

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

OFFICER-INVOLVED ANIMAL SHOOTING – 068-15

Division Date Duty-On (X) Off () Uniform-Yes () No (X)

Newton 8/15/15

Officer(s) Involved in Use of Force Length of Service

Officer A 11 years, 8 months

Reason for Police Contact

Officers were attacked by a dog during the service of a search warrant, resulting in an officer-involved animal shooting (OIAS).

Subject(s) Deceased () Wounded () Non-Hit (X)

Pit Bull dog.

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 BOPC 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 July 16, 2016.

Incident Summary

Officers arrived at the location to serve a burglary related search warrant.

The officers parked their vehicles and responded on foot to the location. During the briefing, officers were told there were possibly dogs at the location and reviewed the Department policy regarding dog contacts. The officers were assigned the necessary equipment, including a fire extinguisher and a dog stick, a long pole with a loop at one end to attempt to contain a dog.

When the officers arrived at the scene, the entry team formed a single line. Officer A was third in line and was carrying a hook tool to assist in entry should the occupants of the residence decline to open the front door voluntarily. The rolling main gate leading from the driveway to the street was pushed open, and the entry team started walking into the front yard when they were confronted by an aggressive 70 pound Pit Bull dog. Another officer stepped forward with the fire extinguisher and attempted to spray the dog, but it malfunctioned.

The dog started walking at a fast pace at Officer A in an aggressive manner with his tail down low and straight. Officer A held the hook with his left hand and unholstered his service pistol with his right hand into a single handed, low-ready position. Officer A then raised the pistol aiming for the dog's head and chest area and fired one round. The background in the direction the shot was fired was dirt, grass, and further back, a fence. There were no people in the yard or in the line of fire. The dog immediately stopped and ran away in the direction of the rear of the house. Officer A called out, "Dog shooting," to alert the search warrant team and supervisors, so they would not think the suspect was shooting at them.

The dog was not injured in this incident.

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 Officer A's tactics to warrant a Tactical Debrief.

B. Drawing/Exhibiting

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

C. 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 consideration:

1. Shooting Platform

Officer A was tasked with carrying a breaching tool (a hook) while approaching the search warrant location. Officer A held the hook in his support hand while he drew his service pistol with his right hand, assumed a single handed, low-ready position, and fired at the dog. Although the Los Angeles Police Department Training Division teaches a one handed shooting technique, a two handed shooting grip would be more tactically advantageous and provide a better shooting platform. Officer A is reminded to utilize a two handed shooting grip whenever feasible.

In conclusion, the BOPC determined that Officer A and B's tactics warranted a Tactical Debrief.

B. Drawing/Exhibiting

- Officer A observed that the dog was approaching in an aggressive manner, growling, and the dog's tail was low and straight. Officer A felt threatened and drew his service pistol with his right hand to a single handed, low-ready position.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officer A, while faced with 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 actions of drawing and exhibiting of a firearm to be in policy.

C. Use of Force

- **Officer A** – (pistol, one round)

Officer A observed one of the pit bull dogs approaching him in an aggressive manner and believed that the dog was going to bite him. Fearing that he was about to be bit by the dog, Officer A extended his right hand and fired one round at the dog from his service pistol to stop the threat.

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

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