

**ABRIDGED SUMMARY OF CATEGORICAL USE OF FORCE INCIDENT AND FINDINGS BY THE LOS ANGELES BOARD OF POLICE COMMISSIONERS**

**OFFICER-INVOLVED SHOOTING – 023-20**

**Division**                      **Date**                                      **Duty-On (X) Off ( ) Uniform-Yes (X) No ( )**

Olympic                                      5/31/20

**Officer(s) Involved in Use of Force**                                      **Length of Service**

Officer A    13 years, 9 months

**Reason for Police Contact**

Officers responded to a radio call of a “murder suspect there now.” Upon arrival, the officers observed the suspect cutting the victim’s throat and an Officer-Involved Shooting (OIS) occurred.

**Subject(s)**                                      **Deceased ( )**                                      **Wounded (X)**                                      **Non-Hit ( )**

Subject: Female, 28 years of age.

**Board of Police Commissioners’ Review**

This is a brief summary designed only to enumerate salient points regarding this Categorical Use of Force incident and does not reflect the entirety of the extensive investigation by the Los Angeles Police Department (Department) or the deliberations by the Board of Police Commissioners (BOPC). In evaluating this matter, the BOPC considered the following: the complete Force Investigation Division investigation (including all of the transcribed statements of witnesses, pertinent subject criminal history, and addenda items); the relevant Training Evaluation and Management System materials of the involved officers; the Use of Force Review Board recommendations; the report and recommendations of the Chief of Police; and the report and recommendations of the Office of the Inspector General. The Department Command staff presented the matter to the BOPC and made itself available for any inquiries by the BOPC.

The following incident was adjudicated by the BOPC on May 4, 2021.

## **Incident Summary**

The following investigative summary is based upon witness and officer statements, Body Worn Video (BWV), Digital In-Car Video System (DICVS), as well as physical evidence.

On Sunday, May 31, 2020, at approximately 9:25 p.m., uniformed Police Officers A and B responded to a radio call of a “murder suspect there now” at a residence. Officers A and B were equipped with BWV and their vehicle was equipped with DICVS. The officers’ BWVs and DICVS were activated and captured portions of the incident. According to Officer A, the comments of the radio call were “in front of the residence” and described the Subject, who was stabbing the victim in the neck.

According to Officer A, he/she was the passenger and was designated as the contact officer. Officer B was the driver and was designated as the cover officer. According to Officer A, he/she and Officer B have an ongoing understanding with regards to each other’s responsibilities and obligations. They both understand these roles can reverse any time, depending on changes occurring during any given incident. Officer A and Officer B had worked together for approximately one year and two months. According to Officers A and B, they discuss tactics frequently throughout their workday, to make themselves better officers and tactically sound. According to Officer B, the driver officer is typically the contact officer and is also designated as the lethal officer; while the passenger officer is the cover officer and is designated as the less-lethal officer; however, depending on the incident, their roles could swap.

Officers A and B responded with emergency lights and siren (Code-Three) to the call. According to Officer A, he/she read the comments of the radio call out loud and reminded Officer B of his/her role as the contact officer and his/her role as the cover officer. Officers A and B received additional updates from Communications Division (CD) regarding the Subject cutting the victim’s neck. According to Officer A, this was a serious incident due to multiple 911 callers reporting the incident, and he/she, subconsciously, put latex gloves on prior to arriving at scene. While responding to the call, Officers A and B discussed that the call was going to be located on the east side of the street based upon the address. Officer A also advised Officer B to shut down their police vehicle’s emergency equipment as they approached the location, so they would not scare the Subject off and would be able to see the crime being committed.

Upon arrival at the scene, Officer A stated that he/she observed several “hysterical” witnesses raising their hands and pointing toward the front yard of the residence as he/she exited the police vehicle. According to Officer A, the witnesses were pointing to the west side of the street toward a residential duplex and shouting that the victim was getting cut and dying. According to Officer B, as soon as they approached, he/she saw a large group of people and they were frantically pointing towards the west side of the street, saying that the Subject was stabbing the victim. According to Officer B, that was the reason why the officers ended up parking in the middle of the street, in front of the location. According to Officer B, upon arrival, Officer A announced to CD that the

officers had arrived on scene by broadcasting they were "Code Six." Force Investigation Division (FID) asked Officer A if he/she went Code 6 upon arrival and Officer A replied, "I don't believe so." The investigation determined that Officers A and B did not place themselves Code Six upon their arrival.

As Officer A exited the police vehicle, he/she asked the witnesses for the Subject's location, while Officer B parked their police vehicle. As he/she approached the front gate of the residence, Officer A unholstered his/her pistol, held it in his/her right hand with his/her trigger finger along the slide of the pistol, while holding his/her flashlight in his/her left hand.

A surveillance camera affixed to the ceiling of the front porch of the residence recorded several short video clips of the incident without audio. One of those video clips captured the Subject throwing the elderly female victim to the ground outside of the residence. The Subject immediately jumped on top of the victim and began stabbing her repeatedly, in the head and neck area with a pair of scissors.

According to Officer A, he/she unholstered his/her weapon as he/she was running to the Subject because he/she wanted to make sure that he/she had his/her firearm with him/her because the situation was extremely dangerous.

According to Officer A, as he/she reached the front gate of the residence, he/she observed the Subject possibly on one knee, over the victim. According to Officer A, he/she observed that the victim was injured, with her face covered with blood, and not moving. According to Officers A and B's BWV, the victim was laying on her back, in the front walkway, next to the landing's steps. Her head was pointing in a north-westerly direction. The victim's legs were on the dirt, off the concrete pathway, pointing in a southeasterly direction. There was a blood on her face and a pool of blood on the concrete pathway, which appeared from to come from the victim's neck.

Officer A stated that he/she observed the Subject making jagged slashing and cutting motions toward the victim's neck and did not see a weapon in the Subject's hands initially. Officer A raised his/her pistol, pointed at the Subject, and immediately began giving the Subject commands to stop.

According to Officer B, he/she unholstered his/her pistol and approached the front yard, just to the left of Officer A, and his/her view was blocked by a large shrub and the fence. Officer B stated he/she unholstered his/her weapon based on the comments of the radio call, which stated the Subject was armed with a deadly weapon, possibly a knife, stabbing the victim, as well as to protect him/herself, his/her partner, and the victim.

According to Officer A, the Subject froze in place for approximately five seconds as he/she continued to give her commands to stop. According to Officer A, the Subject was screaming incoherently throughout the entire time. Officer A believed that the Subject was either under the influence of drugs and/or had a mental disability. According to Officer A, as he/she was giving commands, he/she observed a long shiny

object in the Subject's right hand that Officer A believed was either scissors or a knife. Officer A observed the Subject doing a cutting and slashing motion. According to Officer A, "It almost looked like the Subject was "snipping" at the victim's neck. According to Officer A, he/she knew that he/she had to try and save the victim's life as she was in imminent threat of death.

According to Officer A, the Subject was killing the victim, so he/she aimed his/her pistol center mass at the right side of the Subject's chest to prevent injury to the victim. Officer A's BWV depicted him/her holding his/her pistol in his/her right hand while holding his/her flashlight in his/her left hand. According to Officer A, once his/her pistol sights were aligned, he/she moved his/her trigger finger from the slide to the trigger of his/her pistol and fired one shot at the Subject from a distance of approximately 18 feet.

As Officer A assessed, he/she noticed the Subject continued cutting the Subject's neck. According to Officer A, he/she kept his/her pistol aimed at the Subject's right chest, as he/she had a clear and unobstructed view of the Subject. Officer A stated that he/she thought the victim was close to death, so he/she needed to fire an additional round to stop the Subject's actions. Officer A fired a second shot at the Subject. As Officer A assessed, he/she noticed that the Subject was still cutting the victim's neck.

According to Officer A, he/she wanted to stop the Subject's actions, because she was still a threat to the victim and continued cutting the victim's neck. Officer A stated that he/she kept his/her pistol aimed at the Subject's right chest and fired a third shot at her. Officer A stated that he/she fired a third shot at the Subject because the Subject was still a threat to the victim's life. Officer A described the weapon still being in the Subject's hand delivering that stabbing motion at the victim's neck.

According to Officer A, as he/she assessed after his/her third shot, the Subject continued cutting the victim's neck. Officer A stated that he/she kept his/her pistol aimed at the Subject's right chest and fired his/her fourth shot at her, because the Subject remained a threat to the victim. As he/she assessed, Officer A stated that he/she observed the Subject remove her hands from the victim's neck, drop the weapon, raise her hands, and duck down, as if she was laying down next to the victim.

Simultaneously, according to Officer B, he/she moved to his/her right, closer to Officer A, to get a better view, that's when Officer A shot at the Subject. Officer B stated that he/she heard Officer A immediately giving orders. Officer B stated that because of his/her limited view, he/she decided to move a little bit more to the right of Officer A's position. Officer B stated that he/she could hear Officer A firing rounds and observed the victim laying face-up with a lot of blood around her and the Subject on top of her.

According to Officer A, he/she stopped firing at the Subject because he/she felt that the Subject was no longer a threat to the victim. Officer A stated the Subject's hands were not near the victim's neck and he/she did not see the Subject possess a weapon at that point. Officer A stated that the Subject had stopped her actions of stabbing the victim so there was no longer a reason to fire any additional rounds. According to Officer A,

he/she paused approximately half a second between each shot, and he/she believed he/she had only fired four shots at the Subject. The investigation determined that Officer A fired six shots in approximately 2-3 seconds at the Subject from a distance of 18 feet.

Officer A's BWV depicted him/her giving numerous commands to the Subject to "get off" the victim. The Subject continued yelling incoherently, "[T]hat's not my mom." Officer A communicated with Officer B by stating, "[S]hots fired." Officer B broadcast, "[S]hots fired officer needs help." Communications Division broadcast, "officer needs help" and requested an Air Unit to respond. Officer A then requested a Rescue Ambulance for the Victim.

Police Officers C and D responded to the "officer needs help/shots fired" broadcast.

While the officers were waiting for additional resources to arrive, the Subject stood up and walked inside a residence. Officers A and B were not aware if this residence belonged to the Subject or if there were any occupants inside the residence. Officer A told Officer B that they needed to go get the Subject.

Officers C and D arrived at scene, exited their police vehicle, unholstered their pistols and ran toward Officers A and B. Officers C and D's BWV depicted Officers A and B entering the front gate into the yard and towards the front door as Officers C and D ran up to join them. The surveillance video in front of the residence captured the officers' approach.

According to Officer C, he/she unholstered his/her pistol due to his/her response to an "officer needs help" call, a female laying at scene who was unconscious and not breathing with severe facial trauma, and the threat to his/her partners and him/herself. According to Officer D, as he/she moved forward, he/she observed saw the victim laying on the ground, and she appeared to be deceased. Officer D stated that as officers continued to give commands to the Subject, a request for a shotgun was made, so he/she returned to his/her vehicle to retrieve one. Officer D holstered his/her pistol and ran back to his/her vehicle to retrieve the shotgun. According to Officer D, he/she was unable to remove the shotgun from the "locking mechanism" and decided to rejoin the officers, who were approximately 20-30 feet away from him/her.

According to Officer D, this was his/her first time using the Dodge Charger Patrol vehicle since he/she became a Police Officer and believed that adrenaline could have been a factor for him/her not being able to unlock the shotgun from its rack.

According to Officer A, he/she and Officer B moved up to the front porch once they were joined by Officers C and D. Upon arrival, Officer C stated that he/she attempted to show arriving at the scene, via the mobile data computer (MDC), but he/she was unable, and he/she did not want to broadcast, because he/she did not want to tie up the frequency. As officers approached the front porch, Officer A stated that he/she observed the Subject standing just inside the residence and ordered her several times

to come outside; however, the Subject did not comply with Officer A's commands and kept yelling incoherently. Officer A communicated with his/her partner officers that he/she could see the Subject's hands were empty, and they needed to grab her. Officer A gave the Subject several commands to come to him/her; however, the Subject remained inside the residence. Officer A holstered his/her pistol and advised the other officers that he/she was going to go into the residence.

According to Officer C, he/she holstered his/her pistol and entered the residence behind Officers A and B. Officer C's BWV captured Officer B holstering his/her pistol while outside the Subject's residence; then unholstering his/her pistol as he/she walked into the Subject's residence. Officer A moved into the residence, followed by Officers B and C. The Subject moved away from the officers, further into her residence. In an effort to affect the arrest, Officer A used his/her left hand and applied a firm grip to the Subject's left wrist and placed his/her right hand on the back of the Subject's head.

Simultaneously, Officer C used his/her left hand to grab the Subject's right arm. At the same time, the Subject squatted down as Officers A and C forced her down to the ground onto her stomach. As Officers A and C attempted to place the Subject's arms behind her back, the Subject resisted the officers by attempting to pull her arms free from their grasp. Officer C used his/her left hand and applied a firm grip to the Subject's right hand and handcuffed her right wrist. To control her and effect the arrest, Officer C placed his/her left knee on the Subject's right shoulder and applied body weight, using the ground as a controlling agent. Using both hands, Officer B applied firm grips to the Subject's legs and held them down against the ground. According to Officer B, he/she also placed his/her left knee on the Subject's hamstrings and his/her right knee on her calf and applied body weight. According to Officer B, the Subject continued to resist by attempting to move her legs.

According to Officer C, he/she kept his/her right knee on the Subject's right shoulder, and applied body weight by placing his/her left knee to the right side of the Subject's back. Simultaneously, to overcome resistance and affect the arrest, Officer A placed his/her right knee to the Subject's left back, and he/she applied body weight, using the ground as controlling agent. Officer A used his/her right hand and applied a twist lock to the Subject's left hand, held it upright, which allowed Officer C to handcuff the Subject's left hand.

As the Subject was being taken into custody, Officer D entered the residence, unholstered his/her pistol and held it in a low-ready position with his/her finger along the frame. Assisted by additional officers, Officer D searched and cleared the residence for additional victims or suspects; however, no one else was located. After the Subject was handcuffed, Officer A noticed what appeared to be bullet holes and blood on the Subject's pants, so he/she requested a Rescue Ambulance (RA) for her.

Sergeant A arrived at scene and took over as the Incident Commander (IC). According to Sergeant A, he/she observed the victim laying on the ground by the front entrance of the residence. Sergeant A asked if the Subject, who was already handcuffed, was shot.

Officer A advised Sergeant A that the Subject had a gunshot wound on her left leg. Sergeant A broadcast that it was clear for the Rescue Ambulance to enter the scene. Sergeant A then directed the officers to take the Subject out of the house and to the street, so she could be treated for her injuries by Los Angeles Fire Department personnel. Officers held onto the Subject's arms and walked her outside to the awaiting RA, where paramedics treated and transported her to a nearby hospital.

The victim was assessed by paramedics at the scene and was determined to have died.

Sergeant A separated Officers A, B, C, and D and advised them not to discuss the incident. Sergeant A directed other responding supervisors to obtain Public safety Statements from the involved officers and to transport them to the police station.

**BWV and DICVS Policy Compliance**

NAME	TIMELY BWV ACTIVATION	FULL 2-MINUTE BUFFER	BWV RECORDING OF ENTIRE INCIDENT	TIMELY DICVS ACTIVATION	DICVS RECORDING OF ENTIRE INCIDENT
Officer A	Yes	Yes	Yes	Yes	Yes
Officer B	Yes	Yes	Yes	Yes	Yes
Officer C	Yes	Yes	Yes	Yes	Yes
Officer D	Yes	Yes	Yes	Yes	Yes

**Los Angeles Board of Police Commissioners' Findings**

The BOPC reviews each Categorical Use of Force incident based upon the totality of the circumstances, namely all of the facts, evidence, statements and all other pertinent material relating to the particular incident. In every case, the BOPC makes specific findings in three areas: Tactics of the involved officer(s); Drawing/Exhibiting of a firearm by any involved officer(s); and the Use of Force by any involved officer(s). Based on the BOPC's review of the instant case, the BOPC made the following findings:

**A. Tactics**

The BOPC found Officers A and B's 's tactics to warrant a finding of Administrative Disapproval. The BOPC found Officers C and D's tactics to warrant a Tactical Debrief.

**B. Drawing and Exhibiting**

The BOPC found Officers A, B, C, and D's drawing and exhibiting of a firearm to be In Policy.

**C. Non-Lethal Use of Force**

The BOPC found Officers A, B, and C's non-lethal use of force to be In Policy.

## **D. Lethal Use of Force**

The BOPC found Officer A's lethal use of force to be In Policy.

### **Basis for Findings**

In making its decision in this matter, the Commission is mindful that every "use of force by members of law enforcement is a matter of critical concern both to the public and the law enforcement community. It is recognized that some individuals will not comply with the law or submit to control unless compelled to do so by the use of force; therefore, law enforcement officers are sometimes called upon to use force in the performance of their duties. It is also recognized that members of law enforcement derive their authority from the public and therefore must be ever mindful that they are not only the guardians, but also the servants of the public. The Department's guiding principle when using force shall be reverence for human life. Officers shall attempt to control an incident by using time, distance, communications, and available resources in an effort to de-escalate the situation, whenever it is safe, feasible, and reasonable to do so. As stated below, when warranted, Department personnel may use objectively reasonable force to carry out their duties. Officers may use deadly force only when they reasonably believe, based on the totality of circumstances, that such force is necessary in defense of human life.

Officers who use unreasonable force degrade the confidence of the community we serve, expose the Department and fellow officers to physical hazards, violate the law and rights of individuals upon whom unreasonable force or unnecessary deadly force is used, and subject the Department and themselves to potential civil and criminal liability. Conversely, officers who fail to use force when warranted may endanger themselves, the community and fellow officers." (Special Order No. 4, 2020, Policy on the Use of Force - Revised.)

The Commission is cognizant of the legal framework that exists in evaluating use of force cases, including the United States Supreme Court decision in Graham v. Connor, 490 U.S. 386 (1989), stating that:

"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. 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."

The Commission is further mindful that it must evaluate the actions in this case in accordance with existing Department policies. Relevant to our review are Department policies that relate to the use of force:

**Use of De-Escalation Techniques.** It is the policy of this Department that, whenever practicable, officers shall use techniques and tools consistent with Department de-escalation training to reduce the intensity of any encounter with a suspect and enable an officer to have additional options to mitigate the need to use a higher level of force while maintaining control of the situation.

**Use of Force – Non-Deadly.** It is the policy of the Department that personnel may use only that force which is “objectively reasonable” to:

- Defend themselves;
- Defend others;
- Effect an arrest or detention;
- Prevent escape; or,
- Overcome resistance.

**Use of Force – Deadly.** It is the policy of the Department that officers shall use deadly force upon another person only when the officer reasonably believes, based on the totality of circumstances, that such force is necessary for either of the following reasons:

- To defend against an imminent threat of death or serious bodily injury to the officer or another person; or,
- 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. Where feasible, a peace officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

In determining 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.

**Note:** Because the application of deadly force is limited to the above scenarios, an officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or another person.

**The Department's Evaluation of Deadly Force.** The Department will analyze an officer's use of deadly force by evaluating the totality of the circumstances of each case consistent with the California Penal Code Section 835(a), as well as the factors articulated in *Graham v. Connor*. (Special Order No. 4, 2020, Policy on the Use of Force - Revised.)

An officer's decision to draw or exhibit a firearm should be based on the tactical situation and the officer's reasonable belief that there is a substantial risk that the situation may escalate to the point where deadly force may be justified. (Los Angeles Police Department Manual.)

## **A. Tactics**

### *Tactical De-Escalation Techniques*

- **Planning**
- **Assessment**
- **Time**
- **Redeployment and/or Containment**
- **Other Resources**
- **Lines of Communication (Use of Force - Tactics Directive No. 16, October 2016, Tactical De-Escalation Techniques)**

Tactical de-escalation does not require that an officer compromise his or her safety or increase the risk of physical harm to the public. De-escalation techniques should only be used when it is safe and prudent to do so.

**Planning** – According to the FID investigation, Officers A and B had worked together for approximately one year and two months. Officers A and B discussed tactics frequently throughout their workday to become better officers and more tactically sound.

According to Officers A and B, Officer A tapped Officer B to reiterate their tactical plan. Officer B would be the contact officer and Officer A was to be the cover officer for the incident. According to Officer A, they both understood their roles could reverse at any time, depending on the incident.

Officer A advised Officer B to shut down their police vehicle's emergency equipment as they approached the location. According to Officer B, as they were approximately two blocks from the radio call location, Officer A reminded Officer B to turn off the lights and sirens in order to not alert the Subject; however, neither officer placed themselves Code Six at the radio call location.

Officer B stated, "can somebody glove up," on BWV to officers behind him/her (Officer C); however, the officers entered prior to Officer C being able to don his/her gloves.

**Assessment** – Officer A advised Officer B that due to the numerical address being "even," the location would be on the east side of the street. Officers A and B observed community members in the street flagging them down and directing them to the west side of the street and; they also observed that the Subject was stabbing the victim.

As Officer A reached the front gate of the duplex, he/she observed the Subject positioned over the victim. Officer A described the victim as being “in very bad shape, face covered in blood,” and not moving. When the Subject froze in place, Officer A assessed that the Subject was holding “a long shiny object” in her right hand and believed it to be a knife or scissors. As Officer A assessed, the Subject continued cutting the victim’s neck as Officer A discharged his/her service pistol. Officer A assessed that the Subject had stopped cutting and stabbing the victim and that it was no longer necessary for Officer A to discharge his/her service pistol.

**Time** – Officers A and B had limited time to react to the Subject’s actions as the Subject was actively assaulting the victim, and the Subject’s deadly actions dictated their response, which reduced the time Officers A and B had to de-escalate the situation.

In addition, Officers A and B observed the Subject stand up and move just inside the threshold of the residence. Officer A ordered the Subject to exit and come outside several times, concerned the Subject would have time to access potential victims or that there were additional injured victims inside; however, the Subject refused to comply with Officer A’s commands and kept yelling incoherently.

**Redeployment/Containment** – According to Officer B, he/she could not see well from his/her position and moved to his/her right, closer to Officer A, to get a better view, when Officer A shot at the Subject.

While waiting for additional personnel to arrive to the scene, the Subject stood up and began walking into the residence. According to Officer A, he/she was unaware if there were additional or potential victims inside the location; therefore, he/she and Officers B, C, and D entered the gated yard and approached. Officers A, B, and C entered the residence to physically engage the Subject and detain her.

**Other Resources** – Multiple units, along with the primary unit, responded to the radio call, including a back-up unit and a supervisor. Communications Division requested the response of an Air Unit.

**Lines of Communication** – After being flagged down and directed by witnesses, Officer A ran towards the front gate of the residence and commanded the Subject, “Hey, stop,” and “No, get off her!” After discharging his/her service pistol, Officer A observed the Subject remaining in proximity to the victim and further commanded multiple times for the Subject to, “Get off her!” Officer A broadcast, “Let me get an RA rolling, we have a female unconscious, not breathing,” and added the Subject “is currently on top of the victim, she’s not armed at the time, cooperating.”

Additionally, Officer A observed the Subject standing just inside the residence and ordered the Subject to come outside several times; however, the Subject refused to comply and kept yelling incoherently. While at the threshold to the residence where

the Subject was located, Officer A advised the other officers that he/she could see both of the Subject's hands and that they needed to "grab her right now." Officer A advised the other officers that he/she was going into the residence. Officer A broadcast that no further assistance was required and requested an additional RA for the Subject. Officer A advised Sergeant A that the Subject had a couple of gunshot wounds in her left leg. According to Officer A, he/she directed the RA towards the victim advising the RA that the victim was the victim and needed immediate assistance.

Officer B broadcast, "Shots Fired, Officer Needs Help, Shots Fired" and provided the location. Officer B updated his/her broadcast and informed responding personnel that the officers were located on the west side of the street and provided the address. After the OIS and between Officer A's commands, Officer B also directed the Subject to get off the victim. As the officers were at the threshold of the residence, Officer D asked if there was a gun, and Officer B advised Officers C and D it was a knife. Officer B stated, "can somebody glove up," to officers behind him/her.

The BOPC noted that due to the rapidly unfolding nature of this incident, the officers had limited time to react to the Subject's actions. The BOPC noted the ongoing and continuous efforts by the officers throughout the incident to communicate with the Subject. Officers A, B, C, and D were required to implement tactical decisions, with little time to respond to the Subject's actions, while being mindful of community safety. Officer A assessed and reacted quickly in stopping the Subject's deadly actions. Officers A, B, and C moved rapidly to detain the Subject, and take her into custody before she had access to additional victims or the opportunity to barricade herself, while Officer D cleared the remainder of the residence with the assistance of additional personnel.

During the review of the incident, the following Debriefing Topics were noted:

## **1. Tactical Planning/Tactical Communication**

Operational success is based on the ability of officers to effectively communicate during critical incidents. Officers, when faced with a tactical incident, improve their overall safety by their recognition of an unsafe situation and by working together collectively to ensure a successful resolution. A sound tactical plan should be implemented to ensure minimal exposure to the officers, while keeping in mind officer safety concerns.

According to Officer A and B, Officer B was designated Contact Officer while Officer A was designated Cover Officer. However, Officer B believed that he/she, as Contact Officer would be assigned Lethal as Officer A as Cover Officer would be Less-Lethal, and their roles could switch. Officer A believed that as Cover Officer he/she would be Lethal as Officer B as Contact Officer would be responsible for Less-Lethal.

Subsequent to the OIS incident, both officers provided non-conflicting commands to the Subject with the majority of commands being given by Officer A. Both Officers A and B provided updates over the radio. Officer B broadcast a “help” call and “readjusted the address” updating the location of the call and informing responding personnel that he/she and Officer A were on the west side of the street. Officer A requested an RA and provided updates on the Subject’s actions for responding personnel.

The BOPC considered both Officers A and B’s time working together as partners for over a year, and their understanding that each other’s responsibilities and obligations with respect to their roles could change based on the incident. The BOPC discussed the officers’ efforts in confirming their roles verbally and through non-verbal cues with Officer A tapping Officer B on the shoulder. Although there was slight confusion in their roles as contact and cover officer as they were confronted by a frantic crowd, the BOPC also noted that Officers A and B remained flexible, working as a team by adjusting their roles when Officer B’s view was obstructed by a bush at the gate, and Officer A became the primary contact officer. In addition, the BOPC considered that both officers broadcasted pertinent information for responding personnel and made several efforts to gain the Subject’s compliance through communication. In order to address the Subject, who had dropped the scissors nearby, and render aid to the victim, Officer A and B awaited the arrival of additional officers and quickly implemented a tactical plan to detain the Subject.

Based on the totality of circumstances, the BOPC determined Officers A and B’s tactics were not a deviation from approved Department tactical training.

## **2. Tactical Approach**

### ***Use of lights and siren***

Officers A and B were enroute to a “murder suspect there now” radio call, where CD continuously broadcast updates from additional PR’s informing the officers of the Subject’s actions upon the victim. According to Officer A, as they were enroute, he/she heard an additional unit, as well as a supervisor broadcast that they were also responding to the radio call. As Officers A and B were nearing the location of the radio call, Officer A stated, “You wanna disengage your lights?” to Officer B. Approximately four seconds later, Officer B disengaged the emergency response equipment by turning off the police vehicle’s emergency lights and siren.

According to the FID investigation, while responding to the call, Officers A advised Officer B to shut down their police vehicle’s emergency equipment as they approached the location, so they “wouldn’t scare the individual (Subject) off” and to observe the “act being committed.” According to Officer B, while

responding to the location Officer A reminded him/her to turn off the lights and sirens in order to try not to scare off the Subject as they were approximately two blocks away. Officers continued to respond north for approximately 48 seconds to where officers observed community members in the street flagging them down and informing them of the Subject and victim's location. Officer B stopped the police vehicle and Officer A exited the police vehicle. Force Investigation Division investigators presented the distance that Officers A and B traveled as approximately 2000 feet from the time they discontinued their Code Three response to the time in which they were flagged down by witnesses.

In this case, the BOPC noted it was not an uncommon practice of officers to discontinue the use of their lights and sirens as they neared a radio call location so as not alert the Subjects of their arrival and exact location. In addition, as noted in Officers A and B's DICV, there were no vehicles or traffic required to yield as officers made their approach to the broadcasted address. The BOPC discussed that subsequent to the termination of their lights and siren, Officers A and B slowed their response and began verbalizing addresses. The BOPC would have preferred the officers had continued responding Code Three for public safety; however, based a review of the officers' approach, their tactics had no bearing on the outcome of the radio call. The BOPC also deliberated over Officer A's articulation of the element of surprise to catch the Subject committing the offense and noted that Officer A's explanation did not meet the Department's expectation. Officers A and B took the time to orient themselves as information regarding the radio call continued to be broadcast. In considering the specific facts of this incident and factors the officers had to consider in making the decision to terminate their lights and siren, the BOPC concluded that Officers A and B's actions were not a deviation.

Based on the totality of the circumstances, the BOPC determined that Officer A and B's actions were not a deviation from approved Department tactical training.

3. **Code Six/Updating Location** (Substantial Deviation, without justification, Officers A and B)

The purpose of going Code-Six and updating the unit's location is to advise CD and officers in the area of the unit's location and the nature of the field investigation, should the incident escalate and necessitate the response of additional personnel. Officer safety is of paramount concern and officers should always strive to maintain the tactical advantage during field duties.

Officers A and B were responding as the primary unit to a radio call, Code Three, where the comments of the call stated that in front of the residence, a Subject was stabbing a victim and the neck and provided a Subject description. Further updates indicated a "187 in progress." Multiple units were responding to the radio call, along with a supervisor. Communications Division requested for any available Air Unit to respond. As the primary unit, Officers A and B did not

broadcast over the police radio that they were Code Six or update their location, nor did they place themselves Code Six over the MDC.

As Officers A and B were slowly driving and attempting to locate the address, they were flagged down by numerous “frantic” community members prior to arriving at the location, who yelled that a woman was being stabbed and pointed to the left of the officers’ police vehicle. In response, Officer A exited the police vehicle, as Officer B placed the police vehicle into park. Officer A ran towards the front gate of the residence where witnesses were directing the officers. Officer A ran 30 feet and arrived at the fence six seconds after exiting the police vehicle. Officer A attempted to communicate with the Subject and began giving the Subject commands, causing her to pause for a brief moment. Officer A observed the victim laying in a pool of blood and the Subject on top of her. Officer A observed the Subject was in possession of a knife or scissors. The Subject renewed her attack upon the victim with the weapon, resulting in an OIS.

According to Officer B, upon arrival, Officer A announced to CD that the officers had arrived on scene by broadcasting they were “Code Six;” however, the FID investigation determined that neither Officers A or B placed themselves Code Six via the Mobile Data Computer (MDC) or over the police radio.

Officer B broadcast the “shots fired, help call,” providing the address and then updated his/her broadcast by informing responding personnel that they were located on the west side of the street.

With regard to Officers A and B not placing themselves Code Six, the BOPC considered the facts and circumstances surrounding this incident. While the BOPC recognized Officers A and B were flagged down by witnesses prior to arriving at the address broadcast in the radio call, the BOPC considered the distance between the radio call location and the location in which the officers were directed by witnesses. These locations were in close proximity of each other. In addition, the BOPC noted that both Officers A and B had slowed the police vehicle’s approach to search for the radio call address, providing Officers A and B with sufficient time to broadcast their Code Six location prior to contacting the Subject. The BOPC would have preferred that Officers A and B had notified CD that they were Code Six in the area or had utilized their MDC to place themselves Code Six as they were nearing the location in order to maintain a tactical advantage and keep responding resources aware of their location should additional resources be required.

Based on the totality of the circumstances, the BOPC determined that Officers A and B’s actions were a substantial deviation, without justification, from approved Department tactical training.

Officers C and D were the first unit on scene to assist Officers A and B. As they arrived on the scene of a “shots fired” broadcast, Officer C stated that he/she

attempted to show arriving at the scene, via the MDC, but he/she was unable. Officer C did not want to tie up the radio frequency with his/her broadcast should pertinent information need to be communicated. As Officers C and D approached the scene on foot, they observed Officers A and B with their service pistols drawn, yelling commands at the Subject. Officers C and D rendered immediate assistance to Officers A and B, becoming tactically engaged in the incident.

In this case, the BOPC noted that Officers C and D were responding to a "help" call and were cognizant of not tying up the radio so that important safety information could be broadcast. Officer C indicated that he/she attempted to place their unit Code Six via the MDC. Although technology has improved, the BOPC noted there were other incidents in which the technology was slow or did not work and Officers C and D were notably exercising radio discipline. Officers C and D's first priority was to render assistance to Officers A and B as the first unit to arrive after the OIS and did so.

Based on the totality of the circumstances, the BOPC determined Officers C and D's actions were not a deviation from approved Department tactical training.

#### **4. Building Entry**

The Subject stood up and walked into the residence, as Officer A gave the Subject commands to stop. According to Officer A, he/she was unsure if there were additional victims, or additional weapons in the location. Officer A also did not want the Subject to access additional weapons or lock the door and turn the incident in to a barricade situation. Officer A further acknowledged the victim was in serious medical condition and needed immediate medical aid. Therefore, Officer A communicated with Officer B that they needed to approach and detain the Subject. Officer A and B opened the front gate and entered the yard, as Officers C and D arrived and followed Officers A and B. According to Officer A, he/she had a visual on the Subject and did not lose sight of the Subject. Officer A continued to provide commands to the Subject as he/she neared the doorway and as the Subject stood just inside the doorway in the residence. Officer A stated to the other officers that he/she could see both of the Subject's hands and that they needed to "grab her right now." Officer A holstered his/her service pistol as he/she entered the residence first and came into physical contact with the Subject, resulting in the use of non-lethal force. Officer B entered the residence immediately after Officer A, with his/her service pistol drawn as cover. Officer C holstered his/her service pistol and was the third officer to enter to assist Officer A in utilizing non-lethal force to take the Subject into custody.

In this case, the BOPC noted that Officer A entered the residence first, after holstering, immediately followed by Officer B, who was unholstered, and Officer C. Officer A's exposure to an uncleared location was momentary, and he/she could see the Subject had no weapon in her hands, seizing an opportunity to

take the Subject into custody. The BOPC discussed that Officers A, B, and C were faced with an uncooperative murder Subject, who moved into an unsearched location with access to potential weapons and possible victims. The BOPC discussed the tight confinements of the space where the victim was on the ground, a significant amount of blood was on the ground, creating a slippery condition, and that the victim required immediate medical aid. These officers had to rapidly effect the Subject's detention utilizing a team takedown before the Subject further retreated into the unsearched residence, potentially creating a barricaded situation for the officers.

Based on the totality of circumstances, the BOPC determined that Officers A, B, and C's actions were not a deviation from approved Department tactical training.

- The BOPC also considered the following:

**Tactical Vehicle Deployment** – As Officers A and B were driving and attempting to locate the residence on the east side of the street, they were flagged down by a group of “frantic” community members, who were pointing and directing officers to the west side of the street. Officer B immediately stopped the police vehicle just south of the radio call address, as the community members informed officers that the location was directly to their left. Officer A exited the police vehicle, and ran westbound, as Officer B placed the police vehicle into park and exited to assist Officer A. Officers A and B were reminded, when possible, to attempt to position their police vehicle in a manner that is most advantageous to their safety, wherein they maintain the tactical advantage.

**Non-Medical Face Coverings** – Officers A, B, C, and D were not wearing face coverings during the incident; however, it was noted that they were involved in a significant tactical incident. Department personnel were reminded of the importance of donning non-medical face coverings while in contact with the public or when unable to socially distance themselves from their coworkers, unless it jeopardizes an officer's safety.

**Police Vehicle Shotgun Rack Manipulations** – Officer D returned to his/her police vehicle to obtain a shotgun. Officer D was unable to remove the shotgun from the police vehicle's locked shotgun rack. The FID investigation revealed that the police vehicle's shotgun rack and locking mechanism were in proper working order.

- The evaluation of tactics requires that consideration be given to the fact that officers are forced to make split-second decisions under very stressful and dynamic circumstances. Tactics are conceptual and intended to be flexible and incident specific, which requires that each incident be looked at objectively and the tactics be evaluated based on the totality of the circumstances.

In conducting an objective assessment of this case, the BOPC determined that Officers C, and D's tactics did not deviate from approved Department tactical

training; however, the BOPC determined that Officers A and B's tactics did substantially deviate, without justification, from approved Department tactical training.

Each tactical incident also merits a comprehensive debriefing. In this case, there were areas identified where improvement could be made. A Tactical Debrief is the appropriate forum for the involved personnel to discuss individual actions that took place during this incident.

Thus, the BOPC found Officers A and B's tactics to warrant a finding of Administrative Disapproval. The BOPC found Officers C and D's tactics to warrant a finding of Tactical Debrief.

## **B. Drawing and Exhibiting**

- **Officer A**

According to Officer A, as he/she was driving to the radio call where a Subject was "actively cutting, stabbing, or potentially killing an individual" and with the multitude of radio calls that were being generated about the incident, Officer A stated that this information demonstrated the "severity" of the incident. As Officer A arrived on scene, he/she observed multiple individuals "shouting and pointing" towards the west side of the street, where the victim and the Subject were located, and advising him/her that the Subject "was cutting" the victim and that she was "stabbing and killing" the victim. Officer A drew his/her service pistol as he/she ran towards the Subject's location because Officer A realized the situation was "extremely dangerous" and that there was a possibility that his/her life as well as the lives of potential victims and witnesses were "in danger."

- **Officer B - Two Occurrences**

### **First Occurrence**

According to Officer B, as he/she was en route to the radio call of a possible murder Subject, CD broadcast that the Subject was "on top of another woman" and was "stabbing the victim in the neck with a knife." As Officer B arrived in the area, he/she observed a group of approximately five people pointing towards the west side of the street, where the Subject and victim were located and advising the officers that the Subject "was stabbing the victim." Officer B placed the police vehicle in park, exited, and drew his/her service pistol because the Subject was "armed with a deadly weapon," the witnesses were stating, "she's still stabbing her, she's still stabbing her," and for his/her, his/her partner's, and the victim's protection.

**Second Occurrence** – After entering the front gate and approaching the residence where the Subject had entered, Officer B advised officers to don gloves. Officer B holstered his/her service pistol momentarily, prior to drawing his/her service pistol a

second time, as Officer A made entry into the residence, followed by Officers B and C. Officer B assumed the role of lethal cover as Officers A and C physically engaged the Subject.

Officer B did not recall holstering the first time and drawing a second time, and according to his/her transcript, he/she holstered after entering the residence.

- **Officer C**

According to Officer C, he/she responded to the scene of a “shots fired” call and as he/she arrived on scene, Officer C observed other officers with their service pistols drawn. Officer C also observed the victim “unconscious, not breathing” with “severe trauma to the face.” Officer C drew his/her service pistol fearing for the safety of him/herself and his/her partner and to protect him/herself and his/her partner from the violent injury and/or death that had been inflicted upon the victim. Officer C believed that a “weapon was involved” and that the victim had been “killed” by that weapon.

- **Officer D – Two Occurrences**

#### **First Occurrence**

According to Officer D, as he/she arrived to an “officer needed help” call where “shots might have been fired,” he/she observed the victim “on the ground bleeding profusely” and she “appeared to be dead.” Officer D observed additional officers with their service pistols drawn and drew his/her service pistol to protect him/herself and his/her partner from, “serious bodily injury or death.” Officer D also believed that the situation may lead to the “possibility of it escalating to the point where lethal force was going to be justified.” Officer D holstered his/her service pistol as he/she returned to his/her police vehicle to retrieve a shotgun from his/her police vehicle.

#### **Second Occurrence**

According to Officer D, he/she was unable to remove the shotgun from his/her police vehicle’s shotgun rack and returned to the location to assist the other officers. As Officer D approached the scene and observed the Subject being placed into custody, he/she drew his/her service pistol for a second time to search the residence with a team for possible Subjects or any other victims inside the residence that might need assistance.

The BOPC conducted an evaluation of the reasonableness of Officers A, B, C, and D’s drawing and exhibiting of their service pistols. The BOPC considered that for Officers A and B, they were confronted with a homicide in progress, justifying their need to draw and exhibit their service pistols to stop the deadly threat. The BOPC also noted that it was reasonable for Officers C and D to draw their service pistols given they were responding to an “officer needs help, shots fired” call and the

comments of the original call were of a homicide in progress. Officer B momentarily holstered and re-drew his/her service pistol as the officers entered the unsecured and unsearched location to physically contact the Subject in a window of opportunity. As the cover officer, Officer B's responsibility was to protect his/her partners should a threat present itself in an unsearched residence and therefore, it was reasonable for him/her to unholster his/her service pistol again, prior to entering the threshold. The BOPC also noted Officer D's second unholstering occurrence as he/she returned and entered the unsearched residence and directed a group of responding officers to assist him/her in clearing the residence.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officers A, B, C, and D, while faced with similar circumstances, would reasonably believe that there was a substantial risk that the situation may escalate to the point where deadly force may be justified.

Therefore, the BOPC found Officers A, B, C, and D's drawing and exhibiting of their service pistols to be In Policy.

### **C. Non-Lethal Use of Force**

- **Officer A** – (3) Firm Grip, (1) Physical Force, (1) Bodyweight, and (1) Wrist Lock

According to Officer A, he/she approached the Subject, who was a murder suspect or Assault with a Deadly Weapon suspect and was "trying to escape." Officer A "grabbed her by the arm and the top of her head" and then while utilizing physical force, initiated a team takedown with additional officers "pinning her to the ground." While Officer C was on the Subject's right side, Officer A applied his/her knee to the Subject's left arm, utilizing his/her bodyweight, as he/she "C-gripped" the Subject's left bicep and attempted to place the Subject's left arm behind her back. The Subject pulled her arm away from Officer A, causing Officer A to reapply a firm grip to the Subject's left arm and a "wrist lock" to her left wrist, placing it behind the Subject's back where she was successfully handcuffed. Officer A stated the Subject was "actively resisting the entire time."

- **Officer B** – (2) Firm Grip, (1) Bodyweight, and (1) Physical Force

According to Officer B, after he/she observed the Subject taken to the ground, he/she observed the Subject continue "resisting." Officer B utilized his/her hands to grab "control of her leg" and utilized "bodily force" and "bodyweight" as Officer B placed his/her legs on the Subject's hamstring and calf. After the Subject had been handcuffed, the Subject continued to ignore officer's commands. Officer B, along with Officers A and C, lifted and carried an unresponsive and uncooperative Subject outside the residence and to awaiting LAFD personnel.

- **Officer C** – (2) Firm Grip, (2) Bodyweight, and (1) Physical Force

According to Officer C, the Subject was “uncooperative” and “resisting” as she attempted to “escape from the officer’s detention.” Officer C applied firm grips to the Subject’s right arm as she was being taken to the ground. While on the ground, the Subject grabbed the handle of Officer C’s baton. Officer C utilized “physical force” to remove the Subject’s hand from his/her baton. According to the FID investigation, Officer C placed his/her left knee on the Subject’s right shoulder and applied bodyweight. According to Officer C, he/she utilized bodyweight by applying his/her right knee to the Subject’s lower back as the Subject continued to “thrust” her body. Officer C then handcuffed the Subject’s right wrist and then assisted Officer A in attaching the second handcuff to the Subject’s left wrist. Officer C attempted to place the Subject into a seated position, but she did not comply. Officer C observed blood, donned his/her gloves, and then carried an uncooperative, however, non-resistant, Subject out of the residence to awaiting LAFD personnel.

The BOPC discussed Officers A, B, and C’s use of non-lethal force to detain and handcuff the Subject and prevent the Subject from gaining further access to potential weapons and victims inside the residence or attempting to barricade herself. In addition, the Subject had violently assaulted the victim with scissors, although her hands were visible to the officers, she was refusing to comply and backing further into the residence.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officers A, B, and C, while faced with similar circumstances, would believe that these same applications of non-lethal force would be objectively reasonable to overcome the Subject’s resistance.

Therefore, the BOPC found Officers A, B, and C’s non-lethal use of force to be In Policy.

#### **D. Lethal Use of Force**

**Background** – The background during OIS was the front porch of the residence which is a duplex with a stucco finish. The background also included a stucco pillar supporting a front porch roof, a metal security screen door and trash can. Both dwellings were unoccupied at the time of the OIS.

According to the FID investigation, a bullet path analysis was performed by visually examining the evidence for possible projectile related defects. There were penetrating impacts, located on the east face of the pillar, in front of residence. There were non-penetrating impacts, located on the east facing surface of the stairs in front of the residence. These non-penetrating impacts were consistent with being secondary impacts, possibly related to fragments from the same bullet, due to the condition and location of the impacts. There was a non-penetrating impact, located

on the north facing surface of the pillar in front. There was a perforating impact, located on the north face of the trashcan, in front of the residence.

- **Officer A – (pistol, six rounds)**

According to the FID investigation, Officer A's first shot was fired at 2130:24 and his/her sixth and final shot was discharged at 2130:26. Force Investigation Division's analysis determined the following: Officer A's second gunshot occurred .340 seconds after his/her first shot. Officer A's third gunshot occurred .286 seconds after his/her second shot. Officer A's fourth gunshot occurred .232 seconds after his/her third shot. Officer A's fifth gunshot occurred .247 seconds after his/her fourth shot. Officer A's sixth and final gunshot occurred .711 seconds after his/her fifth shot.

According to Officer A, he/she recalled discharging four rounds from his/her service pistol pausing approximately half a second between each shot; however, the FID investigation revealed that Officer A discharged a total of six rounds from his/her service pistol. In addition, Officer A believed he/she discharged his/her service pistol from approximately 20 to 25 feet; however, the FID investigation revealed the distance to be approximately 18 feet from the Subject.

As Officer A approached the front of the location with his/her service pistol drawn, he/she observed that the Subject "covered over" the victim who "was laying on her back" and "completely covered in blood." Officer A heard the Subject rambling incoherently stating, "That's not my mom," and "That's my mother's blood." Officer A observed the Subject making "a jagged slashing cutting motion" towards the victim's neck and face area. Officer A raised his/her service pistol and "pointed it at" the Subject. During Officer A's initial assessment, he/she was unable to observe anything in the Subject's hands. Officer A yelled at the Subject to "Stop," causing the Subject to pause, as she continued to ramble incoherently. Officer A then observed a "long, sharp, silver object" in the Subject's right hand and believed the object to be either "a knife or scissors." Officer A believed the Subject was under the influence of a narcotic or suffered from mental illness and continued to provide the Subject commands when he/she observed the Subject make a "cutting," "snipping," and "slashing motion" towards the victim's neck. Officer A directed the Subject to stop her actions; however, he/she believed the Subject was killing the victim. In order to "try to save the victim's life" as the Subject posed an "imminent threat of death" to the victim, Officer A made the decision to discharge his/her service pistol aimed at the Subject. Officer A believed it was "absolutely necessary" for him/her to utilize "deadly force" to stop the Subject's deadly actions. Officer A attempted to utilize the cover and concealment that he/she was afforded behind the gate, ensured he/she had a "clear and unobstructed view" of the Subject, and took the proximity of the victim to the Subject into consideration. Officer A discharged "two shots in her (the Subject's) direction westbound" from his/her service pistol from a distance of approximately "20 to 25 feet away." Officer A observed that the Subject "continued

to do that slashing cutting motion.” Officer A discharged “an additional two rounds” at the Subject to “stop the threat.”

According to Officer A, he/she assessed between each round that he/she discharged as he/she continued to observe the Subject in possession of the weapon and attacking the victim. Officer A stated that his/her sights were on the Subject’s “center body mass” between each discharge of his/her service pistol as the Subject continued her “slashing, cutting motion.” Officer A ceased firing his/her service pistol when he/she observed the Subject stop, raise her hands, and “clearly” drop the weapon from her hand to the ground. According to Officer A, he/she believed the Subject had stopped and “was no longer a threat to the victim.” Additionally, Officer A stated that after every shot he/she assessed and made sure that the Subject wasn’t causing any more harm to the victim.”

In this case, the BOPC discussed the evidence and observations made by Officer A at the time of the incident. The Subject was actively attacking the victim in front of Officers A and B with no regard for their presence. The Subject paused briefly in her agitated state due to Officer A’s direction and then resumed her physical assault on the victim despite Officer A’s commands. The BOPC noted Officer A’s assessments between rounds as he/she recognized and ceased firing his/her service pistol when the Subject stopped her physical assault on the victim and dropped the scissors.

**Fire Control/Fire Discipline** – The BOPC noted that the FID investigation determined Officer A discharged six rounds from his/her service pistol in 1.816 seconds. The BOPC considered the speed at which Officer A was discharging his/her service pistol, the missed rounds, and the position of the Subject relative to the victim. The BOPC considered the importance of balancing speed with accuracy with regard to fire control and discipline whenever possible to maximize accuracy. The BOPC also deliberated on the immediacy of the Subject’s threat and necessity to save the victim’s life. The BOPC weighed Officer A’s attempt to stop the Subject’s deadly and imminent murder in progress, combined with the limited space and target area given the Subject’s physical position on top of the victim. Officer A stated he/she assessed between rounds, believing he/she only discharged four rounds, and observed the Subject continuing her “slashing, cutting motion” on the victim. Officer A ceased firing his/her service pistol when he/she observed the Subject stop, raise her hands, and drop the scissors from her hand onto the ground.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officer A would reasonably believe the Subject’s actions presented an imminent threat of death or serious bodily injury and that the lethal use of force would be objectively reasonable and necessary.

Therefore, the BOPC found Officer A’s lethal use of force to be In Policy.