

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

**OFFICER-INVOLVED ANIMAL SHOOTING – 022-09**

<b><u>Division</u></b>	<b><u>Date</u></b>	<b><u>Duty-On()</u></b>	<b><u>Off(x)</u></b>	<b><u>Uniform-Yes( )</u></b>	<b><u>No(x)</u></b>
Outside City	03/27/2009				

<b><u>Involved Officer(s)</u></b>	<b><u>Length of Service</u></b>
Lieutenant A	23 years, 6 months

**Reason for Police Contact**

Lieutenant A encountered a wild animal on his property.

<b><u>Subject(s)</u></b>	<b><u>Deceased ( )</u></b>	<b><u>Wounded (x)</u></b>	<b><u>Non-Hit ( )</u></b>
Coyote			

**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 Los Angeles Police Department Command Staff presented the matter to the Commission and made itself available for any inquiries by the Commission.

Because state law prohibits divulging the identity of police officers in public reports, the masculine pronouns (he, his, and him) will be used in this report in situations where the referent could in actuality be either male or female.

The following incident was adjudicated by the BOPC on February 16, 2010.

## **Incident Summary**

Lieutenant A was off-duty in the bedroom of his residence when he was awakened by loud noises from his back yard, which he described as sounding like “screams of distress.” Lieutenant A opened his bedroom sliding door which led to the yard, but was initially unable to discern the source of the noise. He then turned on a light and was able to see his two dogs involved in some kind of a struggle. Lieutenant A retrieved a flashlight and his Glock pistol, and cautiously entered the yard.

As he approached his dogs, Lieutenant A observed that they were fighting with a large coyote, so he called to his dogs, and they disengaged the coyote. The coyote, which was agitated, growling and baring its teeth, then lunged toward Lieutenant A, who in order to repel the coyote’s attack fired two rounds at the coyote, from a distance of five to eight feet. According to Lieutenant A, he believed the first round fired struck the coyote in its torso, but believed the coyote was unaffected by the round. However, Lieutenant A reported that the second round caused the coyote to quickly turn and flee from the yard.

After the shooting, Lieutenant A returned to his bedroom, secured his pistol, and called his local police department (La Verne Police Department), and the Los Angeles Police Department to notify them about the incident.

## **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/Holstering of a weapon 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 Lieutenant A’s tactics to warrant a tactical debrief.

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

The BOPC found Lieutenant A’s drawing and exhibition of a firearm to be in policy.

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

The BOPC found Lieutenant A’s Use of force to be in policy.

## **Basis for Findings**

### **A. Tactics**

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. Each tactical incident inherently results in considerations for improvement. In this instance, although there were identified areas for improvement, the tactical considerations neither individually nor collectively *“unjustifiably and substantially deviated from approved Department tactical training.”*

Therefore, a Tactical Debrief is the appropriate mechanism for Lieutenant A to evaluate the events and actions that took place during this incident. Although no tactical considerations were identified, Lieutenant A will benefit from the opportunity to review the incident.

The BOPC will direct that Lieutenant A to attend a Tactical Debrief.

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

In this instance, Lieutenant A was awakened by loud disturbing noises. He opened his bedroom sliding glass door, but was unable to identify the nature of the noises. Lieutenant A turned on the outside light and again looked out observing his two dogs involved in a struggle. Unable to clearly discern what was transpiring and with the belief that the incident could rise to a lethal force situation, Lieutenant A retrieved his service pistol from its holster inside his nightstand drawer, then went outside to determine the cause of the struggle. Therefore, the BOPC found that Lieutenant A’s drawing and exhibiting was reasonable and found it to be in policy.

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

In this incident, Lieutenant A was standing approximately six feet away from the coyote which was agitated, growling and baring its teeth. Without warning, the coyote lunged toward Lieutenant A. Fearing for his life and realizing he had no other means to thwart the coyote’s attack, Lieutenant A fired two rounds in a downward direction at the coyote from an increasing distance of approximately five to eight feet.

Therefore, due to his reasonable belief that he was about to be attacked by the coyote and that he may sustain serious bodily injury, the BOPC found Lieutenant A’s use of lethal force to be in policy.