

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

OFFICER-INVOLVED ANIMAL SHOOTING – 026-12

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
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Rampart	04/28/12		
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Officer(s) Involved in Use of Force	Length of Service
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Officer A	4 years, 8 months
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Reason for Police contact

Officers observed a Pit Bull dog attacking a female victim, resulting in an officer-involved animal shooting.

Animal(s)	Deceased (X) Wounded () Non-Hit ()
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Pit Bull dog.	
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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.

In accordance with state law, divulging the identity of police officers in public reports is prohibited, so 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 the incident was adjudicated by the BOPC on March 5, 2013.

Incident Summary

Officers A and B were traveling in a marked black and white police vehicle when Officer B observed a male and female run across the street. Officer B then saw another female, Witness A, on the south sidewalk walking her dog on a leash. Witness A was subsequently identified as the dog's owner. The female walking across the street was subsequently identified as the Victim; the male walking with her was never identified.

According to Officer B, the dog turned and began pulling Witness A. It appeared to Officer B that Witness A was unable to gain control of the dog. Suddenly, the dog broke free and began to run toward the Victim, barking and growling.

Officer B believed that the dog may attack the Victim and the unknown male walking with her. Officer B immediately positioned their vehicle southbound across the street. Both officers observed the dog running west on the south sidewalk chasing the Victim. The officers saw the Victim turn and step out into the street and begin running back toward their police vehicle while being chased by the dog. The officers had not yet come to a complete stop when Officer A saw the dog jump on the Victim's back. It appeared to Officer A that the dog was biting the Victim.

Officer A exited the passenger side of the police vehicle and drew his weapon. He positioned himself behind the passenger door for cover as the dog continued to attack the Victim.

The Victim was able to move approximately three feet to the east of the dog and she approached Officer A. Officer A fired one round at the dog. The dog was struck, turned, and ran eastbound where it collapsed and died.

Officer A holstered his pistol after the dog was no longer a threat and then observed that the dog did have a muzzle.

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 Officer A's tactics to warrant a Tactical Debrief.

B. Drawing/Exhibiting

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

C. Lethal Use of Force

The BOPC found Officer A's use of lethal 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, which requires that each incident be looked at objectively and the tactics be evaluated based on the totality of the circumstances.

After a thorough review of the incident, the BOPC determined that the officers' neither individually nor collectively substantially deviated from approved Department tactical training. Therefore, a Tactical Debrief is the appropriate forum to review and discuss the incident and individual actions that took place during this incident with the objective of improving overall organizational and individual performance.

In conclusion, the BOPC found Officer A's tactics to warrant a Tactical Debrief.

B. Drawing/Exhibiting

- Officer A observed the Victim being chased by a vicious dog. The dog pursued the Victim as she ran toward the officers' police vehicle while screaming for help. Officer A observed the dog jump on the Victim's back. Believing that the Victim was being bitten by the attacking dog, Officer A exited the passenger side of the police vehicle and drew his pistol.

The BOPC determined that an officer with similar training and experience, while faced with similar circumstances, would reasonably believe that there was a substantial risk that the situation may escalate to the point where deadly force may be justified.

In conclusion, the BOPC found Officer A's drawing and exhibition of a firearm to be in policy.

C. Lethal Use of Force

- **Officer A** (pistol, one round)

Officer A exited the police vehicle, drew his pistol and positioned himself behind the passenger door for cover as the dog attacked the Victim. The Victim was able to separate herself several feet from the dog as she ran toward the police vehicle. Believing that the dog was going to continue to attack the Victim and cause serious bodily injury, Officer A fired one round at the dog to stop its attack.

Given the totality of the circumstances, an officer with similar training and experience as Officer A would reasonably believe that the attacking dog posed an imminent threat of serious bodily injury or death and that the use of lethal force would be justified.

In conclusion, the BOPC found Officer A's use of lethal force to be in policy.