

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

OFFICER-INVOLVED SHOOTING – 037-24

Division	Date	Duty-On (X) Off ()	Uniform-Yes () No (X)
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77 th Street	7/13/24		
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Officer(s) Involved in Use of Force	Length of Service
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Sergeant A	27 years, 10 months
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Reason for Police Contact

Personnel assigned to the 77th Street Area Vice Unit observed four masked occupants of a vehicle (Vehicle #1) exit their vehicle and engage in a possible dispute with the driver of another vehicle (Vehicle #2). When Vehicle #2 drove away, the occupants of Vehicle #1 re-entered their vehicle, and Vice units began following it. Vice Sergeant A, driving an unmarked vehicle, observed Vehicle #1 and followed it as it traveled east. The driver of Vehicle #1 briefly pulled to the south curb before abruptly turning north and stopping across both lanes of traffic.

Three male Subjects exited Vehicle #1 and ran toward Sergeant A's vehicle, which had stopped on the roadway. One of the Subjects ran to the driver's door of Sergeant A's vehicle and, when he reached the door, an Officer-Involved Shooting (OIS) occurred.

The Subject was struck by gunfire and taken into custody. The Los Angeles Fire Department (LAFD) transported the Subject to a local hospital, where he was pronounced deceased. Immediately after the OIS, the remaining Subjects fled in Vehicle #1, which then led responding units on a vehicle pursuit before they were ultimately taken into custody.

Subject(s)	Deceased (X)	Wounded ()	Non-Hit ()
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Subject: Male, 18 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 (UOFRB) recommendations, including any Minority Opinions; 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 June 24, 2025

Investigative Summary

On July 13, 2024, personnel assigned to the 77th Street Area Vice Unit conducted a prostitution enforcement operation focusing on juvenile rescue. Officer B completed a tactical operation plan for the operation. The operation included monitoring specific areas for individuals involved in prostitution activity and/or any related vehicle code violations. Sergeant B reviewed the plan, which was then submitted to the 77th Street Area Detective Commanding Officer, Lieutenant A.

At approximately 1945 hours, Officer A conducted a briefing at the 77th Street Area Vice office. Officer A assigned roles and duties to the officers involved in the operation. Officer A reminded personnel to remain vigilant and to be aware of other potential crimes occurring in the area, including homicide, robbery, and battery. Furthermore, Officer A advised them to request additional resources if necessary. Upon completing the briefing at approximately 2000 hours, the Vice personnel deployed to various locations to begin the operation. The officers used a Citywide Tactical Channel for the operation.

Unless otherwise noted, all Vice personnel were attired in plainclothes in an undercover capacity (UC), driving alone in plain, unmarked vehicles, which were not equipped with a Digital-In Car Video System (DICVS) or emergency equipment. They were each equipped with their Department-approved handgun. Their tactical vests were accessible inside their vehicles, and their Body-Worn Video (BWV) cameras were attached to their vest. The officers assigned to the chase units were also in plainclothes, wearing tactical vests, equipped with BWV, and operating out of marked black and white police vehicles.

At approximately 2217 hours, Officer B (driver) and Officer C (passenger) were partnered together in a gray vehicle and monitoring an intersection. Officers B and C were parked facing west on the north curb, approximately 70 feet west of the intersection.

According to Officer A, he/she was parked along the east curb of a street with a west facing view of where Officers B and C were positioned. Officer A stated he/she observed Vehicle #2 traveling east, while Vehicle #1 drove south and turned west. Officer A stated it appeared that the two vehicles were almost involved in a traffic crash.

According to Officer A, three to four masked individuals exited Vehicle #1 and approached the motorist inside of Vehicle #2. Officer A further described the Subjects as wearing dark clothing, ski masks and saw a couple of hoodies. Officer A stated that due to the distance, he/she could not see anything specific. Upon making this observations, Officer A asked over the radio if a black and white unit "chase unit" was available to respond. The chase units, which included Officers E and F in one vehicle and Officers G and H in another, were on a vehicle stop when Officer A asked if a black and white unit was available.

According to Officers B and C, they were also monitoring Vehicles #1 and #2 when Officer A broadcast his/her observations. They believed the vehicles were involved in a traffic crash or road rage incident.

Officers B and C observed three masked occupants exiting Vehicle #1 and "interact" with Vehicle #2. Vehicle #2 then maneuvered away and drove south, while the masked individuals returned to Vehicle #1 and drove west. The occupants of Vehicle #1 re-entered their vehicle and drove west.

Officer A broadcast, "Follow that car [Vehicle #1] because they were all masked up! Follow that car!" Simultaneously, Officers B and C pulled away from the curb and followed Vehicle #1 as it traveled west. While following Vehicle #1, Officer C inquired over the frequency whether Officer A had witnessed a traffic collision between the vehicles. Officer A responded that it was kind of strange and did not know if they were together, but stated Vehicle #1 had pulled in front of Vehicle #2. Officer A stated that the occupants of Vehicle #1 then jumped out and were wearing masks. Officer C acknowledged the broadcast, stating that he/she saw several occupants exit from Vehicle #1 and observed Vehicle #2 drive off going south. Officer C stated he/she and his/her partner were still following Vehicle #1 eastbound. Officer A told Officer C to try to get a marked unit to conduct a traffic stop.

According to Officer D, he/she began following Vehicle #1. Officer D stated due to traffic, he/she lost sight of Vehicle #2, but was able to broadcast the last direction of travel and the vehicle's license plate information.

Sergeant A began following Vehicle #1. At some point, Sergeant A started to slow his/her vehicle, when he/she observed Vehicle #1 pull to the south curb.

According to Sergeant A, the reverse lights of Vehicle #1 came on, leading him/her to believe that it was going to reverse and possibly park. Sergeant A intended to pass Vehicle #1 and turn south; however, before he/she could do so, Vehicle #1 pulled north from the curb and stopped, blocking both lanes of traffic. Sergeant A stopped his/her vehicle and observed the driver and left rear passenger doors open. The driver remained in the vehicle, while the left rear passenger (Subject) exited along with two other occupants.

Sergeant A described the Subject as wearing a black hooded sweatshirt with the hood up, black jeans, and having nothing in his hands. According to Sergeant A, the Subject ran toward his/her vehicle, while looking directly at him/her. Sergeant A indicated that in his/her experience, it's common for violent crimes to occur in the area they were working. The area is known for robberies and at times, individuals will run up to vehicles and commit violent crimes, including shootings.

According to Sergeant A, he/she attempted to exit his/her vehicle, but his/her doors were locked, and he/she did not have adequate time to unlock the doors to exit the vehicle. When asked what his/her intentions were by exiting his/her vehicle, Sergeant A stated he/she would have drawn his/her weapon due to the aggressiveness of Vehicle #1's occupants and how the Subject was running up toward his/her vehicle. Sergeant A stated that had he/she been able to exit, he/she would have told the Subject to stop and identified himself/herself, but he/she did not get the opportunity.

According to Sergeant A, while looking through his/her front windshield, he/she observed the Subject "veer" past the front of his/her vehicle to his/her driver's door, bending at the waist and reaching for his front waistband with his right hand. Based on the Subject's movements, Sergeant A believed the Subject was going to rob him/her and was potentially armed with a gun. Sergeant A estimated it took one second for the Subject to reach his/her driver's door. Through his/her tinted driver's window, he/she observed the Subject approximately two feet away and facing him/her. Sergeant A believed that the Subject was armed and attempting to either kill or carjack him/her, and consequently unholstered his/her duty pistol.

According to Sergeant A, he/she turned his/her upper body at an approximate 45-degree angle between the windshield and the driver's window. Sergeant A held his/her handgun in his/her right hand, with his/her arm bent and the muzzle directed upward at the Subject's center body mass. Believing that the Subject was armed with a gun and was going to kill him/her, Sergeant A fired one round at the Subject through his/her closed driver-side window. Sergeant A thought he/she going to be killed. Sergeant A stated he/she had no choice but to shoot the Subject and he/she did not have any time to warn the Subject prior to firing.

After firing his/her pistol, Sergeant A observed the Subject run past his/her driver's window. Sergeant A then looked in the direction of Vehicle #1, focusing on it as a potential threat, as the driver maneuvered the vehicle and fled south. Sergeant A estimated that he/she exited his/her vehicle approximately five seconds after the OIS and observed the Subject lying face down on the ground between the rear of his/her vehicle and Officer D's vehicle.

The Subject was struck by Sergeant A's round and collapsed next to the driver's door, and the other two Subject's abruptly stopped, turned and ran back toward Vehicle #1. The Subject crawled to the rear of Sergeant A's vehicle just as Officer D arrived and stopped his/her vehicle 10 feet behind Sergeant A's vehicle.

Sergeant B broadcast a help call. Following Sergeant B's help call broadcast, Officer D switched to 77th Street Area Base frequency and broadcast, "Let me get a backup! Shots fired! Officer D provided a location, description of the vehicle and other pertinent information.

Upon arriving at scene, Officers B and C exited their vehicle, unholstered their pistols, and approached the Subject. Officer B covered the Subject while Officers C, D, and Sergeant A holstered their pistols before returning to their respective vehicles to don their tactical vests and activate their BWVs. Approximately 15 seconds later, Officer D approached the Subject, who remained prone on the ground, while Officer B holstered his/her pistol, walked to his/her vehicle, and donned his/her tactical vest. Officer D then moved the Subject's hands behind his back and handcuffed him.

Officer D began to search the Subject, determined that he had a gunshot wound to the chest, and directed officers to request a Rescue Ambulance (RA). After completing the search, Officer D stood up and asked if any officers had a medical kit or a shirt. Officer D asked Sergeant A if he/she had a shirt and advised him/her that they would start rendering aid.

Approximately 35 seconds after handcuffing the Subject, Officer D requested an RA over the 77th Street Area Base frequency. The RA request was made at 2223:16 hours, approximately two minutes after the OIS. Approximately two minutes later, Officer A made an additional RA request on Southwest Area Base frequency. According to Officer A, he/she did so because the 77th Street Area Base frequency was busy. Simultaneously, Officer C placed the Subject in a right lateral recovery position. Approximately 30 seconds later, Sergeant A removed a button-down shirt that he/she was wearing and provided it to Officer C, who used it to apply direct pressure to the Subject's wound.

Moments later, Officer C repositioned the Subject into a supine position, continued applying pressure to the wound, and began Cardiopulmonary Resuscitation (CPR). Approximately ten seconds later, Officer D approached and advised Officer C that he/she would check the Subject's pulse. Officer D lifted the T-shirt the Subject was wearing around his head to expose the left side of the Subject's neck and checked for a pulse.

Officer D did not detect a pulse. Officer D directed Officer C to remove the handcuffs to facilitate CPR. Officer D believed that this would be better for the Subject and provide him with a higher chance of survival by providing quality compressions. While Officer D donned gloves, Officer C momentarily placed the Subject in a prone position to remove the handcuffs. Officer D directed Officer C to don gloves while he/she (Officer D) returned the Subject to a supine position. At 2224:50 hours, approximately four minutes after the OIS, Officer D continued CPR while Officer C donned gloves. In the ensuing seven minutes, Officers C, D, and another officer administered chest compressions, checked the Subject's pulse, and applied gauze to his gunshot wound.

At approximately 2232 hours, LAFD personnel arrived at scene and assumed care of the Subject. Approximately five minutes later, an RA arrived, assumed medical care, and transported the Subject to a nearby hospital, where Doctor A pronounced him deceased at 2252 hours.

While the officers took the Subject into custody and began rendering aid, Sergeant B followed Vehicle #1. Other uniformed officers initiated a vehicle pursuit and notified Communications Division.

The pursuit traversed through several city streets and freeways before traveling outside the City of Los Angeles. As such, the California Highway Patrol (CHP) assumed responsibility while on the freeway. The pursuit terminated when the vehicle pulled over and three Subjects were ultimately taken into custody without incident by CHP personnel. The pursuit was documented in an LAPD Vehicle Pursuit Report. The pursuit initiated at 2222:34 hours and terminated at 2312:40 hours, lasting approximately 50 minutes and traveling approximately 74 miles. The 77th Area Command reviewed and adjudicated the pursuit.

Force Investigation Division investigators, along with 77th Street Area personnel, searched the OIS scene for any potential weapons but were unable to locate any. As a result, and pursuant to Assembly Bill 1506, the California Department of Justice (DOJ), Office of the California Attorney General, Division of Law Enforcement, responded to the scene and assumed prosecutorial oversight for this incident.

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
Sergeant A	Yes	Yes	Yes	Yes	N/A

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 Sergeant A's tactics to warrant a finding of Tactical Debrief.

B. Drawing and Exhibiting

The BOPC found Sergeant A's drawing and exhibiting of a firearm to be In Policy.

C. Lethal Use of Force

The BOPC found Sergeant A's use of lethal 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. The Los Angeles Police Department also recognizes 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. 23, 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 Subject 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.

Verbal Warnings: Where feasible, a peace officer shall, prior to the use of any force, make reasonable efforts to identify themselves as a peace officer and to warn that force may be used, unless the officer has objectively reasonable grounds to believe that the person is already aware of those facts.

Proportionality: Officers may only use a level of force that they reasonably believe is proportional to the seriousness of the Subjected offense or the reasonably perceived level of actual or threatened resistance.

Fair and Unbiased Policing: Officers shall carry out their duties, including use of force, in a manner that is fair and unbiased. Discriminatory conduct in the basis of race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, housing status, or disability while performing any law enforcement activity is prohibited.

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.

Factors Used to Determine Objective Reasonableness: Pursuant to the opinion issued by the United States Supreme Court in *Graham v. Connor*, the Department examines the reasonableness of any particular force used: a) from the perspective of a reasonable Los Angeles Police Officer with similar training and experience, in the same situation; and b) based on the facts and circumstances of each particular case. Those factors may include, but are not limited to:

- The feasibility of using de-escalation tactics, crisis intervention or other alternatives to force;
- The seriousness of the crime or Subjected offense;
- The level of threat or resistance presented by the Subject;
- Whether the Subject was posing an immediate threat to the officers or a danger to the community;
- The potential for injury to citizens, officers or Subjects;
- The risk or apparent attempt by the Subject to escape;
- The conduct of the Subject being confronted (as reasonably perceived by the officer at the time);
- The amount of time and any changing circumstances during which the officer had to determine the type and amount of force that appeared to be reasonable;
- The availability of other resources;
- The training and experience of the officer;
- The proximity or access of weapons to the Subject;
- Officer versus Subject factors such as age, size, relative strength, skill level, injury/exhaustion and number of officers versus Subjects;
- The environmental factors and/or other exigent circumstances; and,
- Whether a person is a member of a vulnerable population.

Drawing or Exhibiting Firearms: Unnecessarily or prematurely drawing or exhibiting a firearm limits an Officers alternatives in controlling a situation, creates unnecessary anxiety on the part of citizens, and may result in an unwarranted or accidental discharge of the firearm. Officers shall not draw or exhibit a firearm unless the circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm. When an officer has determined that the use of deadly force is not necessary, the officer shall, as soon as practicable, secure or holster the firearm. Any drawing and exhibiting of a firearm shall conform with this policy on the use of firearms. Moreover, any intentional pointing of a firearm at a person by an officer shall be reported. Such reporting will be published in the Department's year-end use of force report.

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.

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. Before discharging a firearm, officers shall consider their surroundings and potential risks to bystanders to the extent feasible under the circumstances.

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 Officers 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*.

Rendering Aid: After any use of force, officers shall immediately request a rescue ambulance for any person injured. In addition, officers shall promptly provide basic and emergency medical assistance to all members of the community, including victims, witnesses, subjects, suspects, persons in custody, subjects of a use of force and fellow officers:

- To the extent of the Officers training and experience in first aid/CPR/AED; and
- To the level of equipment available to the officer at the time assistance is needed.

Warning Shots: It is the policy of this Department that warning shots shall only be used in exceptional circumstances where it might reasonably be expected to avoid the need to use deadly force. Generally, warning shots shall be directed in a manner that minimizes the risk of injury to innocent persons, ricochet dangers and property damage.

Shooting at or From Moving Vehicles: It is the policy of this Department that firearms shall not be discharged at a moving vehicle unless a person in the vehicle is immediately threatening the officer or another person with deadly force by means other than the vehicle. The moving vehicle itself shall not presumptively constitute a threat that justifies an Officers use of deadly force. An officer threatened by an oncoming vehicle shall move out of its path instead of discharging a firearm at it or any of its occupants. Firearms shall not be discharged from a moving vehicle, except in exigent circumstances and consistent with this policy regarding the use of Deadly Force.

Note: It is understood that the policy regarding discharging a firearm at or from a moving vehicle may not cover every situation that may arise. In all situations, officers are expected to act with intelligence and exercise sound judgement, attending to the spirit of this policy. Any deviations from the provisions of this policy shall be examined rigorously on a case by case basis. The involved officer must be able to clearly articulate the reasons for the use of deadly force. Factors that may be considered include whether the officer's life or the lives of others were in immediate peril and there was no reasonable or apparent means of escape.

Requirement to Report Potential Excessive Force: An officer who is present and observes another officer using force that the present and observing officer believes to be beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances based upon the totality of information actually known to the officer, shall report such force to a superior officer.

Requirement to Intercede When Excessive Force is Observed: An officer shall intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed by a Subject.

Definitions

Deadly Force: Deadly force is defined as any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to, the discharge of a firearm.

Feasible: Feasible means reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

Imminent: Pursuant to California Penal Code 835a(e)(2), "[A] threat of death or serious bodily injury is "imminent" when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to a peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed."

Necessary: In addition to California Penal Code 835(a), the Department shall evaluate whether deadly force was necessary by looking at: a) the totality of the circumstances from the perspective of a reasonable Los Angeles Police Officer with similar training and experience; b) the factors used to evaluate whether force is objectively reasonable; c) an evaluation of whether the officer exhausted the available and feasible alternatives to deadly force; and d) whether a warning was feasible and/or given.

Objectively Reasonable: The legal standard used to determine the lawfulness of a use of force is based on the Fourth Amendment to the United States Constitution. See *Graham v. Connor*, 490 U.S. 386 (1989). *Graham* states, in part, “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 test of reasonableness is not capable of precise definition or mechanical application.”

The force must be reasonable under the circumstances known to or reasonably believed by the officer at the time the force was used. Therefore, the Department examines all uses of force from an objective standard rather than a subjective standard.

Serious Bodily Injury: Pursuant to California Penal Code Section 243(f)(4) Serious Bodily Injury includes but is not limited to:

- Loss of consciousness;
- Concussion;
- Bone Fracture;
- Protracted loss or impairment of function of any bodily member or organ;
- A wound requiring extensive suturing; and,
- Serious disfigurement.

Totality of the Circumstances: All facts known to or reasonably perceived by the officer at the time, including the conduct of the officer and the Subject leading up to the use of force.

Vulnerable Population: Vulnerable populations include, but are not limited to, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities.

Warning Shots: The intentional discharge of a firearm off target not intended to hit a person, to warn others that deadly force is imminent.

A. Tactics

Tactical De-Escalation

Tactical De-Escalation Techniques

- *Planning*
- *Assessment*
- *Time*
- *Redeployment and/or Containment*
- *Other Resources*
- *Lines of Communication*

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 – Officer B completed a Tactical Operation Plan for the vice operation, which was reviewed by Sergeant B and approved by 77th Street Area Detective Commanding Officer Lieutenant A. The mission of the operation was to identify minors who were victims of human trafficking or involved in prostitution-related crimes. Officer A conducted the briefing for the operation and assigned all necessary roles and duties to the officers involved in the operation. Their plan was to deploy and focus on a specific area. Officer A reminded personnel to remain vigilant and be aware of other potential crimes occurring in the area, including homicide, robbery and battery.

Upon observing the four masked occupants of Vehicle #1 exit and approach Vehicle #2, Officers A, B, and C assessed and opined the vehicles had been involved in a traffic collision or road rage.

After Sergeant A's vehicle was blocked by Vehicle #1, he/she observed the Subject aggressively exit Vehicle #1 and run toward his/her vehicle while reaching for his front waistband. Based on the Subject's movements, Sergeant A assessed the Subject was going to rob, carjack or kill him/her and was armed with a gun. Officer D was approximately 15 feet behind Sergeant A's vehicle and observed the individuals, including the Subject, exit Vehicle #1. Officer D assessed the Subjects' actions and believed each was possibly armed as each had one hand concealed inside their sweatshirt pocket as they ran toward Sergeant A's vehicle. Officer D believed the Subjects were going to carjack Sergeant A and that Sergeant A was in imminent threat of death or serious bodily injury.

Regarding the lack of a notification to LA CLEAR, the UOFRB understood this was a mobile operation covering a large area and not target/location specific. The UOFRB noted one purpose of LA CLEAR is real-time deconfliction, preventing law enforcement agencies from working the same cases or Subjects and ensuring officer safety. While the UOFRB would have preferred a notification to LA CLEAR, they opined the sprawling nature of the operation made the notification less practical and necessary than if they were making notifications for a specific location/case. The UOFRB opined it was unreasonable to expect the 77th Street Area Vice Unit to notify LA CLEAR every time they operated in a specific area. Therefore, the UOFRB opined not notifying LA CLEAR was not a substantial deviation from Department-approved training.

Time/ Redeployment and/or Containment – Throughout this incident, Vice officers used time, distance and undercover tradecraft, clad in plainclothes and using their unmarked vehicles to follow Vehicle #1 in order to specifically prevent an intense encounter as they called in a chase unit to conduct a traffic stop. While Sergeant A was following Vehicle #1, it made a sudden stop and pulled to the south curb.

Sergeant A intended to pass Vehicle #1, however, before he/she could do so, the vehicle pulled north from the curb and stopped, blocking both lanes of traffic preventing Sergeant A from creating distance or redeploying.

Once the vehicle stopped, the Subject and two additional occupants exited the vehicle, and the Subject ran up to Sergeant A's driver side door. Sergeant A attempted to exit his/her vehicle, but the doors were locked. Had Sergeant A been able to exit his/her vehicle, Sergeant A advised he/she would have drawn his/her weapon, told the Subjects to stop and identified himself/herself as a police officer; however, the Subjects' actions eliminated any time for Sergeant A to take the opportunity to do so as the Subject was at his door in "one second."

Officer D also attempted to exit his/her vehicle as he/she observed the Subjects approach Sergeant A's vehicle, but his/her doors were also locked. Due to the Subject's apparent premeditated, deliberate, quick and aggressive actions, the opportunity and ability to use time or redeployment as a de-escalation technique was eliminated.

Other Resources – After observing the incident between Vehicle #1 and 2, Officer A requested the chase unit initiate a stop on Vehicle #1. After the OIS, Officer D and Sergeant B broadcast a help call.

Lines of Communication – At the beginning of this incident, Officer A continually broadcast his/her observations on the Tac Channel regarding the actions of Vehicle #1. Vice personnel utilized the Tac Channel to update the location of Vehicle #1 as they continued to follow the vehicle in their unmarked vehicles.

Debriefing Point No. 1 Tactical Planning

The Tactical Operation Plan for this incident included assigned roles for all personnel. Sergeant A was assigned as the chase unit supervisor. Sergeant A, along with all UC operators, was not wearing body armor at the time of the incident while in their unmarked vehicles. While the Tactical Operation Plan requested a body armor exemption for operators who were deployed on foot, the plan did not specifically mention when the operators were in their vehicles.

Additionally, the Los Angeles Regional Criminal Information Clearinghouse (LA CLEAR) was not notified at the time of the operation as the operation was planned for a general and not for a specific location. Sergeant B approved this tactical plan.

After Officer A witnessed the incident between Vehicle #1 and 2, he/she requested the response of the chase unit. During this time, the chase unit was on a traffic stop and did not hear the request. According to Officer F, the chase unit was free to go and conduct their own stops and investigations in the area of the vice operation. The UOFRB assessed the tactics employed by Sergeant A. In their assessment, the UOFRB discussed the Tactical Operation Plan and opined it blurred the roles

between UC and surveillance operations. The approved plan of action called for deploying UC officers to conduct prostitution surveillance/enforcement. The UOFRB would have preferred the plan had been more detailed in that they were operating in a UC capacity. The distinction of operating as a UC would have clarified the requirement for wearing body armor. The UOFRB noted the plan requested and received Commanding Officer approval to exempt officers from wearing body armor specifically for officers when deployed on foot in surveillance.

The UOFRB noted Department policy does not require body armor for UC operators but does for surveillance personnel unless specifically exempt. The UOFRB noted two things; the first being a clear UC operation would have already exempted the officers from wearing body armor; and second, had the plan asked for an exemption to wearing body armor while driving around in their vehicles, it would have been a reasonable request and likely approved. The UOFRB opined even though Sergeant A was assigned the role of “black and white supervisor,” he/she was also operating in a UC capacity and was classified as a UC operator for this operation. As such, the UOFRB opined Sergeant A’s decision not to wear body armor was not a substantial deviation from Department-approved training; however, identified the aforementioned issues to be discussed at the Tactical Debrief.

The UOFRB was critical of the chase units’ failure to respond to the incident upon the request of Officer A. The UOFRB noted in active tactical operations, the chase unit should always be available for UC operators as true UC operators do not carry any equipment identifying them as police officers. The UOFRB emphasized there was confusion in the expectations and availability of the chase units at the time of this incident and another example of the operation being blurred. However, the UOFRB opined the chase units’ primary function is to support UC operators when requested and therefore should have been available. Additionally, the UOFRB noted that as the “black and white supervisor,” they would have preferred Sergeant A recognize the chase units were on a traffic stop and request a marked black and white police vehicle over 77th Street Base Frequency.

The UOFRB did recognize there is not a specific Department policy which mandates a chase unit remain available in a vice operation where they may not always be needed. Therefore, though the UOFRB would have preferred the chase units remain available, there was no substantial deviation from Department policy.

Based on the totality of the circumstances, the BOPC determined, the tactics employed by Sergeant A did not deviate from Department-approved tactical training.

Command and Control

- After the OIS, Officer D and Sergeant B broadcast there were shots fired, and officers needed help. Sergeant B, unaware an OIS had occurred, continued to follow Vehicle #1 and update its location while Officer D remained with Sergeant A. Officer D continued to delegate assignments and ensure a crime scene was

established. At approximately 2225 hours, Detective A, 77th Street Area, arrived at scene and assumed the role of Incident Commander (IC). Detective A then obtained a Public Safety Statement (PSS) from Sergeant A.

At approximately 2234 hours, Sergeant C, 77th Street Patrol Division, arrived at scene and assumed responsibility for monitoring Sergeant A. Approximately 11 minutes later, Detective A established a Command Post (CP). Additionally, Lieutenant B, Harbor Area Gang Impact Team (GIT), arrived at scene and assumed the role of IC.

At 2332 hours, Sergeant C notified the Department Operations Center (DOC).

The BOPC determined the overall actions of Officer D, Sergeant A, B, and C and Detective A were consistent with Department training at a critical incident.

Tactical Debrief

- In conducting an objective assessment of this case, the BOPC determined the actions of Sergeant A were not a deviation from Department-approved tactical training.

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

Therefore, Sergeant A will attend a Tactical Debrief and the identified topics be discussed.

B. Drawing/Exhibiting

Sergeant A (Service Pistol)

According to Sergeant A, he/she observed the Subject “veer” past the front of his/her vehicle to his/her driver side door, bending at the waist and reaching for his front waistband with his right hand. Sergeant A estimated it took one second for the Subject to reach his/her driver side door. Based on the Subject’s movements of running towards his/her car, bent over and reaching for his waistband, Sergeant A believed the Subject was going to rob, kill or carjack him/her and was armed with a handgun. Through his/her driver side window, he observed the Subject approximately two feet away and facing him/her. Sergeant A consequently unholstered his/her service pistol.

The UOFRB assessed Sergeant A’s drawing and exhibiting of his/her service pistol. The UOFRB noted Sergeant A observed the Subject exit Vehicle #1 in an aggressive manner and quickly approach his/her driver side door. While moving towards Sergeant A’s vehicle, the Subject concealed his hand in his waistband,

leading Sergeant A to believe the Subject was armed with a handgun. Based on Subject's actions, the UOFRB felt it was reasonable for Sergeant A to believe the situation may escalate to where deadly force may be necessary.

Based on the totality of the circumstances, the BOPC determined an officer with similar training and experience as Sergeant A would reasonably believe the situation may escalate to where deadly force may be justified. Therefore, the BOPC found Sergeant A's Drawing/Exhibiting to be In-Policy.

Lethal Use of Force

- **Sergeant A** – Smith and Wesson, Model 6906, 9mm, semiautomatic pistol, one round in a northeasterly direction from an approximate distance of two feet.

Background – The FID investigation determined Sergeant A's background at the time of the OIS consisted of a gated driveway, a wooden fence separating the property from the sidewalk, and the front side (south side) of a residence.

While intending to drive past Vehicle #2, Sergeant A observed the vehicle pull north from the curb and stop, blocking his/her vehicle and both lanes of traffic. Sergeant A being forced to stop his/her vehicle, observed the vehicle's driver and left rear passenger doors open immediately in an aggressive manner. The driver remained in the vehicle, while the left rear passenger (Subject) and two additional individuals immediately exited. Sergeant A described the Subject as wearing a black hooded sweatshirt with the hood up, black jeans and having nothing in his hands. According to Sergeant A, the Subject ran toward his/her vehicle, while looking directly at him/her.

Sergeant A attempted to exit his/her vehicle; however, his/her doors were locked, preventing him/her from opening the door. The Subject quickly approached the driver side of Sergeant A's vehicle, bending at the waist and reaching for his front waistband with his right hand. Based on the Subject's movements, Sergeant A believed the Subject was going to rob him/her and was armed with a gun. At the point the Subject arrived at Sergeant A's vehicle door, the door was obstructing Sergeant A's view of Subject's hands. According to Sergeant A, he/she turned his/her upper body at an approximate 45-degree angle between the windshield and the driver side window. Sergeant A held his/her handgun in his/her right hand, with his/her arm bent and the muzzle directed upward at the Subject's center body mass. Believing the Subject was armed with a gun and going to kill him/her, Sergeant A discharged one round at the Subject through his/her closed driver side window. Although Sergeant A was unable to see the Subject's hands, Sergeant A believed he was retrieving a handgun from his waistband. The FID investigation determined Subject did not have a firearm in his possession at the time of the OIS.

The UOFRB assessed Sergeant A's use of lethal force. The UOFRB noted Sergeant A did not initiate a confrontation and was attempting to pass Vehicle #1. When the vehicle blocked Sergeant A's ability to proceed, the Subject approached Sergeant A's driver side door and concealed his hand in his waistband.

Based upon the tactics of the occupants of the vehicle, the blocking of Sergeant A's vehicle, the aggressive tactics of rushing out of the vehicle and the Subject's actions of running towards the driver side door of Sergeant A's vehicle with his hand reaching/concealed within his waistband, the UOFRB opined it was reasonable for Sergeant A to believe the Subject was reaching for a weapon.

The UOFRB opined the actions of the occupants of the vehicle and the Subject specifically, appeared to be designed and would lead a reasonable Los Angeles Police Officer to believe the Subject was armed. The UOFRB noted Sergeant A's efforts to de-escalate by attempting to exit his/her vehicle but unable due to the condition of the car and the rapid pace upon which the Subject approached so was therefore confined inside his/her vehicle and at a disadvantage. The UOFRB noted Sergeant A made eye contact with the Subject and believed he/she was going to be robbed, killed or carjacked. The UOFRB opined Sergeant A's perceptions were reasonable given the totality of the circumstances, including his/her training and experience, and he/she had a right to defend himself/herself based upon those perceptions.

The UOFRB acknowledged Sergeant A's prior knowledge of the propensity for violence that exists in the area he/she was working, and he/she was aware the occupants of the vehicle had been observed possibly attempting to commit a carjacking approximately three minutes prior to the OIS. The UOFRB opined these factors, combined with the Subject's aggressive and intentional actions, made it reasonable for Sergeant A to believe the Subject posed an imminent deadly threat and found his/her lethal force was objectively reasonable, proportional and necessary.

Based on the totality of the circumstances, the BOPC determined an officer with similar training and experience as Sergeant A, in the same situation, would reasonably believe the use of lethal force was proportional, objectively reasonable and necessary. Therefore, the BOPC found Sergeant A's Use of Lethal Force to be In Policy.