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

## OFFICER-INVOLVED ANIMAL SHOOTING 046-09

<u>Division Date Duty-On (X) Off () Uniform-Yes() No(X)</u>
Outside City 07/16/09

Officer(s) Involved in Use of Force Lieutenant A Length of Service 24 years, 7 months

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#### **Reason for Police Contact**

A police lieutenant was returning to his vehicle after the execution of a search warrant when an aggressive dog approached and leaped at him, resulting in an officer-involved animal shooting.

Animal Deceased () Wounded (X) Non-Hit ()
Large unknown breed dog.

### **Board of Police Commissioners' Review**

This is a brief summary designed only to enumerate the 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 and addenda items); the 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 Los Angeles Police Department Command Staff presented the matter to the Commission and made itself available for any inquiries by the Commission.

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 May 11, 2010.

## **Incident Summary**

Lieutenant A responded to assist in the execution of a search warrant. Lieutenant A parked his unmarked police vehicle a short distance from the warrant service location.

After assisting in the search, Lieutenant A proceeded to return to his vehicle, and while walking there encountered a large dog which leaped from the curb directly at him. The dog charged at Lieutenant A, coming within inches of his legs, while showing its teeth, drooling from the mouth and growling. Lieutenant A fired a single round from his pistol into the upper torso of the dog. The dog stopped its aggressive actions, turned, and limped away. A subsequent search for the dog did not locate it.

# 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/Holstering of a weapon 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 Lieutenant A's tactics to warrant a Tactical Debrief.

### B. Drawing/Exhibiting/Holstering

The BOPC found Lieutenant A's drawing and exhibiting to be in policy.

#### C. Use of Force

The BOPC found Lieutenant A's Use of Force to be in policy.

### **Basis for Findings**

#### A. Tactics

In adjudicating this incident, the BOPC identified no tactical considerations.

# B. Drawing/Exhibiting

The BOPC evaluated the circumstances relevant to Lieutenant A's drawing and determined that Lieutenant A encountered an aggressive dog which charged him. Lieutenant A drew and exhibited his weapon to protect himself from bodily injury.

In conclusion, the BOPC found that Lieutenant A's Drawing/Exhibiting to be in policy.

### C. Lethal Use of Force

During this incident, Lieutenant A was attacked by a large dog, which presented a significant risk of serious bodily injury or death. As such, the BOPC found Lieutenant A's use of lethal force to be objectively reasonable, and, thus, in policy.