

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

**IN-CUSTODY DEATH – 024-13**

<b>Division</b>	<b>Date</b>	<b>Duty-On (X) Off ( )</b>	<b>Uniform-Yes (X) No ( )</b>
-----------------	-------------	----------------------------	-------------------------------

Van Nuys	3/13/13		
----------	---------	--	--

<b>Officer(s) Involved in Use of Force</b>	<b>Length of Service</b>
--	--------------------------

Officer A	11 years, 1 month
Officer B	7 years
Officer C	6 years
Officer D	7 years, 8 months
Officer E	9 years, 11 months
Officer F	1 year, 8 months
Officer G	8 months

**Reason for Police Contact**

Officers responded to a call of a suicidal female stabbing herself. When officers arrived, the Subject continued trying to harm herself, so non-lethal and less-lethal force was used. The Subject later succumbed to her self-inflicted injuries.

<b>Subject(s)</b>	<b>Deceased (X)</b>	<b>Wounded ( )</b>	<b>Non-Hit ( )</b>
-------------------	---------------------	--------------------	--------------------

Subject: Female, 36 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 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 February 18, 2014.

### **Incident Summary**

Communications Division (CD) received a 911 call from an anonymous female caller who provided a description of a woman running in the street cutting herself with a sharp object, possibly scissors. After receiving the information, CD broadcast the call, “Any [...] unit, possible attempt suicide, [...] suspect is a female wearing a red and blue shirt and jeans with a backpack, possibly cutting herself with scissors [...]”

Officers D and F heard the broadcast and advised CD that they would be responding to the call. Officers D and F had been assigned as partners for two days and had discussed contact and cover roles. As the officers were en route to the call, Officer F told Officer D that he would deploy the TASER, if necessary, since he had it attached to his equipment belt. Officer D said that he would deploy lethal force if necessary.

**Note:** The radio call was originally assigned to Officers A and G. However, the officers notified CD that they were on another call and would respond with a delay.

An Air Unit heard the broadcast, decided to respond to the location, and arrived minutes later. The officers checked the area and did not locate a female that matched the description. A subsequent radio call was broadcast, advising that the female was in the area of the gas station nearby. Again, the officers checked the area and did not see a female matching the description; however, they did notice a group of people at a bus stop looking up the street. The Air Unit officers directed their attention accordingly and observed a female, later identified as the Subject who matched the description given in the initial radio call. The officers broadcast on the radio that they had located the Subject.

The Air Unit observer believed that the Subject was armed because he noticed an unknown object in her hand and he alerted the responding officers to his observations. The Subject appeared to be carrying a backpack, and she was covered in blood from her neck down to her knees. The Air Unit observer believed the Subject made “animated movements” from her neck and shoulder area down to her waist, possibly stabbing herself. According to the Air Unit observer, the Subject’s clothing was soaked with and was dripping blood as she alternately walked and ran up the street. The Subject then sat down on the curb. The Air Unit observer continued to provide updates of the Subject’s location over the radio to the units in the area.

In the meantime, Officer B and his partner heard the additional information provided by the Air Unit and responded. Officer B exited the vehicle, opened the trunk, and retrieved a beanbag shotgun and TASER. Officer B chambered a round in the beanbag

shotgun with the safety on and gave the TASER to his partner. The officers got back in their vehicle and continued toward the target location.

As Officer B and his partner approached the area, they noticed several people at the corner. Officer B looked in that direction and saw the Subject sitting on the curb. He noticed that the Subject had blood on her neck and clothing, and he immediately advised his partner. The officers stopped their vehicle adjacent to the Subject.

Officer B exited his vehicle with the beanbag shotgun and held it at the low-ready with his finger along the receiver. The Subject appeared hunched over and held a knife in her right hand. Officer B's partner utilized the public address (PA) system in his police vehicle and gave the Subject several commands to drop the knife; the Subject did not comply. Meanwhile, Officers D and F notified CD that they were at scene. Officer D exited his vehicle and observed the Subject stabbing herself in the neck with a knife. Officer D unholstered his pistol and held it in a low-ready position. Officer D believed he needed to protect himself and his partners from injury. Officer F advised Officer B and his partner that he was equipped with a TASER.

Officers A and G then arrived at the scene and blocked traffic per the request of the Air Unit observer.

Within seconds of the officers' arrival, the Subject looked toward Officer B and his partner and stood up. The Subject back-pedaled away from the officers toward the center median and began to stab herself in the neck. All four officers stepped away from behind their respective vehicle doors and followed the Subject on foot. The officers gave the Subject numerous commands to drop the knife, but she did not comply.

The Subject continued to stab herself as she walked toward numerous businesses and pedestrians in the area. Fearing for the safety of the pedestrians in the area, Officer D told the Subject that if she did not drop the knife, she would be tased or the beanbag shotgun would be deployed.

Instead, the Subject stabbed herself in the neck repeatedly and continued to walk away from the officers. Officer D directed Officer F to deploy the TASER.

Officer F fired the TASER at the Subject from an approximate distance of 20 feet and activated a five-second burst. The darts struck the Subject in the upper abdomen but she did not react. Officer F activated another five-second burst but the Subject still did not respond and instead, pulled the darts out from her body. The Subject continued to stab herself in the neck and moved away from the officers at a faster pace.

After the TASER appeared to have no effect, Officer B decided to deploy the beanbag shotgun. Officer B told the officers, "Beanbag ready," and he fired the first beanbag round at the Subject's abdomen area from a distance of 31 feet. The Subject staggered from left to right and continued to stab herself in the neck. Officer B assessed for a brief

moment, then fired a second beanbag round at the Subject's abdomen area. The Subject again staggered and continued to walk backward toward the center median as the officers gave her commands to drop the knife, but she still did not comply.

Because the Subject continued to stab herself, Officer B fired a third beanbag round at her abdomen area. The Subject had no reaction and continued to walk away from the officers. The officers continued to give the Subject numerous commands, yet she refused to comply. Officer B believed that the Subject was getting closer to the pedestrians, so he fired a fourth beanbag round at the Subject from an approximate distance of 25 feet. The Subject went down to her knees and onto her stomach with her hands underneath her chest. As that occurred, Officers C and E arrived and joined the other officers.

Officer D noticed that the Subject no longer had the knife in her hand, and he approached her. Officer D leaned over the Subject and placed his hands on the back of her arms and held her down. Officer D tried to maintain control of the Subject as she continued to move and attempted to get to her feet. Officer E noticed that Officer D did not have protective gloves on and told him that he would take control of the Subject since he was wearing gloves. Officer E then took control of the Subject's hands. Officers A and G put gloves on and approached the Subject.

Officer E released the Subject's right arm to retrieve his handcuffs. Officer A grabbed the Subject's right arm as Officer G held down her right leg and Officer C held down her left leg. Officer E then handcuffed the Subject.

Shortly thereafter, the Subject was taken into custody and a Recue Ambulance (RA) and supervisor were requested.

Los Angeles Fire Department (LAFD) personnel arrived and directed the officers to flip the Subject onto her back. At the request of the paramedic, Officer A uncuffed the Subject. She was then placed onto the gurney. The paramedics cut the Subject's clothing and assessed her injuries.

The Subject was then transported to a nearby hospital. Officer A rode in the RA and Officer G followed in the police vehicle. The Subject did not respond to medical treatment and was pronounced dead.

Several days later an autopsy was performed by a doctor from the Los Angeles County Coroner's Office. The doctor determined that the Subject sustained multiple self-inflicted sharp injuries to her neck. The Subject had bruising and abrasions to her left chest, upper arm and lower back areas. In addition to the bruising beneath the left chest, the Subject had a fracture to the underlying rib. These injuries were consistent with the beanbag impacts. The Subject also had two puncture marks consistent with the application of a TASER.

The doctor concluded the Subject's death was caused by sharp force injuries to the neck region with bipolar disorder as a contributing factor. The manner of death was suicide.

### **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 A through G's tactics to warrant a Tactical Debrief.

#### **B. Non-Lethal Use of Force**

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

#### **C. Less-Lethal Use of Force**

The BOPC found Officers B and F's less-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 considerations:
  1. Code Six

Officer B and his partner were conducting a traffic stop when they heard the radio call broadcast. Noting they were in close proximity to the radio call location, the officers warned the violator for the traffic infraction and responded.

The air unit, already overhead, was constantly communicating with CD in an attempt to locate the Subject from the various reported sightings. They ultimately located the Subject, and disseminated the information to the ground personnel.

Officer B and his partner arrived and made verbal contact with the Subject without notifying CD of their location and status (Code Six).

- The BOPC additionally considered the following:

1. Beanbag Shotgun Manipulations

According to Officer B, he disengaged the safety on the beanbag shotgun when the Subject stood from the curb. Although there is nothing specifically codified regarding the position of the safety when the beanbag shotgun is deployed, the beanbag shotgun is a reconfigured type of shotgun. As such, Officer B is reminded that disengaging the safety prematurely may lead to an unintentional discharge of the weapon and is discouraged until the sights are aligned on the target and the officer intends to fire.

2. Stepping on a Suspect's Limbs

As the officers struggled to control the Subject on the ground, Officer C observed the Subject kicking her legs. Officer C, noting the Subject was bloody, stepped on one of the Subject's feet to prevent her from kicking as he donned his gloves. Although it is reasonable that an officer would want to put on gloves prior to placing hands on a bloody suspect, Officer C is reminded that stepping on suspect's limbs may throw an officer off balance, might be viewed negatively by the public, and might cause unnecessary injury.

3. TASER

Officer F fired the TASER at the Subject's torso from approximately 20 feet. Officer F is reminded that this is not the optimal range for the TASER and that there are optimal target areas on the body.

4. Holstering a Service Pistol

According to Officer D's statement, he holstered his service pistol as the Subject walked rearward. It appears Officer D may not have secured his service pistol in the holster with the retention mechanism.

5. Profanity

During Officer D's interview, he indicated that he used profanity when he ordered the Subject to drop the knife. Officer D referred to the profanity as tactical language. This topic was addressed with Officer D and during roll call training.

- 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 Officer A through G's tactics to warrant a Tactical Debrief.

## **B. Non-Lethal Use of Force**

- **Officer A** – Physical Force and Bodyweight
- **Officer C** – Physical Force
- **Officer D** – Firm Grips
- **Officer E** – Physical Force
- **Officer G** – Bodyweight

The following are brief accounts of each officer's Non-Lethal Force involvement:

**Officer A** grabbed the Subject's right arm and wrist. He also placed his left knee on her back.

**Officer C** stepped on one of the Subject's feet in order to control it while he put on his gloves. Once Officer C donned his gloves, he took control of the Subject's left leg, while another officer took control of the Subject's right leg.

**Officer D** grabbed the backs of the Subject's arms near her triceps.

**Officer E** took control of both hands. Once handcuffed, Officer E and additional personnel held her down.

**Officer G** used body weight on the Subject so she wouldn't move.

After a thorough review of the incident and involved officers' statements, the BOPC determined that officers with similar training and experience as Officers A, C, D, E, and G would reasonably believe the application of non-lethal force would be reasonable to overcome the Subject's resistance in an effort to prevent injury to themselves, prevent further injury to the Subject, and to prevent her escape.

In conclusion, the BOPC determined that Officers A, C, D, E and G's non-lethal use of force was objectively reasonable and in policy.

## C. Less-Lethal Use of Force

- **Officer F** (two TASER Activations)

Officer F observed the Subject armed with a “little object” in her right hand. Based on the comments of the call, coupled with the Subject’s clothing visibly soiled with blood, Officer F believed the object in the Subject’s hand was a knife. The Subject ignored the officers’ commands to drop the knife and began walking rearward away from the officers while stabbing herself in the neck.

The officers followed the Subject, maintaining a distance of approximately 12 to 15 feet. Officer F pointed the TASER at the Subject’s torso and discharged the TASER from approximately 20 feet, which cycled for the full five second activation. The Subject was unaffected by the TASER, and Officer F activated the TASER for a second time.

The BOPC determined that an officer with similar training and experience would reasonably believe that the Subject was unsafe to approach and that the force used to stop the Subject’s aggressive actions was reasonable and would have acted in a similar manner.

In conclusion, the BOPC found Officer F’s use of less-lethal force to be objectively reasonable and in policy.

- **Officer B** (beanbag shotgun, four sock rounds)

### First Sock Round

Both TASER activations proved ineffective and the Subject continued to move on the street while stabbing herself in the neck with the knife. In response, Officer B fired a sock round at the Subject’s abdomen from an approximate distance of 31 feet.

### Second and Third Sock Rounds

After firing the first sock round, Officer B noted that the Subject hadn’t gone down and was staggering left and right, continuing to stab herself in the neck. He assessed the situation and fired a second time. Again, she staggered and continued to walk backward as officers yelled commands of “Drop the knife.” Instead of complying, she continued to stab herself and Officer B fired a third time.

### Fourth Sock Round

Although Officer B could not see the knife at this point, Officer B did observe the Subject staggering and heard officers yelling, “Get on the floor,” multiple times. Officer B then fired a fourth round.

The BOPC determined that an officer with similar training and experience would reasonably believe that the application of less-lethal force to stop the Subject's suicidal behavior was reasonable and would have used a similar level of force.

In conclusion, the BOPC found Officers B and F's less-lethal use of force to be objectively reasonable and in policy.