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

NON-TACTICAL UNINTENTIONAL DISCHARGE - 020-12

Division	Date	Duty-On (X) Off () Uniform-Yes (X) No ()
Southeast	04/03/12	
<u>Officer(s) Ir</u>	volved in Use of Force	Length of Service
Officer A		6 years, 5 months
Reason for Police Contact		
As an officer prepared to clean his gun, he pulled the trigger after not fully unloading the		

As an officer prepared to clean his gun, he pulled the trigger after not fully unloading the weapon and 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 November 13, 2012.

Incident Summary

Officer A was seated at a desk and preparing to clean his pistol. Officer A ejected the cartridge from his service pistol with a loaded magazine still inside the magazine well, resulting in a live cartridge being loaded into the pistol's chamber. Officer A then removed the magazine from the magazine well and pulled the trigger and, as he did so, one round discharged into his desk.

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 did not use the proper unloading procedures when unloading his pistol. Officer A ejected the cartridge from his service pistol with a loaded magazine still inside the magazine well, resulting in a live cartridge being loaded into the pistols chamber. Officer A then removed the magazine from the magazine well and pulled the trigger without performing the steps of locking the slide to the rear, visually inspecting the chamber, guiding the slide forward and conducting a final chamber check prior to pulling the trigger.

Additionally, Officer A failed to utilize the loading barrel while unloading his service pistol. Although the loading procedures were not followed and the use of the loading barrel may not have prevented the unintentional discharge, the use of the loading barrel would have enhanced the safety of personal around Officer A at the time of the 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.