

Incident Summary

Officers A and B were on duty and patrolling when they drove into a park and observed two individuals seated on the bleachers. Both officers were aware the bleachers were a hangout spot for gang members. As the officers drove their vehicle into the park and toward the bleachers, the two individuals stood up and walked in different directions, away from the officer's vehicle. Officer A recognized one of the individuals as Subject 1, a documented gang member. Officer A knew that Subject 1 had been previously served with a copy of the gang injunction.

Officer A told his partner to stop their vehicle so they could detain the two individuals. Officer B exited the black and white police vehicle and gave commands to the male suspect (Subject 2), while Officer A directed commands to Subject 1.

Subject 1 refused to stop and continued to walk away from Officer A. As Officer A walked toward Subject 1 and repeated his commands, a large Pit-Bull dog ran toward him.

Officer A began to rapidly back away from the charging dog. As the dog came within two to three feet of Officer A, the dog lunged forward and jumped toward Officer A bearing his teeth and growling. Officer A, believing he was about to be bitten, unholstered his service pistol and, from a close contact position, fired one round in a downward direction at the attacking dog. The dog was struck in the head, fell to the ground, and succumbed to his injuries.

A supervisor responded to the scene, obtained a Public Safety Statement (PSS) from the officers, and ensured that all appropriate separation and monitoring protocols were upheld.

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 unanimously made the following findings.

A. Tactics

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

B. Drawing/Exhibiting

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

C. Lethal Use of Force

The BOPC found Officer A's lethal 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:

1. Code-Six

Officers A and B did not inform Communications Division (CD) of their Code-Six location. The purpose of issuing a Code-Six broadcast is to advise CD and officers in the area of their location and the nature of the field investigation, should the incident escalate and thus necessitate the response of additional personnel. Pedestrian stops can be dangerous, the identity and actions of a person stopped is often unknown, and their actions can be unpredictable.

The BOPC's expectation is that officers must always strive to consistently maintain a tactical advantage during field contacts. Officer safety is of paramount concern during field duties.

2. Contact and Cover

Officers A and B attempted to initiate individual contacts with two separate suspects at the same time. Operational success is based on the proper assumption of contact and cover roles during contacts with the public in an effort to maintain a tactical advantage. The contact officer is the officer initiating an action who becomes responsible for conducting the contact. The purpose of the cover officer is to protect the contact officer from any threats or potential hazards in the area.

It is the BOPC's expectation that officers always strive to consistently maintain a tactical advantage during field contacts.

- 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, there were additional areas where improvement could be made and a Tactical Debrief is the appropriate forum for the involved personnel to review and discuss the incident, and the individual actions that took place during this incident.

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

B. Drawing/Exhibiting

- Believing that the charging Pit-Bull was going to bite him and cause serious bodily injury, Officer A backed away to create distance from the dog, and drew his service pistol.

The BOPC determined that officers with similar training and experience, while faced with similar circumstances, would reasonably believe that there was a substantial risk that the situation may escalate to the point where deadly force may be justified.

In conclusion the BOPC found Officer A's drawing and exhibiting to be in-policy.

C. Lethal Use of Force

- **Officer A** – (pistol, one round)

Officer A observed a Pit-Bull dog charging toward him while growling and barking in an aggressive manner. Believing that the dog was about to bite him and inflict serious bodily injury, Officer A fired one round from his service weapon.

An officer with similar training and experience as Officer A would reasonably believe that the attacking dog represented an immediate threat of serious bodily injury and that the use of lethal force would be justified in order to stop the dog's advance.

In conclusion, the BOPC found Officer A's lethal use of force to be objectively reasonable and in policy.