

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

**OFFICER-INVOLVED ANIMAL SHOOTING – 030-17**

**Division**                      **Date**                                      **Duty-On (X) Off ( )**    **Uniform-Yes (X) No ( )**

Central                                      5/10/17

**Officer(s) Involved in Use of Force**                                      **Length of Service**

Officer A    18 years

**Reason for Police Contact**

Uniformed police officers responded to a radio call of three Pit Bull dogs attacking a man. Officers responded and attempted to subdue the dogs, however they continued attacking the man, resulting in an officer-involved animal shooting (OIAS).

**Animal(s)**    **Deceased (X)**    **Wounded (X)**    **Non-Hit ( )**

3 x Pit bull dogs

**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 20, 2018.

## **Incident Summary**

Victim A was walking his dog, when he observed three Pit Bulls off leash on the other side of the street. The three Pit Bull dogs ran across the street and started biting Victim A and his dog. According to Victim A, he picked up his dog in an attempt to protect it. The Pit Bull dogs jumped up and started biting Victim A's arms and hands.

Victim A attempted to fight off the Pit Bull dogs, but he sustained several bite wounds to his hands and arms. The Pit Bull dogs' attack became so intense that Victim A had to release his dog. The Pit Bull dogs continued their attack on Victim A's dog. Victim B, the owner of the three Pit Bull dogs, ran across the street after his dogs. Victim A advised he attempted to call 911 but his hands were too bloody.

Witness B attempted to protect Witness A's dog by laying his body over the top of it. When he did so, Victim B's own Pit Bull dogs began to bite him.

Communications Division (CD) received a 911 call from Witness A, who advised there were three dogs biting a man in the street. Witness A heard Victim B screaming for help and observed the dogs attacking him.

A second call was placed to 911 from Witness B. He advised CD that three Pit Bull dogs were attacking a guy on the ground.

Witness B advised investigators that he attempted to stop the dogs from attacking the man on the ground by spraying the dogs with water from a nearby hose. He added the water failed to stop the dogs so he armed himself with a large stick and struck the dogs several times but the stick had no effect.

CD broadcast the call as three Pit Bull dogs attacking a male down on the ground. Officers A and B accepted the call and arrived at the scene. Officer A advised he observed three Pit Bull dogs attacking Victim B, who was laying on the ground on his right side. According to Officer A, the dogs were biting and mauling Victim B.

Officer A broadcast a request for backup. Officer B deployed his baton and struck the dogs multiple times however the strikes had no effect on the dogs.

Officer A deployed his Taser in the direction of one of the Pit Bull dogs causing it to fall to the ground momentarily. The other two Pit Bull dogs continued growling and biting at Victim B, who was still lying on the ground. Officer A struck the Pit Bull dogs with his baton. The baton strike had no effect, and the three Pit Bull dogs continued growling and biting at Victim B.

At that point Officer A made the decision to use deadly force due to the need to immediately defend Victim B's life. Officer A dropped his baton, unholstered his pistol and fired four rounds at the three Pit Bull dogs, causing the dogs to stop attacking

Victim B. Two of the Pit Bull dogs died at the scene, while the other was transported to a local animal shelter.

Los Angeles Fire Department personnel contacted, assessed, and provided medical treatment to Victim B, who was then transported from the scene to a local hospital.

At the hospital, Victim B was treated for multiple puncture wound as a results of dog bites to his hands and elbow. Victim B sustained a puncture wound to the left thumb and heel of his left hand, a puncture wound to the left palm, three puncture wounds to the right hand and elbow and multiple scratches and abrasions to the right side of his face.

**Note:** At the time of the incident, Victim A did not complain of any injuries. Several weeks after the incident, during an interview with FID detectives, Victim A acknowledged that he sustained several puncture wounds to his hands during the incident because he placed his hands inside his dogs' mouths while attempting to stop them from attacking him. Victim A did not seek medical attention for his injuries.

### **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 unanimously 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 exhibiting of a firearm to be in policy.

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

The BOPC found Officer A's lethal use of force to be in policy.

### **Basis for Findings**

#### **A. Tactics**

## **Detention**

- Does not apply.

## **Tactical De-escalation**

- Does not apply.
- In its analysis of this incident, the BOPC identified the following tactical consideration:
  - Dog Encounters
- 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's tactics to warrant a Tactical Debrief.

## **B. Drawing/Exhibiting**

- According to Officer A, he observed the three Pit Bull dogs attacking Victim B on the ground, and in immediate defense of Victim B's life, he drew his service pistol.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officer A, 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 exhibiting of a firearm to be in policy.

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

- **Officer A** – (pistol, four rounds)

According to Officer A, he observed the three Pit Bull dogs attacking Victim B on the ground. In immediate defense of life, Officer A drew his service pistol and shot all three dogs.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officer A would reasonably believe that the attacking dogs represented an immediate threat of serious bodily injury and that the use of lethal force would be justified.

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