

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

OFFICER-INVOLVED SHOOTING – 055-15

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
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Mission	7/6/15		
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Officer(s) Involved in Use of Force	Length of Service
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Officer A	11 years, 3 months
Officer B	5 years, 3 month

Reason for Police Contact

Officers responded to a call of a screaming woman. While en route they were advised there was a male threatening people with a knife. As officers made contact with the male, he brandished the knife and then ran at the officers holding the knife over his head, eventually resulting in an officer-involved shooting (OIS).

Subject(s)	Deceased (X)	Wounded ()	Non-Hit ()
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Subject: Male, 27 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 suspect 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 14, 2015.

Incident Summary

On the date noted, the Los Angeles Police Department (LAPD) Communications Division (CD) Emergency Board Operator (EBO) received numerous calls from citizens reporting a “screaming woman” at the location.

While en route to the location of the radio call, officers were advised by CD that the location was located within a small private community of manufactured single-family homes identified by three digit unit numbers, with private street names.

Mission Patrol Division Police Officers A and B advised that they were en route.

While en route, the EBO broadcast additional information to responding officers, telling them that the suspect was a male, wearing a white T-shirt, covered in blood, with a knife in his hand and an additional female was screaming.

Officers A and B advised CD that they were responding with emergency lights and sirens (Code 3). While en route, they requested a Rescue Ambulance (RA) to respond and to stand by until the incident was resolved. Communications Division (CD) acknowledged the request.

The EBO continued to provide additional information from PR's (Person Reporting) near the target location. The EBO broadcast, "... the PR advises a female came out screaming banging on the two trash trucks in front. Female possibly yelling for help. Trucks are still in front of the location." The EBO broadcast, "PR is the neighbor of the male named ..., outside covered in blood, was armed with a knife."

At the time the female was outside her residence screaming, trying to get the attention of someone to call 911, there were two Los Angeles City Sanitation trucks collecting garbage. Witness A, a sanitation worker, was traveling northbound on the eastside of the street and then stopped in front of the location. He said a female ran to his truck and began to bang on his door, asking for help and for him to call 911. Witness A saw that she was hysterical and noted she was naked from the waist down. Witness A then saw a male walk out the front door of the location covered in blood holding a knife. A second male walked out of the house, ran to the female, and walked with her northbound. Witness A immediately utilized his truck radio to contact his dispatch operator and have them contact the police.

Witness A remained seated inside his sanitation truck. He saw the officers exit their patrol vehicles and remain behind their doors. Utilizing the right side rear view mirror of his truck, he was able to see a male in the middle of the street covered in blood with a knife in his hand. Witness A heard the officers yell out commands for the male to get on the ground. Witness A then saw the male begin to run toward the officers. He then heard multiple gunshots and saw the male drop to the ground.

Witness B, also a sanitation worker, was traveling south on the west side of the street collecting garbage and was directly across from Witness A when he saw a female talking to Witness A who remained seated inside his truck. Witness B then saw the female and another male walk northbound toward the southwest corner of the street. Witness B saw a male walking in and out of the location covered in blood.

Witness B heard over their radio that LAPD was en route to their location. Witnesses A and B were told by their supervisor, via the radio, to remain there until the police arrived. Witness B said that as he saw the police arriving, he exited his truck. He said that he waved at them and pointed in the direction of the location. Immediately after the police arrived, a male exited the location and ran toward the officers. Witness B heard the officers yell out commands, "Stop! Drop the knife." Witness B saw that the male was not complying with the officers' commands. Witness B turned and started going back to his truck. As he did, the shooting started. He tried to stay close to his truck. As he moved to the rear of his truck, he saw the right side mirror of his truck struck by gunfire. After the shooting, they were advised by an unknown officer to move their trucks to allow the Los Angeles Fire Department (LAFD) access.

According to Witness A, he saw the police officers arrive and directed them toward the location. Witness A saw a male exit the location and run toward the officers. Witness A heard the officers giving commands and then heard several gunshots.

Witness A recalled, "There were two guys [officers] yelling, "Put your hands on your head and get down on the floor. Get down on the floor." And the guy at this point, the guy was walking. He stepped off to the street from the house and all of a sudden he started running towards the policeman, with the knife up."

While Officers C and D were en route to the location, Officer C told Officer D that he was going to deploy the beanbag shotgun. They arrived and traveled north approaching the location. Officers A and B were directly behind them and advised CD that they were Code 6 in the area.

Officer D could not recall if he or his partner advised CD that they had arrived at the location. They stopped on the west side of the street south of the location. Officers C and D saw Officers A and B drive past them and park on the east side of the street.

According to Officer C, upon stopping his vehicle, he observed a male, later identified as the Subject. The Subject was covered in blood, in the middle of the street, walking rapidly in the officers' direction with a knife, possibly in his left hand. Officer C believed the Subject had the knife raised over his head as he walked into the street. Officer C believed the Subject was approximately 30 feet in front of Officers A and B's vehicle. Officer C believed that they would have had their weapons drawn. Based on their plan, Officer C exited and went directly to his trunk to retrieve his beanbag shotgun to have a non-lethal option. As he was doing so, he heard the commands, "Drop the knife," three times followed by multiple gunshots.

According to Officer D, he exited his vehicle and, within seconds, he saw Officers A and B drive past him northbound, parking on the east side of the street. He then saw the Subject exit the location holding a knife over his head and immediately run in the direction of Officer A. Officer D unholstered his service pistol and utilized his vehicle door for cover. He saw Officers A and B unholstered and pointing their pistols in the direction of the Subject. Officer D yelled out commands and heard the other officers also yell out commands for him to drop the knife. He believed that the Subject was running more toward Officer A than Officer B, and he never felt threatened due to the distance between himself and the Subject. Officer D then heard multiple gunshots and saw the Subject get shot and fall to the ground. Officer D did not know where Officers A or B were when they fired their weapons.

According to Officer A, while en route, he and his partner discussed less-lethal options. Officer A had his Taser on his belt, and he and Officer B talked about the beanbag shotgun. If they were to arrive first, their plan was to wait for additional units to arrive before moving forward. As they were turning onto the street, Officers C and D were directly in front of them. As the officers continued north, citizens standing in front of their residences were pointing north. Officers C and D stopped on the left side of the street, approximately three houses south of the location.

Officer A knew that the streets in this particular neighborhood were very narrow. Officer A knew that positioning their vehicle next to Officers C and D would block the street. He wanted as much space as possible between the two vehicles and did not want to block the road in case they needed ingress and egress.

Officer A chose to drive forward and park on the right side of the street just south of the location. Officers A and B recalled there were two parked trash trucks directly in front of the location. As Officer A stopped, they both immediately exited and saw a male walk out the front door of the location. This residence was two houses north from their location on the east side of the street.

Officer A saw the male, covered in blood walk from the location to the middle of the street holding a large knife in his right hand.

According to Witness C, who lived next door and to the south of the location, she saw the Subject, holding a knife, run from the location to the middle of the street.

Both officers unholstered their weapons. Officer A saw the Subject holding a knife in his right hand looking south in their direction. Officer B saw the Subject covered in blood, standing in the street, holding a knife with the blade pointed forward. Officer A knew that Officers C and D were behind them, but he was focused on what the Subject was doing.

According to Officer B, he thought the Subject was approximately 30 to 40 feet from him when he first saw him standing in the street holding the knife. He then saw the Subject

begin to pace. It appeared to Officer B that the Subject then made the sign of the cross and pumped up his chest. Suddenly, the Subject sprinted toward them.

Officer B estimated the Subject was approximately 28 feet from his location when he fired five rounds at the Subject, center mass, in an attempt to stop him from advancing toward Officer A and possibly stabbing him. Officer B believed his sequence of fire was very controlled, but quick.

According to Officer A, he was behind his driver's door when the Subject began screaming, "Fuck you," multiple times. From an approximate distance of 85 feet, the Subject began running at Officer A with a knife raised above his head. Officer A stepped back behind his open door to create some distance. Officers A and B continued yelling commands for the Subject to drop his knife. The Subject continued charging toward Officer A.

Based on Officer A's and Witness C's statements, the distance from Officer A's location behind his door, to where he first saw the Subject with the knife in his hand, parallel to the front door of the location, was approximately 85 feet.

Officer A believed that the Subject was going to try to stab and kill him with his knife. He said the incident happened very quickly. From an approximate distance of 51 feet, Officer A believed he fired three to four rounds at the Subject, then paused and assessed. After firing his three to four rounds, the Subject still had the knife above his head and was still running at him. Officer A continued to fire his weapon three to four more times at the Subject in an effort to stop his forward progress. Officer A believed he stopped shooting at the Subject from an approximate distance of 38 feet. Officer A saw the Subject drop the knife as he was going down to the ground, but his momentum carried him forward. After dropping to the street, the Subject crawled approximately 15 feet toward Officer A, yelling incoherently.

The investigation determined that Officer A fired a total of 10 rounds. The knife was located 27 feet behind where the Subject came to rest.

The original PR lived across the street and one house south from the location. She was standing inside her garage, with no windows, while on the phone with the EBO. While conversing with the EBO, a male voice, who was yelling, could be heard in the background followed by multiple gunshots. The EBO asked the PR who was shooting. The PR became hysterical and was not able to see who was shooting. The EBO immediately broadcast, "All units Officer Needs Help..., Officer Needs Help..., this is reported shots fired." Seconds later, Officer C broadcast, "Help! We need help, shots fired, shots fired, suspect down."

After Officers C and D advised CD that they were Code 6, approximately ten seconds elapsed between the time the officers went Code-six and multiple shots were heard during the 911 call made by the PR. Approximately five seconds later, the shooting

ceased. During that ten-second period the phrase, "Drop the knife and put the knife down," could be heard. After the successive shots, no further shots were heard.

Witness D lived across the street from the location. She was standing over her sink looking out her kitchen window when she observed the Subject walk out of his front door holding a knife in his right hand. She saw the police arrive who immediately started giving the Subject commands to come out, drop the knife and get on the ground. She saw the Subject with both of his hands above his head and the knife in his right hand as he was moving quickly toward the officers. She then heard approximately 10 to 12 gunshots and saw the Subject get shot and fall to the ground. Witness D then dropped to the floor and crawled to her back bedroom.

She said she did not hear the Subject say anything during this incident. Witness D also said that she saw at least five officers shoot at the Subject. Witness D also said that the suspect was moving very fast toward officers while holding a knife over his head when she heard officers yelling at him to drop the knife.

There was no evidence discovered to indicate officers ordered the Subject to come out of his residence. Other than Officers A and B discharging their weapons, there is no evidence to indicate that any other officer discharged their weapon(s).

Witness E had been inside his residence when he heard screaming. He went outside and saw his neighbor screaming for help. He also saw his next-door neighbor, Witness C, on the phone and assumed she was speaking with a 911 operator. He saw the Subject standing in front of the location with blood from his neck to his groin holding a knife in his left hand. Witness E turned and walked back to his residence and told Witness C to go back into her house because the Subject had a knife.

According to Witness C, she was so focused looking at the Subject covered in blood that she did not initially notice that he had a knife. She followed her neighbor's direction and went back into her residence. While still on the phone, with the 911 operator, she was asked to look out her window to see what the suspect was doing. She then saw the Subject, holding a knife, run out to the middle of the street from his front porch. She then saw him run south in the middle of the street holding the knife over his head. She heard screaming and believed it was the Subject, but could not make out what or who was screaming. Witness C then heard gunshots. She believed the Subject was being struck by bullets based on his body moving left to right then fall to the ground. Witness C did not see the Subject fall completely to the ground because she became hysterical and ran away from her front window. Witness C went back, looked out her front window a short time later, and saw the Subject not in the spot she originally saw him start to fall. Witness C heard and saw the Subject being shot, but did not see the officers shoot him.

Witness E was standing in his garage when he saw the first two black and white patrol units arrive. One unit parked south of his residence on the west side of the street. The other parked in front of his residence blocking his driveway on the east side of the

street. He saw the officers exit from the patrol vehicle closest to his house and immediately start giving commands for the Subject to drop the knife.

Witness E was approximately 17 feet east of Officer B's location and according to Witness E; the Subject began moving toward the officers yelling, "Fuck you!" multiple times. Witness E saw the Subject advancing toward the officers and saw both officers shoot at him. He saw the Subject go down to his knees and the shooting stopped. He then saw the Subject start crawling toward officers as he continued to yell, "Fuck you" multiple times. The Subject was crawling toward the officers, but a parked vehicle partially blocked his view of officers handcuffing him. There were no more gunshots, but they did have their guns pointed at him and they were still yelling, "Put down the knife." Witness E said that the officers stopped shooting at the Subject once he fell to the ground.

Witness E stated the Subject was "stomping" toward the officers. Witness C saw the Subject running in the middle of the street toward the officers prior to the shooting. Both witnesses believed the Subject had the knife in his left hand.

Witness F resides south of the location. He heard gunshots, ran outside, and saw police officers in the street. He ran back into his house, grabbed his camera, and recorded a few seconds of officers taking the Subject into custody. He also captured paramedics putting the Subject into the RA. A still photograph from Witness F's video was used for Officer D's re-interview.

After the OIS, Officer A holstered his weapon and then unholstered his Taser as he redeployed to the passenger side of their vehicle standing next to Officer B. Officers A, B, C, and D formulated a plan to take the Subject into custody. Officer B continued to cover the Subject with his weapon drawn. Officer D holstered his weapon and moved forward. Officer C deployed his beanbag shotgun aimed at the Subject as he moved forward with Officer D. Because of the amount of blood on the Subject, Officer D donned gloves, leaned down, and handcuffed him. He then searched him for additional weapons.

After handcuffing, Officer C immediately requested a RA for the Subject. Officer C then bent down and asked the Subject if there was anyone hurt inside the house. According to Officer C, he heard the Subject mumble the word, "yes." Officers C and D stayed with the Subject until the paramedics arrived. They also monitored the knife lying in the street.

Officers E and F arrived after the OIS, walking in from the south side of the street. Officer A advised them that they needed to help clear the residence of the original location. Officers B and E deployed their shotguns when clearing the residence.

Upon entering the residence, the officers saw a male (Victim A) lying on the living room floor face up and covered in blood. He did not appear to be breathing. Officer A

requested a second RA for the male victim. Paramedics subsequently arrived, entered the location, and declared the male victim deceased.

A Los Angeles Fire Department (LAFD) Engine Company responded along with an RA. Firefighter Paramedics arrived and began patient care, and transported the Subject to the hospital. Officer C rode in the RA Unit with the Subject to the hospital. The Subject did not make any statements or comments. Medical staff immediately began treating the Subject, who failed to respond to treatment and was subsequently pronounced dead.

Force Investigation Division detectives interviewed Witness G, the mother of the Subject. According to Witness G, she arrived home from work and received a phone call from the Subject's probation officer, telling her that he needed the Subject to come in and speak with her. Witness G told the Subject that she and Victim A would take him to meet with his probation officer. Witness G went to her bedroom to change clothes when she heard her other son, Witness H, yell out, "Oh my God!" Witness G immediately looked out to the living room and saw the Subject stabbing Victim A multiple times. She and Witness H tried to stop the Subject, but were unable. Witness G ran out of the house screaming, running to the driver of the sanitation truck, screaming for help and for someone to call for the police.

At the time of the OIS, Witness G and Witness H were outside. Witness G heard voices but could not understand what was being said and then heard gunfire. Witness H knew the police arrived, and then heard gunshots.

Los Angeles Board of Police Commissioners' Findings

The BOPC reviews each Categorical Use of Force incident based upon the totality of the circumstances, namely all of the facts, evidence, statements and all other pertinent material relating to the particular incident. In every case, the BOPC makes specific findings in three areas: Tactics of the involved officer(s); Drawing/Exhibiting of a firearm by any involved officer(s); and the Use of Force by any involved officer(s). All incidents are evaluated to identify areas where involved officers can benefit from a tactical debriefing to improve their response to future tactical situations. This is an effort to ensure that all officers' benefit from the critical analysis that is applied to each incident as it is reviewed by various levels within the Department and by the BOPC. Based on the BOPC's review of the instant case, the BOPC, made the following findings:

A. Tactics

The BOPC found Officers A, B, C, and D's tactics to warrant a Tactical Debrief.

B. Drawing/Exhibiting

The BOPC found Officers A, B, and D's drawing and exhibiting of a firearm to be in policy.

C. Use of Lethal Force

The BOPC found Officers A and B's use of lethal 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 Communication

Officers A, B, C and D did not communicate or discuss their tactical plans with each other when they arrived simultaneously to the scene of a radio call involving a man armed with a knife.

Operational success is based on the ability of the officers to effectively plan and approach each incident in a safe manner, keeping officer safety in mind at all time. Officers when faced with an ongoing tactical situation must remain alert to improve their overall safety, by their ability to recognize an unsafe situation and work collectively to ensure a successful resolution.

Upon exiting their police vehicle, Officers A and B were immediately confronted by the Subject, who was armed with a knife, and as a result, were forced to focus their attention on the immediate deadly threat without the benefit having any tactical communication with the other officers at the scene.

The officers are reminded of the importance of maintaining strong tactical communication in order to minimize risk and increase the officer's tactical advantage. In an effort to enhance future performance, the BOPC directed that this be a topic of discussion during the Tactical Debrief.

2. Fire Control/Fire Discipline

The investigation revealed that Officer A fired a total of 10 rounds at the Subject, during two firing sequences, as the Subject ran toward him while armed with a knife.

Officer A is reminded that officers, who are involved in a rapidly unfolding dynamic incident, should assess their application of lethal force and should be encouraged to shoot no faster than their combat accuracy can be maintained.

Although Officer A clearly articulated an objectively reasonable circumstance that influenced his decision to fire, the BOPC believed that Officer A can improve on

his fire control. In an effort to enhance future performance, the BOPC directed that this be topic of discussion 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. Each tactical incident merits a comprehensive debriefing.

In conclusion, the BOPC found Officers A, B, C, and D's tactics to warrant a Tactical Debrief.

B. Drawing/Exhibiting

- The officers responded to a radio call of a man with a knife. Upon their arrival at the scene, they observed the Subject standing in the roadway, covered in blood and armed with a knife. As the officers exited their police vehicles, Officers A, B and D drew their service pistols.

Once the Subject was taken into custody, the determination was made to search the residence for possible victims. Prior to making entry into the residence, Officer B retrieved his shotgun and Officer A drew his service pistol for a second time.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officers A, B, and D, while faced with a similar circumstance 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 Officers A, B and D's drawing and exhibiting of a firearm to be in policy.

C. Use of Lethal Force

- **Officer A** – (pistol, 10 rounds)

First Sequence of Fire

According to Officer A, he observed the Subject standing in the roadway wearing a bloody t-shirt, and holding a knife in his right hand. The Subject then sprinted toward Officer A, still armed with the knife. Fearing for his life, Officer A fired his service pistol at the Subject to stop the deadly threat.

Officer A recalled, "...the suspect he took a couple steps towards my direction and my initial reaction was to take a couple steps back which I did...still having the door as cover...Then without warning he continued to say fuck you, and he raised his

right hand over his head and began to sprint at me...It looked like he was looking at me and that he was going to try to kill me and stab me with that knife that he was holding above his head. I fired my service weapon.”

Second Sequence of Fire

Officer A assessed and observed the Subject continuing to run towards him while armed with the knife. Fearing for his life, Officer A fired approximately three to four rounds from his service pistol at the Subject to stop the deadly threat.

Officer A recalled, “And I believe I briefly assessed and still saw him coming right at me full sprint with a knife still above his head. Still had the knife and was still running towards my direction screaming. I believe then I fired another approximately three to four rounds at the suspect until he dropped the knife and fell to the ground forward with his momentum taking him forward so from running at me.”

- **Officer B** – (pistol, five rounds)

According to Officer B, he observed the Subject in the roadway wearing a t-shirt covered in blood and holding a knife in his right hand. He repeatedly ordered the Subject to, “drop the knife.”

The Subject ignored the commands and then began sprinting toward Officer A with the knife in his right hand. Fearing for the life of his partner, Officer B fired five rounds at the Subject to stop the threat.

Officer B recalled, “Then he started charging at officers at full sprint...prior to sprinting...I told him to put the knife down...Approximately five times...I remember yelling at the top of...my lungs because my throat was sore afterwards...So as he’s coming at a full sprint, continued to verbalize. I told him to stop, stop. Drop the knife. Approximately came...about 15 to 20 feet from us. That’s when I...fired my weapon...he was running straight towards my partner...I was afraid that he was going to, you know, stab my partner...that’s when I first started firing at him.”

Based on the totality of the circumstances, the BOBC determined that an officer with similar training and experience as Officers A and B would reasonably believe that the Subject's actions of advancing towards an officer while armed with a knife presented an imminent threat of death or serious bodily injury and therefore, the use of lethal force would be objectively reasonable.

Therefore, the BOPC found Officers A and B’s use of lethal force to be objectively reasonable and in policy.