

Incident Summary

Police Officer A, accompanied by Detective A, was involved in setting up a drug bust operation. Officer A completed a search warrant for the residence and one week later, various LAPD personnel arrived at the designated location to serve the warrant.

Note: All personnel that responded were attired in either plain clothes wearing ballistic helmets and tactical vests that displayed "POLICE" on the front and back or in full uniform wearing ballistic vests. Unmarked and marked black and white police vehicles were utilized during the search warrant service.

Officer B (shotgun operator), followed by Officer C (hook), Sergeant A (ram), and Officer D (dog pole), entered the enclosed front porch of the single story residence via an open security door. Detective A accompanied the officers; however, he stopped at the entrance to the porch and took a position of cover at one corner of the residence. He was followed by uniformed Officers A, E, and F. Uniformed Officers G and H took a position at that same corner of the front yard.

Around this time, Detective A heard people inside running from the residence. Detective A announced the officers' presence and ordered the occupants to open the door. Detective A also broadcast to the other officers at the location, via his ASTRO Radio, "We have runners."

The residence was equipped with counter-surveillance cameras that monitored the officers' approach from the front yard and within the area of the front porch. The investigation revealed that the monitor was located in the living room near the front door but did not record.

The front door was not opened and Officer C set the hook into the iron security door frame. Simultaneously, Sergeant A struck the ram against it and breached the door. As Officer C pulled the security door away from the iron door frame, Officer B observed in the living room a gray and white Pit Bull dog, approximately 60 pounds in weight, growling and revealing its teeth, preventing the officers from entering the location. The unrestrained dog held its position against the wood flooring of the living room, approximately 4 feet from Officers B and C's position on the front porch. The dog hunched over and continued to reveal its teeth while barking. The dog attempted to bite Officer C's left leg and then attempted to bite Officer B twice. It was unsafe for the officers to enter.

As a last resort, in order to protect himself and other officers from serious bodily injury or death, Officer B decided to shoot the dog. Officer B assumed a slung indoor low-ready position and disengaged the safety on his assigned shotgun. Officer B fired one round, striking the dog and stopping it from attacking. Sergeant A and Officer C witnessed the officer-involved animal shooting (OIAS) as they stood to the left of Officer

B during the OIAS. Officer B announced in a loud voice “Dog only,” stepped over the dog and conducted a speed reload.

Sergeant B, being the only uninvolved supervisor, notified the Watch Commander, Lieutenant A, and assumed the role of Incident Commander after the tactical situation was deemed to be safe. Sergeant B ensured that Officer B’s shotgun was safely secured in the trunk of his vehicle. Sergeant B obtained a Public Safety Statement from Officer B and monitored the officer while at scene, advising the officer not to discuss the OIS until the arrival of investigators from FID.

Lieutenant A subsequently reported the animal shooting to Real-Time Analysis and Critical Response Division (RACR).

Witness Statements

Witness A was inside the house sitting on the living room couch when he heard an officer yell “search warrant” and observed officers force open the front security door while the dog was at the door barking. Witness A indicated his father was next to him to his right side when he looked away for a moment and heard a loud “boom” but did not observe the shooting. Witness A turned towards the front door and observed that the dog was dead as officers were entering the residence and told him to get down on the floor, face down, along with his father.

Witness B indicated that she was inside Witness C’s bedroom lying on the bed with Witness C when she heard a loud noise followed by a gunshot.

Witness C indicated that she was inside her bedroom lying on the bed with Witness B when she heard a loud noise that resembled a gunshot, which she believed came from the living room.

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 and 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 B's tactics to warrant a Tactical Debrief.

B. Drawing/Exhibiting

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

C. Lethal Use of Force

The BOPC found Officer B's 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. Tactical Planning / Dog Encounters

In this instance the Warrant Service/Tactical Plan Report indicated that a Pit Bull breed dog occupied the residence; however, there was no indication of a plan to include non-lethal and less-lethal options traditionally effective on dogs, such as Oleoresin Capsicum spray, TASER, baton, and/or a fire extinguisher. The tactical plan did, however, include the fourth person to make entry equipped with a dog pole, which was in place during the initiation of the warrant service.

Regardless of the potential presence of a vicious dog, the officers were required to rapidly enter to serve the search warrant and prevent the destruction of evidence. As it would not have been reasonable to wait for the arrival of the Department of Animal Services to secure the dog, the tactics did not substantially deviate from approved Department tactical training. However, the involved personnel could benefit from a discussion regarding pre-planning and staging of equipment when serving a search warrant when a dog is believed to be on the premises. This topic was to be addressed during the Tactical Debrief.

- 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 identified areas for improvement neither individually nor collectively substantially deviated from approved Department tactical training. Therefore, 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 with the objective of improving overall organizational and individual performance.

B. Drawing/Exhibiting

- In this instance, officers were conducting search warrant service at a known narcotics location when they entered the residence and encountered an aggressive Pit Bull breed dog. Officer B was the point officer in the entry team and was equipped with a shotgun. He covered the front door with the shotgun as the other officers forced entry.

Based on the totality of the circumstances, an officer with similar training and experience as Officer B would reasonably believe that there was a substantial risk that the situation may escalate to the point where deadly force may be justified.

Therefore, the BOPC found Officer B's drawing and exhibiting of a firearm to be in policy.

C. Lethal Use of Force

- **Officer B** (shotgun, one round)

In this instance, Officer B was part of a search warrant team and was designated as the lead officer. According to Officer B, he observed a large gray and white Pit Bull growling and showing his teeth attempting to bite Officer C's left leg. As the door was forced open, he approached the open doorway and observed an unknown subject run into the hallway to his right. The dog was blocking entry from the front door, hunched over still showing his teeth and snapped at Officer B twice. To protect himself and his partners from serious bodily injury or death, he took the safety off and fired one round at the dog, stopping its attack. The dog fell and ceased to move. Officer B yelled, "Dog Only" and stepped over the dog and conducted a speed reload.

The BOPC determined that an officer with similar training and experience as Officer B would reasonably believe that the charging dog presented an imminent threat of serious bodily injury. Therefore, the BOPC found that Officer's B use of lethal force was objectively reasonable and in policy.