

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

IN-CUSTODY DEATH – 022-17

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
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Foothill	3/29/17		
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Officer(s) Involved in Use of Force	Length of Service
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Officer A	7 years, 2 months
Officer B	6 years
Officer C	5 years
Officer D	1 year, 8 months

Reason for Police Contact

Officers were dispatched to a disturbance call and contacted the Subject who was acting bizarrely. Officers used non-lethal physical force to subdue the Subject, and an In-Custody Death (ICD) occurred.

Subject **Deceased (X) Wounded () Non-Hit ()**

Subject: Male, 53 years of age.

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 and medical 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.

Due to privacy concerns, certain medical information that was presented to the BOPC is not included in this report.

The following incident was partially adjudicated by the BOPC on March 27, 2018.

Incident Summary

The Subject was at his residence. According to Witness A, the Subject's roommate, the Subject had been acting out of character. She stated she did not know why or what was going on with him.

Note: During her interview, Witness A provided investigators with a brown substance that she believed the Subject may have ingested.

On the night of this incident, the Subject was in the backyard of their residence barbecuing when Witness A observed him walk into the bathroom with various items underneath his shirt. When the Subject exited the bathroom, Witness A asked the Subject to change the lightbulb on the front porch because they had a visitor arriving from the airport. The Subject grinned at her, ran to the end of the driveway holding the lightbulb over his head. He then ran into the neighborhood.

According to Witness A, she entered the house to look in the bathroom and observed papers everywhere and her briefcase open. The papers were torn, and it appeared the Subject had attempted to flush the paper down the toilet. According to Witness A, she found this very strange because the Subject was the caretaker for another resident, at their home, who was very dependent on him and required assistance to use the restroom.

Witness A then went back out to the front of the house and observed the Subject running from the backyard of a residence across the street. The Subject continued to hold the lightbulb over his head as he unintelligibly yelled. According to Witness A, the Subject encircled the block before returning to his residence. Witness A was concerned for her safety, locked the screen door, and closed the front door to prevent the Subject from entering the home.

The Subject proceeded to forcefully remove the locked screen door and then kicked the front door open, which caused the glass on the door to break. The Subject entered the residence and was confronted by another roommate, Witness B, who prevented the Subject from continuing into the residence. The Subject exited the residence and fled on foot. According to Witness A, the Subject was in possession of a portion of the door frame (sticks) that she believed he was waving as he ran down the street.

A neighbor telephoned Communications Division (CD) and advised of the Subject's strange behavior as well as the damage he had just caused. The caller also supplied a complete description of the Subject, including his first name. This was followed by three additional telephone calls from neighbors reporting the same incident.

Meanwhile, Witness C left his residence. He drove down the street and made a left, where he observed the Subject. According to Witness C, the Subject was walking

through lanes of traffic and swinging long sticks at passing vehicles, causing vehicular traffic to enter opposing traffic to avoid him. Witness C estimated that the sticks were one foot by two feet in length.

Witness C then called 911 to report his observations. According to Witness C, it appeared that the Subject was possibly foaming at the mouth.

Communications Division (CD) broadcast the first radio call, "Foothill units, [...] Violent Male Mental Illness," and provided the address.

Note: There were no Foothill Division units available; therefore, CD assigned the call to a Van Nuys unit.

CD broadcast a second radio call, of "an ADW suspect there now," followed by a description of the Subject and details supplied by the callers.

Meanwhile, off-duty Police Officer B purchased a meal at a nearby fast food restaurant drive-thru, and was sitting in his parked vehicle eating. After finishing his meal, Officer B exited the parking lot and made a left. As Officer B proceeded, he observed the Subject in the middle lanes of traffic. Officer B stated that the Subject was in possession of two wooden sticks, one in each hand, that he described as being approximately two and a half feet in length. The Subject was waving the sticks, in a windmill motion, as he walked in the street. Officer B stopped his vehicle and heard the Subject mumbling something about nature. Officer B observed that the Subject made jerky, rapid movements with his head, arms and hands, and noted he was barefoot with dirty feet and speaking incoherently. Officer B opined that the Subject was under the influence of narcotics, suffering from mental illness, or both.

Note: Officer B was assigned to a homeless program. According to Officer B, his duties included going into homeless encampments and having contact with individuals who suffer from mental illness and drug dependency.

Officer B wanted to make sure that the Subject did not attack anyone and drove back toward a convenience store. He parked along the side of the street.

Officer B observed the Subject enter the store and begin waving the sticks near the store clerks, causing the store clerks to move. Officer B obtained the address of the store, telephoned 911, and advised the operator of his observations.

Note: Officer B identified himself to CD as an off-duty police officer.

The Subject left the store after prodding from a man appearing to be homeless.

Video surveillance from the convenience store captured that portion of the incident.

As Officer B continued to observe the scene, the Subject exited the store, crossed the street, and walked in the bicycle lane adjacent to the number two lane of traffic, while swinging the wood sticks. As the Subject began to walk, in an effort to keep an observation on the Subject, Officer B drove back toward the fast food restaurant, where the Subject appeared to be headed.

CD broadcast a third time with the updated details.

Upon returning to the convenience store, Officer B observed the Subject at the doors of the fast food restaurant. According to Officer B, it appeared that the Subject continued to wave the wooden sticks and may have been manipulating the doors to the fast food restaurant. Officer B also stated it appeared there were male transients attempting to calm down the Subject.

Note: The investigation determined that at this time in the incident, there was one individual attempting to calm the Subject. This individual was identified as Witness D.

Uniformed Police Officers A and C broadcast they would handle the radio call. Officers also advised CD that the male mental radio call was probably related to the previously broadcast radio calls, and that they would also handle those calls.

While the officers were en route to the location, Officers A and C discussed contact and cover assignments. According to Officer A, since the comments of the call indicated that the Subject was armed, the officers determined that Officer A would deploy a beanbag shotgun and assume the role of contact officer while Officer C would be the cover officer.

The officers then observed a pedestrian directing the officers toward the fast food restaurant. According to Officer A, he then directed his attention toward the fast food restaurant where he observed the Subject standing near the doors, swinging the sticks. According to Officer A, there appeared to be another person in close proximity to the Subject, although it did not appear that the Subject was swinging the sticks at them. Officer A directed Officer C to conduct a U-turn, which he did. Upon completing the U-turn, Officer C observed the Subject standing in the driveway of the restaurant holding what he believed to be two white sticks, approximately two feet in length.

Note: When investigators inquired about requesting additional resources, Officers A and C stated that due to multiple pursuits having occurred in the area, they both believed that there were no additional resources available.

Officer A then used the Mobile Digital Computer (MDC) in his police vehicle to broadcast that the officers were at the location (Code Six). According to Officer A, he then used the police vehicle's spotlight to illuminate the Subject, who walked and dropped the sticks behind him to the ground. Officer C stopped the police vehicle, approximately three feet from the curb.

Note: According to Officer C, at the direction of officers, the Subject dropped the sticks in a planter near the driveway.

Officer A chambered a beanbag round into the shotgun and placed his finger along the frame. According to Officer A, he opined that the Subject was under the influence due to his apparent verbal ramblings. Officer A then exited the passenger door of the police vehicle and used the outer edge of the door as cover. Officer C exited the police vehicle and used his vehicle door for cover. Officer A pointed his beanbag shotgun at the Subject's navel area and began to give him commands to get onto the ground. The Subject walked slightly south and proned himself out, on the driveway of the fast food restaurant.

Immediately, Officer A moved away from his police vehicle door, around the front end of the vehicle, and approached the Subject with his beanbag shotgun in a low-ready position. Once Officer A moved around the vehicle, he displayed his beanbag shotgun. With his beanbag shotgun now displayed, Officer A approached the Subject's left side while Officer C approached the Subject's right side.

Meanwhile, Officer B was still in the convenience store parking area observing Officers A and C's arrival. According to Officer B, he believed that Officer A was armed with a beanbag shotgun and heard officers stating, "Drop the sticks, drop the sticks." Officer B observed the Subject drop the sticks and then walk in the direction of the police vehicle. At this time, Officer B started his personal vehicle, drove across the street, and parked closer in the event the situation escalated.

Officer A stood to the Subject's left side as Officer C stood to the Subject's right side. Officer A placed his right knee onto the Subject's lower left back, while keeping his left knee suspended in the air, and grabbed the Subject's left wrist to initiate handcuffing. Officer C could not recall how he may have placed his legs onto the Subject but indicated that he grabbed the Subject's right arm while Officer A began to place handcuffs on the Subject. Officer C attempted to position the Subject's right arm between his legs to control for handcuffing; however, the Subject started to resist and pulled his arm away from Officer C's hands. According to Officer A, he directed the Subject to stop resisting. As the Subject struggled, Officer C began to remove a pair of handcuffs with his right hand, because he wanted to control at least one wrist, while maintaining control of the Subject's right hand with his left hand. Due to the Subject being attired in a jacket, Officer C lost control of the Subject's right hand.

According to Officer C, the Subject then made a violent movement that caused him to fall backwards, and he lost control of the Subject's right hand. The Subject then placed his right arm under his body. According to Officer A, the Subject had "bucked" Officer C off from his right side and elevated his right side. Officer A then placed his chest on the Subject's back, with his head near the Subject's right shoulder and his left leg to the left of the Subject, using his body weight to keep the Subject on the ground. While Officer A maintained his position atop the Subject, he maintained possession of the Subject's left wrist. Simultaneously, Officer C placed his handcuffs in his waistband and moved toward the Subject's legs. According to Officer C, he did not want the Subject to get

back onto his feet and therefore, grabbed the Subject's legs, near his ankles or shin area, and placed them between his thighs. According to Officer A, he advised the Subject to stop resisting; however, the Subject did not comply as he attempted to keep his hands under his chest. Additionally, according to Officer A, his right knee became entrapped underneath the Subject and he was unable to remove it due to Officer C placing his body weight atop the Subject's legs.

Officer C then broadcast a back-up request.

Officer B observed the officers were having difficulty handcuffing the Subject. Officer B exited his personal vehicle, walked on the sidewalk toward Officers A and C, verbally identified himself as an off-duty police officer, and informed them he was there to assist them. Officer B stood on the right side of the Subject and partially placed his left knee on the Subject's lower right back area and his right knee onto the ground. Officer B grabbed the Subject's right forearm with his right hand and observed that one portion of the handcuff was entangled in the Subject's jacket. Officer B then enclosed the handcuff over the Subject's right wrist and held onto the handcuff with his right hand.

Note: According to Officer A, he obtained a pair of handcuffs with his right hand and placed them on the Subject's right wrist. Officer A also stated that Officer B placed his right hand on the Subject's lower back when he first arrived to assist officers.

In response to Officer C's broadcast, other officers and a supervisor responded.

While Officer B maintained possession of the handcuff, he heard Officer A state, "he's on my knee." Officer B used his left hand, grabbed the Subject's left sleeve of his jacket, near his shoulder, and rolled the Subject in his direction to remove the weight off of Officer A, who then moved his right leg. Officer B advised the Subject to stop resisting and calm down. Officer B then advised Officer A that he had control of the Subject's right hand and that Officer A could now work on the Subject's left hand. As Officer A maintained his position atop the Subject's back, he moved the Subject's left hand behind the Subject's back, and in front of his own upper torso, to the Subject's lower back area. Once the Subject's left hand was at his lower back, Officer B completed the handcuffing.

Simultaneously, while Officer C maintained control of the Subject's legs, he observed Officer A's Hobble Restraint Device (HRD) in his right pants pocket. Officer C retrieved Officer A's HRD, removed the rubber band that secured it, and opened the loop. Officer C turned to his right, placed the open loop of the HRD around the Subject's ankles, and cinched the HRD to tighten it. Once the HRD was applied and secured, Officer C bent the Subject's legs back toward his buttocks. According to Officer C, he does not recall if he maintained possession of the HRD strap while he bent the Subject's legs backward. With Officer C faced in the Subject's direction, and in order to prevent the Subject from kicking, Officer C placed the Subject's feet in his stomach area and used his body weight to keep the Subject from moving them. While pushing on the Subject's legs, Officer C felt the Subject kicking his legs rearward, pushing him back. To maintain his

position, Officer C grabbed the Subject's pants for stability; however, he was uncertain if he grabbed with one or two hands. According to Officer C, he does not recall how long he kept the Subject's legs bent before straightening them. According to Officer C, he verbalized to the Subject to stop resisting and stated that he did not hear the Subject complain.

Note: According to Officer A, he believed the HRD was applied between the Subject's ankles and knees. Officer B stated that he observed Officer C with his HRD, but did not see the application.

A surveillance video obtained from the gas station, across the street, captured the Subject holding two sticks and entering the fast food restaurant parking lot via the driveway. According to the video footage, the Subject then entered the door of the fast food restaurant where he remained inside for approximately two minutes before exiting the door. The Subject then remained in the parking lot, in the planter area, near the door of the fast food restaurant, with another male in close proximity. The video supported much of the officers' statements; however, it was grainy and occasionally obstructed by passing vehicles.

According to Officer A, officers attempted to place the Subject onto his right side; however, he constantly moved around and kicked his legs.

According to Officer C, officers discussed placing the Subject onto his side; however, he advised them that the Subject was still actively kicking.

According to Officer A, he decided to hold the Subject down and placed his right knee onto the Subject's lower back and placed one of his hands on the Subject's upper back. According to Officer B, he used his left hand and grabbed the left side of the Subject's jacket. Officer A stated that he advised the Subject to relax and stop resisting. Officer A also stated that a friend of the Subject was also attempting to calm him down. According to Officer B, he rolled the Subject enough onto his right side such that he was not lying on his chest.

Note: When Officer B was asked if the Subject "was ever rolled over onto his side or sat up or anything?" Officer B replied, "No. We -- we kind of rolled him like onto his right side a little bit, but he was still what appeared to be kicking [Officer C], and he's like, "Hey, he's still trying to kick me. Let's wait until the RA gets here so we can get him up and -- and tie him down so he can -- so they can take care of him." Officer B indicated that he rolled the Subject enough to expose the Subject's chest.

Officer A advised Officers B and C that he was going to return the beanbag shotgun to the police vehicle.

Note: The incident time from the Subject proning himself out to Officer A returning the beanbag shotgun to his vehicle is approximately 5 minutes and 30 seconds.

Meanwhile, Officer A broadcast that the Subject had been taken into custody (Code 4) and requested a Rescue Ambulance (RA).

The gas station video depicted Officer A standing up and walking back to his police vehicle. A portion of the Subject's t-shirt could be seen in the video, consistent with Officer B's account of rolling the Subject just enough to expose some of his chest; however the passing vehicle obstructions and poor video footage quality made it inconclusive as to how far on the Subject's side he was placed. Officer A returned, without the beanbag shotgun. Additional officers then arrived, as did Los Angeles City Fire Department personnel.

Note: According to Officer C, they kept the Subject face down until additional resources arrived.

Sergeant A and Officer D were the first unit to arrive, advising CD they were at the location (Code Six), immediately followed by other officers. According to Sergeant A, upon arrival he observed officers attempting to keep the Subject on his side but it appeared that the Subject was struggling with the officers.

According to Officer D, it appeared that the Subject was rocking himself from side to side and most of the Subject's weight was on his right side.

Note: Officer D and Sergeant A arrived "between five and eight minutes" after the Code Four was broadcast.

Officer D described his observations upon arrival as follows: "[T]he Subject was laying on his stomach and chest, face down and they were trying to maintain control of the Subject. I observed the Subject still wiggling. He was moving. It appeared that he was -- he was still trying to -- to combat the officers, for lack of a better way to put it."

As described by Sergeant A, "He was -- he was thrashing around, and they were trying to control him." I believe they were trying to keep him on his side, but there wasn't a direct communication by me or to me --"

Sergeant A identified Officer B as an off-duty officer, relieved him of his responsibility, and directed Officer D to assume Officer B's position with the Subject. In doing so, Officer D placed his right hand on the Subject's jacket, near his left shoulder and placed his knee on top of the Subject's right arm to stabilize him.

Note: According to Sergeant A, the Subject was lying on his chest.

Detective A and Officer E arrived, exited their vehicle, and approached on foot. While approaching, Detective A heard the Subject arguing with officers and mumbling incoherently. According to Detective A, when he arrived at the Subject, who he described as faced down, lying on the right side of his stomach, Detective A observed

the Subject struggling with the officers, trying to jerk himself away from the officers. According to Officer E, when he arrived at the Subject, who he described as lying on his stomach, a bit in the street, with his legs crossed and knees bent up. According to Officer E, the officers appeared to be holding the Subject in place as he shook himself and tried to arch his back.

Note: According to Officer E, he was involved in a prior use of force with the Subject during one of his previous contacts.

According to Officer A, the Subject continued to yell and did not complain of being in distress. According to Officer B, the Subject did not show any signs of distress and did not appear to be unable to breathe. Additionally, a person who appeared to know the Subject attempted to speak with him, telling the Subject to calm down, with no success. According to Officer A, he observed blood on the ground and believed that the Subject may have been bleeding from his face or mouth area; however, he did not see any injuries on the Subject. While attempting to control the Subject, officers continued to verbalize with him to calm down and relax.

Note: The investigation was unable to determine the identity of the individual who spoke to the Subject while being detained.

Meanwhile, Sergeant A spoke with Officer B and obtained his personal information. Sergeant A asked Officer B if a use of force had occurred and was advised there had not been one. Officer B then requested to leave and Sergeant A agreed; however, Sergeant A informed Officer B that if the situation changed, Sergeant A would contact him. Officer B then drove home. According to Officer B, approximately ten minutes later, he received a telephone call and returned to the scene.

Los Angeles Fire Department (LAFD) personnel arrived at the scene and approached to make the initial medical assessment of the Subject.

According to an LAFD Captain, the Subject was handcuffed behind his back and in a prone position with a hobble restraint device applied to his legs. He stated that the Subject was not resisting or struggling with the officers. Although not certain, he believed the Subject stated he could not breathe.

A Firefighter/Paramedic was to conduct the initial medical assessment and described that the Subject was on the ground with an officer in control of his legs, a plainclothes officer knelt on the middle of the Subject's back, and another officer holding the Subject down.

The Firefighter/Paramedic stated that when he arrived the Subject was "forcefully resisting and mumbling/yelling" and "forcefully trying to get out of his restraints." This required that he wait to be able to assess the Subject. The Firefighter/Paramedic eventually requested that the Subject be rolled over and noted that the Subject showed signs of shallow breathing and appeared to be going unconscious. At the request of LAFD personnel, the handcuffs were removed by Officer A, and the HRD was removed

by Officer C. The LAFD Captain stated that Advanced Life Support (ALS) protocols were required.

Note: According to the Firefighter/Paramedic, he had previous contact with the Subject and estimated the frequency to be once every two months. He characterized those prior contacts to be for psychological and drug or alcohol intake.

Another Los Angeles Fire Department Rescue Ambulance (RA) arrived at scene. A Firefighter/Paramedic from the second RA stated that when he arrived, the original Firefighter/Paramedic was evaluating the Subject and rolled him over. According to the second Firefighter/Paramedic, the hobble restraint device had been removed when he arrived. It was apparent that the Subject was not breathing and was in full cardiac arrest. According to the second Firefighter/Paramedic, artificial breathing was initiated, and the Subject was placed onto a gurney and put into the RA.

The Subject was transported to the hospital. According to Detective A, he and Officer D followed the RA because there was no room in the back of the RA.

The Subject failed to respond to medical treatment and was pronounced deceased.

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 weapon by any involved officer(s); and the Use of Force by any involved officer(s). In this incident, none of the involved officers drew their duty weapons. Therefore, there were no findings for Drawing/Exhibiting of a Firearm. 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 D's tactics to warrant a Tactical Debrief; however, there was no finding for Officers A, B, or C.¹

B. Non-Lethal Use of Force

The BOPC found Officers A, B, C, and D's non-lethal use of force to be in policy.

¹ The BOPC did not reach a majority decision as to whether the use of force was in or out of policy.

Basis for Findings

Detention

- The officers responded to multiple radio calls of a possible male with mental illness, waving sticks at passerby's. Upon their arrival, the officers observed a suspect matching the description with sticks in his hands and detained him. The officers' actions were appropriate and within Department policies and procedures.

A. Tactics

Tactical De-escalation

- Tactical de-escalation does not require that an officer compromise his or her safety or increase the risk of physical harm to the public. De-escalation techniques should only be used when it is safe and prudent to do so.

In this case, the officers gave commands to the suspect to drop the sticks. The suspect complied and proned himself out on the ground. When the officers approached, and attempted to handcuff the suspect, the suspect resisted and the officers used non-lethal force to control the suspect and take him into custody.

- In its analysis of this incident, the BOPC identified the following tactical considerations:

1. Additional Unit Request

Officers A and C did not request an Additional Unit after being assigned a radio call involving a possible male with mental illness waving sticks at passerby's.

In this case, the officers were aware that they were the only unit responding because the other units were tied up on a perimeter at another location. Upon their arrival, they contacted the Subject, and the Subject initially complied with their commands. When the Subject began to resist, the officers immediately requested back-up.

2. Hobble Restraint Device (HRD)

After applying the HRD, Officers A, B, and C left the Subject in a prone position.

In this case, the officers' statements reflect that they attempted to roll the Subject to his right side and were concerned for the Subject's safety if they placed him in a sitting position, due to his continued resistance. Therefore, they placed the Subject in the best position available based on his resistance, by raising his left shoulder off the ground and exposing his chest. The officers then maintained control of the Subject until the arrival of LAFD personnel.

Additionally, after applying the HRD, Officer C indicated that he used his hands to bend the Subject's legs back towards his rear and used bodyweight to hold the Subject's legs in place to prevent him from kicking, which is not a desired technique.

3. Tactical Communication

Operational success is based on the ability of officers to effectively communicate during critical incidents. Officers, when faced with a tactical incident, improve their overall safety by their ability to recognize an unsafe situation and work collectively to ensure a successful resolution.

In this case, after the HRD was applied to the Subject, the officers attempted to place the Subject in the right lateral recumbent position. However, they did not communicate their intentions with each other.

- The BOPC additionally considered the following:
 1. Non-Conflicting Simultaneous Commands

The investigation revealed that Officers A and C issued simultaneous commands to the Subject during the incident.
 2. The investigation revealed that Sergeant A allowed Officer B to leave before fully assessing the officer's involvement in the incident.
- 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.

The BOPC found Officers D's tactics to warrant a Tactical Debrief

B. Non-Lethal Use of Force

- **Officer A – Bodyweight and Firm Grips**

According to Officer A, he placed a knee on the Subject's back and grabbed his left arm to handcuff him. As he put his knee down on the Subject's back, the Subject resisted and bucked Officer A's partner off. Officer A then repositioned himself by placing his chest against the Subject's back to control him on the ground.

- **Officer B – Bodyweight and Firm Grips**

According to Officer B, he placed his left knee on the right side of the Subject's back and grabbed the Subject's right hand. After the HRD was applied, he attempted to sit the Subject up; however, Officer C advised that the Subject was trying to kick. In an attempt to roll him onto his side and get some weight off the Subject's chest, Officer B used his left hand to pull the Subject's left shoulder off the ground, exposing his chest.

- **Officer C – Bodyweight and Firm Grips**

According to Officer C, as he grabbed the Subject's right arm, he resisted, pulling his arm away and causing him to be bucked off. So, he straddled the Subject's legs and used bodyweight to prevent him from getting back up onto his feet.

After applying the hobble, he repositioned himself off the Subject's legs and used his hands to bend his legs back towards his rear. The Subject continued to kick his legs and almost caused him to fall again. He then used bodyweight to hold the Subject's legs in place to prevent him from kicking.

- **Officer D – Bodyweight**

According to Officer D, he observed the officers on top of the Subject, trying to maintain control of him. As the Subject continued fighting, he placed his right hand on the Subject's left shoulder while placing his right knee on the Subject's right arm to stabilize him on the ground.

The BOPC found Officers A, B, C, and D's non-lethal use of force to be in policy.