

Incident Summary

On the day of this incident, Foothill Area Vice Unit officers, consisting of undercover Police Officers A, B, C and D, were monitoring the area for prostitution activity.

Note: Vice Unit Sergeant A remained at the police station conducting administrative duties.

Assisting Vice officers were on their way to the station when they observed the Subject on the sidewalk monitoring traffic. The officers recognized the Subject from prior contacts and prostitution arrests. Assisting Vice Officers advised the other members of the Vice Unit, which included Officer A, via his hand-held police radio over a Tactical Frequency of their observations and continued on, to the police station.

Officer A was in the area where this observed activity was occurring when he observed the Subject, who he too recognized from previous patrol contacts and knew of her previous prostitution arrests. Officer A observed that the Subject was standing on the corner, attempting to wave down vehicles with lone occupants.

The Subject approached Officer A and solicited him for prostitution. Officer A signaled to other officers that a violation had occurred and drove to a nearby hotel parking lot. Officers B and C followed Officer A to the motel parking lot.

Officer B advised Communications Division (CD) via broadcast over the police radio they had arrived at the location (Code Six), in the parking lot. Officer A parked his vehicle, and Officers B and C approached the vehicle and identified themselves as police officers, both verbally and by displaying their police badges. Officer B took the Subject into custody without incident and advised her that she was being arrested for solicitation of prostitution.

Officer B broadcast over the police radio that he was transporting the Subject to the station. During the transportation, the Subject was handcuffed with her hands behind her back and placed into the front passenger seat of the undercover police vehicle. Officer B rode in the rear passenger seat behind the Subject.

Note: Officer B stated that he had requested a female officer for a pat down search prior to transporting the Subject. His request was met with negative results. A review of the Foothill Frequency revealed that his request was not recorded. According to Officer B, they transported the Subject to the Foothill station where Officer D conducted the search of the Subject.

Prior to transporting the Subject, Officer B conducted a visual search of the Subject. The Subject was attired in denim trousers, a blue long-sleeved shirt and grey boots. According to Officer B, in his prior contacts with the Subject, she was not known to carry weapons. While en route to the station, the Subject was calm and did not give any indication that she may have been distraught. According to Officer B, the Subject was

disappointed she was being arrested and going to jail and did not make any statements to him that would lead him to believe she would hurt herself.

Officer B advised CD over the police radio that he had arrived at the station. Officer B walked the Subject to the station where he was met by Officer D. None of the officers noted any indication that the Subject was distraught or depressed.

Note: The Foothill Area Police Station was equipped with a surveillance system which operates numerous cameras. One of those cameras recorded images of this incident. The camera was mounted across the hallway, which showed partial interiors of the holding cell. The view into the holding cell where the Subject was placed was through a two foot by three foot glass panel set into the cell door. At the time of the incident, no one else occupied the other holding cells next to the Subject.

There were monitors that displayed the images captured by the above cameras in the Watch Commander's office. The monitors were located along the north wall, where they could be viewed from the Watch Commander's desk.

The camera showed that Officer D entered the holding cell with the Subject and began to search her while Officer B stood by with a property bag. In the meantime, Officer C obtained the Adult Detention Log and advised Sergeant B, concerning the misdemeanor arrest.

Officer C filled out the Adult Detention Log while standing at the door to the holding cell. Upon completion of this task, he advised Sergeant B that the Subject was logged in. Sergeant B approached the holding cell and asked the Subject if she understood why she had been arrested. The Subject replied yes. Sergeant B asked the Subject if she was sick, ill, or injured. She replied no. Sergeant B also asked if she had any questions or concerns. She did not. Sergeant B checked the appropriate boxes on the Adult Detention Log.

Sergeant B characterized the Subject's demeanor as that of any other person who had just been arrested. Sergeant B stated with regard to his verbal interaction with her that she answered each and every question clearly. There was nothing that would have indicated to Sergeant B that she was depressed, highly intoxicated, under the influence of a narcotic to incapacitate her to where she would have been incoherent or not willing to freely communicate with him.

The surveillance video showed that Officer D completed the search of the Subject, removed the handcuffs, and closed the cell door.

Note: The Subject was placed in the holding cell without being secured to the wall mounted handcuff. According to Officer B, it is abnormal for officers to handcuff arrestees to the wall once they have been searched

and placed in the holding cell, unless suspects are belligerent or uncooperative.

The Subject was seen in the security camera video moving around inside the holding cell. She eventually settled into one portion of the cell, out of the security camera's view. A short time later, an employee of the LAPD, (Witness A) was seen in the video walking past the holding cell. According to Witness A, as he walked toward the Detective Squad Room he glanced into the holding cell and noticed that the Subject's stomach was sticking out. It appeared to Witness A as if she was sitting on the edge of the bench and pushing out her stomach.

Witness A was seen walking back toward the Records Unit and looking toward the holding cell. Witness A noticed the Subject was in the same position as before. Witness A took a closer look and noticed there wasn't any movement and there was discoloration on the Subject's face. According to Witness A, the bottom part of her shirt was laying over her chest area. Witness A further observed the arms of the shirt were used to tie a knot. Although Witness A could not determine the exact position of the knot, Witness A could tell the knot was pulling from the cuffing chain affixed to the wall. Witness A realized that the Subject was hanging, and her stomach looked like it was out because she had scooted her bottom off the bench.

Witness A observed Sergeant C standing in the doorway to the report writing room and told him of his observations.

The surveillance video showed Sergeant C approach the holding cell, hit the window and, utilizing the key, open the door. Sergeant C entered the cell followed closely by Foothill Patrol Division uniformed Police Officers E and F.

According to Sergeant C, he realized the Subject was in distress and immediately called for the help of Officers E and F, who were seated in the report writing room. Sergeant C and the officers entered the holding cell. Sergeant C could see that the Subject had hung herself and immediately called for a knife.

Sergeant C obtained a knife and cut the sleeves of the Subject's shirt from her neck. On the security video, the Subject's body can be seen coming down to the floor, the left side of her head resting on the floor. Officer E recalled that he tried to assist the Subject to the ground, but there was no response from her whatsoever. Working together, the officers positioned the Subject onto her back, checked for a pulse and, not feeling a pulse, Officer F began cardiopulmonary resuscitation (CPR).

Meanwhile, Sergeant C broadcast a request over Foothill Area Frequency for a Los Angeles Fire Department (LAFD) Rescue Ambulance (RA) to respond.

In the meantime, Officer G observed Sergeant C and Officers E and F lowering the Subject to the floor. Officer G believed that the Subject was unconscious and looked blue in the hands. Officer G ran to the Watch Commander's Office and retrieved the

Automated External Defibrillator (AED) device. Sergeant B, alerted to a situation at the holding cell, followed Officer G to the holding cell. Captain A observed that CPR was underway, confirmed an RA unit was en route, and that an officer was sent to ensure LAFD could gain immediate access. Captain A then went back to his office to make notifications.

Officer G entered the holding cell and working with Officer F, attached the paddles onto the Subject's body. Basic life-saving measures continued, aided by the AED.

LAFD personnel arrived at the scene, and the emergency medical treatment was transferred to them. Paramedics transported the Subject to a nearby hospital and the door to the holding cell was closed and secured. The Subject was treated by emergency room personnel and admitted into the hospital in critical condition,

The Subject, who remained in critical condition, did not respond to medical treatment and several days later was pronounced dead. Hospital personnel reported the Subject's death to the Los Angeles County Department of Coroner.

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 Officers B and C's tactics to warrant a finding of Administrative Disapproval. The BOPC found Officer A's tactics to warrant a Tactical Debrief.

Basis for Findings

A. Tactics

- In its analysis of this incident, the BOPC identified the following tactical considerations:
 1. Equipment (Body Armour)

Officers B and C did not don their Department approved body armor as required when they are working in the capacity of a UC Support officer and conducting field related duties.

The BOPC determined that Officers B and C's decision not to don their body armor was a substantial deviation, without justification from approved Department tactical training.

2. Searches of Arrestees

Officers B and C did not search the Subject prior to placing her in their vehicle and transporting her to the police station.

Officers are trained to conduct a search of arrestees to ensure they are not armed with weapons and do not possess items of contraband on their person. This practice is necessary for the safety of not only the officers, but also medical personnel and the public.

In this case, Officer B believed that he requested a female to respond to search the Subject. However, the FID investigation revealed the request was not captured by Communications Division (CD). Consequently, Officer B asked the Subject if she had any weapons or any drugs on her person and she responded, "No." Officers B and C then proceeded to conduct a visual search because the Subject was wearing tight fitting clothes, and it appeared to them she was not concealing anything that could have hurt them.

Officer safety is of paramount concern, and the officers' actions unnecessarily endangered their safety. In this case, the officers acted without sufficient articulable facts to support that not searching the Subject was reasonable under the circumstances.

The BOPC determined that Officers B and C's decision not to search the Subject was a substantial deviation, without justification, from approved Department tactical training. This will be a topic of discussion during the Tactical Debrief.

3. Transporting an Arrestee

Officers B and C transported the Subject in the front passenger seat of their unmarked vehicle to the station.

Officers are expected to place themselves in the greatest tactical advantage for that specific situation. The BOPC found that Officers B and C's decision to transport the Subject in the front seat of their vehicle limited their tactical options, placed them at a tactical disadvantage, and unnecessarily endangered their safety.

The BOPC determined that Officers B and C's decision to transport the Subject in the front passenger seat of their vehicle was a substantial deviation, without justification, from approved Department tactical training. This will be a topic of discussion during the Tactical Debrief.

- 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 identified 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 individual actions that took place during this incident.

In conclusion, the BOPC found Officers B and C's tactics to warrant a finding of Administrative Disapproval. The BOPC found Officer A's tactics to warrant a Tactical Debrief.