

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

**OFFICER-INVOLVED ANIMAL SHOOTING – 009-15**

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

77<sup>th</sup> Street      1/30/2015

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

Officer A      18 years, 1 month

**Reason for Police Contact** \_\_\_\_\_.

Officers responded to a call that an unknown male was at a residence threatening the occupiers with a gun. On arrival they encountered a Pit-Bull dog and an officer-involved animal shooting (OIAS) occurred.

**Animal(s)      Deceased ( ) Wounded (X) Non-Hit ( )** \_\_\_\_\_

Pit-Bull dog.

**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 suspect criminal history, and addenda items); the relevant Training Evaluation and Management System materials of the involved officers; the Use of Force Review Board recommendations; the report and recommendations of the Chief of Police; and the report and recommendations of the Inspector General. The Department Command Staff presented the matter to the BOPC and made itself available for any inquiries by the BOPC.

Because state law prohibits divulging the identity of police officers in public reports, for ease of reference, the masculine pronouns (he, his, and him) will be used in this report to refer to male or female employees.

The following incident was adjudicated by the BOPC on November 10, 2015.

## **Incident Summary**

Officers A and B received a radio call, consisting of third hand information that there was a male with a handgun at an address threatening the occupier. Officers acknowledged the call and responded.

On arrival the officers exited their vehicle and approached the location. Officers A and B unholstered their weapons and held them in a two-handed, low ready position as they walked towards the rear of the property.

Officer A approached the front door of the residence as Officer B stood behind him. Officer A deployed his side handle baton with his left hand and maintained his gun in a close contact position with his right hand. Officer A utilized his baton to knock on the front door as he identified himself as a police officer. Officer A rung his baton and held his gun in a two-handed, low ready position along with Officer B. Witness A came to the front door and opened it. As she did so, a black Pit-Bull dog came out of the door barking and growling and charged at Officer A. Fearing for his safety and that of Officer B, Officer A fired one round at the approaching dog, striking it in the right shoulder area. Upon Officer A firing his weapon, the dog retreated to the yard.

Officer B notified Communications Division that the officers had shot a dog, while Officer A requested two additional units and a supervisor to respond.

The Pit Bull dog continued running throughout the yard. Witness A came out of the apartment while Witness B stayed by the front door. Witness A retrieved a dog chain from inside the apartment and secured the dog.

Within a few minutes, Officers A and B were joined by additional officers. A subsequent search of the residence was conducted due to the nature of the call. No additional people were located inside the apartment. Officers A and B then holstered their weapons.

## **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). All incidents are evaluated to identify areas where involved officers can benefit from a tactical debriefing to improve their response to future tactical situations. This is an effort to ensure that all officers benefit from the critical analysis that is applied to each incident as it is reviewed by various levels within the Department and by the BOPC. Based on the BOPC's review of the instant case, the BOPC made the following findings.

### **A. Tactics**

The BOPC found Officer A and B's tactics to warrant a Tactical Debrief.

### **B. Drawing/Exhibiting**

The BOPC found Officer A and B's drawing and exhibiting of a firearm to be in policy.

### **C. Use of Force**

The BOPC found Officer A's use of force to be in policy.

## **Basis for Findings**

### **A. Tactics**

- In its analysis of this incident the BOPC identified the following tactical consideration:
  - Dog Encounters.
- The evaluation of tactics requires that consideration be given to the fact that officers are forced to make split-second decisions under very stressful and dynamic circumstances. Tactics are conceptual and intended to be flexible and incident specific, which requires that each incident be looked at objectively and the tactics be evaluated based on the totality of the circumstances.

Each tactical incident merits a comprehensive debriefing. In this case, although there were no identified tactical points or issues, a Tactical Debrief is the appropriate forum for the involved personnel to review and discuss the incident and actions that took place during this incident.

In conclusion, the BOPC found Officer A and B's tactics to warrant a Tactical Debrief.

### **B. Drawing/Exhibiting**

- Officers A and B responded to a radio call of a man with a gun threatening the occupants of the apartment. Believing that the situation could escalate to the point where deadly force would be justified, they drew their service pistols as they made their approach to the front door of the residence.

In conclusion, the BOPC found Officer A and B's drawing and exhibiting of a firearm to be in policy.

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

- Officer A held his service pistol in his right hand in the close contact position, while utilizing his baton in his left hand to knock on the front door and identify himself as a

police officer. After knocking on the door, Officer A rung his baton and transitioned his service pistol to a two-handed, low ready position. When Witness A opened the front door, a black Pit-Bull dog came out of the door barking and growling and charged at Officer A. Believing the dog was going to bite him or his partner, Officer A fired one round from his service pistol at the dog to stop the attack.

Given the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officer A would reasonably believe that the dog posed an imminent threat of serious bodily injury and that the use of lethal force would be justified. In conclusion, the BOPC found Officer A's lethal use of force to be in policy.