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

NON-TACTICAL UNINTENTIONAL DISCHARGE - 013-12

Division	Date	Duty-On (X) Off () Uniform-Yes (X) No ()
Van Nuys	03/04/12	
Officer(s) In	volved in Use of Force	Length of Service
Officer A		2 years
Reason for Police Contact		
As an officer retrieved his gun from inside a gun locker, a non-tactical unintentional discharge occurred.		

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

N/A

Board of Police Commissioners' Review

This is a brief summary designed only to enumerate salient points regarding this Categorical Use of Force incident and does not reflect the entirety of the extensive investigation by the Los Angeles Police Department (Department) or the deliberations by the Board of Police Commissioners (BOPC). In evaluating this matter, the BOPC considered the following: the complete Force Investigation Division investigation (including all of the transcribed statements of witnesses, pertinent subject criminal history, and addenda items); the relevant Training Evaluation and Management System materials of the involved officers; the Use of Force Review Board recommendations; the report and recommendations of the Chief of Police; and the report and recommendations of the 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 October 16, 2012.

Incident Summary

Officer A secured his service pistol and magazines in a gun locker at the entrance to a jail facility. He placed his pistol in the locker first, and then placed one magazine on top of the handgun and the other magazine to the side of the handgun.

Officer A completed his work shift and went to retrieve his pistol. Officer A stood to the right of the open gun locker door and reached in with his left hand. As his hand grasped the magazine on top of his handgun, the tip of either his index or middle finger pressed the trigger of the handgun, causing it to discharge in the locker. The round struck the interior of the locker and ricocheted out into the room, coming to rest on the concrete floor.

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. Unintentional Discharge

The BOPC found Officer A's unintentional discharge to be negligent, warranting administrative disapproval.

Basis for Findings

A. Unintentional Discharge

• Officer A (pistol, one round)

In this instance, Officer A was attempting to remove his service pistol from a gun locker when his finger made contact with the trigger, resulting in an unintentional discharge.

The BOPC evaluated the circumstances relevant to Officer A's unintentional discharge and determined that his actions were negligent in nature, warranting administrative disapproval.