

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

OFFICER-INVOLVED SHOOTING – 052-13

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
Outside City	6/25/13		

Officer(s) Involved in Use of Force	Length of Service
Sergeant A	18 years, 11 months
Officer A	4 years
Officer B	6 years, 2 months
Officer C	6 years, 2 months
Officer D	4 years
Officer E	3 years, 8 months
Officer F	7 years, 4 months
Officer G	6 years, 6 months

Reason for Police Contact

Officers were conducting a probation check at a residence when the Subject, who was hiding in the attic, opened fire on the officers, resulting in an OIS.

Suspect	Deceased (X)	Wounded ()	Non-Hit ()
----------------	---------------------	--------------------	--------------------

Subject: Male, 32 years old.

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 June 17, 2014.

Incident Summary

Uniformed Sergeant A requested that all gang units meet at the police station gas pumps. In response to his request, uniformed Officers A, B, C, D, E, F, G and H responded to the location. Upon arrival, they were met by Sergeant A, along with County of Los Angeles Deputy Probation Officers (DPO) A and B.

Once all officers were present, DPO A and Officer B conducted a briefing relative to a probation compliance check expected to occur at a residence. The information provided included the name of the probationer, along with her photograph, and it was advised that there may be narcotics at the location. Officers were also provided with a photograph of the property, on which there were two residences.

Officers were uncertain which residence, front or back, was their target location. Sergeant A assigned personnel to various positions during the briefing. Officers A and E were assigned to the rear of the property and were to take a position behind the rear wall of the property. Officers G and H were assigned directly behind the back residence. Officers C and D were assigned to the front of the front residence. Officers B and F were assigned positions between the two residences. Sergeant A would handle radio communications, while DPO A was to door-knock the residence.

Officers entered their police vehicles, with Officer B in the lead car, and drove in trail to the location. As officers neared the location Officer F broadcast to Communications Division (CD) that all gang units were at the location. Officer C obtained his Police Rifle (PR) from the trunk of his police vehicle, placed a magazine in the well and chambered a round. Officer C carried his PR in a low-ready position as he approached the front residence. Officers entered the property through the front pedestrian gate.

Officers A and E exited their police vehicle, walked through an opening in a chain link fence and took a position on the north side of the block wall at the rear of the property. Officers C and D stopped at the front residence with Officer D taking a position at the southeast corner and Officer C at the southwest corner of the front residence. According to Officer C, he observed the inner door close and people looking out the windows of the front house. Officers B, F, G and H, along with Sergeant A, and DPOs A and B, walked north along a walkway on the west side of the front residence. While passing a window on the southwest corner of the front residence, officers detected an odor of burning marijuana coming from an open window and a vent protruding out the window. Officers continued north on the walkway as Officers G and H took their position to the rear of the back residence. Officers B and F, and Sergeant A along with DPOs A and B, proceeded to the front of the rear residence.

Deputy Probation Officer A knocked on the front door of the rear residence and made contact with Witness A, who identified herself as the aunt of the person they were looking for. Witness A stated that she saw the wanted subject earlier in the day; however, she no longer lived at the residence. Deputy Probation Officer A informed Witness A that officers were there to do a probation compliance check on the person, and Witness A allowed them into the residence. Officers conducted a cursory search of

the residence and determined that the person did not appear to live at the residence any longer.

Officers B, F, Sergeant A and DPOs A and B, proceeded south along the west walkway toward the front of the property. Officer B walked to a mailbox associated with the front residence, opened it and observed a piece of mail with the last name of the person they were looking for. Officer B advised other officers of his observations and that the person may possibly reside in the front residence.

Officer B then took a position at the southwest corner of the front residence along with Sergeant A and DPOs A and B, while Officer D remained at the southeast corner. Officers C and F walked to the front door of the residence, which consisted of a metal security door and a wooden inner door, and knocked. Officer C stated, "LAPD, open the door." Officers did not receive a reply and were advised by Officer D that he could see movement inside, through a window on the southeast corner of the residence. Officers C and F continued to knock for approximately one and a half to two minutes.

Eventually, the wooden inner door was opened by Witness B. Officers C and F again identified themselves and requested that Witness B open the front door. Witness B initially refused; however, a few seconds later, he complied and opened the metal security door. The officers asked all occupants to exit so they could conduct a probation compliance check. Witness B, along with two other males, identified as Witness C and Witness D, and a female, identified as Witness E, exited. Upon the occupants exiting, Officer C asked if there were any other persons inside the residence, which they replied, "no." According to Sergeant A, as Witness B exited, he advised officers that he was on parole. The occupants were then directed to a place along a fence on the west side of the property, where they were monitored by Officer B and DPOs A and B. Sergeant A then broadcast, requesting Officers A, E, G and H to respond to the front of the property and assist with duties at the front residence. While monitoring the occupants, Officer B obtained information from them in order to complete Field Interview (FI) cards.

Officer H stayed to assist with monitoring the occupants as Officer G joined other officers on the porch of the residence. Officers A and E joined the other officers on the porch of the residence. The officers formed an entry team to conduct a protective sweep, with Officer C, armed with a PR, as the lead officer. According to Sergeant A, prior to officers entering, they identified themselves and stated, "Los Angeles Police Department. Come out if you're in here. We're conducting a probation compliance check." Officers waited approximately five to ten seconds, entered the residence and conducted a systematic search of the interior of the residence. As officers entered the residence, Sergeant A took a position on the porch, near the doorway, to monitor the ongoing search and the occupants who remained outside. As officers conducted the search, they observed narcotics and ammunition in plain sight and communicated their observations to other search team members. Officers did not locate additional occupants.

As officers held their positions inside the residence, DPO A entered while Officer H also obtained information on the occupants. As Sergeant A kept the four occupants in view, Officer H walked to his police vehicle and used his Mobile Digital Computer (MDC) to confirm the information provided by the occupants.

After conducting a wants and warrants check for each occupant, Officer H returned to the front residence, entered and assisted other officers with the search of the northwest bedroom. Officers A and E exited the residence into the backyard to search for additional contraband. Officer B exited the front door and spoke with the occupants who were still along the fence on the west side of the property to ascertain who, if any, resided at the residence and who owned a backpack, which contained firearm magazines and various calibers of ammunition, that was located inside a bedroom. Unable to obtain any information from the occupants, Officer B then went to his police vehicle to check Witness B's prior arrest history.

Meanwhile, officers in the residence observed an attic opening in the bathroom ceiling that had not been previously noted or cleared during the protective sweep. Officer C advised other officers that he would retrieve a ladder. Officer C exited the residence and went to his police vehicle, placed his PR in the trunk and obtained a collapsible ladder. Officer C entered the residence with the ladder and walked into the bathroom. He extended the ladder and leaned it against the east wall.

As this occurred, Officer G stood near the doorway between the southwest bedroom and bathroom along with DPO A, who stood in the southwest bedroom. Officer H made his way into the northwest bedroom and was near the west bedroom wall. Officer D was also in the northwest bedroom standing near the doorway between the bathroom and northwest bedroom.

Officer F stood at the bottom of the ladder with his foot on the bottom rung, and held each side while Officer C ascended, facing east. As Officer C stood on about the third rung of the ladder, he reached up and began to move the attic cover. When Officer C removed the attic cover, a plastic bag containing clothing and shoes, which had been placed on top of the attic cover, fell. Officer F took the bag from Officer C and placed it on the floor. Officer C removed the attic cover and gave it to Officer F, who had moved just to the left of Officer C, and placed it on the floor. Immediately, Officer C observed the wood butt stock to what he recognized to be from an AK-47 rifle in the attic. The rifle was laying parallel along the wood on the east side of the attic opening. Officer C alerted other officers of his discovery.

Having heard Officer C, Sergeant A, who was in the living room, began to walk in the direction of the bathroom and took a position at the bathroom doorway. Sergeant A looked up and observed what he believed to be the middle stock portion of an AK-47 rifle. Sergeant A advised Officer C not to touch the weapon so they could photograph it in the location where it was found. Officer C indicated that he wanted to check the attic to clear it.

Officer C, with his pistol still holstered, took two to three steps further up the ladder. Just as his head crossed the threshold of the attic opening, Officer C, who still faced east, observed some movement out of his left side periphery. As he directed his attention toward the movement, he observed the Subject, lying with his head facing west and his feet to the east. According to Officer C, the Subject appeared to jump as he moved up the ladder, possibly moving to a kneeling position. Because it happened so quickly, Officer C was unable to communicate his observations to other officers. As Officer C turned to his left, he observed the barrel of a handgun, approximately six inches from the left side of his face. The Subject then discharged a round at Officer C, striking him below his left eye. Officer C stated, "I instantly knew that I was hit 'cause I felt like my face was burning." Officers D, F, G, Sergeant A and DPO A heard the gunshot and observed muzzle flash coming from the north side of the attic opening.

Officer C jumped off the ladder and fell onto his back near the bathtub. Officer C unholstered his pistol, held it in his left hand and fired four to five rounds into the attic toward the location where he last saw the Subject. Regarding his decision to shoot, Officer C indicated that he visualized the Subject looking down and trying to shoot him from down the opening.

Officer F stepped back, unholstered, pointed his pistol toward the ceiling, just north of the attic opening, where he perceived the Subject to be, and began to discharge his pistol. Regarding his decision to shoot, Officer F stated, "In my mind, I thought they were clear targets to this guy. Just in the direction he was, the attic, he was in an overhead position above us. He was at an advantage."

Having heard the gunshot and observing the muzzle flash, Officer D unholstered, pointed his pistol toward the ceiling, just north of the attic opening, where he perceived the Subject to be, and fired approximately eight rounds in an upward direction.

Officer H unholstered his pistol and moved closer to Officer D; however, he was unable to see into the bathroom and did not discharge his pistol.

Having heard the gunshot and observing the muzzle flash, Officer G unholstered his pistol, pointed it upward, just north of the attic opening, where he perceived the Subject to be, and discharged three rounds from his pistol.

Having heard the gunshot and observing the muzzle flash, Sergeant A unholstered, pointed his pistol about two feet north of the attic opening, where he also perceived the Subject to be, and fired three to four rounds.

Having heard the gunshot and observing the muzzle flash, DPO A pointed his pistol toward the ceiling, just north of the attic opening, where he perceived the Subject to be, and fired, a total of 15 rounds as he walked backward out of the residence. According to the officers inside the residence, they continued to hear gunshots coming from the attic and observed debris fall; therefore, officers believed that the Subject continued to fire down at them.

Officer A was standing on the east side of the back residence, and Officer E was just entering the back door of the front residence, when they both heard gunshots from inside the front residence. Officer E unholstered his pistol, entered the residence and continued into the northwest bedroom. According to Officer E, he heard unknown officers yell, "Gun, gun, gun" and "Attic, attic, attic." Officer A unholstered and turned his attention toward the back door of the front residence.

Deputy Probation Officer B was standing with the occupants when he heard gunshots and unholstered. He moved forward and took a cover position at the southwest corner of the residence and looked through a south-facing window to the west side of the porch. Witnesses B, C, D and E all fell to the ground.

Officer B, who was in his police vehicle checking Witness B's parole status, heard gunshots from inside the residence. Officer B exited his police vehicle, unholstered his pistol and began to run to the front of the residence. As Officer B entered the front gate, he heard Sergeant A's broadcast a request for a rifle. Officer B stopped, turned back toward the police vehicles and holstered his pistol. Using the keys to his police vehicle, Officer B opened the trunk of Officer G and H's police vehicle and obtained Officer H's PR. He took a magazine, placed it in the magazine well, checked the chamber and chambered a round. As Officer B ran to the front of the residence, he heard more shots being fired. Officer B took a kneeling position of cover behind a porch pillar near the southeast corner of the residence. Officer B took the safety off and kept his finger on the frame. The front door was open, and he aimed the PR toward the living room ceiling.

Meanwhile, Officer C, with his gun in his left hand, stood and walked toward the northwest bedroom, discharging two to three rounds toward the attic opening. Officer C reached Officer D, who was in the threshold of the northwest bedroom, and Officer D observed that Officer C had been shot in the face. Officer D kept his gun pointed with his right hand in an upward direction as he placed his left arm around Officer C. Officer D then backed up in a north direction, through the northwest bedroom, while escorting Officer C and keeping his pistol pointed upward to cover the attic opening. Officer E observed that Officer C had sustained a gunshot wound to his face and observed a significant amount of blood. Officers C and D then turned east into the kitchen as Officer D lowered his pistol. Officer E trailed them, while he turned south, keeping his gun pointed toward the attic opening. Officers C, D and E continued north through the kitchen and exited out the back door.

Officer A observed Officers C and D exit the back door and took a position at the northeast corner of the front residence. According to Officer A, when Officer D exited, he advised Officer A that the Subject was in the attic, armed with a rifle. Officer A noticed a large attic vent, approximately three feet by three feet with slats pointed down, on the north side of the residence, and he pointed his pistol in that direction. Officer E exited and took a position with Officer A at that northeast corner of the front residence. Officers C and D stopped on the grass between the front and back residences. Officer C knelt as Officer D assisted him in removing his utility belt, which was placed on the ground. Officers C and D then moved to the rear of the back house.

Once Officers C and D were at the back of the property, Officer D observed a gunshot wound below Officer C's left eye. According to Officer D, the wound was not bleeding, and it appeared to have been cauterized, causing Officer D to believe that the Subject shot Officer C at point blank range. Officer D noted trauma, due to a possible exit wound, on the right side of Officer C's face, just below his jawline. Officer C had difficulty breathing and tugged on his vest and shirt. Officer D assisted Officer C in removing his uniform shirt and ballistic vest. Officer D then focused his attention to stop the bleeding from the wounds. Officer D tore Officer C's undershirt off and placed it on his wounds, applying pressure to control the bleeding.

Sergeant A had begun to back his way south through the living room toward the front door. He observed Officer C exit the back door with Officer D and knew that Officer C was clear. According to Sergeant A, the Subject was moving in the attic and continued to shoot down at officers. Sergeant A arrived at the front door, stopped, and yelled, "Pull back, pull back!" Sergeant A then yelled, "Hold tight at the back, hold tight at the back!"

As Officers C and D exited, Officer F continued to discharge his pistol upward, just north of the attic opening. As he discharged his pistol, Officer F moved through the bathroom in a north direction, turning to continue to face the attic opening. Once Officer F reached the northwest bedroom, his pistol went empty, out of battery, and his slide locked back, "So, I mean, that's why I shot until I went empty. Buy the guys enough time to get out of there." He dove onto a mattress and, due to his pistol being empty, conducted a reload. Officer F noted that Officer H was also in the bedroom. Officer F then conducted a quick peek into the bathroom and noted all officers were gone. He communicated with Officer H that they needed to exit the residence.

Officer F heard movement in the attic, and believed that rounds were still being fired downward, pointed his pistol upward and discharged three to four rounds while moving into the kitchen. Officer H began to follow, but Officer F's utility belt caught the door handle and inadvertently closed the bedroom door, leaving Officer H in the room alone. Officer F continued through the kitchen, then south through the living room and out of the front door, where he observed Sergeant A, and he took a position of cover behind the porch pillar at the southwest corner. Meanwhile, Officer H held his gun in his right hand and pointed it upward toward the attic. He opened the door with his left hand and exited into the kitchen, where he looked to his left and observed the back door. Just prior to exiting the back door, Officer H yelled, "Blue, blue, blue," to inform other officers in the backyard that an officer was exiting. Officer H exited, observed Officers A and E at the northeast corner of the residence and joined them.

Meanwhile, Officer H heard Sergeant A's request for a rifle and made the decision to get to the front of the residence to the parked police vehicles. Officers E and H formulated a plan to move to the northwest corner. Officer E was to the left of Officer H as they ran west, pointing their pistols toward the open back door as they ran by. Officer E took a position at the northwest corner of the residence. Officer E did not leave this position because he knew that Officers C and D were still in the back and did

not want to compromise them by leaving. Officer E pointed his pistol in the direction of the back door and attic vent. Officer H continued south on the west walkway and stopped at the southwest corner. He observed Officers B, F and G and advised them to cover him while he ran to his police vehicle to obtain a rifle. Officer H ran to his police vehicle, opened the trunk and noted his rifle was gone.

Note: This was the rifle used by Officer B.

Upon exiting the residence, DPO A conducted a speed reload, dropped his used magazine and placed a full magazine into his pistol, and took a cover position behind the porch pillar on the southeast corner of the residence.

After his initial three rounds, Officer G continued to hear gunshots emanating from the attic and continued to point his pistol upward, just north of the attic opening. As the shooting from the attic continued, Officer G discharged his service pistol until his pistol lost battery power, went into slide lock, and he conducted a speed reload. Officer G heard movement in the attic and believed the Subject was still shooting at officers. As Officer G made his way from the southwest bedroom into the living room area, he heard an unknown officer say, "Get a rifle." Officer G continued through the living room and exited the front door. Officer G ran to the parked police vehicles at the front of the residence, holstered, and obtained a shotgun from one of the police vehicles. Officer G noted there were slug rounds in the side saddle. Officer G was not slug certified; however, due to what Officer G considered to be an active shooter situation, he did not want to take additional time to look in the police vehicle trunk for a buckshot. Officer G chambered a round and a double feed occurred. He remained at the trunk of the vehicle, cleared the malfunction and placed the slug round that he had removed onto the trunk lid of the police vehicle. Officer G then moved north to the front of the residence and took a kneeling position in front of the raised porch, using it as cover. Officer G pointed the shotgun upward, toward the attic.

Sergeant A broadcast, "Shots fired, officer needs helps! Shots fired, officer needs help!" Sergeant A switched his radio to simplex and asked officers if anybody was hurt. He heard a "no" response from officers at the front of the residence. Sergeant A broadcast, "Do we have any officers hit?" In response, Officer D broadcast, "Sarge, we got one officer down to the rear!"

Sergeant A placed his radio back in the holder and advised officers at the front of the residence to take his position. Sergeant A then ran north along the walkway on the west side of the residence. As Sergeant A crossed a window, he turned his body toward the window to cover and then once past, proceeded forward. Officer F followed behind and took a position at the northwest corner of the residence. Sergeant A arrived between the two residences and observed Officer C's gun on the ground. Sergeant A continued north along the west side of the back residence to the rear of the property, where he observed Officer C, standing, bleeding profusely and choking. Sergeant A holstered his pistol and broadcast, "We need an ambulance. We need an RA, Code Three. We have an officer shot in the face!"

Sergeant A first assisted Officer D, who was rendering aid to Officer C; however, he then decided they needed to extract Officer C from the rear of the property to obtain medical treatment. Sergeant A assessed the area and considered his options. He noted the freeway was to the north and opined the officers would be unable to extract in that direction due to high fencing. Sergeant A felt the best route of extraction would be to take Officer C south along the west walkway back to the front of the property, but they would need cover fire. Regarding his decision to use cover fire, Sergeant A stated, "Based on [Officer C's] life threatening situation, based on the fact that the attic was still open, the su[b]ject still had [a] hot tactical advantage on us."

Sergeant A informed Officer D of his plan. Sergeant A broadcast, "We're going to take him to the front now." Officer D was to the left of Officer C, while Sergeant A was to his right, and they began to walk him south along the west walkway. As they moved, Sergeant A yelled, "Cover fire, cover fire, cover fire." Having heard the broadcast, Officer E moved to the southwest corner of the back house. Once Sergeant A and Officers D and C were next to him, Officer E proceeded south while pointing his pistol toward the attic vent over the back door. While moving south, Officer E discharged 15 rounds toward the attic vent, stopping when he arrived at the northwest corner of the front residence. Officer E removed the magazine from his pistol, noticed it was empty, dropped it to the ground and placed a full magazine into his pistol.

According to Officer A, he could hear the Subject running in the attic for approximately 20 seconds, toward the back of the house. Officer A believed that the Subject was in the attic, now at the back of the house near the vent, and had a position of advantage. Officer A observed smoke coming out of the vent and perceived that it may have emanated from the Subject's rifle. Officer A knew there were other officers to the rear, pointed his pistol at the vent, where he believed the Subject to be, and fired 16 rounds, until his pistol was empty. Regarding his decision to shoot, Officer A stated, "I felt he was there with the weapon and I needed to protect my partner in the back. I felt I had good cover so I wasn't too worried about myself but I knew my - my partners were in the back and I had my back turned to them. I didn't know exactly where they were but I had to protect them." Officer A released the magazine from his pistol, dropped it to the ground, and placed another fully loaded magazine into his pistol. Officer A then discharged two additional rounds toward the attic vent.

According to Officer B, who was still positioned at the front of the residence, he heard movement in the attic and believed the Subject was firing at officers, because he observed projectiles in a downward trajectory and he was being struck by falling debris. Officer B discharged one round from his PR, from a kneeling position, toward the attic, where he believed the Subject was.

Deputy Probation Officer A was positioned next to Officer B, and began to discharge his pistol upon hearing other officers provide cover fire.

Deputy Probation Officer B was still positioned near the south-facing window at the front of the residence and heard Sergeant A request cover fire. Deputy Probation Officer B

pointed his pistol through the window, toward the ceiling to avoid striking someone on the other side, and discharged three rounds.

Officers C, D, E and Sergeant A arrived at the northwest corner of the front residence, next to Officer F. Officer F then proceeded south along the west walkway followed by Officers C, D and Sergeant A. As they all walked south, Officer F would approach a window, turn to his left, point his pistol toward the attic and discharge two to three rounds as he continued to walk. Once past the window, Officer F turned back to face south and continued walking south with officers next to him. Officers then approached a second window; Officer F turned to his left, pointed his pistol toward the attic and discharged two to three rounds as other officers continued south. Once past the window, Officer F turned back to face south and continued walking south. Officers approached a third window near the southwest corner of the residence. Officer F turned to his left, pointed his pistol toward the attic and discharged two to three rounds. Once past this window, Officer F turned back in a southern direction and momentarily stopped at the southwest corner. Officer F's pistol was empty, so he conducted a reload and was aware that he was using his last magazine. Officer D and Sergeant A continued south through the front yard and took cover behind a vehicle that was parked in front of the location.

Simultaneously, Officer G, who was in a kneeling position in front of the porch, heard Sergeant A yell for cover fire. Officer G heard some movement on the west side of the residence and also heard additional gunfire but did not know if it was from officers or the Subject. Officer G pointed his shotgun toward the ceiling inside of the residence, as he could see debris fall and believed that the Subject was shooting at officers extracting Officer C. Officer G discharged one shotgun round into the ceiling and then stood up. As officers extracted Officer C, Officer G walked backward while discharging an additional three to four rounds from his shotgun at the ceiling, which emptied his shotgun. Officer G ran out of the front gate and took a cover position behind the trunk of a parked vehicle in front of the residence. Officer G then reloaded the shotgun with the remaining rounds from the side saddle.

After conducting a reload, Officer F ran south and advised DPOs A and B to leave their positions. Having seen Officer C extracted, DPO B exited the property and took a cover position behind a parked vehicle. Officer B heard officers yelling at him to move back. Officer B placed the PR on the ground to gain footing and stand. While standing, Officer B heard additional gunshots from inside the residence. Officer B felt that it would take too long to shoulder the PR and unholstered his pistol. Officer B pointed his pistol through the open front door, toward the ceiling, and slowly discharged five rounds. Officer B then holstered his pistol, picked up the PR, carried it in a low-ready position, and ran to the police vehicles along with DPO A. Officer B took cover behind Officer H's police vehicle, returned the PR to Officer H and advised him that he discharged a few rounds. Officer H conducted a reload and covered the rooftop, from behind the parked vehicle, in case the Subject came toward the front to fire at officers. Officer B then unholstered his pistol and held his position until relieved by responding backup officers. Sergeant A felt the officers were still too close to the kill zone and had officers move Officer C further east, where they awaited Rescue Ambulance personnel. While

awaiting medical personnel, Witness F observed Officer C's injuries and obtained a shirt from the trunk of her vehicle. Witness F applied the shirt to Officer C's injuries until medical personnel arrived.

Meanwhile, Officers A and E remained at the rear of the residence. Officer A moved to the northwest corner alongside Officer E. They devised a plan to move to the rear of the back residence, to afford themselves cover and a position to monitor the front residence. At that time, the Air Unit arrived, and officers advised them of their position, and that they were going to move further north. Officer E covered while Officer A ran north and took a position of cover at the southwest corner of the back residence. Once Officer A was in position, he covered the back door and the attic vent while Officer E ran north to the southwest corner of the back residence. Officers A and E then moved north along the west side, with Officer A taking a position at the northwest corner, and Officer E at the northeast corner of the back residence. The officers communicated their positions to the Air Unit and advised that they no longer had visual of the back door or attic vent. Officers A and E also communicated their positions to the units in front.

While holding their positions, the Air Unit directed responding officers to residences to the east and west of the target location. Once responding officers were in position, Officers A and E were advised by the Air Unit that they could leave the property. Officers moved to the rear block wall, Officer A covered while Officer E holstered his pistol and jumped the wall. Once on the other side, Officer E unholstered his pistol and covered while Officer A holstered his pistol and jumped the wall. They met an unknown sergeant, advised him they were the officers at the rear of the residence and had been involved in an Officer-Involved Shooting.

Officer F took a cover position behind a parked vehicle in front of the residence. He noted the attic vent, with smoke emitting from it, and believed it might be coming from the barrel of the Subject's rifle. Officer F held his position until relieved by responding officers.

Once officers were relieved and directed to the Command Post (CP), they holstered and provided Public Safety Statements.

Metropolitan Division Special Weapons and Tactics (SWAT) personnel were notified and responded. A lengthy tactical phase ensued where SWAT personnel were unable to establish telephonic contact with the Subject and teargas was deployed at various times throughout the evening. After several hours, SWAT personnel made entry into the residence and located the Subject in the attic. The Subject was in a somewhat supine position, lying on the attic joists, and unresponsive. Los Angeles County Fire Department personnel responded and pronounced death.

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 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 Sergeant A and Officers A, B, C, D, E, F, G and H's tactics to warrant a Tactical Debrief.

B. Drawing/Exhibiting

The BOPC found Sergeant A and Officers A, B, C, D, E, F, G, and H's drawing and exhibiting of a firearm to be in policy.

C. Lethal Use of Force

The BOPC found Sergeant A and Officers A, B, C, D, E, F, and G'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. Procedures for Reporting and Documenting Information

It is the BOPC's expectation that uniformed and non-uniformed sworn personnel use every investigative tool available to them during the course and scope of their duties, as Officers B and D did in this matter. With the assistance of DPO A, Officers B and D built on the information they obtained from an arrestee. By utilizing DPO A's resources, the officers developed a solid lead on a probationer residing at a known gang location that was purportedly selling narcotics and in possession of illegal weapons. Department sworn personnel frequently work with outside agencies when conducting law-enforcement related activities. As in this case, Officers B and D worked in conjunction with DPO A to develop strong leads for possible criminal activity at a specific location that was acted on five

days later. Deputy Probation Officer A has worked with 77th Street Area personnel for approximately seven years on probation related cases, which have led to hundreds of arrests. The years DPO A has worked with GED has given him a unique understanding of LAPD policies and expectations on probation compliance checks, as demonstrated in this case.

Nevertheless, the BOPC believes it will be beneficial for the involved personnel in this incident to further discuss the topic. This will ensure the handling of such individuals is standardized by Department personnel in order to maximize the use of a source of information for investigative leads on a criminal matter.

Although the philosophy behind a Tactical Debrief is to enhance future performance by discussing areas where improvements could be made, oftentimes, discussions pertaining to positive aspects of the incident lead to additional considerations that would be beneficial in future incidents.

2. Tactical Planning

The operational plan was completed by DPO A, not Officer B, at the direction of Sergeant A.

Officers routinely find themselves in dangerous situations that can be unpredictable. Whenever possible, LAPD personnel should be responsible for developing a tactical plan to prevent or minimize the occurrence of life threatening situations, in particular with the involvement of outside agencies. During the BOPC's assessment of Sergeant A and Officer B's actions, the BOPC took into consideration the reasons Sergeant A and Officer B delegated responsibility for the overall development of the Operational Plan to DPO A.

There are no policies specifically addressing a written Operational Plan for probation and parole compliance checks. However, the BOPC's expectation is that each entity develops a sound tactical plan that is at the discretion of the section/unit OIC. This is a decision that the BOPC has delegated to each individual Area or specialized unit Commanding Officer. Over the past seven years at 77th Street Area, DPO A had completed all of the gang unit's Operational Plan and subject work-ups on persons on probation. In reviewing DPO A's Operational Plan, the BOPC found the quality and thoroughness contained within this document to meet the BOPC's expectations. The operational plan documented all LAPD personnel and DPOs involved in this incident. The document also clearly identified their objectives, including the subject and location. It further had photographs of the subject and location with a comprehensive work-up on each.

Although DPO A produced a thorough Operational Plan, the BOPC recognized that any tactical planning significantly involving Department personnel should, when feasible, be completed by LAPD personnel. This will reduce any confusion that may arise when an outside agency takes the lead in the tactical operational

planning. The BOPC also looked at the long-term relationship DPO A has had with 77th Street Area, which likely fostered a high level of trust with the personnel. This level of trust, however, does not relieve officers or supervisors from overseeing the tactical planning element of any operation in which they have significant involvement.

Additionally, the BOPC would have preferred that copies of the written Operational Plan had been disseminated to the involved personnel. The officers' assignments should have been included to reflect the additional equipment of lethal, less-lethal and non-lethal use of force options documented within the plan. This may have minimized any possible confusion as it related to the involved officers' individual roles, responsibilities or required equipment. The importance of effective tactical planning and clear communication can never be understated and are paramount for an effective operation.

3. Building Searches

As Officer C climbed the collapsible ladder to the attic opening and Officer F held the ladder for him, the LAPD officers in the immediate vicinity of Officer C did not draw their service pistols to provide protection for Officer C during a high risk search.

Following the discovery of an attic that had not been cleared inside the bathroom, Officer C informed Sergeant A of its discovery. This caused Sergeant A to move to the southwest bedroom. Officer C positioned the collapsible ladder in order to search the attic. As Officer C climbed the ladder, Officer F held the ladder for him. At the time, Officer C was ascending up the ladder; there were a total of five law enforcement personnel in the bedrooms bordering the bathroom on the south and north sides. Officers D and H were in the northwest bedroom, as Sergeant A, Officer G and DPO A were in the southwest bedroom. None of the LAPD personnel drew their service pistols at that time; however, DPO A drew his service pistol.

In reviewing the search process, the BOPC noted the following concerns. Prior to the compliance check and during the briefing at the parking lot, Sergeant A should have designated a team leader assigned to the entry team. This team leader should have further been assigned as the officer in-charge of radio communication during the protective sweep, which included identifying when it was appropriate to broadcast an "all clear" message. However, in this case an unknown officer broadcast the "all clear" prematurely following the initial protective sweep for potential subjects.

Though the LAPD personnel completed a thorough search of the location, it was reasonable for other officers to overlook the attic during their initial search. It is a small bathroom that was bordered by bedrooms

Any area within a structure that has not been cleared by officers is still considered to be a dangerous area; therefore, the tactical situation inside of any building cannot be considered stabilized until all areas have been cleared. An updated broadcast may have caused all the involved LAPD personnel to reset their focus to the possible discovery of a hidden subject, which may have caused the involved personnel within close proximity to draw their service pistols. It was further evident that the involved LAPD personnel's mindset was in evidence recovery mode, when Officer C observed the stock of a rifle protruding out of the attic opening and Sergeant A directed him to not touch the rifle in order to preserve its position for photographs.

During any building search, officers should always anticipate that a subject can hide in unique locations. Thus a coordinated and well-planned building search is the best way to ensure no subject is missed.

4. Officer Rescue/Emergency Aid

After Officer C was shot in the face by the Subject, the response by Sergeant A, along with Officers C, D, F and G, as well as DPO A, was well-coordinated and effective. Each law enforcement officer without hesitation discharged his service pistols in the direction of the Subject's last known location. This included Officer C, who sustained a serious life threatening injury to his face.

As Sergeant A, Officers F and G, along with DPO A provided cover fire, Officer D extracted Officer C from the fire zone.

The swift and immediate response by Sergeant A, Officers C, D, F and G, along with DPO A, during a rapidly unfolding life threatening situation to engage a subject who had a tactical advantage over the involved personnel with his high ground and access to a rifle and two handguns, saved the life of Officer C. Additionally, Officer D provided life-saving medical treatment to Officer C at the scene.

Sergeant A approached and saw Officer D applying emergency aid and saw that Officer C was "bleeding profusely...standing up...choking." Sergeant A looked around him and realized that there was only one option available, which was down the driveway in direct line of sight of the Subject. With the assistance of cover fire from their fellow officers, Sergeant A and Officer D successfully performed an officer rescue on Officer C.

The BOPC recognized that the importance of decisive action when an officer is shot can mean the difference between life and death. In this case, there were a number of exceptional actions by law enforcement officers that contributed to the survival of Officer C. Sergeant A, Officers C, D, F and G, along with DPO A immediately discharged their service pistols to stop the deadly threat and provide cover fire for the safe extraction of a wounded officer significantly contributed to the preservation of Officer C's life. Furthermore, Officer D is commended for

extracting Officer C from the initial shooting scene, followed by providing emergency traumatic casualty care. Sergeant A similarly made and implemented quick decisions under immensely stressful conditions, which ensured Officer C was treated by professional emergency medical personnel and a Los Angeles Fire Department Rescue Ambulance with minimum delay.

It is the BOPC's belief that the employees of the LAPD are inherently willing to risk their lives for the safety and well-being for the community and fellow officers. The actions of Sergeant A, Officers C, D, G and F, along with DPO A during this first round of shots fired were proof of the BOPC's belief. The BOPC fully appreciates and commends these law enforcement personnel for their heroic actions.

5. Cover Fire

Sergeant A directed officers to provide cover fire in order to safely extract Officer C from the rear yard. Officers A, E and F, who were to the rear of the residence, discharged their service pistols upward toward the attic area in the direction they believed the Subject was located. Officers B and G, along with DPO B, discharged their shoulder weapons and pistols, respectively, in an upward position toward the area they also believed the Subject was located.

The BOPC had a significant discussion regarding the number of rounds fired during this incident, particularly those fired by the officers with a large round count, which primarily occurred when cover fire was necessary to extract a downed officer. Although each officer articulated objective reasonableness for their decision to fire, consideration was given to the number of rounds fired, target acquisition and the accuracy of those rounds.

In this case, the decision to direct the use of cover fire was reasonable and consistent with the BOPC's expectation of a supervisor under the circumstances. It was clear each officer discharged their service pistols and shoulder weapons in a controlled, deliberate and upward manner toward the attic, where the Subject was last seen. The involved personnel's focus on the attic area was a confined area where no other law enforcement officers were located. The use of cover fire was implemented with the primary intent to extract a gravely injured officer from the danger area, inside the residence. The intended target was the attic area, the Subject's last known location in order to stop the deadly threat and provide cover during Officer C's extraction phases. Consequently, target acquisition was a secondary concern to the protection of a fellow officer. This cover fire resulted in a large number of rounds being fired during two extraction phases. The first phase of cover fire was immediately following Officer C's sustained serious injury within the residence. The second phase was when the law enforcement officers extracted Officer C from the rear yard to a safe location for emergency medical treatment.

The BOPC had an in-depth discussion on cover fire, the two different phases of cover fire, the number of rounds fired and the speed that the involved personnel fired their service pistols and/or shoulder weapons. This discussion identified cover fire during the first sequence of fire within the residence was rapid though controlled. While the Department's tactical training and policy identifies cover fire to be controlled and deliberate, under these circumstances, the involved personnel's decision to discharge the service pistols in a rapid but controlled manner was warranted during this phase of fire in order to extract Officer C from the floor of the bathroom in the Subject's immediate line of fire. In the second phase of cover fire, the BOPC considered the actions of each sergeant and officers involved in this phase of fire. Each involved personnel discharged their service pistols and/or shoulder weapons in a controlled and deliberate manner toward the attic to distract the Subject in order to safely extract Officer C from the danger zone.

In conclusion, although there were identified tactical considerations, the decisions and actions relative to the cover fire and the number of shots fired were consistent with Department approved tactical training and policy.

6. Deployment of Police Rifle and Shotgun Slug Ammunition (SSA)/Crossfire

Officers B and G deployed shoulder weapons, a Police Rifle and SSA, respectively, and discharged them during the OIS. Neither Officer B nor Officer G was authorized to carry these weapon systems.

In this instance, both Officers B and G heard Sergeant A requesting the deployment of a rifle in order to defend them against an active shooter. Officer B, who was already running to the aid of his partners, recognized that there was no one else available to obtain a Police Rifle. Officer B made the split-second decision to retrieve the Police Rifle, following the request by Sergeant A.

Officer G also heard the call for a rifle and ran back to his police vehicle and retrieved a shotgun located in the trunk. An inspection of the shotgun revealed there were slugs loaded in the shotgun carrier. Although Officer G was not a slug certified officer, he recognized the exigency of the situation outweighed the restrictions of the SSA guidelines. Although Officer G was not trained or certified to discharge slug ammunition, he has been trained on the 870 Remington Shotgun, which was the weapons system he used during the OIS. Additionally, Officer G has shot slug rounds during his off-duty time.

Though Officer B was not trained and therefore not certified to carry the Police Rifle, an officer in the past provided him with informal training on this weapon system.

The BOPC considered the officers deployed and discharged these weapon systems that neither officer were trained on by the Department and consequently not certified to carry the Police Rifle or SSA during their deliberations. The

consideration included a rapidly unfolding life-threatening incident that required quick and decisive action in order to save the life of a critically injured police officer. Although Officers B and G's decision to utilize a Police Rifle and SSA, respectively, over their service pistol or standard shotgun ammunition was a deviation from Department policy, it was justified under the circumstances. The Police Rifle and SSA gave the officers immediate access to weapons superior in power and range than their service pistols or standard shotgun ammunition could provide under these circumstances.

However, the importance of policy guidelines when dealing with more complex, high powered weapons requiring additional training should not be minimized; therefore, the BOPC will direct that this be a topic of discussion at the Tactical Debrief.

7. Command and Control

The overall success of any given tactical incident can be attributed to an individual that assumes a leadership role and provides effective direction. The importance of command and control at an incident cannot be understated in that the level of command and control provided significantly influences the overall outcome.

In this circumstance, Sergeant A quickly broadcast an "Officer Needs Help" call to notify officers that they were under fire and his request for shoulder weapons. Sergeant A also coordinated the extraction of all the officers within the residence following the removal of Officer C, set up an immediate perimeter surrounding the residence and inquired about the health of each of his officers. Upon notification of an injured officer, he responded to the location in order to assess the situation, where he realized an RA unit was necessary. After broadcasting a request for an RA unit, Sergeant A looked for a means of escape from the rear yard, realizing there was no other avenue, he directed his officers and DPOs to provide cover fire to extract Officer C. Sergeant A provided effective communication with the Air Unit and other responding supervisors, as well as initially coordinating the perimeter for responding units, while utilizing the Air Unit to identify an egress for Officers A and E in the rear yard.

Sergeant A found himself facing tactically challenging situations where other officers could have been injured or killed. Sergeant A utilized excellent command presence and control under a unique life threatening situation. The BOPC commended Sergeant A for his communication skills, decisiveness, innovation, dedication to his officers, and leadership skills. Sergeant A met the BOPC's expectation as a field supervisor.

- The BOPC realizes that this was a dynamic and fast paced incident and commended the involved personnel for their quick thinking and rapid response to such an on-going crisis, which involved an officer being shot. 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.

Sergeant A and Officers A, B, C, D, E, F, G and H were met with extraordinary circumstances during their confrontation with an attempted murder subject, whose intentions were a clear danger to the law enforcement personnel at scene. In this circumstance, the sergeant and officers were confronted with a subject who had a tactical advantage with high ground, coupled with a rifle and two handguns at his disposal. With the presence of mind to protect their lives, as well as the lives of others, the involved personnel discharged their firearms in a combined tactical effort to stop the Subject's lethal actions. Above all, the involved personnel successfully stopped the Subject's lethal actions without the loss of an officer's life.

In conclusion, the BOPC determined that Officers A, B, C, D, E, F, G and H's tactics warrant a Tactical Debrief.

B. Drawing/Exhibiting

- Upon their initial entry into the residence in search of subjects, Officers A, B, D, E, F, G, and H drew their service pistols, as Officer C exhibited his Police Rifle. After an unknown officer broadcast an "all clear" message, Officers A, B, D, E, F, G, and H holstered their service pistols. Officer C slung his Police Rifle.

After Officer C was shot in the face by the Subject, Sergeant A, and Officers A, B, D, E, F, G and H drew their service pistols in response to observing the muzzle flash and/or hearing the gunshot. Officer C drew his service pistol in response to being shot.

Based on the totality of the circumstances, the BOPC determined that an officer/sergeant with similar training and experience as Sergeant A and the officers, while faced with similar circumstances, would reasonably believe there was a substantial risk that the situation may escalate to the point where deadly force may be justified.

In conclusion, the BOPC determined that Sergeant A's and Officers A, B, C, D, E, F, G and H's drawing and exhibiting of a firearm to be in policy.

C. Lethal Use of Force

- The investigation determined there were approximately 156 primary impacts to the residence. However, a definitive number of impacts could not be determined, due to the continuous discharge of the shotgun causing multiple impacts. This was coupled with the substantial damage and the demolition portion of the residence as a result of Metropolitan Division SWAT personnel's entry into the location hours following the OIS. The investigation also revealed there were a total of 137 discharged cartridges from the involved law enforcement personnel that were recovered.

In evaluating the force used by each officer in this OIS, the BOPC considered the Department's policies and training standards for the use of lethal force based on Immediate Defense of Life (IDOL) and Cover Fire. As such, the sequences of fire were broken down into IDOL and Cover Fire sequences, which are separately discussed below.

IDOL Sequence of Fire:

All the law enforcement personnel identified in this section discharged their service pistols in response to hearing shots being fired and/or seeing muzzle flash, followed by observing or discovering that Officer C had been shot in the face by the Subject. All of the shots were focused in an upward manner toward the attic in the last known location the Subject was seen, muzzle flash was observed, and/or the shots fired by the Subject. The involved personnel identified in this area further used Cover Fire to suppress and/or stop the Subject as Officer D extracted Officer C from the residence.

- **Officer C** – (pistol, 14 rounds)

Officer C recalled, “[...] I saw a big red flash. I instantly knew I was hit ‘cause I felt like my face was burning. I immediately jumped off the ladder and I yelled... I’m [h]it, I’m hit. As I’m laying on the ground I fired a couple rounds... at the hole, and at the muzzle flash -- at the su[bj]ect. ‘Cause I’m picturing there’s a su[bj]ect...looking down at me and trying to shoot me from...looking down the hole.”

- **Officer F** – (pistol, 29 rounds)

Officer F recalled, “[...] his head barely entered into the attic that I saw the boom and the -- like the cloud of the -- like a gunshot. ... I wasn’t a hundred percent sure, but...I knew he [Officer C] must have been hit... I knew the guy was still shooting...there was no cover ...in my mind they were like clear targets to this guy... he was at an advantage, so...that’s why I shot till I went empty. My concern was...we got to stop the threat ‘cause I knew there was more guys in the bathroom. I mean, I was scared that they were going to be killed.”

Officer F further recalled, “...I started shooting again into the direction where the -- the -- I could the ammo -- the rounds coming down and... I could hear movement ...from upstairs...so I fired again and then I ran out...to the front of the residence.”

- **Officer D** – (pistol, 13 rounds)

Officer D recalled, “...I couldn’t see it [the rifle] but I observed him [Officer C] reaching up getting higher up within the attic to retrieve that assault rifle. At that point a muzzle flash went off. I heard the sound of a gunshot. My partner screamed... and then immediately fell back off the ladder into the ground...I knew my partner got shot. I saw the muzzle flash. And as soon as he hit the ground more

continuous rounds were being fired from the attic in a downward direction toward my partner... as well as other officers and myself that were now within that room. I immediately unholstered and returned fire in an upward direction toward...my perception of where the subject would be laying. ...I continued firing until my partner was able to regain his footage and...exit the room.”

- **Sergeant A** – (pistol, six rounds)

Sergeant A recalled, “I see [Officer C] on the ladder...the opening of the attic is visible... and I can see the attic cover is slid back and I could see the middle stock portion of what I believe is an AK-47. At that point, I’m closing my distance on [Officer C] to tell him, ‘Okay [Officer C], let’s pull back. Let’s ...get a picture of it.’” At that point [Officer C] decides on his own to do a quick peek. As he does a quick peek and he comes down, I hear a pop... I look up and I see muzzle flash coming and at the same time, I feel, I feel projectiles coming by my face. I’m holstered up. I draw my gun immediately and start firing...about two feet behind the muzzle flash...so I’m trying to stop the threat. As soon as he [Officer C] hit the base of the ladder... my brain registered that I’m getting shot at and that [Officer C] is probably getting shot at so I immediately focus my attention on the muzzle flash...”

- **Officer G** – (pistol, 14 rounds; shotgun, six rounds)

Officer G recalled, “I wasn’t paying attention to what Officer C was doing, but shortly after that I just hear a gunshot...and from my peripheral you could see that there was...like a muzzle flash from the attic ...he [Officer C] fell weird. And then once I saw the blood I was like, Holy -- they shot him. And from there you start hearing rounds coming from the ceiling just like pow pow pow, numerous shots... so at that point I was like, damn they’re trying to kill us...we’re getting ambushed. I unholstered my weapon. I pointed it up to that attic crawl space... and I just started shooting.”

- **Officer A** – (pistol, 17 rounds)

Officer A was outside the residence, when he heard approximately 30 gunshots being discharge from within the residence. He saw Officer C running out the back holding his face, as it appeared to look like it was ripped off. As Officer D ran past, Officer A heard him state, “He’s [the Subject] in the attic.”

Officer A recalled, “I didn’t see it but the indication was he had a rifle, a high powered weapon, obviously superior to anything we had...I knew he was right there at that vent because I could hear him... So I knew... he had a good position if he wanted to take those guys [Officers C and D] out...I shot, obviously, to protect myself and...my partners because they’re in the backyard helpless.”

As Sergeant A reached the front of the residence, he could see Officer C had successfully been removed from the residence and out of the immediate line of fire. Sergeant A ordered his other officers to pull back.

Cover Fire Sequence during Officer Rescue:

Following the discovery of Officer C's gunshot wound, Sergeant A assessed the area for an escape route. He realized the only viable escape route was down the driveway and that cover fire was needed to extract Officer C from the danger zone. Before moving down the driveway with Officer C, Sergeant A called for cover fire via his hand-held radio to all the officers, including the DPOs, at scene. The following officers discharged their service pistols and/or shoulder weapons during this sequence of fire.

At the time of the officer rescue, Officer D was carrying Officer C with Sergeant A. Officer F was in front of them, as they moved down the driveway. Officers A and E were located to the rear of the front house, underneath the attic vent, which was located directly above the rear door. Simultaneously, Officers B and G, as well as DPO B were on the front porch of the front house.

- **Officer F** – (pistol, 29 rounds)

Officer F recalled, "I heard Sergeant A say we need covering fire. So, as soon as they were adjacent to me I walked with them and was covering fire into the attic where I was still hearing movement...shooting into each window we bypassed until we had Officer C completely out of the facility."

- **Officer A** – (pistol, 17 rounds)

Officer A recalled, "...at that point while I'm firing I hear Sergeant A say 'Cover fire, cover fire' and I knew they were coming around the back to extract Officer C because obviously a RA was called. They cross behind my partner [Officer E] and I as we're firing into the attic and then they make it to the side. And at that point I empty my clip which was 16 rounds and I conducted an in battery speed reload and I think I fired two more rounds after that. I forgot to say this but when we're firing into the attic I hear gunshots coming from inside."

- **Officer E** – (pistol, 15 rounds)

Officer E recalled, "...during the extraction I heard the gunshots...So I believed [the] subject was firing again at us. You know, I heard the gunshot, see the smoke. He's firing rounds towards one of our directions as we're extracting the officer that needed help. So I fired back towards the attic and that vent...It was continuous controlled fire."

- **Officer G** – (pistol, 14 rounds; shotgun, six rounds)

Officer G recalled, "...I hear 'Officer Down. Officer Down.' Somebody was screaming it...from the back of the residence... and it scared the crap out of me. I thought they killed... [Officer C]...and I was scared. That was scary. This guy is

killing – trying to kill us...from there I hear ‘cover fire, cover fire.’ And I could hear movement... then I hear shots being fired and I don’t know if it was our officers or from the su[bj]ect. But then I notice...from the ceiling I start seeing a lot of debris like dust coming down. And then that’s when I start hearing the rounds...really close... and I knew he was shooting back at the officers who were running – who were trying to extract [Officer C]. So as I heard him shooting back at the officers, I shot... into the ceiling... then as I got up I could see the officers were struggling to get [Officer C] out, I started shooting...into...that same area.”

- **Officer B** – (pistol, five rounds; rifle, one round)

Officer B recalled, “...I run to the front of the structure and take a position behind a pillar...I hear we’re going to do an officer rescue...I’m hearing movement in the attic...and I hear, “Officer Rescue” and I believe I start hearing gunshots and I start laying down cover fire...in the direction of where I believe the su[bj]ect is.” “I heard...gunfire from the attic...I laid down five slow steady rounds....”

Based on the totality of the circumstances, a sergeant or an officer with similar training and experience as Sergeant A and Officers A, B, C, D, E, F, and G would reasonably believe that the Subject’s actions presented an imminent threat of death or serious bodily injury and therefore the use of lethal force would be reasonable.

The BOPC assessed the individual actions of each involved personnel based on IDOL and Cover Fire and found all to be in compliance with Department policy and tactical training.

In conclusion, the BOPC found Sergeant A and Officers A, B, C, D, E, F, and G’s lethal use of force to be in policy.