walking toward them quickly and aggressively. He said he fired his Taser hoping Mr. Louther would drop the knife without him having to use deadly force. The Taser, however, had no effect, and Mr. Louther continued to advance toward them while holding the knife. Officer Cattani said he feared for his and Officer Humpf's lives because Mr. Louther was closing in on them quickly and was still holding a large knife. Officer Cattani said that after Mr. Louther took the Taser prongs out of his body, he heard Officer Humpf fire his gun.

Officer Humpf

OSI interviewed Officer Humpf who said they responded to the apartment for a family dispute. Officer Humpf said S.H. met them at her apartment door, explained why she called 911, and asked if they could speak outside the apartment building, away from her children, and before Mr. Louther arrived. While outside, S.H. told them that Mr. Louther was inside the apartment. Officer Humpf said once they all were back inside the apartment Mr. Louther took out a large knife from his waistband. He said Officer Cattani Tasered Mr. Louther, but it had no effect. Mr. Louther was still holding the knife and continued toward the officers after being Tasered. Officer Humpf said they had little room to maneuver because there was very little space in the entrance hallway. Officer Humpf said he was in fear for his life and the life of his partner because the Taser was ineffective and Mr. Louther was approaching them fast while holding a large knife. Officer Humpf believed that Mr. Louther was close enough to attack them both and he had no other option but to shoot his gun to prevent serious injury or death.

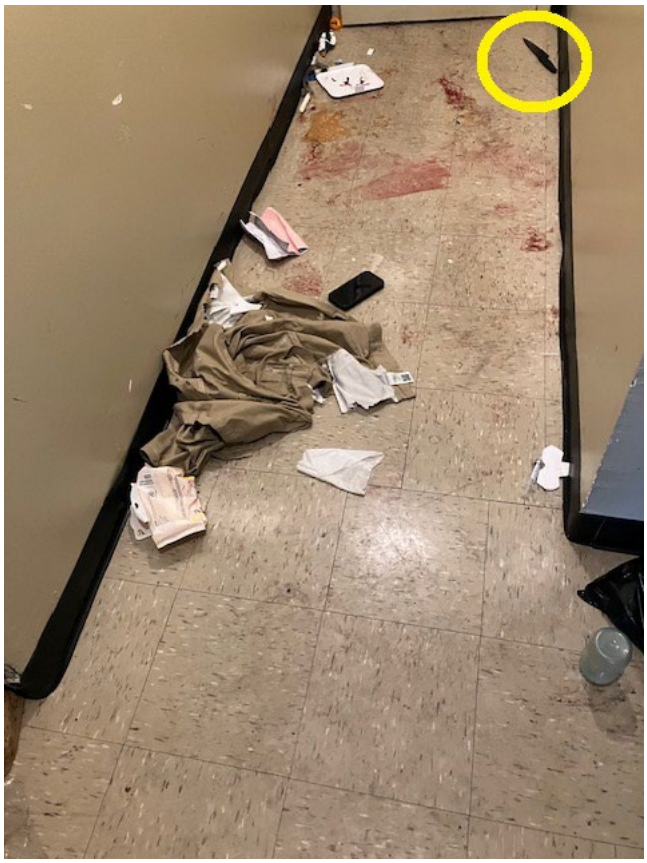
Medical Response

According to Mr. Louther's medical records, including the pre-hospital care report (PCR), an ambulance was dispatched to the apartment at 3:21 p.m. and arrived at 3:25 p.m. According to the PCR, when paramedics arrived, they saw police officers providing CPR to Mr. Louther and saw that a chest seal had been applied to his torso to control the bleeding. Mr. Louther was unresponsive. The paramedics noted that Mr. Louther was in cardiac arrest and that they were unable to regain a pulse. The paramedics ventilated Mr. Louther with a bag valve mask. They transported Mr. Louther to Brookdale Hospital and continued life-saving measures. Mr. Louther was declared dead at 3:57 p.m.

Crime Scene Response

NYPD Crime Scene Unit (CSU) responded to the apartment to collect evidence and document the scene. CSU recovered two 9mm shell casings from the entrance hallway of the apartment.

CSU recovered a knife from the hallway that had a black 7.5-inch handle and a 5-inch blade, for a total length of 12.5 inches.



CSU photograph showing the entrance hallway where the shooting occurred, and the knife near the front door of the apartment (circled in yellow).



CSU photograph of the recovered knife.

Autopsy

Dr. Kara Storck of the New York City Office of Chief Medical Examiner performed the autopsy and found that Mr. Louther had sustained two gunshot wounds to the torso. Dr. Storck determined that the cause of Mr. Louther's death was gunshot wounds of torso and deemed the manner of death to be homicide (shot by police).

LEGAL ANALYSIS

Article 35 of the New York Penal Law defines the circumstances under which a person may be justified in using deadly force against another. Justification is a defense, not an affirmative defense, Penal Law Section (PL) 35.00. To obtain a conviction at trial, a prosecutor must disprove a defense beyond a reasonable doubt, PL 25.00(1). As detailed below, based on the evidence in this investigation, OSI concludes that a prosecutor would be unable to disprove beyond a reasonable doubt that the use of deadly physical force by the officer was justified.

In this case, the officers used deadly physical force. Under PL 10.00(1) deadly physical force is "physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury." Under PL 10.00(10) serious physical injury is "physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ."

PL 35.30 is the provision defining justification when a police officer or peace officer uses force to effect or attempt to effect an arrest.

PL 35.30(1) provides:

> "A police officer or a peace officer, in the course of effecting or attempting to effect an arrest … of a person whom he or she reasonably believes to have committed an offense, may use physical force when and to the extent he or she reasonably believes such to be necessary to effect the arrest … or in self-defense or to defend a third person from what he or she reasonably believes to be the use or imminent use of physical force; except that deadly physical force may be used for such purposes only when he or she reasonably believes that… (c) regardless of the particular offense which is the subject of the arrest … the use of deadly physical force is necessary to defend the police officer or peace officer or another person from what the officer reasonably believes to be the use or imminent use of deadly physical force."

Under the law, therefore, deadly physical force by a police officer is justified when the officer reasonably believes deadly force is necessary to defend the officer or another against the imminent use of deadly physical force. Police officers using deadly force pursuant to PL

35.30(1) are under no duty to retreat when threatened with deadly physical force, according to PL 35.15(2)(a)(ii).

In *People v Jairo Castillo*, 42 NY3d 628, 631 (2024), the New York Court of Appeals stated:

> "The defense of justification provides that a person may use physical force to defend himself against an assailant's 'imminent use of unlawful physical force,' but does not authorize the use of 'deadly physical force . . . unless . . . [the person] reasonably believes that [the assailant] . . . is using or about to use deadly physical force' (PL 35.15). When considering a request for a justification charge, courts examine the evidence in the light most favorable to the defendant and must provide the instruction if there is any reasonable view of the evidence that defendant was justified in his actions (*see People v Heiserman*, 39 NY3d 988, 990 [2022]). Justification has both a subjective requirement, that 'defendant . . . actually believed . . . he [was] . . . threatened with the imminent use of deadly physical force,' and an objective requirement, that defendant's 'reactions were . . . those of a reasonable man acting in self-defense' (*People v Collice*, 41 NY2d 906, 907 [1977])." (Ellipses and square brackets in original.)

Here, Officer Cattani and Officer Humpf entered the apartment and immediately encountered Mr. Louther, who pulled a large knife from his waistband. The officers attempted to back up and create space, but the hallway was narrow and short. Officer Cattani deployed his Taser, but it was ineffective. Officer Humpf fired his gun only after he saw that Mr. Louther continued to advance toward them with the knife in his hand.

Based on the law and the evidence, OSI concludes a prosecutor would not be able to disprove beyond a reasonable doubt that Officer Humpf's use of deadly force against Mr. Louther was justified under New York law. As a result, OSI will not seek charges and closes the matter with this report.

Dated: November 10 , 2026