

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

OFFICER-INVOLVED SHOOTING – 038-18

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
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Hollenbeck	6/9/18		
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Officer(s) Involved in Use of Force	Length of Service
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Officer A	13 years, 1month
Officer B	1 year, 10 months
Officer C	10 years, 7 months
Officer D	1 year, 4 months
Officer E	12 years, 11 months
Officer F	8 years, 3 months

Reason for Police Contact

Officers responded to an Assault with a Deadly Weapon (ADW) stabbing radio call. Officers observed the suspect attempt to stab his father, resulting in an officer-involved shooting (OIS).

Subject(s)	Deceased ()	Wounded (X)	Non-Hit ()
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Subject: Male, 24 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.

The following incident was adjudicated by the BOPC on April 23, 2019.

Incident Summary

Officers A and B heard CD (Communications Division) broadcast a “man with a knife, ADW” call. They requested CD to assign the radio call to them. Although it was a Code Three radio call, they responded Code Two due to their close proximity to the location.

This was Officers A and B’s first day working together. According to Officer A, at the officers’ start of watch, he/she told Officer B that he/she would be contact for radio calls and that Officer B would act as the cover officer. After receiving the call regarding this incident, Officer A advised Officer B that the subject was there now, that they would make sure the subject was unarmed and take him into custody as soon as possible. In addition, Officer B stated that they had discussed traffic stops, remaining cognizant of their location, and determined who would be responsible for placing them Code Six.

CD subsequently broadcast a “shooting just occurred” call at the same location. However, there was no evidence a shooting occurred at this location prior to the arrival of the officers.

Officer A broadcast on the radio that he/she and his/her partner had arrived at the location (Code Six). Officer A and his/her partner were immediately approached by an unidentified male who advised them that a stabbing had occurred, and that the victim had been taken to the hospital.

According to Officer A, this individual pointed out blood on the concrete. As Officer A walked up the driveway, he/she observed Officers C and D arrive on scene. They had heard the radio call broadcast and responded to assist.

It was apparent, due to food, stereos, and decorations, that a party had occurred in the driveway, but was over at the time of the officers’ arrival.

Officer A directed Officers C and D to deploy a beanbag shotgun. Officer D adhered to the request and obtained his/her beanbag shotgun.

The unidentified individual led Officers A and B to one side of the complex where there was a walkway that led to an apartment, where he indicated the Subject and Victim A were last seen entering with the Subject, who was in possession of a knife.

According to Officer A, he/she and Officer B waited for Officers C and D to accompany them with the beanbag shotgun before they proceeded down the walkway. The unidentified individual then provided them with the Subject’s name and physical descriptors.

Officers E, F, and G arrived on-scene. Officer G’s partner deployed his/her rifle and assumed a position in the driveway area to cover the windows.

The walkway that led to the front door was very narrow with assorted debris cluttering it. Thus, the officers approached in a single-file line.

The exterior steel security gate of the residence where the Subject was located was closed; however, the interior front door was open, affording Officer A a partially-obstructed view into the residence. Officer A attempted to open the security door, but it was locked. According to Officer A, he could see the Subject in possession of a knife and engaged in a physical struggle with Victim A.

Officer A immediately began to give verbal commands, instructing the Subject to open the door and come out with his hands up, while also identifying him/herself as a Los Angeles Police Officer. There was no response other than an indiscernible comment that can be heard on Officer A's BWV being made from inside the apartment.

Officer A broadcast a request for a unit to respond with breaching tools in case forced entry into the residence was required.

Officer A broadcast a back-up request for a "415 man with a knife," which prompted the response of additional units. Officer A continued to give commands to the Subject, ordering him several times to drop the knife. Officer A also communicated his/her observations to the other officers present that the Subject was armed with a knife and was fighting with another male (Victim A).

According to Officer A, the Subject was holding a knife with a four and a half-inch blade. Initially, Victim A and the Subject were in the hallway, between the kitchen and living-room, engaged in a physical altercation. Officer A observed the Subject swing the knife more than once at Victim A.

Sergeant A broadcast he/she was responding from the station with the breaching tools.

Officer A continued to verbalize with the Subject and Victim A through the locked security gate, telling the Subject to "put the knife away" or "you will get shot," and requesting someone to "come to the door;" but obtained no compliance. Meanwhile, Officer A continued to communicate his/her observations to the other entry team members.

While the Subject and Victim A were still visible in the hallway, Officer A drew his/her service pistol. Officer A held his/her pistol in his/her right hand and pointed it towards the locked steel security gate with the belief he/she may need to shoot through the security gate. However, Officer A holstered his/her service pistol when the Subject and Victim A moved out of his/her view.

Officer A continued to yell, "Stop," and, "You're going to get shot." Officer A then observed Victim A suddenly cover his face with his hands, causing him to believe Victim A was injured, possibly from being struck or stabbed by the Subject.

Victim A and the Subject then moved out of Officer A's view. The officers discussed what options they had available to enter the location and searched for additional entry points into the residence; however, none were located. The officers discussed the availability and use of less-lethal options. Although out of view, Victim A could be heard speaking, attempting to calm the Subject down. Despite not having a view of the Subject and Victim A, Officer A continued to give orders to the Subject, telling him to drop the knife and to come out with his hands up. At one point, Officer A requested any occupant of the apartment to unlock/open the security gate.

Subsequently, Victim A approached the front door and unlocked/opened it. Officer A immediately asked him to come out; however, Victim A immediately began to walk back toward the hallway and living-room area. Officer A knew the Subject was in possession of a knife/knives and had been involved in a physical altercation with Victim A, which led Officer A to believe the situation could escalate the use of lethal force. Officer A then un-holstered his/her service pistol a second time.

As Officer A held the security gate open, he/she told Officer D to pass the beanbag shotgun to Officer B, who was directly to his/her left. Officer A indicated that he/she wanted Officer B to be the designated less-lethal operator, due to Officer B being the second officer in the entry team behind Officer A. Officer B holstered his/her service pistol and armed him/herself with the less-lethal beanbag shotgun.

Officer A was cognizant of the Subject's violent demeanor and could see from his/her position that there were two additional people in the apartment that the Subject had access to. Officer A decided to make entry into the apartment. Officer A advised the other officers of the presence of the additional occupants, instructed Officer B that he/she would be designated to use the beanbag shotgun, and provided a use of force verbal warning, saying, "You're going to get shot with the beanbag and it's going to hurt, if you don't drop the knife!" This was done as Officer A maintained a position at the threshold of the front door frame for approximately 20 seconds before initiating entry.

As the officers made entry into the apartment, Sergeant B arrived at the walkway and took up the final position on the entry team. Sergeant B verified that the officers were beanbag shotgun and TASER equipped and stated that he/she would assume responsibility for communications.

Officer A walked first into the apartment, followed by Officer B. Officer A cleared the kitchen area and continued to clear the hallway of the apartment. Officers A and B took up positions at the door leading to the living room area (Officer B was standing approximately one to two feet away from Officer A). A small child-gate, approximately two feet high, was placed across the doorway, partially blocking the entrance into the living room.

Officer D took a position behind Officer B. Officer E positioned him/herself near the doorway of the living room, and Officers C and F were behind Officer E. Due to the confined space, Officer G and Sergeant B remained in the kitchen. Sergeant B's view

into the living room was largely obstructed by the presence of the officers positioned in front of him/her.

The Subject and Victim A were standing near the center of the living room, facing each other. Victim A had his back to the officers and the Subject's entire front torso was visible to Officer A. Victim A was standing approximately three to four feet away from the Subject, and Witness A was seated on a living room couch, three to four feet away from the Subject. According to Officer A, the Subject was holding a six-inch screwdriver in his left hand and a knife in his right hand. The Subject had both hands down in front of his waist area, and Victim A was making hand motions, bringing his open hands down toward the Subject's hands, as if he was trying to calm him down.

Officers A and B yelled to the Subject to "drop the knife," and "drop the screwdriver." As Officer A took up his/her position on the living-room door frame, he/she extended his pistol out in his right hand, initially with a one-handed grip, then transitioned to a two-handed grip. Meanwhile, Officer B transitioned his/her beanbag shotgun from a low-ready position to on-target, as he/she yelled commands at the Subject.

As the officers gave the Subject commands, Victim A approached the Subject and appeared to reach out with his hands in an attempt to grab the Subject's right wrist. The Subject immediately pulled his right arm up and away from Victim A. Victim A appeared to take a hold of the Subject's right and left wrists with his left and right hands, respectively. The Subject then began to struggle with Victim A, and as the struggle intensified, Victim A pushed the Subject backward and down against a couch located in the area of the living room. Victim A appeared to grip the Subject's wrists as they continue to struggle.

After approximately six seconds and while Victim A was still holding on to the Subject's wrists, the Subject pushed him away and got back up into a standing position.

The Subject then began pushing Victim A, causing him to take a few steps backwards; meanwhile maintaining a hold of the Subject's wrists. Victim A then broke away from the Subject and assumed a defensive stance by slightly blading his body towards the Subject, lowering his upper torso and placing both arms out in front of him in a guarding position. At the same time, the Subject took a step back (south away from Victim A) while he continued to hold his hands in front of his torso with a knife in his right hand and a screwdriver in his left hand.

Simultaneously, as the above struggle occurred, Officers A and B continued to direct the Subject to drop the knife and screwdriver. In addition, they instructed Victim A to back up out of the way.

With Victim A separated briefly from the Subject, Officers A and B saw an opportunity to discharge the beanbag shotgun at the Subject.

Officer A began to yell “shoot him, shoot him again, shoot him again.” Officer B fired his/her beanbag shotgun a total of five times. These rounds impacted the Subject, causing him to stagger backwards toward the couch on the side of the living room. The beanbag rounds appeared to have only a momentary effect on the Subject, however. By the time Officer B discharged his/her fifth beanbag round, the Subject appeared to have recovered from the impacts and began to rapidly advance toward Victim A.

As the Subject advanced on Victim A, he was moving the knife and screwdriver in a slashing crisscross motion with his arms in front of him. As the Subject came to within a few feet of Victim A, Officer A believed Victim A was at risk of being stabbed.

As the Subject advanced towards him, Victim A maintained a defensive posture, with both hands up in front of his body.

Officer A extended his/her arms to a two-handed shooting stance and fired one round from an approximate distance of eight to 10 feet, aiming at the Subject’s upper left shoulder area.

Officer A assessed and noticed the round had no effect as the Subject continued his advance toward Victim A. Officer A maintained the same shooting stance and grip on his/her service pistol as he/she fired a second round at the Subject’s upper left torso area.

Officer A again assessed and observed the Subject fall to the ground, negating the need to discharge additional rounds. Officer A was aware that Witness A was on the couch, and Victim A was directly in front of the Subject. Officer A was aware of his/her background and consciously stepped forward into the threshold of the living room prior to discharging his/her service pistol to minimize background concerns.

Officer A’s BWV depicts him/her holding his/her pistol with both arms extended before and during the OIS. The Subject stated that he was shot by eight police officers, that the officers fired approximately six rounds each, and that he was struck all over his body including, on the spine, armpits, and right hand. The investigation revealed that Officer B fired five beanbag rounds and Officer A fired two rounds from his/her service pistol. There was no evidence indicative of other officers discharging their pistols.

Officer A attempted to broadcast “Officer Needs Help, Shots Fired” on the Hollenbeck base frequency. However, a review of the frequency established the broadcast was broken and unintelligible.

Immediately after the Subject collapsed to the ground, Victim A bent forward and covered the Subject with his own body while at the same time, he grabbed his arms. At that moment, his intent was to protect the Subject from getting shot further.

Officers A and B advanced into the living room. The Subject was laying on his back and still grasped the screwdriver in his left hand. Officer A holstered his/her pistol, then

approached the Subject, grabbed his right hand, and pulled the screwdriver away from him. The Subject continued to grasp the weapon until it was removed by Officer A. Officer E entered through the living room door, grabbed the Subject's right wrist, and with the assistance of Officer C rolled the Subject onto his stomach. The Subject resisted by tensing his arms and not allowing the officers to move his arms behind his back. Officer F utilized bodyweight with his/her knees and grabbed the Subject's left arm and wrist. Officer E utilized his/her knees as bodyweight to the upper right back to control the Subject's movement. Officer H completed the handcuffing process.

As the Subject was rolled onto his stomach, a knife with a four-inch blade was observed underneath the suspect. Officer D recovered the knife and subsequently handed it over to Officer F, who subsequently transported it back to the station.

Numerous other officers responded to the scene. They held the external perimeter of the location during the OIS.

The following officers un-holstered their pistols during the incident:

Officer D drew his/her pistol after he/she gave the beanbag to Officer B and held it at a low- ready position. He/she did not fire his/her pistol due to his field of fire being blocked by the living-room wall. Officer D holstered his/her pistol after the OIS and prior to approaching the Subject.

Officer C drew his/her pistol while standing outside the apartment prior to making entry. He/she observed the Subject stabbing at the bathroom window with what he/she described as a "sharp object." Due to the Subject being armed with a stabbing weapon, Officer C unholstered his/her pistol. Officer C did not fire at the Subject because he/she lacked a clear shot. Officer C holstered his/her pistol after the OIS occurred.

Officer E, while standing outside the apartment, observed that the Subject was armed. He/she un-holstered his/her pistol and holstered it after the OIS and after the Subject was disarmed.

Officer F drew his/her pistol while standing outside the apartment, due the Subject being armed with a knife and fighting with his father. He/she holstered his/her pistol after the OIS and prior to assisting taking the Subject into custody.

Officer G drew his/her pistol to cover the exterior windows of the apartment and holstered it after the windows were cleared.

Officer H drew his/her pistol during his approach to the apartment and holstered it after the OIS had occurred.

Officer J deployed his/her Police Rifle upon arrival at the location, due to radio broadcasts indicating that the Subject was armed and that units were forcing entry into the location. Officer J assisted in the clearing of the apartment.

Officer K deployed his/her Police Rifle upon arrival due to the comments of the radio broadcast. Officer K positioned him/herself on the rooftop of across the street for a better vantage point of the Subject's apartment. After the OIS, he/she came off the rooftop and secured the rifle in his/her police vehicle.

Sergeant A broadcast his/her status and location (Code Six). He/she walked inside the apartment and was advised that Officer A was involved in the OIS. Sergeant A immediately separated Officer A and obtained a Public Safety Statement (PSS) from him/her. Information from the PSS was then broadcast over the radio by Sergeant A.

Sergeant B broadcast that the incident had been resolved (Code 4) and that the Subject was in custody.

Real-Time Analysis Response (RACR) Division was notified of the Categorical Use of Force.

FID investigators reviewed all documents and circumstances surrounding the separation, monitoring and the admonition not to discuss the incident to officers prior to being interviewed by FID investigators. All protocols were followed and appropriately documented.

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). Based on the BOPC's review of the instant case, the BOPC made the following findings:

A. Tactics

The BOPC found Officers A, B, C, D, E, and F's, tactics to warrant a Tactical Debrief. The BOPC found Sergeant B's tactics to warrant Administrative Disapproval.

B. Drawing and Exhibiting

The BOPC found Officers A, B, C, D, E, and F's drawing and exhibiting of a firearm to be In Policy.

C. Non-Lethal Use of Force

The BOPC found Officers A, C, D, E, and F's non-lethal use of force to be In Policy.

D. Less-Lethal Use of Force

The BOPC found Officer B's less-lethal use of force to be In Policy.

E. Lethal Use of Force

The BOPC found Officers A's lethal use of force to be In Policy.

Basis for Findings

In making its decision in this matter, the Commission is mindful that every "use of force by members of law enforcement is a matter of critical concern both to the public and the law enforcement community. It is recognized that some individuals will not comply with the law or submit to control unless compelled to do so by the use of force; therefore, law enforcement officers are sometimes called upon to use force in the performance of their duties. It is also recognized that members of law enforcement derive their authority from the public and therefore must be ever mindful that they are not only the guardians, but also the servants of the public. The Department's guiding value when using force shall be reverence for human life. Officers shall attempt to control an incident by using time, distance, communications, and available resources in an effort to de-escalate the situation, whenever it is safe and reasonable to do so. When warranted, Department personnel may objectively use reasonable force to carry out their duties. Officers who use unreasonable force degrade the confidence of the community we serve, expose the Department and fellow officers to legal and physical hazards, and violate the rights of individuals upon whom unreasonable force is used. Conversely, officers who fail to use force when warranted may endanger themselves, the community and fellow officers." (Use of Force Policy, Los Angeles Police Department Manual.)

The Commission is cognizant of the legal framework that exists in evaluating use of force cases, including the United States Supreme Court decision in Graham v. Connor, 490 U.S. 386 (1989), that:

"The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain and rapidly evolving – about the amount of force that is necessary in a particular situation."

The Commission is further mindful that it must evaluate the actions in this case in accordance with existing Department policies. Relevant to our review are Department policies that relate to the use of force:

Law enforcement officers are authorized to use deadly force to:

- Protect themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury; or
- Prevent a crime where a suspect's actions place person(s) in imminent jeopardy of death or serious bodily injury; or
- Prevent the escape of a violent fleeing felon when there is probable cause to believe the escape will pose a significant threat of death or serious bodily injury to the officer or others if apprehension is delayed. In this circumstance, officers shall to the extent practical, avoid using deadly force that might subject innocent bystanders or hostages to possible death or injury.

The reasonableness of an Officer's use of deadly force includes consideration of the officer's tactical conduct and decisions leading up to the use of deadly force. (Use of Force Policy, Los Angeles Police Department Manual.)

An officer's decision to draw or exhibit a firearm should be based on the tactical situation and the officer's reasonable belief that there is a substantial risk that the situation may escalate to the point where deadly force may be justified. (Los Angeles Police Department Manual.)

Tactical de-escalation involves the use of techniques to reduce the intensity of an encounter with a subject and enable an officer to have additional options to gain voluntary compliance or mitigate the need to use a higher level of force while maintaining control of the situation. 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. (Tactical De-Escalation Techniques, October 2016.)

A. Tactics

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

1. Non-Conflicting Simultaneous Commands

The investigation revealed that multiple officers gave simultaneous commands to the Subject during the incident. Although the commands were non-conflicting, the officers were reminded that simultaneous commands can sometimes lead to confusion and non-compliance by the suspect.

2. Beanbag Shotgun Manipulations

The investigation revealed that Officer D disengaged the safety of the beanbag shotgun prior to intending to shoot. Additionally, Officer B obtained the beanbag shotgun from Officer D and did not verify the condition of the weapon. The officers were reminded of the importance of proper beanbag shotgun manipulations during tactical situations.

3. Maintaining Control of Equipment

The investigation revealed that Officer B threw the beanbag shotgun on the ground while transitioning to his service pistol rather than utilizing the sling on the beanbag shotgun. Officer B was reminded of the importance of maintaining control of equipment prior to transitioning to other force options.

These topics were to be discussed at the Tactical Debrief.

- **Command and Control**

Sergeant B was the first supervisor to arrive on scene and did not take an active leadership role during the incident. It is incumbent upon supervisors at the scene of a critical incident to demonstrate and exercise supervision that is consistent with Department supervisory and tactical training.

The BOPC noted that Sergeant B did not take an active leadership role by meeting with the primary unit, providing oversight for the tactical operation, or providing direction to the officers during the non-lethal use of force.

Sergeant B arrived prior to the officers making entry into the location, and he/she waited approximately three and a half minutes before he/she made contact with the primary unit. As he/she approached the entrance to the residence, the primary unit had already formulated a tactical plan and the officers were making entry into the location. Sergeant B observed an officer outside of the location about to make entry and asked if any officers were designated as less-lethal officers. It was at this point that Sergeant B designated him/herself as the communications officer. After the OIS, Sergeant B stepped out of the residence and broadcast the "Help Call" before stepping back in and monitoring the officers as they took the Subject into custody.

The BOPC was critical of Sergeant B's lack of command and control during this incident and concluded that he/she did not demonstrate the level of control or supervision expected of a field supervisor.

As a result, the BOPC determined that Sergeant B's lack of supervisory oversight during this incident substantially and unjustifiably deviated from approved Department supervisory training, and thus warranted a Tactics finding of Administrative Disapproval.

The BOPC found that the topic of Command and Control, and expectations of supervisors during critical incidents, should be specifically addressed with Sergeant B during the Tactical Debrief.

Sergeant A responded to the scene and obtained a PSS from Officer A. Sergeant A did not direct Officer A to turn off his BWV prior to obtaining the PSS. The actions of

this supervisor were otherwise consistent with Department supervisory training and met the BOPC's expectations of a field supervisor during a critical 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.

In conducting an objective assessment of this case, the BOPC determined that the tactics utilized by Sergeant B substantially and unjustifiably deviated from approved Department tactical training, thus requiring a finding of Administrative Disapproval.

Additionally, the BOPC found that the tactics utilized by Officers A, B, C, D, E, and F did not substantially deviate from approved Department tactical training, warranting a finding of Tactical Debrief.

B. Drawing and Exhibiting

- According to Officer A, he/she drew his/her service pistol while waiting for breaching tools because he/she believed that the Subject's actions would necessitate the use of deadly force.

According to Officer A, he/she drew his/her service pistol when he made entry into the apartment because he/she believed the situation could escalate to one involving the use of deadly force.

- According to Officer B, he/she drew his service pistol while approaching the front door to the residence.

According to Officer B, he/she drew his service pistol after dropping the beanbag shotgun because he/she believed the situation had been elevated to one involving deadly force.

- According to Officer C, he/she drew his/her service pistol while standing outside the residence because he/she believed the tactical situation could lead to one involving the use of deadly force.
- According to Officer D, he/she drew his/her service pistol after giving the beanbag shotgun to Officer B because the Subject had a knife.
- According to Officer E, he/she drew his/her service pistol while stacked outside the residence because he/she believed the situation could rise to one involving the use of deadly force.
- According to Officer F, he/she drew his/her service pistol because he/she believed

the situation had been elevated to a situation involving the use of deadly force.

- Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officers A, B, C, D, E, and F while faced with similar circumstances, would reasonably believe that there was a substantial risk the situation may escalate to the point where deadly force may be justified.

Therefore, the BOPC found Officers A, B, C, D, E, and F's drawing and exhibiting of a firearm to be In Policy.

C. Non-Lethal Use of Force

- **Officer A – Firm grip and physical force**

According to Officer A, after the Subject fell to the ground, he was still in possession of the screwdriver. Officer A holstered his/her service pistol, approached the Subject, and used a firm grip and physical force to remove the screwdriver from his left hand.

- **Officer E – Bodyweight, firm grip, and physical force**

According to Officer E, as he/she approached the Subject to assist with taking him into custody, the Subject attempted to push himself up off the ground. Officer E used bodyweight to maintain control of the Subject.

Officer E grabbed the Subject by his right wrist and used physical force to roll the Subject towards his/her left side. After rolling the Subject to his left side, Officer E used a firm grip and physical force to control the Subject's left arm to place it behind his back for handcuffing.

The investigation revealed that Officer I did not apply force or overcome resistance from the Subject. Officer I's application of handcuffs while Officer E maintained control of the Subject's arm did not constitute an application of force. Officer I, therefore, did not receive findings for non-lethal use of force.

- **Officer F – Bodyweight, firm grips, and physical force**

According to Officer F, he/she approached the Subject and used bodyweight to control him. Officer F grabbed the Subject's left wrist and brought his hand behind his back for handcuffing.

- **Officer C – Firm grip and physical force**

According to Officer C, he/she observed the Subject resisting the officers who were attempting to take him into custody. Officer C grabbed the Subject's left wrist and used physical force to pull his arm backwards for handcuffing.

- **Officer D – Firm grips and physical force**

According to Officer D, he/she approached the Subject, grabbed his leg and flipped him over.

Based upon the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officers A, C, E, F and D, while faced with similar circumstances, would believe that the same applications of non-lethal force would be reasonable to overcome the Subject's resistance.

Therefore, the BOPC found Officers A, C, D, E, and F's non-lethal use of force to be In Policy.

D. Less-Lethal Use of Force

- **Officer B – Beanbag Shotgun, five beanbag sock rounds**

According to Officer B, he/she observed Victim A grabbing the Subject's wrists, struggling with him, and trying to get him to drop the knives. When Victim A moved away from him, the Subject walked toward him while holding the knives. Officer B immediately fired what he/she thought to be four shots from the beanbag shotgun.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officer B, while faced with similar circumstances, would believe that the same applications of less-lethal force would be reasonable to protect themselves and others from the Subject's violent actions and effect his arrest.

Therefore, the BOPC found Officer B's less-lethal use of force to be objectively reasonable and In Policy.

E. Lethal Use of Force

- **Officer A – pistol, two rounds**

According to Officer A, after Officer B fired the beanbag shotgun at the Subject, it had no effect, and the Subject kept his forward aggression attack going. Officer A fired one round from his/her service pistol at the Subject because he/she feared that Victim A was in immediate danger of being stabbed. Officer A conducted an assessment and determined that his/her first round seemed to have no effect. Officer A then fired a second round from his/her service pistol at the Subject, who fell to the ground.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officer A would reasonably believe the Subject's

actions presented an imminent threat of death or serious bodily injury and that the lethal use of force would be objectively reasonable.

Therefore, the BOPC found Officer A's lethal use of force to be In Policy.