

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

OFFICER-INVOLVED ANIMAL SHOOTING – 064-15

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
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Officer(s) Involved in Use of Force	Length of Service
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Officer B	16 years
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Reason for Police Contact

Officers responded to a radio call of two dogs running loose at a recreational park. During their investigation, they encountered two Pit Bull dogs and an Officer-Involved Animal Shooting (OIAS) occurred.

Animal	Deceased ()	Wounded ()	Non-Hit (X)
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Pit Bull dog.			
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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 28, 2016.

Incident Summary

Officers A and B responded to a Vicious Animal radio call at a recreation center. Officer A read the comments of the call to Officer B: "Two large pit bulls running loose in the park. Dogs attacked a City worker. Employee still at the location, transients possibly provoking the animals. Young children at location at the Day Camp." The officers were in full uniform driving a marked black and white police vehicle.

Upon arrival, Officer A advised Communications Division of the officers' status and location and were directed by Witness A to the southeast section of the building complex, where the officers observed two large Pit Bull dogs running back and forth on a pathway between the east building and the chain link fence bordering the west sidewalk. The dogs were lunging at pedestrians that were walking on the other side of the fence on the west sidewalk. The dogs remained in that area. The officers positioned themselves on the south end of the pathway to keep the dogs contained in that area. The officers directed others in the vicinity to leave the area. Officer B advised Officer A to return to the police vehicle and retrieve his shotgun. Officer B recommended the shotgun due to the size of the dogs and his belief that a less-lethal weapon or a fire extinguisher would be ineffective. As the situation became static, with the dogs in the foot path area and the officers waiting for an Animal Control officer, Officer B directed Officer A to deactivate the Digital-In-Car Video System (DICVS).

The officers continued to monitor the dogs from the southeast corner of the building complex, with Officer A positioned south of the pathway, just west of the chain link fence, and Officer B positioned northwest of Officer A, just south of the building. From their positions, the officers had the dogs contained in the pathway. The white and black spotted dog continued to bark at pedestrians who were walking on the sidewalk, while the brown dog sat in the pathway. After approximately 25 minutes, a group of pedestrians came from the opposite direction on the sidewalk. Both dogs began to bark and lunge at the group and run in a southerly direction. The dogs ran beyond the pathway area and continued in the direction of Officer A. Fearing the dogs were going to bite him, Officer A pointed his shotgun toward the approaching dogs. Officer B unholstered his pistol and pointed it toward the dogs.

Officer A yelled at the dogs to "get back," at which time the dogs turned away from Officer A and ran northwest toward Officer B. Officer A could not fire his shotgun, as his partner and other people were in his background. Officer B, seeing the dogs turn toward him, moved north to keep the dogs from attacking the people who were northwest of him. The white and black dog was barking, growling and displaying its teeth as it was running. The white and black dog continued to run toward Officer B, while the brown dog stopped near the southeast corner of the building. Fearing the white and black dog was going to bite him or the crowd of people behind him, Officer B fired two rounds in a downward, northeast direction from a distance of approximately 15 feet. Officer B assessed and observed the white and black dog continue to run past him and the crowd of people toward the street. The brown dog began walking toward Officer B and the crowd from the southeast corner of the building. Due to the brown

dog's prior aggressive behavior and fearing the dog would attack him or the people behind him, he fired one round in a downward direction at the approaching dog from an approximate distance of 16 feet. Officer B assessed and observed the brown dog run along the east side of the building, out of his sight. Officer B decocked and holstered his pistol. Officer B broadcast a request for a supervisor and an additional unit.

Sergeant A responded to the scene and met with Officers A and B. He obtained a Public Safety Statement and separated the officers. He secured the scene and telephonically notified the watch commander of the OIS-Dog incident.

Department of Animal Services Control located and detained the white and black dog. The brown dog was not located.

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 Officers A and B's tactics to warrant a Tactical Debrief.

B. Drawing and Exhibiting

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

C. Lethal Use of Force

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

Basis for Findings

A. Tactics

- 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 this case, there were identified areas where improvement could be made, and a Tactical Debrief is the appropriate forum for the involved personnel to review and discuss the incident and individual actions that took place during this incident.

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

B. Drawing and Exhibiting

- Officer B directed Officer A retrieve the shotgun from the officers' police vehicle. Officer A retrieved the shotgun and chambered a round in case the dogs charged at them.

While monitoring the Pit Bull dogs on the east side of the recreation center building, the dogs ran in the officers' direction. Fearing for his safety and the safety of his partner, Officer B drew his service pistol.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officers A and B, 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.

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

- First Sequence of Fire

According to Officer B, one of the Pit Bull dogs continued to bark and lunged forward while displaying its teeth. The dog then ran in his direction and in the direction of the pedestrians at the picnic table. Fearing for his safety and the safety the pedestrians, Officer B fired two rounds at the dog from his service pistol to stop the threat.

- Second Sequence of Fire

Officer B assessed and observed the other Pit Bull dog still standing near the southeast corner of the building. The dog then began to walk forward in his direction. Fearing that the dog may attack the group of people or himself, Officer B fired one round at the dog from his service pistol to stop the threat.

Given the totality of the circumstances, the BOPC determined an officer with similar training and experience as Officer B would reasonably believe that the charging dogs represented an immediate threat of serious bodily injury to his partner and himself, and that the use of lethal force would be justified.

In conclusion, the BOPC found Officer B's lethal use of force to be in policy.