

Incident Summary

Witnesses A, B, and C were at a coffee shop. They were all outside in the patio area when they observed the Subject come in and sit down. The Subject appeared to be homeless and disoriented. Within a few minutes, they noticed that he was drinking a black liquid from a water bottle which caused him to vomit. The Subject stated to the witnesses that they were going to get to watch him kill himself and that they should video it. He further stated that he was drinking the liquid to kill himself and that the police were going to kill him. The Subject yelled that he was dying and that people were following him.

Witnesses D and E approached the Subject and asked him if he was okay and if he needed them to call an ambulance. The Subject replied that he wanted them to see him die.

Witness D called 911 while Witness E pleaded with the Subject to leave the location, but he refused. The Subject armed himself with a knife and began stabbing the wooden bench. He continued yelling that they should film his death and that this was the day he was going to die. Witness D advised the emergency operator that the Subject was now armed with a knife.

Communications Division (CD) broadcast the information that there was a male armed with a knife causing a disturbance at the location.

Officers A and B heard the broadcast and advised CD they were responding. As they were en route to this incident, Officer A agreed to be the contact officer armed with a lethal force option and Officer B the cover officer armed with a TASER.

Officers A and B arrived at the location and advised CD accordingly. The officers observed Witness D standing in the doorway of the coffee shop as she pointed toward the patio area. The officers were unable to see him from their vehicle, since the Subject was in the corner of the patio. As Officers A and B exited their vehicle, Witness E confirmed that the Subject was in the patio and was armed with a knife.

Officers A and B walked toward the patio, and Officer B was to the right of Officer A. Based on the information that the Subject was armed, Officer A unholstered his gun. The officers observed the Subject seated on a bench facing toward them and armed with a knife in his left hand. Officer A verbalized with the Subject several times to put the knife down. The Subject refused and began swearing at the officers.

According to Officer A, the Subject appeared to be angry and have some form of mental illness. The Subject refused to drop the knife, stood up with the knife in his hand, and stated that today was the day that they were going to kill him.

Officer A requested a back-up unit to respond to the location. Officer A continued to verbalize with the Subject to drop the knife. He refused and walked toward Officer A,

still armed with the knife. Officer A stepped backwards to gain distance from the Subject. Officer B observed the Subject's actions and was concerned that the Subject was advancing on his partner in order to stab him. Officer B extended his right arm with the TASER and fired at the Subject's chest, activating a five-second burst. The Subject momentarily stopped his forward movement toward Officer A and appeared to be stunned.

The Subject, still armed with the knife with the blade pointed up, continued his forward movement toward Officer A. Concerned for his life and that of his partner, Officer A raised his pistol and fired two rounds at the Subject. The Subject was struck by the gunfire and collapsed to the ground onto his stomach with the knife still in his hand. As he rolled over to his back, he released the knife from his hand. Officer B approached the knife and kicked it away from the Subject.

Officer A broadcast that there had been shots fired and requested a supervisor and a Rescue Ambulance (RA) to respond to his location.

Los Angeles Fire Department (LAFD) personnel responded to the scene and rendered medical treatment to the Subject. The Subject was transported to hospital where he later succumbed to his injuries.

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 and B's tactics to warrant a Tactical Debrief.

B. Drawing and Exhibiting

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

C. Less-Lethal Use of Force

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

D. Lethal Use of Force

The BOPC found Officer A'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. Back-Up Request/Help Call

Officers are given discretion regarding the appropriate time to broadcast for resources based on the ongoing tactical circumstances. In this case it would have been more tactically prudent for the officers to broadcast a "help" call rather than issuing a request for back-up in order to alert responding officers of the seriousness of the incident.

2. Optimal Target Areas

Officer B stated that he aimed the TASER at the Subject's chest. Officer B is reminded that the optimal target areas for the TASER in probe mode are the back or navel area.

3. Simultaneous Commands (Non-Conflicting)

According to Officer A, both he and Officer B gave the Subject commands to drop the knife. Although the commands were non-conflicting, the officers are reminded that simultaneous commands can sometimes lead to confusion and non-compliance.

4. Effective Encounters with the Mentally Ill

Prior to the OIS, the Subject displayed behavior that was consistent with a person suffering from mental illness, and/or being under the influence of drugs or alcohol.

- The evaluation of tactics requires that consideration be given to the fact that officers are forced to make split-second decisions under very stressful and dynamic circumstances. Tactics are conceptual and intended to be flexible and incident specific, which requires that each incident be looked at objectively and the tactics be evaluated based on the totality of the circumstances.

In conducting an objective assessment of this case, the BOPC found that the tactics utilized by Officers A and B did not substantially deviate from approved Department tactical training and therefore warranted a Tactical Debrief.

B. Drawing and Exhibiting

- Officer A drew his service pistol as he approached the corner of the patio, based on the comments of the call indicating the suspect was armed with a knife.

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

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

C. Less-Lethal Use of Force

- **Officer B** (TASER, one activation in probe mode)

The Subject began walking toward Officer A, while still armed with the knife. According to Officer B, the Subject was definitely focused on Officer A, advancing toward him at a very fast walk. In fear that the Subject was going to stab Officer A, Officer B deployed the TASER at him to stop the threat.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officer B would reasonably believe the application of less-lethal force to stop the Subject's actions of advancing toward Officer A with a knife was reasonable and would have acted in a similar manner.

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

D. Lethal Use of Force

- **Officer A** (pistol, two rounds)

According to Officer A, the Subject momentarily stopped after the TASER was deployed and then continued to advance at him with the knife. Fearing that either his partner or he were going to be stabbed by the Subject, Officer A fired two rounds at the Subject from his service pistol to stop the deadly threat.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officer A would reasonably believe that the Subject's actions presented an imminent threat of death or serious bodily injury and that the use of lethal force would be objectively reasonable to address this threat.

Therefore, the BOPC found Officer A's lethal use of force to be objectively reasonable and in policy.