

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

OFFICER-INVOLVED SHOOTING – 051-24

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
Southeast	11/1/24		

Officer(s) Involved in Use of Force	Length of Service
Officer A	5 years, 6 months
Officer B	5 years, 6 months

Reason for Police Contact

Southeast Division uniformed patrol officers responded to a radio call of a robbery suspect, armed with a handgun. As officers arrived, they observed the Subject standing on the sidewalk. During a short foot pursuit, the Subject produced a firearm and fired at officers, resulting in an Officer-Involved Shooting (OIS). After briefly barricading himself behind a gated security door of an apartment building and exchanging gunfire with the officers, the Subject fled, where he unsuccessfully attempted to carjack an additional victim before hiding in the surrounding neighborhood.

Metropolitan Division Special Weapons and Tactics (SWAT) responded to the scene, conducted an extensive search, and located the Subject, ultimately taking him into custody without incident. Both officers and the Subject sustained gunshot-related injuries resulting from the incident. They were treated at local hospitals and released later that night.

Subject(s)	Deceased ()	Wounded (X)	Non-Hit ()
Male, 30 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, 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 October 7, 2025.

Incident Summary

On November 1, 2024, at approximately 2048 hours, the Subject entered a makeshift dwelling occupied by Witnesses A and B, in an alley alongside a laundromat, pointed a handgun at Witness A, demanded the witness's bicycle, and struck Witness A in the head with the handgun.

Security cameras captured the Subject pointing a handgun at the witnesses and striking Witness A with it. The Subject then placed the handgun into his sweatshirt pocket while walking.

At approximately 2052 hours, Witness A entered the laundromat and walked into a restroom toward the rear of the building after contacting Witness C and informing him/her of the assault.

According to Witness C, he/she was eating at a table inside the laundromat when Witness A entered the laundromat seeking assistance after being struck in the head. When Witness C got up to help him/her, the Subject entered the laundromat and told Witness C to sit down.

The Subject confronted Witness C while armed with a handgun and demanded that Witness C translate his demands to the owner of a nearby taco stand. The Subject demanded payment in exchange for allowing the vendor to operate at that location. During the encounter, the Subject pointed the handgun at Witness C while making the demands.

At approximately 2057 hours, Witness D contacted Communications Division (CD) to report the incident. The 911 call generated a call for service.

At approximately 2101 hours, Officers A and B responded to the call. Officer A broadcast the officers' emergency response (Code Three). As the officers proceeded to the scene, CD broadcast that the Subject was in front of the laundromat near a taco vendor.

At approximately 2102 hours, Officer A requested the response of an Air Unit while enroute to the call. Air Support Division (ASD) Officers C and D acknowledged the request and broadcast that they were responding.

As they continued their response, Officer A repeated the comments of the call to Officer B, including the Subject's description. At 2102:30 hours, Officer A broadcast that they were arriving at the scene (Code Six) as they neared the location.

At 2103:14 hours, Officer B turned onto the apron of the laundromat parking lot entrance. He/she stopped the officers' police vehicle, facing a group of vendors on the sidewalk. According to Officer B, he/she parked in a position that would provide the greatest amount of cover by utilizing the police vehicle.

Body-Worn Video footage depicted the officers discussing their observation of an individual standing amongst the vendors who matched the description of the suspect provided in the comments of the radio call. Officer B alerted his/her partner to a bulge in the Subject's pocket as they exited the car.

The Subject, who was standing on the sidewalk near the laundromat, looked in the officers' direction and immediately began running into the street. At 2103:18 hours, as the officers chased the Subject, Officer B immediately broadcast that they were in foot pursuit of a man with a gun, wearing a green hoodie.

Both officers indicated that they intended to contain the Subject by immediately broadcasting the Subject's direction of travel as they pursued him on foot to maintain visual contact. According to Officer A, based on prior experience, he/she believed the Subject would begin jumping fences or enter a building to hide, and that if the officers did not pursue, they would lose their view of him due to the volume of vehicle traffic and the size of the street.

Officer A recalled that as they crossed the street, the Subject began running with his right hand inside of his front hoodie pocket where Officer A had observed the bulge at the onset of the foot pursuit. He/she described the bulge as heavy and weighted, causing him/her to believe that the Subject was possibly armed. According to Officer A, he/she then unholstered his/her pistol, holding it in a single-handed grip in his/her right hand with his/her index finger along the frame. Officer A illuminated the Subject with his/her pistol mounted flashlight and began to slow his/her pace.

Immediately following Officer B's broadcast of a foot pursuit, Officer A was heard on BWV yelling, "Drop the gun," as he/she ran behind the Subject.

Below are the independent accounts provided by Officers A and B of their actions during the OIS and their rationale for using deadly force. The order does not necessarily represent the sequence in which each officer discharged their pistol because some of the rounds fired overlapped or occurred simultaneously. The entirety of the gunfire occurred within approximately 18 seconds. Officer A ultimately fired 10 rounds in separate volleys from various positions. Officer B fired 13 rounds, also in separate volleys and from various positions.

Based on the fluid and rapidly unfolding nature of the foot pursuit and OIS, and the continuous change in positions of the officers and the Subject throughout the exchange of gunfire, their stated positions were not exact. Although the investigation determined that the Subject fired a minimum of 9 rounds, video did not capture him discharging a weapon. Therefore, the sequence and timing of his firing was based on the officers' recollection and ballistic evidence.

Officer A

Officer A recalled utilizing his/her pistol-mounted flashlight to illuminate the Subject and observed him standing behind the metal door with the handgun extended outward toward the street and firing approximately four rounds in his/her (Officer A's) direction. Officer A reported hearing the gunshots from the Subject's location and observing muzzle flash. Believing the Subject was firing at him/her, Officer A fired two rounds at the Subject's front torso, through the metal door, from a distance he/she perceived to be 12 to 15 feet. The shots were fired in a westerly direction as Officer A stood behind the trunk of the parked white vehicle.

According to Officer A, he/she then felt a sharp pain to his/her right forearm, causing him/her to believe that he/she had been struck by gunfire. He/she attempted to slow his/her forward momentum and lost his/her footing, causing him/her to fall to the ground.

Officer A recalled still hearing gunfire from the Subject's location as he/she returned to his/her feet. According to Officer A, the Subject had retreated deeper into the doorway. He/she observed the Subject pointing the pistol toward the street, in the direction where he/she believed Officer B to be standing.

Believing that the Subject was then firing at Officer B, Officer A fired an additional six consecutive rounds from a distance he/she perceived to be 12 feet, from a standing position behind a vehicle. The six rounds were fired within approximately one second.

Officer A stated that he/she paused and assessed, then observed the Subject again point a pistol toward Officer B. Officer A stepped to his/her right and fired one final round at the Subject's torso, through the metal door.

At approximately 2103:42 hours, Officer A broadcast a "help call."

Believing the Subject had fled into the apartment building, Officer A began moving backward, into the street, and verified Officer B's well-being by making verbal contact with him/her.

Officer B

As the foot pursuit ensued, Officer B recalled running behind Officer A and observing the Subject looking over his left shoulder, back toward Officer A, as he neared the curb. According to Officer B, he/she believed that the Subject was attempting to determine Officer A's position, acquiring a target. Once the Subject reached the curb, Officer B observed a light emitting from underneath the Subject's left arm and immediately recognized that the light was attached to a black handgun held by the Subject.

Officer B recalled unholstering his/her pistol when he/she first identified the Subject holding a handgun and firing at Officer A.

Officer B heard three to four gunshots as he/she continued running in the middle of the street. According to Officer B, as he/she continued to move, with Officer A nearby, the Subject turned toward him/her, exposing his (the Subject's) front.

Officer B believed that he/she simultaneously fired three to four rounds at the Subject's front torso, immediately upon unholstering. Officer B also recalled that the Subject began to fire in his/her direction as he (the Subject) turned toward him/her.

Based on his/her stated position, Officer B fired from an approximate distance of 40 feet.

According to Officer B, Officer A was not in his/her field of view as he/she fired. He/she recalled that his/her background was the brick wall of an apartment building, and cars parked along the curb, between him/her and the Subject, were in the foreground.

Officer B recalled that during his/her first volley of gunfire, he/she felt pain to his/her left thigh and right thumb, causing him/her to believe that he/she had been struck by gunfire. As he/she continued to move, he/she fell to the ground between the southbound and northbound lanes of traffic. Footage from Officer B's BWV camera depicted him/her attempting to reestablish his/her footing and momentarily returning to his/her feet before falling to the ground and rolling to a seated position in the northbound lanes of traffic, dropping his/her police radio.

Officer B was unaware if his/her fall was due to being struck by gunfire or losing his/her balance during his/her attempt to move to cover on the side of the street. Officer B reported feeling exposed while on the ground and believed that the Subject was continuing to fire at him/her while stepping in his/her direction on the sidewalk. Officer B then fired two rounds, from an approximate distance of 85 feet.

Officer B believed the Subject had moved into the entryway of an apartment building, behind a metal security door. According to Officer B, he/she observed muzzle flash and heard gunfire emanating from the metal door, causing him/her to believe the Subject was continuing to fire at him/her. He/she described observing the Subject's silhouette behind the door, standing with his arms raised, holding a pistol with both hands pointed outward in his/her direction.

Officer B then fired two additional rounds as he/she returned to his/her feet. According to Officer B, he/she fired at the center of the Subject's silhouetted torso.

Officer B immediately moved to cover behind a vehicle that was parked along the curb. He/she recalled observing the Subject in the same position behind the metal door and believed that the Subject was continuing to fire at him/her. Body-Worn Video depicted Officer B firing three rounds in a westerly direction, in a standing position from an approximate distance of 96 feet away from the entryway of the apartment building.

According to Officer B, he/she fired at the same silhouetted target behind the metal door. Officer A continued to illuminate the front of the apartment as Officer B fired.

According to Officer B, he/she realized that he/she had dropped his/her police radio during the fall. He/she immediately moved back into the street and retrieved the radio before returning to the cover of the parked vehicle. Officer B indicated that the movement to reacquire the radio was necessary to broadcast pertinent information to responding units.

Post-OIS

Officer B then informed Officer A that he/she believed he/she had been struck by gunfire. Simultaneously, Officers E and F arrived on scene, followed shortly by Officers G and H. At 2106:20 hours, once the frequency cleared, Officer A broadcast a request for a Los Angeles Fire Department (LAFD) Rescue Ambulance (RA) to respond for an officer with a gunshot wound.

While enroute, the Air Unit began directing units to perimeter locations. They arrived overhead at 2106:54 hours and continued coordinating the containment of the area. At approximately 2109 hours, Sergeant A arrived and contacted Officers A and B south of the OIS location where they had relocated after being relieved by responding officers. Both officers reported receiving wounds as a result of gunfire. Officer A reported a wound to his/her right forearm that he/she believed to be the result of a ricochet. Officer B reported the graze wound to his/her right thumb. According to Sergeant A, he/she was aware that an RA had been requested.

Moments after his/her arrival, Sergeant A was joined by Sergeants B and C. Sergeant A tasked the other two sergeants with separating and monitoring Officers A and B and obtaining Public Safety Statements (PSS) from the officers.

At approximately 2111 hours, after verifying that containment had been established, Sergeant A declared him/herself Incident Commander (IC) over the police radio and began to assist in setting up a Command Post (CP).

At approximately 2130 hours, RAs responded and transported Officers A and B to the hospital, where they were treated for their injuries.

At approximately 2150 hours, officers on the perimeter contacted Witness E. Witness E reported that, moments after hearing gunshots in the area, he/she was exiting his/her vehicle when he/she was approached by a male, approximately 20 to 30 years of age, matching the general description of the Subject. The male was armed with a handgun and demanded his/her car. The Subject appeared to have been startled by Witness E's dogs, then fled west. Witness E's location at the time was along the path that the Subject was last seen. The information provided by Witness E was broadcast and reported to the CP.

Metropolitan Division K-9 Platoon personnel monitored the incident over the Southeast Division radio frequency and responded to the CP. Based on the circumstances, including an OIS involving an armed suspect believed to be contained within the perimeter, Lieutenant A determined that the incident met the criteria for a SWAT response.

Metropolitan Division SWAT personnel responded, and, at approximately 2240 hours, Commander A assumed the role of IC, approved a search plan utilizing integrated K-9 and SWAT search teams, and initiated a systematic search following K-9 search announcements.

On November 2, 2024, at approximately 0027 hours, K-9 Dog A alerted to a pickup truck parked in an alley. Officers positioned an armored vehicle to provide cover and directed any occupants of the truck to exit. The Subject immediately complied with commands to exit the passenger side of the truck, was taken into custody without incident, and was searched. No weapons were recovered. The Subject identified himself, stated that he had been shot in the leg, and advised officers that he had applied his own tourniquet.

Officer J requested the response of LAFD Tactical Emergency Medical Support (TEMS) personnel and an RA and advised the CP that the Subject matched a still image obtained from the laundromat security video and that his gunshot wound was not the result of SWAT actions. Officer K, a SWAT EMT, determined that the Subject's makeshift tourniquet was ineffective, removed it, and applied a Department-issued tourniquet.

The Subject was then transported by portable gurney to the street, where LAFD TEMS personnel and an RA assumed his care and transported him to the hospital.

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

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 tactics to warrant a Tactical Debrief.

B. Drawing and Exhibiting

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

C. Lethal Use of Force

The BOPC found Officers A and B'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. 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 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.

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 suspected 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 suspected offense;
- The level of threat or resistance presented by the suspect;
- Whether the suspect was posing an immediate threat to the officers or a danger to the community;
- The potential for injury to citizens, officers or suspects;
- The risk or apparent attempt by the suspect to escape;
- The conduct of the suspect 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 suspect;
- Officer versus suspect factors such as age, size, relative strength, skill level, injury/exhaustion and number of officers versus suspects;
- 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 officer's 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 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*.

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, suspects of a use of force and fellow officers:

- To the extent of the officer's 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 officer's 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 suspect.

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 suspect 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 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/her 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 – Officers A and B had worked as partners on more than 50 previous occasions. They discussed foot pursuits tactics, tactical de-escalation, and contact and cover roles. Officers had prior knowledge of an increase in gang-related robberies against street vendors. While enroute to the call, Officer A read the comments of the call to Officer B who requested updated information on the Subject's location from Communications Division (CD).

Assessment – Upon arrival, Officers A and B observed the Subject, who matched the suspect description, standing near the taco stand with a prominent bulge in the front pocket of his sweatshirt. The officers noted the Subject, the customers, and the taco vendors all appeared to be startled by their presence. The Subject made eye contact with the officers and immediately fled with his right hand in his front sweatshirt pocket, leading them to believe he was armed. During the foot pursuit, Officer B observed a light emitting from underneath the Subject's left arm which was attached to a black handgun held by the Subject. The Subject maneuvered his right hand beneath his left elbow and fired at Officers A and B. Officers A and B's assessment of the Subject's actions brought them to the conclusion that the Subject posed an imminent threat of serious bodily injury or death to community members and themselves if not immediately addressed.

Time, Redeployment and/or Containment – The Subject immediately ran from the officers, produced a handgun from his pocket and ignored their commands to drop it. The Subject's deliberate and bold actions led the officers to believe he was a public safety risk, prompting them to pursue the Subject in order to maintain visual observance of him and broadcast a perimeter to contain him. While in pursuit in containment mode, the Subject engaged officers in a gunfight. The Subject's attack on Officers A and B prevented the possibility of officers taking advantage of more time, eliminating their opportunity to utilize other force options and additional de-escalation efforts and forced them to defend themselves from the imminent deadly threat posed by the Subject.

Once the Subject reached the sidewalk, the officers triangulated on his position and used parked vehicles for cover during the OIS. Post-OIS, the Subject fled into the apartment complex and the officers redeployed to positions of cover on the side of the street to create more time and gain a broader view of the apartment complex. When the Subject exited the front of the complex and fled, officers held their position, remained behind cover, did not engage him in a foot pursuit, and utilized the time to request additional resources and establish a perimeter to contain the Subject.

Other Resources – Officer A requested an Air Unit while enroute to the radio call. Officer B broadcast the foot pursuit, the Subject's description, the help call, and requested that a perimeter be set. The Air Unit responded and assisted in the

coordination of ground resources in establishing a perimeter. Metropolitan Division SWAT and K-9 resources responded to the scene and conducted a systematic search, ultimately locating and apprehending the Subject.

Lines of Communication – Officers A and B communicated with each other prior to and during the incident. As the Subject fled, Officer B broadcast the foot pursuit with the Subject’s description, location, and direction of travel. Officer A instructed the Subject to drop the handgun. When the Subject fired at them, Officer B broadcast an “officer needs help” request. After the OIS, Officer A broadcast an additional “officer needs help” request and verified Officer B’s well-being by making verbal contact with him/her and visually inspecting him/her. As the Subject fled from the apartment, Officer B broadcast pertinent information, which included the Subject’s last known location, description, direction of travel, and the fact that the Subject was armed with a handgun, resulting in an OIS before broadcasting a request for a perimeter. The Air Unit arrived overhead and assumed responsibility for coordinating the perimeter. Officer B also informed Officer A of his/her injury.

- During its review of this incident, the BOPC noted the following tactical considerations:

1. Foot Pursuit Concepts – Pursuing Armed Suspects

During the foot pursuit Officers A and B maintained distance and visual observation of the Subject. They recognized that a man armed with a gun in a populated area with pedestrian and vehicle traffic posed a significant public safety risk, necessitating their immediate response to prevent the Subject from accessing victims and to prevent his escape. Based on the officers’ experience, they knew most suspects armed with a handgun either jump fences to avoid capture, enter an apartment complex to conceal themselves, or discard the firearm and continue fleeing.

During the foot pursuit Officers A and B stated they had situational awareness of each other’s location and were close enough to provide immediate assistance to one another if necessary. In Officers A and B’s FID interviews, both officers stated that they were in containment mode and intended to maintain a visual of the Subject, however, the Subject’s actions rapidly escalated the incident resulting in an OIS.

The BOPC assessed Officers A and B’s tactics during the foot pursuit. The Board noted the Department’s tactical training teaches that officers should generally pursue an armed suspect in containment mode, taking into account the tactical advantages available, such as cover and concealment when possible. The Board noted the evidence of Officers A and B’s actions supported their assertion that they pursued the Subject in containment mode by keeping a visual of him while maintaining distance and not attempting to overtake and apprehend the Subject. The Board considered the officers’ description of the street as a busy thoroughfare and highly populated with four lanes of traffic. The amount of traffic and the size and makeup of the street would have caused officers to lose sight of him, providing the Subject

with a greater tactical advantage, posing a greater danger to the officers and the public had they not pursued him in the manner in which they did. The Board opined that the officers' actions were consistent with containment mode and therefore reasonable under the circumstances to safeguard the public from the Subject's dangerous actions. The Board concluded that Officers A and B's tactics did not substantially deviate from approved Department tactical training.

Based upon the totality of circumstances, the BOPC determined that the tactics employed by Officers A and B were not a substantial deviation from Department-approved tactical training.

2. Cover

During the OIS both officers used the cover of a parked vehicle on the curb, but they were both struck by gunfire and fell to the ground. After the OIS, the Subject entered the apartment complex and was no longer visible to the officers, prompting them to redeploy away from the apartment and across the street. As Officers A and B redeployed toward parked vehicles, both officers were momentarily without the benefit of cover or concealment as they crossed the street. According to Officer A, he/she moved backward, away from cover of the vehicle parked at the curb to verify the well-being of Officer B and to have a better, wider view of the apartment building the Subject had been shooting from. According to Officer B, he/she was attempting to get to cover and make him/herself a smaller target, while still engaged in the gunfight with the Subject.

The BOPC assessed Officers A and B's tactics as they pertained to the use of cover and concealment. The Board noted that both officers promptly moved to positions of cover behind a parked vehicle at the curb as they returned fire. The Board also noted that gunfire struck Officers A and B, both officers fell to the ground, returned to their feet, and returned fire as the Subject continued to shoot at them.

The Board evaluated Officer A's redeployment from the parked vehicle on the west curb to the east curb that occurred after the Subject entered the apartment complex. The Board acknowledged this was a calculated risk within Officer A's discretion to mitigate risk. As Officer A lost sight of the Subject, he/she was approximately 30 feet from the door of the apartment complex and had knowledge that many apartment buildings in the area possess rear exits that can lead to neighboring yards. Officer A's decision to redeploy was intended to avoid being ambushed by the Subject in the event he circled back to the street to flank the officers, gain a broader perspective of the overall scene and apartment complex, and verify his/her partner's wellbeing. Based upon the totality of the circumstances the Board determined that Officer A's actions were reasonable and did not deviate from approved Department tactical training.

Once Officer B moved to the cover of a parked vehicle on the side of the street, he/she realized that he/she dropped his/her police radio when he/she fell to the ground. Officer B moved back into the street to retrieve his/her radio before

returning to the cover of the parked vehicle. The BOPC assessed Officer B's decision to leave cover for the purpose of retrieving his/her police radio. The Board acknowledged that an officer's police radio is critical equipment required for officer safety and survival. The Board determined that Officer B's decision to leave cover to retrieve his police radio was necessary for him to maintain communication and coordination with responding units in a dynamic, life-threatening situation was reasonable and did not represent a substantial deviation from approved Department tactical training.

The BOPC reviewed the circumstances of this case as well as the relevant training standards. Officers A and B were aware of available cover in their surrounding area and utilized available cover during the tactical situation. Both officers' redeployment during this incident were reasonably engaged in to further employ de-escalation efforts as they related to creating distance and ensuring access to critical lines of communication.

Based on the totality of the circumstances, the BOPC determined that Officers A and B's use of cover and redeployment was not a substantial deviation from Department-approved tactical training.

Additional Tactical Debriefing Topics

- **Tactical Vehicle Deployment** – As Officer B turned onto the apron of the laundromat parking lot, the officers immediately encountered the Subject standing by the taco stand. The location of the incident offered limited opportunities for the tactical deployment of the police vehicle due to its setting at the curvature of a major thoroughfare and oncoming pedestrian and vehicle traffic. Alternatively, officers could have considered parking offset from the laundromat parking lot entrance to maximize the effectiveness of available cover in addition to the ballistic protection of the vehicle doors. Officers were reminded of the importance of tactical vehicle deployment in order to approach incidents from a position of advantage.

These topics were to be discussed at the Tactical Debrief.

Command and Control

- Post-OIS, Officers A and B continued to request additional resources to coordinate a perimeter. Officer A directed Officers E and F to evaluate Officer B for any injuries and requested an RA for his/her partner. Through the coordination of arriving supervisors, both Officers A and B received prompt medical attention for their injuries.

Tactical Debrief

- In conducting an objective assessment of this case, the BOPC found that the actions of Officers A and B did not deviate from Department-approved tactical training.

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

Therefore, the BOPC found Officers A and B's tactics to warrant a Tactical Debrief.

B. Drawing and Exhibiting

• Officer A

According to Officer A, the comments of the radio call indicated that the Subject was armed with a handgun, he/she observed a bulge in the Subject's front sweatshirt pocket, and the Subject ran with his right hand inside the pocket, causing Officer A to believe the Subject was possibly armed. Officer A unholstered his/her service pistol because he/she believed the situation could escalate to one involving the use of deadly force.

• Officer B

According to Officer B, he/she observed the Subject holding a handgun and firing it at Officer A. Officer B unholstered his/her service pistol because he/she believed the situation could escalate to one involving the use of deadly force.

The BOPC assessed Officers A and B's drawing and exhibiting of their service pistols. The Board noted that the officers responded to a radio call involving a robbery suspect armed with a handgun. In their assessment, the Board noted that Officers A and B unholstered their service pistols upon encountering and observing the Subject armed with a handgun.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officers A and B, would reasonably believe the situation may escalate to the point where deadly force may be justified.

Therefore, the BOPC found Officers A and B's drawing and exhibiting to be In Policy.

C. Lethal Use of Force

The entirety of the gunfire occurred within approximately 18 seconds. The investigation determined the Subject fired a minimum of nine rounds. Due to the overlapping sounds and proximity of gunfire from the officers and the Subject, the timing of volleys fired by

the Subject were not determined. Officer A fired 10 rounds in four separate volleys from various positions and varying distances of approximately 25 to 35 feet. Officer B fired 13 rounds in three separate volleys from various positions and varying distances of approximately 40 to 96 feet.

- **Officer A** – Pistol, 10 rounds

Background – Officer A's background consisted of a white brick wall of an apartment building and his foreground consisted of the vehicles parked along the curb during the OIS.

First Volley

According to Officer A, when the Subject reached the sidewalk of the street, he/she recalled hearing two pops and observed a muzzle flash emanating from a handgun in the Subject's right hand, which was positioned underneath his left elbow as he tilted his body to the left and pointed the handgun in Officer A's direction.

Officer A slowed his/her pace and attempted to maintain his/her balance as he/she began moving toward the cover of a parked vehicle. Believing the Subject was going to shoot him/her, Officer A fired one round at the Subject's torso to protect him/herself and his/her partner from serious bodily injury or death.

Second Volley

According to Officer A, he/she immediately moved to cover behind a parked vehicle along the curb as the Subject continued on the sidewalk, entered the entryway to an apartment building, and took cover behind a metal security door. Officer A utilized his pistol-mounted flashlight to illuminate the Subject and observed him standing behind the security door with his handgun extended outward toward the street as the Subject fired approximately four rounds in Officer A's direction. Officer A observed the muzzle flash, believed the Subject was firing at him, and fired two rounds at the Subject's front torso through the security door to defend him/herself from the imminent threat of serious bodily injury or death.

Third Volley

According to Officer A, he/she felt a sharp pain to his/her right forearm and believed he/she had been struck by gunfire. He/she attempted to slow his/her forward momentum and lost his/her footing, causing him/her to fall to the ground. Officer A recalled still hearing gunfire from the Subject's location as he/she returned to his/her feet. Officer A observed that the Subject had retreated deeper into the doorway and was pointing his handgun in the direction where Officer A believed his/her partner to be standing. Believing the Subject was firing at Officer B, Officer A fired an additional six consecutive rounds to protect his/her partner against the imminent threat of serious bodily injury or death.

Fourth Volley

Officer A stated that he/she paused, assessed, and observed the Subject point the handgun in an easterly direction toward Officer B. Believing the Subject was still firing at Officer B, Officer A stepped to his/her right and fired one final round at the Subject who was behind the security door, to protect Officer B from the threat of serious bodily injury or death.

- **Officer B** – Pistol, 13 rounds

Background – Officer B's background consisted of a white brick wall of an apartment building and his/her foreground consisted of vehicles parked along the west curb. According to Officer B, Officer A was to his/her northeast and not in his/her field of view when he/she fired his/her first volley.

First Volley

According to Officer B, he/she heard three to four gunshots as he/she continued running in the middle of the street. Officer B continued to move as the Subject turned toward him/her, exposing the Subject's front. Officer B passed Officer A, who was northeast of him/her. Believing the Subject was firing at his/her partner, Officer B fired six rounds at the Subject's front torso, immediately upon unholstering, to protect his/her partner from the threat of serious bodily injury or death.

Second Volley

According to Officer B, during his/her first volley of gunfire, he/she felt pain to his/her left thigh and right thumb, causing him/her to believe he/she had been struck by gunfire. As he/she continued to move south, he/she fell to the ground between the southbound and northbound lanes of traffic. Officer B rolled to a seated position in the northbound lanes of traffic, dropping his/her police radio. Believing that the Subject continued to fire at him/her, Officer B fired two rounds as he/she attempted to stand from a seated position on the ground.

As Officer B placed his/her left hand on the ground and pushed him/herself up to a standing position, he/she believed the Subject moved into the entryway of the apartment building, behind the metal security door. According to Officer B, he/she observed muzzle flash and heard gunfire emanating from the metal door, causing him/her to believe the Subject was continuing to fire at him/her. He/she observed the Subject's silhouette behind the door, standing with his arms raised, holding the handgun with both hands pointed outward in his/her direction.

Officer B fired two additional rounds as he/she returned to his/her feet. Officer B fired at the center of the Subject's silhouetted torso to defend him/herself from an imminent threat of death or serious bodily injury.

Third Volley

According to Officer B, as he/she moved to cover behind a vehicle that was parked along the curb, he/she observed the Subject in the same position behind the metal security door. Believing the Subject was continuing to fire at him/her, Officer B fired three rounds to protect him/herself from the imminent threat of serious bodily injury or death. According to Officer B, he/she fired at the same silhouetted target behind the metal security door.

The BOPC assessed Officers A and B's use of lethal force. The Board noted that Officers A and B were responding to a radio call of a robbery suspect armed with a handgun. Upon encountering the Subject, they observed a bulge in the Subject's pocket, and he immediately fled as he kept his right hand inside the pocket. The Board noted that the Subject rapidly escalated the situation and demonstrated his readiness to inflict harm on others when he disregarded the officers' commands and discharged multiple rounds at them.

The Board noted that the officers quickly found themselves in a gunfight with the Subject when he fired his first shots at them while fleeing only nine seconds after they turned into the laundromat parking lot. The Subject then entered the entryway of the apartment, gained higher ground on the officers, and used the metal security door for cover. The Board noted the officers' courage, determination, and will to survive as they both overcame gunshot wounds from the Subject, fell to the ground before returning to their feet, and continued to defend themselves against the Subject's bold, deliberate, and violent attack.

The Board noted that Officers A and B showed significant fire control and discipline as they assessed and evaluated prior to each of their rounds and volleys. The Board noted that the Subject continued to fire rounds at officers throughout the 18 second gunfight and only stopped when he fled further into the apartment.

The Board concluded it was reasonable for Officers A and B to believe the Subject posed an imminent deadly threat, such that all rounds fired by Officers A and B were objectively reasonable, necessary, and proportional to defend themselves.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officers A and B, in the same situation, would believe the use of deadly force was objectively reasonable, proportional, and necessary.

Therefore, the BOPC found Officers A and B's lethal use of force to be In Policy, for all rounds.

Medical Treatment/Rendering Aid

- Approximately three minutes after the OIS, Officer A requested an RA for Officer B. Officer E also made a second RA request after assessing Officer B's injuries. Both Officers A and B reported receiving wounds as a result of gunfire. Approximately twenty-four minutes later, LAFD RAs arrived at scene and transported Officers A and B to the hospital, where they were treated for their injuries.

Officer A was treated for a gunshot wound to his/her right forearm and discharged from the hospital the same day. Officer A returned to the CP to conduct a field show-up and identified the Subject as the suspect who shot him/her. Officer B was treated for gunshot wounds to his/her inner left thigh and right thumb as well as abrasions to his/her hands and knees. He/she was discharged from the hospital the following day.

Immediately after the Subject was taken into custody, officers asked the Subject if he was injured, and the Subject advised he was shot in the leg and had applied a tourniquet to his leg. Officer J broadcast a request for LAFD TEMS personnel to respond and requested an RA for the Subject. Officer K assessed the Subject and determined that the cloth tourniquet applied by the Subject was ineffective, therefore removed the makeshift tourniquet and reapplied a tourniquet that he/she was equipped with. Immediately thereafter, LAFD TEMS began to assess and treat the Subject until the arrival of LAFD RA's arrival approximately eight minutes later.

The RA transported the Subject to the hospital, where he was treated for a gunshot wound to his right thigh and the inside of the right knee. Officers met the Department's expectation for rendering aid.

Requirement to Intercede

- Based on their review of this incident, the BOPC determined that the force used was not clearly beyond that which was necessary, as determined by an objectively reasonable officer under the circumstances, and the officers did not deviate from the requirement to intercede.