

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

**OFFICER-INVOLVED SHOOTING – 061-13**

<b>Division</b>	<b>Date</b>	<b>Duty-On (X) Off ( )</b>	<b>Uniform-Yes ( ) No (X )</b>
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Rampart	07/16/13		
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<b>Officer(s) Involved in Use of Force</b>	<b>Length of Service</b>
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Officer A	19 years, 3 months
Officer B	9 years, 11 months

**Reason for Police Contact**

Officers A and B were conducting a surveillance of gang activity, when the Subject approached their unmarked vehicle and was observed grabbing his waistband. Officers A and B exited their vehicle, identified themselves as police and ordered the Subject to show his hands. The Subject did not comply, but rather produced a weapon and fired at the officers, resulting in an officer-involved shooting.

<b>Subject(s)</b>	<b>Deceased (X)</b>	<b>Wounded ( )</b>	<b>Non-Hit ( )</b>
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Subject: Male, 37 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 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**

On the date of this incident, Officers A and B were working in plainclothes, for the purposes of obtaining intelligence in the furtherance of an on-going investigation. During a briefing, Officers A and B were not to take part in any type of enforcement action and were to limit their participation to surveillance only. In the event uniformed presence was needed or enforcement action was to take place, uniformed officers and a supervisor would be called in to respond.

Officers A and B were parked on the street monitoring a group of 10 to 15 males dressed in gang attire when Officer A observed a male, later identified as the Subject, walking toward their vehicle. Officer B became aware of his presence and perceived the Subject was staring into their vehicle as he approached. Neither officer recognized the Subject.

As the Subject got closer to the officers' vehicle, it appeared to Officer A that the Subject seemed to slightly crouch down and peer into the vehicle. As Officer B voiced his observations to Officer A, the officers observed the Subject reach into his front waistband with his right hand, which in the officers' experience, appeared to be an attempt to obtain a weapon.

**Note:** Officer B opined that based on his expertise, the Subject's movements were consistent with the actions of someone attempting to determine the identity of unknown persons in their "area" in order to challenge possible rivals. Although he could not know the Subject's mindset, it was Officer B's belief that the Subject did not recognize them as police officers.

Based on their respective observations, both officers formed the opinion that the Subject was reaching for a gun.

At this point, the Subject continued to walk past their vehicle with his right hand still in his waistband area as he looked into their vehicle. Officer A told Officer B that it looked as if the Subject had a gun and verbalized to Officer B they should both exit.

According to Officer A, the officers simultaneously exited the vehicle and by this time, the Subject was positioned approximately by the right rear quarter panel of their car. Officer A observed the Subject spin around so that he was facing in the officers' direction.

Officer A estimated this sequence occurred over an approximate three second time span, and he had no time to broadcast his observations while reacting to the Subject's actions. Officer A unholstered his weapon and assumed a crouched position next to the driver's side rear quarter panel in an attempt to use as much of his vehicle for cover as possible.

Officer A identified himself as a police officer, stating, "Police, let me see your hands," three times.

**Note:** Officer A wore his police identification card inside a nylon holder with a clear plastic front affixed to a string draped around his neck, which was exposed at the time he exited his vehicle, and his badge was attached via a clip to the outside of his front left pants pocket, with the badge facing outwards. Officer B's police identification and badge were stored inside a pocket of his ballistic vest, which was available to him in the rear seat of the vehicle.

Officer A observed the Subject begin stepping backwards. At this time he heard Officer B yelling, "Police. Police, let me see your hands." According to Officer A, he and Officer B, "repeatedly ordered the suspect to show his hands" and that he believed the Subject may have replied, "Okay, okay, okay."

At that time, Officer A observed the Subject draw a revolver from his waistband with his right hand. Officer A came up on target and observed one muzzle flash emanate from the Subject's weapon.

According to Officer A, as soon as the Subject began to raise the barrel towards him and Officer B, he was able to determine that it was a revolver. Officer A, fearing for his safety and his partner's life, began to fire. Officer A fired three to four rounds, then slipped to the ground. When Officer A stood back upright, he noticed the Subject was still standing with the revolver in his hand and perceived the weapon to be pointing directly at him because he could see into the barrel of the revolver. Officer A, came back up on target and fired his weapon approximately three more times at the Subject and observed the Subject fall to the ground.

During Officer A's exchange with the Subject, he observed a muzzle flash and heard gunfire coming from Officer B's position, so he knew Officer B was also engaging the Subject. After firing his first three rounds, Officer A observed the Subject still holding his gun and observed another muzzle flash coming from the Subject's gun, and also observed that the Subject was not stopping.

**Note:** The investigation determined Officer A fired a total of eight rounds, but could not establish the exact number of rounds fired during each shooting sequence.

Meanwhile, Officer B, while still seated in his vehicle, observed the Subject walk past his vehicle and could not see the Subject without turning his head to the right and toward the rear. At this point, he briefly noticed the muzzle of Officer A's pistol as he unholstered and heard Officer A identifying himself as a police officer.

Simultaneous to this observation, Officer B unholstered his weapon as he exited the vehicle. Officer B held his weapon in a two-handed grip while turning 180 degrees to his right. This put him in a face to face position with the Subject affording himself no cover.

Officer B, believing the Subject was in the process of removing a firearm from his waistband, began to raise his weapon up on target when he heard the sound of gunfire while simultaneously observing two to three muzzle flashes that he perceived were coming toward his direction. Although Officer B did not actually see the Subject's weapon at that point, he believed the Subject was shooting at him. In response, Officer B rapidly fired his weapon at center body mass at the Subject.

**Note:** According to Officer B, he recalled firing his weapon approximately five to six times. The investigation determined he actually fired his weapon 10 times.

Officer B could not tell if any of his rounds struck the Subject, but did observe the Subject subsequently fall to the ground. Officer B broadcast over Rampart Area base frequency that shots had been fired, subject was down, and the male Subject was bleeding from the head.

Officer A observed the Subject fall to the ground and come to rest in a supine position, with his head pointed in a southern direction. Officer A observed a gun drop from the Subject's hand as he fell to the ground, which landed approximately two feet from the Subject. Officer B observed what he believed to be a blue steel revolver land on the ground just south of the Subject's position.

Officer A observed blood around the Subject's facial area, but was unaware if any of his rounds had struck the Subject. Officer A noted the Subject immediately extended his left hand to his rear waistband and believed the Subject may have been reaching for an additional weapon. From that point on, Officer A never observed the Subject move from that position.

Within seconds after the OIS, Officer A described that he heard indistinguishable yelling coming from the area near a business and advised Officer B to cover the Subject. When Officer A looked back to the area in front of the business, he noticed approximately 20 to 25 persons standing out front. Officer A then observed a muzzle flash emanate from somewhere within that group.

**Note:** Officer B described hearing what he believed were two to three gunshots emanating from the business. After quickly glancing back, Officer B did not notice any muzzle flash and could not discern who was shooting.

Officer A described seeing muzzle flash but did not hear a gunshot and could not identify who fired a gun.

Officer A told Officer B that someone was shooting from behind them as well and requested additional units. After Officer A observed the muzzle flash, Officer A observed the group disperse; some ran back into the business and some ran away down other streets. In response to Officer B's help call, other officers responded to the OIS location. The responding officers collectively described observing the Subject lying motionless on the sidewalk. After determining that Officers A and B were not injured, the responding officers were apprised of the threat from the front of the business.

Sergeant A arrived on scene and observed the Subject lying supine with his head at the north end of the sidewalk and a handgun in the street just south of the Subject's position.

**Note:** Sergeant A believed the Subject had sustained a gunshot wound to the head. The Subject exhibited no signs of life; he was neither moving nor breathing and Sergeant A assumed the Subject was deceased.

Sergeant A assumed the role of Incident Commander and determined there were two issues that needed to be immediately addressed: the OIS incident itself and the potential second armed subject who posed a continuing threat. Sergeant A ensured a perimeter was set and decided the business needed to be cleared for officer safety purposes.

Ultimately, the business was cleared and the subject(s) who had fired at Officers A and B could not be located or identified. No ballistic evidence was recovered from either inside or outside the business to indicate shots had been fired from that location at the officers.

Sergeant B observed the Subject lying supine with his left hand positioned under his body and a handgun lying on the ground in close proximity to the Subject. Sergeant B saw no indication the Subject was breathing and believed he was deceased.

Approximately 10 minutes after Sergeant A's arrival, Officer C requested permission from Sergeant A to conduct a search of the Subject for additional weapons, which was granted. The Subject was patted down for weapons and no additional weapons were discovered. The Subject was also checked for a pulse with negative results. Officers did not handcuff the Subject, as they believed he was deceased.

Los Angeles Fire Department (LAFD) Rescue Ambulance arrived and made contact with the Subject. There were no signs of life, and he was pronounced dead.

### **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 unanimously made the following findings.

#### **A. Tactics**

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

#### **B. Drawing/Exhibiting**

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

#### **C. Lethal Use of Force**

The BOPC found Officers A and B's use of lethal force to be in policy.

### **Basis for Findings**

#### **A. Tactics**

- In their analysis of this incident, the BOPC identified the following tactical consideration:

1. Equipment (Body Armor)

While conducting surveillance on the business, Officers A and B, who were dressed in plainclothes, were not wearing their body armor.

Officers A and B's raid jackets and ballistic vests were located on the rear seat of their unmarked police vehicle and readily available. According to Officers A and B, the tactical plan and the remaining personnel involved in the operation were of the understanding that the plainclothes personnel were not to take enforcement action. However, in this instance, neither Officer A nor B initiated contact with the Subject. Rather, the Subject's actions were the sole reason the involved officers made contact with the Subject.

According to the investigation, Lieutenant A's expectations of the personnel under his command were that their vests are to be worn as much as possible. According to Lieutenant A, officers within his unit are expected to wear vests.

In conclusion, as the plainclothes officers were monitoring the area, and a contingency plan of uniformed officers was in place for any enforcement actions, Officers A and B's actions did not deviate from approved Department tactical training. This topic will be discussed during the Tactical Debrief.

## 2. Tactical Communication

Officers A and B observed the Subject staring at them as he walked toward their location. The officers communicated their observations with each other prior to the OIS.

Officers A and B were a short distance away from the business, sitting in their unmarked police vehicle monitoring the activity in front of the location. As the officers were monitoring the activity, they saw approximately 10 to 15 males dressed in gang attire standing in front of the location. About 10 minutes later, Officers A and B observed the Subject walk out of the business, cross the street and then begin to walk on the north curb towards them. The officers continued to watch the Subject, as he was staring at them and walking closer to the officers' location.

Officer B recalled that at that point, he advised Officer A that the Subject was glancing at them and kept looking into the car. Officer B observed the Subject reaching into his waistband.

The Subject reached into his front waistband with his right hand and did not remove his hand, as he continued moving toward the officers' location. When the Subject was approximately six or seven feet away from the officers' location, Officer A told Officer B that the Subject had something in his waistband and to exit the vehicle. Both officers exited their police vehicle, drew their service weapons, and Officer A identified themselves as police officers and directed the Subject to show his hands.

Officers A and B were commended for their communication skills as they discussed their observations of the Subject's actions to each other. The officers' continual exchange of information before the OIS demonstrated the officers' awareness of their current surroundings and the importance of communicating their activity. This exchange of information between Officers A and B proved critical to their ability to respond in an efficient manner to a deadly threat situation. This topic will be discussed during the Tactical Debrief.

## 3. Muzzle Direction

As Officer A redeployed to the passenger side of their vehicle, Officer B covered Officer A with his service pistol muzzle.

In this instance, the BOPC noted that Officer A was contending with two simultaneous threats. One being the threat being an unsecured Subject whose left hand was concealed under his left rear waistband area. The second being Officer A's belief that he and Officer B were being fired upon from a business.

In conclusion, the BOPC acknowledged that consideration must be given to the stressful nature of this rapidly unfolding dynamic incident. Given that Officer A was simultaneously attempting to locate optimal cover and monitor two potential deadly threats from opposing directions, Officer A's actions did not substantially deviate from established Department tactical training and were justified under these set of circumstances. This topic will be discussed during the Tactical Debrief.

#### 4. Leaving Cover/Crossfire

In this instance, Officer A ran from a position of cover next to Officer B to eastbound on the sidewalk, toward a light pole past the Subject's position.

Officer A recalled that he still did not know if the Subject was armed with a secondary weapon. Officer A did not want to be in the position where the safest and closest thing that actually provided cover was light pole. Although it was thin, the light pole was the only thing that Officer A observed at the time that provided an ability to still be able to see the Subject, while maintaining a visual of the business.

However, Officer A did not reach the light pole, as he initially intended. Instead, Officer A assumed a position on the north sidewalk and remained their momentarily without cover, creating a potential crossfire situation with Officer B. Regarding his decision to stop and ultimately return to their police vehicle, Officer A recalled that he no longer observed the threat, but did see people. Officer A did not see any more muzzle flash, and at that point it was safer for him to be with Officer B and still be able to observe what was occurring at the business.

In conclusion, although the BOPC had concerns over Officer A's decision to leave cover and where he ultimately came to rest before returning to the police vehicle, Officer A was forced to make split second decisions when confronted with a second deadly threat. Officer A further repositioned himself in order to maintain eye contact of the Subject, while still maintaining a visual of the business. Although the Officer A's actions deviated from Department approved tactical training, his actions were justified in this incident. With that said, in order to avoid a potential crossfire incident in the future, Officer A will be reminded to remain cognizant of his background when determining the appropriate tactics to employ. The topic of crossfire, along with the issue of cover, will be discussed during the Tactical Debrief.

#### 5. Requesting a Rescue Ambulance (RA)



Officer B's initial broadcast did not include the request for an RA unit. Additionally, the investigation revealed that the Communications Division (CD) audio recordings of the Rampart Area base frequency, as well as the City Wide TAC 7 frequency, Channel 177, did not capture a subsequent RA request.

According to the CD Incident Recall printout, Police Service Representative A notified the Los Angeles Fire Department (LAFD) that their response was required. Over one hour later, the OIS scene was deemed safe to enter by non-law enforcement personnel, subsequently LAFD personnel were escorted by sworn personnel to the Subject's location.

**Note:** There were over 100 individuals who were systematically ordered to exit the business. The process of clearing the business was lengthy and time consuming, which delayed LAFD personnel from safely entering the scene to assess the Subject. Several officers and supervisors interviewed believed that the Subject was deceased following the OIS; otherwise they would have made an effort to extract him from the scene.

Based on the totality of the information, the photographs of the Subject's injuries, and the statements made by paramedics and officers that they believed the Subject had sustained a GSW to the head, the BOPC was satisfied that no personnel knowingly or intentionally ignored obtaining medical assistance for the Subject. Moreover, based on the Coroner's autopsy findings, the delay in medical treatment by the paramedics at scene due to a fluid tactical situation, likely did not affect the probable outcome of the Subject.

In conclusion the actions of Sergeants A and B, along with Officers A and B, did not substantially deviate from approved Department tactical training. Nevertheless, the topic of a timely RA request will be discussed during the Tactical Debrief.

#### 6. Command and Control (Searching/Handcuffing)

Approximately 20 minutes after Officer A's broadcast occurred, the Subject was searched by officers at scene. During the first six minutes following the broadcast, three sergeants took control of the OIS scene.

Officers A and B waited for additional personnel to respond and covered the Subject with their weapons drawn. Officer A recalled that when the Subject went down following the shooting, his right or left hand reached around his lower waist and he had not been searched or handcuffed.

According to the FID investigation, an estimated 10 minutes passed before other officers searched the Subject. No additional weapons were found on the Subject

and no pulse could be detected, thus further substantiating the sworn personnel's initial conclusion that the Subject was deceased. Based on that conclusion, the Subject was not handcuffed.

In conclusion, the BOPC considered the number of officers – at least 10 two-person units and three sergeants at the scene within approximately 10 minutes after the help call broadcast. The BOPC weighed these numbers against the number of persons that were cleared from the business, over 100. Furthermore, the BOPC noted it appeared that the Subject was incapacitated, and most sworn personnel believed he was deceased. Therefore, the Subject was not perceived as a threat.

However, it would have been tactically prudent for Sergeant A, the Incident Commander and/or Sergeant B, a secondary supervisor in the immediate vicinity to ensure that the Subject was searched and/or handcuffed by sworn personnel in a timely manner. The BOPC understood that initially there were competing deadly threats, and the incident at the business was more pressing than the Subject. However, as additional units and supervisors arrived, it was the expectation of the BOPC that one of the sergeants followed through on ensuring the Subject was searched and/or handcuffed. By doing so, the Subject would no longer be perceived as a viable threat and a need for officers to split their attention would be minimized.

After taking into consideration the totality of the circumstances, the BOPC determined that the actions of Sergeant's A and B did not substantially deviate from approved Department tactical training and that their deviation was justified. This topic will be discussed during the Tactical Debrief.

- The BOPC additionally considered the following:

1. Stable Shooting Platform

The surveillance video depicted Officer A firing one-handed while holding his service pistol in his right hand. As Officer A was faced with a deadly threat situation, his decision to fire in the manner he did (single-handed) was reasonable. Nevertheless, Officer A was reminded of the importance of pistol grip and shooting stance. This topic will be discussed at the Tactical Debrief.

2. Target Acquisition

Three of Officer B's rounds struck the rear driver's side of their police vehicle. Officer B was reminded regarding the importance of target acquisition, background, sight alignment and sight picture. This topic will be discussed at the Tactical Debrief.

3. Situational Awareness

According to the surveillance video, after the OIS, Officer A could be seen crossing in front of the muzzle of Officer B's service pistol. With the Subject not handcuffed and Officer B actively covering the Subject, Officer A was reminded to remain cognizant of a fellow officer's muzzle in an ongoing tactical situation. This topic will be discussed during the Tactical Debrief.

#### 4. Command and Control (PSS/Monitoring and Separation)

In this instance, Sergeant B obtained a Public Safety Statement from Officers A and B. After doing so, Officers A and B were observed on the surveillance video and it appeared they are talking to other police personnel, including Sergeant B. According to the investigation, the officers were solely discussing the ongoing tactical situation. Sergeant B reported he was unable to hear what was being said during those conversations. As the officers' statements were consistent and the tactical situation was still unfolding, the officers' actions were reasonable. This topic will be discussed during the Tactical Debrief.

#### 5. Preservation of Evidence

In the surveillance video, Officer A could be observed placing folded Field Identification (FI) cards on the roadway. It appeared Officer A was placing the FI cards over the spent casings. According to Sergeant B, due to physical limitations, Sergeant B was experiencing difficulty bending over. Officer A recognized that Sergeant B was in pain and offered to complete the task. As Sergeant B was in close proximity to Officer A as he did so, Sergeant B did not have any concerns regarding Officer A's marking evidence. Although Officer A's actions were well intentioned, as a significantly involved officer, the actions could be perceived negatively by the public. Additionally, officers and sergeants at the scene of a Categorical Use of Force should strive to contain the scene and remain clear of evidence, so as to not disturb anything that will be examined during the investigation. This topic will be discussed during the Tactical Debrief.

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

After a thorough review of the incident, it was determined that the identified areas for improvement neither individually nor collectively substantially deviated from approved Department tactical training. Therefore, the most appropriate forum for the involved personnel to review and discuss the incident and individual actions that took place is a Tactical Debrief.

In conclusion, the BOPC found Sergeants A and B's, along with Officers A and B's tactics to warrant a Tactical Debrief.

## **B. Drawing/Exhibiting**

- In this instance, Officers A and B observed the Subject displaying actions consistent with an armed Subject. As the officers exited their police vehicle to confront the Subject, both officers simultaneously drew their service pistols.

According to Officer A, as the Subject approached their vehicle, he paused, squatted down to look into the car, and he reached into his waistband. Officer A exited his vehicle due to the fact that it was his belief that the Subject had a weapon, so Officer A drew his weapon due to the threat posed by the Subject.

According to Officer B, what caught his attention was that the Subject was staring at him and Officer A and continued looking into their car. Officer B observed the Subject reaching into his waistband and based on his training and experience, it is common for someone who is carrying a weapon to reach into their waistband, as it is a common area to conceal a weapon.

After the OIS, and once additional officers arrived and assumed the role of covering the Subject, Officer A holstered his service pistol. Officer A later drew his service pistol a second time. At this point, the Subject had not been searched, and the tactical situation near the business was still unresolved. Officer B holstered his service pistol after other officers relieved him.

The BOPC determined that another officer with similar training and experience would reasonably believe that when preparing to encounter a possibly armed Subject, the situation may escalate to the point where deadly force may be justified.

In conclusion, the BOPC found Officers A and B's drawing and exhibiting of a firearm to be in policy.

## **C. Lethal Use of Force**

According to Officer A, as he exited his police vehicle, it was his belief that the Subject had a weapon. Therefore Officer A drew his duty weapon, held it at him, and identified himself as a police officer. Officer A told the Subject multiple times to show his hands. The Subject then started taking steps back, and at that point he reached into his waistband, pulled out a revolver, and Officer A saw one muzzle flash. Fearing for his safety and the life of Officer B, Officer A began to fire.

As he fired at the Subject, Officer A felt exposed. In an attempt to obtain better cover, Officer A moved back towards the driver's side of his vehicle. Officer A was up against the fender and had no cover, so as he was moving back, he was taking small steps right up against the car. Officer A lost his footing and fell down onto his knees, slightly falling into the vehicle compartment. According to Officer A, he

regained his footing, stood up and at that point he saw the Subject standing up. Officer A still observed the revolver in his hand and noticed that it was still pointed in his direction. Officer A fired another three to four rounds.

**Note:** The investigation determined that Officer A fired a total of eight rounds, but could not establish the exact number of rounds fired during each shooting sequence.

The BOPC determined that it was objectively reasonable for Officer A to believe that the Subject's actions of removing a handgun from his waistband area, followed shortly thereafter by a muzzle flash, posed an imminent threat of death or serious bodily injury to Officer's A and B. Accordingly, an officer with similar training and experience under like circumstances would reasonably believe the Subject's actions were consistent with a Subject attempting to fire a handgun at an officer.

In conclusion, the BOPC found that Officer A's use of lethal force was justified and in policy.

According to Officer B, as he exited the police vehicle, he saw the Subject facing him and also saw a muzzle flash coming toward his direction. Based on seeing the Subject facing him and the muzzle flash, Officer B formed the opinion that the Subject wanted to shoot him, or that he was shooting at him. In response, Officer B fired his service pistol at the Subject.

The BOPC determined that it was objectively reasonable for Officer B to believe the Subject was reaching for his waistband area followed by muzzle flash, and that this posed an imminent threat of death or serious bodily injury to Officer B. Accordingly, an officer with similar training and experience under like circumstances would reasonably believe that the Subject's actions were consistent with a Subject attempting to fire a handgun at an officer.

In conclusion, the BOPC found that Officer B's use of lethal force was justified and in policy.