

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

CAROTID RESTRAINT CONTROL HOLD – 073-16

Division	Date	Duty-On (X) Off ()	Uniform-Yes () No (X)
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Central	11/10/16		
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Officer(s) Involved in Use of Force	Length of Service
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Sergeant A	27 years, 11 months
Officer A	10 years, 3 months
Officer B	14 years, 2 months
Officer C	14 years, 5 months
Officer D	11 years
Officer E	18 years, 9 months
Officer F	6 years, 9 months

Reason for Police Contact

Officers were working a crowd control detail when they observed Subject 1 spray painting City property. When the officers contacted him, a struggle ensued, resulting in the use of non-lethal force and a carotid restraint control hold.

Subject	Deceased ()	Wounded (X)	Non-Hit ()
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Subject 1: Male, 23 years old.

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 October 17, 2017.

Incident Summary

Officers A and B were working their regular shift in plain clothes when Sergeant A, their supervisor, received a request for them to be a “shadow team” for a political protest in the area.¹ Sergeant A checked in at the protest Command Post (CP) and was notified that he and Officers A and B were to be assigned to monitor the exterior of the Police Administration Building (PAB) and provide security for the building. Sergeant A was advised that he would have a uniformed support team assigned to him. When Officers A and B arrived at the location, Sergeant A advised that the officers were no longer a “shadow team,” and instead were to provide security for a City property. Sergeant A observed metal barricades at the front and rear of PAB, but he did not observe any other officers.

The crowd of protestors circled PAB approximately three times, but never went onto PAB property. The officers observed Subject 1 and a woman, identified as Subject 2, walking with the crowd in the area. Subject 1 wore a hooded sweatshirt and a backpack. Subjects 1 and 2 met up with six to eight men also walking in the area, who were drinking beer.

Subject 1 walked in front of a concrete planter located at the corner of PAB, removed a spray can from his right sweatshirt pocket, and knelt in front of the planter. Subject 1 then began to spray paint the side of the planter.

Sergeant A and Officers A and B approached Subject 1, verbally identified themselves as police officers, and ordered him to stand up. Sergeant A and Officer A also displayed their badges as they identified themselves.

Note: According to Officer A, he lifted his shirt and exposed his badge that was clipped to his right front pants pocket. Officer A never heard Subject 1 acknowledge that they were the police, but he heard someone in the crowd say so. Sergeant A originally stated that he had worn his badge clipped to his belt, but in his second interview he stated that he had actually been carrying his badge in his pants pocket and pulled it out when he identified himself.

Subject 1 looked surprised and stood up, still holding the spray can in his right hand. Sergeant A took the spray can out of Subject 1’s hand as Officer B took hold of Subject 1’s left wrist with his right hand, and with his left hand, he held Subject 1’s arm above his elbow. Sergeant A threw the spray can into the planter and took ahold of Subject 1’s right wrist. Officer B ordered Subject 1 to put his hands behind his back. Subject 1 stiffened his body, preventing Officer B from putting Subject 1’s left arm behind his

¹ The purpose of a “shadow team” is to blend into a crowd, obtain intelligence useful for the apprehension of those involved in criminal activity, and then communicate their observations to a uniform arrest or chase team.

back. Both Sergeant A and Officer B ordered Subject 1 to relax and calm down. According to Subject 1, he was told to stop resisting.

Officer A stated he broadcast a request for an arrest unit to respond to the officers' location.

Subject 1 began to squirm, and Officer B applied a wristlock, attempting to put Subject 1's left arm behind his back. Subject 1 continued to resist and pull away from Officer B and Sergeant A. According to Sergeant A, Officer B told Subject 1 to stop resisting.

Sergeant A reached to his rear waistband for his handcuffs, at which time Subject 2 approached, yelling, "What are you doing? What's going on?" Officer B heard Subject 2 yell at them to leave him (Subject 1) alone. Sergeant A took his badge from his front waistband, identified himself again, as another officer ordered Subject 2 and the crowd to stand back. Sergeant A clipped his badge onto his belt and took his handcuffs from his rear waistband. Sergeant A and Officer A ordered the crowd to get back several times.

Sergeant A handcuffed Subject 1's right wrist as the crowd continued to get closer to them. An unidentified man approached them and asked Sergeant A for Subject 1's backpack. Sergeant A ignored the request and attempted to handcuff Subject 1's left wrist. Sergeant A told Officer B to bring Subject 1's left arm behind his back. Subject 1 pulled away from Officer B and Sergeant A. Sergeant A was unable to handcuff Subject 1's left wrist due to the bulkiness of the backpack Subject 1 was wearing.

The unidentified man approached Subject 1 a second time, stated that he wanted the backpack, and then reached for it. Sergeant A ordered him to get back three times and identified himself as "the police." As he said this, Sergeant A placed his hand on the unidentified man's chest and pushed him away.

Officer A reported that he had requested an arrest team via the police radio because he wanted the CP to know that they had someone who was going to be arrested. However, during his interview, he opined that his request for an arrest team was not recorded because he may not have continued to key the microphone on his radio due to the commotion of the protesters and the ongoing attempt to take Subject 1 into custody. According to Sergeant A, Officer A broadcast a request for an additional unit. Officer B heard Officer A request either an additional unit or backup.

The crowd became more hostile and moved closer to the officers. According to Sergeant A, Subject 2 asked what they were doing, and yelled at him and Officer B to leave Subject 1 alone. Subject 2 raised her hand and slapped at Officer B.

According to Officer A, he observed Subject 2 swing her closed fist in a downward motion toward Officer B and Sergeant A. He was unsure if she struck either of them. Officer A pushed Subject 2 back and away from Officer B and Sergeant A. Another man ran up from behind Officer A and struck him in the back of the neck/upper back area. As the man struck Officer A, he yelled at him to not touch the woman. Officer A

turned to look at the man and could not recall if he pushed him back or ordered him to get back.

Officer A's attention was drawn back to Subject 2, who was still swinging her arms, throwing overhand strikes. He observed her with a handcuff and mistakenly believed that Officer B and Sergeant A had handcuffed her, then she broke away. However, when Subject 2 swung her hand, Officer A observed Subject 2 holding one of the handcuffs and the other handcuff was free to be used as a weapon. Subject 2 swung at Officer A and struck him on the left side of his temple with the handcuff. Subject 2 then struck Officer A across the back of the neck, and a third time on the upper part of his back. Officer A stated the strikes stunned him.

Subject 1 continued to struggle by straightening out his left arm and stiffening it. Officer B let go of Subject 1's arm, took hold of Subject 1's left wrist, and attempted to gain control of Subject 1 with a wrist lock. Officer B repeated his commands for Subject 1 to relax, but was unsuccessful in gaining control of Subject 1. Officer B let go of Subject 1's wrist and held Subject 1 from behind in a bear hug. He then placed his left leg behind Subject 1's left leg and, using his momentum, swept Subject 1's leg out from under him, taking him to the ground. Subject 1 fell onto his right side. Officer B used his bodyweight to hold Subject 1 down, and attempted to get Subject 1's right arm behind his back. Officer A, who was standing in front of Officer B, ordered the crowd back and attempted to stop Subject 2 from swinging at the officers. According to Subject 2, the officers told Subject 1 to get down as they pushed him to the sidewalk.

Officer B observed Subject 2, with handcuffs in her right hand, approach Officer A and strike him in the face with the handcuffs. Simultaneously, Officer B continued to struggle with Subject 1's right arm when Subject 2 threw a punch at him, grazing Officer B in the right temple with the handcuffs.

Officer A broadcast a request for backup. Officer A unsuccessfully tried to grab Subject 2's right hand to keep her from striking him again, when he observed the man, mentioned previously, run full-speed toward him. Officer A believed the man was going to tackle him, so he lowered his left shoulder and they collided shoulder to shoulder. The man bounced off Officer A as Officer A raised his shoulder and struck the man in the jaw. Officer A felt pain in his shoulder and felt disoriented. Officer A broadcast again that he needed backup and to make it a help call. Numerous officers began responding to the "officer needs help" call.

Meanwhile, as Sergeant A held the handcuffs attached to Subject 1's right wrist and assisted Officer B with putting Subject 1's left arm behind his back, another man pulled Subject 1's backpack off and fled. According to Officer B, he let go of Subject 1, who got to his feet on his own and started walking away. According to Sergeant A, they got Subject 1 up onto his feet and walked him from the sidewalk onto the grass in an attempt to get away from the crowd, but the crowd followed them.

With Subject 1 now on his feet, Officer B took hold of the left side of Subject 1's shirt collar with his left hand, as he and Sergeant A continued their attempt to take Subject 1

into custody. However, they were unable to control Subject 1 because he was flailing his arms. From behind Subject 1, Officer B put both of his arms around Subject 1's waist again, as he told Subject 1 to relax. Subject 1 did not comply and continued to walk on the grass area as Officer B held onto his waist. As Officer B's chest pressed against Subject 1's back, Officer B no longer felt the presence of his weapon against his body, which had been holstered in his front waistband and concealed by his shirt. Unable to feel his gun and concerned that someone from the crowd might pick it up, Officer B reacted by saying, "My gun!"

According to Sergeant A, he still had a hold of the handcuffs attached to Subject 1's right wrist when he attempted to take Subject 1 to the ground by putting his right leg in front of Subject 1's leg. However, Subject 1 stepped over his leg and Officer A came up from behind and used his bodyweight to take Subject 1 to the ground. Sergeant A intentionally let go of his handcuffs. He said that uniformed officers who responded to their help call were present and were telling him to step back. He yelled to them that Subject 1 had not yet been successfully handcuffed.

According to Officer A, when he observed that Officer B, Sergeant A, and Subject 1 had moved onto the grass area, he went to assist them. Officer A positioned himself behind Subject 1 and reached over Subject 1's shoulder and head with his right arm to maintain control of Subject 1's upper body. Officer A then heard Officer B say, "My gun." Officer A believed that Officer B's weapon had been taken by Subject 1. He observed that Subject 1's hands were not restrained and that there was something shiny in his right hand that he thought was Officer B's gun.

Note: According to Officer A, he was unaware that Sergeant A had let go off his handcuffs that were attached to Subject 1's right wrist. Later, during his interview, he realized that what he may have seen was the handcuff.

Officer A could not unholster his pistol because his right arm was across Subject 1's chest, maintaining control of Subject 1's upper body. Officer B was on Officer A's right side and Sergeant A was to his left. Officer A stated that it was unsafe to fire his weapon due to the crowd in the immediate area and because Officer B and Sergeant A were still engaged with Subject 1. Officer A determined that applying a carotid restraint control hold (CRCH) was the best course of action.

Officer A was able to take Subject 1 to the ground, but was unsure how he did it. He surmised that he might have tripped Subject 1. At that point, Subject 1 was on his stomach and Officer A was on top of him, with his chest to Subject 1's back. Officer A positioned his left elbow underneath Subject 1's neck and took hold of his own right bicep with his left hand. He said that his elbow overshot the center of Subject 1's neck. Officer A brought his right hand behind Subject 1's neck and used it to cup the back of Subject 1's head, as he attempted to apply a CRCH. Officer A explained he was unable to actually complete the (locked) CRCH because of the hooded sweatshirt that Subject 1 was wearing, and because Subject 1's neck was small and his (Officer A's) arms were too large.

Officers A and B were still struggling to get Subject 1 into custody when uniformed bike officers arrived and assisted. Officer A stated that an unknown officer pulled him off Subject 1. He then stood up and told the responding officers to take Subject 2 into custody too.

According to Officer C, when he arrived, he observed Sergeant A and Officers A and B struggling with Subject 1. After Subject 1 was taken to the ground, Officer C straddled the lower portion of Subject 1's body to gain control of his legs and to prevent Subject 1 from turning.

Officer C heard the officers ordering Subject 1 to stop resisting, and he also ordered him to stop resisting. A couple of seconds after Subject 1 was in custody, he heard one of the officers say, "Oh, [expletive]. My gun."

When Officer D arrived, he observed Subject 2 walking away from the officers and heard someone tell them to stop her. Officer E also heard someone request that they detain the woman. According to Officer D, Subject 2 was the only woman present. In order to gain her compliance, he unholstered his TASER, pointed it at Subject 2's chest area, and ordered her to get on the ground. Just as Subject 2 placed herself on the ground, Officer D observed the officers take Subject 1 to the ground. Officer D opted to assist with gaining control of Subject 1 and allowed other uniformed officers to take custody of Subject 2. Officer D pointed his TASER at Subject 1's shoulder area and warned that if he did not stop resisting he would be tased. When Subject 1 tried to get up, Officer D pushed Subject 1's face back to the ground. As other officers began to assist, Officer D stepped aside.

Officer E observed that Subject 1's right wrist was handcuffed and reached in to take hold of his left arm. As he did this, he warned Subject 1 that if he did not stop resisting, he would be tased. Officer E reported that he said this to deescalate the situation. Officer E then put Subject 1's left arm behind his back and Subject 1 was handcuffed. Officer F held Subject 1's calves with his hands and knelt on the back of his legs to prevent him from kicking the officers. Once Subject 1 was handcuffed, Officer F released Subject 1's legs. Officer C double-locked the handcuffs and searched Subject 1. Officers C and E then placed Subject 1 in a seated position.

According to Officer G, when he arrived, he observed Subject 2 yelling at the officers to let Subject 1 go. He ordered her to the ground and she complied by lying on her stomach. Officer G reported that he had not been told by anyone to take her into custody, rather he detained her because her proximity to Subject 1 made it an officer safety issue for him. His partner, Officer H, recalled the presence of another officer who was trying to take her into custody when he arrived.

Officer G took hold of Subject 2's right wrist with his left hand, while Officer H held her left wrist and handcuffed her. After being brought to her feet, Officers H and I walked Subject 2 to Officer H's police vehicle and she was placed in the rear seat. Officer G then returned to where Subject 1 was and observed that he was already handcuffed.

According to Subject 1, Officer B yelled, "Get my gun, get my gun," as he was thrown to the ground. At no time did he believe an officer put an arm around his neck. He said that he was grabbed by an officer whose hand was in a "C" shape to the back of his neck and forced him to the ground; he never lost consciousness.

According to Sergeant A, he observed Officer A's arm around Subject 1's shoulder and chest, but could not see if a CRCH being used because he was positioned behind Officer A, who was lying on top of Subject 1. Sergeant A believed that Officer A was just using his bodyweight to take Subject 1 to the ground. It was sometime later, after Subject 1 was taken into custody, that Officer A told him that he used a CRCH as Subject 1 was being taken to the ground. The first time he heard Officer B talk about his gun was when Officer B told him that he lost his gun after Subject 1 was in custody.

According to Officer B, he and Officer A took Subject 1 to the ground, but he too was unsure how they did it. Officer B ended up on his knees on the right side of Subject 1. Officer B then used his hands and bodyweight to hold Subject 1's right shoulder area down. Officer B used his hand to hold the back of Subject 1's neck and applied pressure until Subject 1 was handcuffed.

Officer B observed Officer A's right arm wrapped around Subject 1's head and neck area, but did not see him apply a CRCH. When it appeared that Officer A had control of Subject 1, Officer B let go and began to look for his firearm. Officer B believed that his gun fell out of his holster while he was struggling with Subject 1. He briefly, and unsuccessfully, searched the grass area near Subject 1 and Officer A in a radius of approximately three feet before reengaging Subject 1.

According to Officer E, as soon as Subject 1 was handcuffed and placed into a seated position, one of the officers asked where his gun was. According to Officer D, after Subject 1 was handcuffed, he heard one of the officers say he had dropped his gun. According to Officer G, one of the officers told him that he and his partner were surrounded by a group, they got into a fight, and "the gun flew." The officer explained that where he believed he lost his gun was in the immediate area, but not where Subject 1 was taken into custody.

According to Sergeant B, he arrived at the scene and observed Subject 1 sitting on the grass, handcuffed. He then heard Officer B say he could not find his gun. He said that Officer B was searching his waistband and appeared surprised that his gun was missing.

After Subjects 1 and 2 were taken into custody, a skirmish line was formed by the officers present to conduct a systematic search of the area for Officer B's missing gun, but they were unable to locate it.

The incident was first reported as a Non-Categorical Use of Force. However, after Officer A advised Sergeant A that he had applied a CRCH, it was treated as a Categorical Use of Force.

When Subject 1 complained of pain to his knee and ankle, Officer D requested a Rescue Ambulance (RA). Los Angeles Fire Department (LAFD) personnel arrived and transported Subject 1 to the hospital for treatment.

Force Investigation Division reviewed all documents and circumstances surrounding the separation and monitoring of officers prior to being interviewed by FID investigators. All protocols were followed and appropriately documented.

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 its review of the instant case, the BOPC unanimously made the following findings.

A. Tactics

The BOPC found Sergeant A and Officers A and B's tactics to warrant a finding of Administrative Disapproval. The BOPC found Officers C, D, E, and F's tactics to warrant a Tactical Debrief.

B. Non-Lethal Use of Force

The BOPC found Sergeant A and Officers A, B, C, D, E, and F's non-lethal use of force to be in policy.

C. Use of Lethal Force

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

Basis for Findings

Detention

- Sergeant A, along with Officers A and B, observed a person spray painting graffiti on a concrete planter located on City property, in violation of California Penal Code, Section 594(a), Vandalism. When the officers attempted to detain Subject 1, he resisted and attempted to flee. The officers' actions were appropriate and within Department policies and procedures.

A. Tactics

- **Tactical De-Escalation**

Tactical de-escalation does not require that an officer compromise his or her safety or increase the risk of physical harm to the public. De-escalation techniques should only be used when it is safe and prudent to do so.

In this case, the officers observed Subject 1 vandalizing City property and attempted to detain him. When the officers grabbed Subject 1's arms to handcuff him, Subject 1 immediately resisted and attempted to flee. An officer attempted to de-escalate the situation by continuously verbalizing with Subject 1 to calm down, relax, and stop resisting, but Subject 1 continued to resist the officers' efforts to take him into custody.

- In its analysis of this incident, the BOPC identified the following tactical considerations:

1. Code-Six (Substantial Deviation – Sergeant A, Officers A and B)

Sergeant A and Officers A and B did not advise Communications Division (CD) of their Code Six location when they made the decision to detain Subject 1.

The purpose of going Code Six is to advise CD and officers in the area of their location and the nature of the field investigation, should the incident escalate and necessitate the response of additional personnel. Pedestrian stops can be dangerous, the identity and actions of a person stopped is often unknown, and, as in this case, their actions can be unpredictable.

In this situation, the officers were not faced with a rapidly unfolding tactical situation and had sufficient time to broadcast their Code Six location, as well as any other relevant information prior to initiating their investigation.

Based on the totality of the circumstances, the BOPC determined that the decision by Sergeant A and Officers A and B not to advise CD of their Code Six location was a substantial deviation, without justification, from approved Department tactical training.

2. Tactical Communication and Planning (Substantial Deviation – Sergeant A, Officers A and B)

Sergeant A and Officers A and B did not effectively communicate with each other throughout the incident or formulate a tactical plan to safely take Subject 1 into custody.

Operational success is based on the ability of the officers to effectively communicate during critical incidents. The officers, when faced with a tactical

incident, improve their overall safety by their ability to recognize an unsafe situation and work collectively to ensure a successful resolution. A sound tactical plan should be implemented to ensure minimal exposure to the officers, while keeping in mind officer safety concerns.

In this case, Sergeant A and Officers A and B did not discuss their roles and responsibilities or formulate a tactical plan when they made the decision to detain Subject 1. Instead, they used eye contact and body language to communicate their intentions, which caused confusion and placed the officers at a significant tactical disadvantage.

Based on the totality of the circumstances, the BOPC determined that Sergeant A and Officers A and B's lack of communication and tactical planning was a substantial deviation, without justification, from approved Department tactical training.

3. Undercover Operations (Substantial Deviation – Sergeant A, Officers A and B)

Sergeant A and Officers A and B approached Subject 1 with the intention of conducting enforcement action instead of requesting a uniformed arrest team to detain Subject 1.

The purpose of a shadow team is to blend into a crowd, obtain intelligence useful for the apprehension of those involved in criminal activity, and then communicate their observations to a uniform arrest or chase team.

In this case, the officers were in plainclothes attire and were not equipped to engage or conduct enforcement action. They were not faced with a rapidly unfolding tactical situation and had sufficient time to notify the uniformed arrest team and coordinate the detention and arrest of Subject 1.

Based on the totality of the circumstances, the BOPC determined that Sergeant A and Officers A and B's actions were a substantial deviation, without justification, from approved Department tactical training.

- The BOPC also considered the following:

1. Maintaining Control of Equipment

The investigation revealed that Officers A and B's handcuffs were slung over their waistbands and not secured on their person. As a result, Officer B lost control of his handcuffs and they were subsequently used as a weapon against the officers. Additionally, Officer B lost control of his service pistol while attempting to control Subject 1. Officers A and B were reminded of the importance of making every attempt to maintain control of their equipment, as it increases the likelihood of tactical success during incidents such as this.

2. Application of the Carotid Restraint Control Hold

The investigation revealed that Officer A's understanding of the proper application technique for the CRCH was not consistent with Department training.

These topics were to be discussed at the Tactical Debrief.

Command and Control

- The BOPC was critical of Sergeant A's lack of supervisory command over this incident and felt that he did not demonstrate the appropriate level of command and control or supervision necessary or expected from the Officer-In-Charge (OIC) of a specialized unit.

The BOPC noted several areas of concern including: undercover operations, plainclothes assignments, required safety equipment, discussion of roles and responsibilities, formulation of a tactical plan to affect an arrest, command and control of tactical operations during a use of force incident, the duties and responsibilities of a field supervisor at the scene of a Categorical Use of Force incident.

Based on the totality of the circumstances, the BOPC determined that it was Sergeant A's responsibility to ensure a complete, safe, and effective operation throughout the incident, and concluded that Sergeant A's lack of supervisory oversight and guidance throughout this incident substantially and unjustifiably deviated from approved Department supervisory training, thus warranting a finding of Administrative Disapproval.

- 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 also 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 discuss individual actions that took place during this incident.

Officers A and B's actions were a substantial deviation, without justification, from approved Department tactical training. In conclusion, the BOPC determined Officer A and B's tactics warranted a finding of Administrative Disapproval.

Based on the totality of the circumstances, the BOPC found that the tactics utilized by Sergeant A and Officers A and B substantially and unjustifiably deviated from approved Department tactical training.

In conclusion, the BOPC found Sergeant A and Officers A and B's tactics to warrant a finding of Administrative Disapproval, and Officers C, D, E, and F's tactics to warrant a Tactical Debrief.

B. Non-Lethal Use of Force

- **Sergeant A** – (Firm Grip)

According to Sergeant A, he grabbed the spray can from Subject 1 and then grabbed Subject 1's right wrist with his left hand to take control of Subject 1 as he started to resist.

- **Officer A** – (Takedown, Physical Force, and Bodyweight)

According to Officer A, he observed Sergeant A and Officer B struggling to get Subject 1 handcuffed. He made his way to their location and positioned himself behind Subject 1. He then reached over Subject 1's head and around his right shoulder with his right arm in an effort to maintain control of Subject 1's upper body.

Officer A said Subject 1 continued to resist as they began moving forward. He believed he then tripped, which caused them to go down to the ground. Officer A landed on top of Subject 1 with his bodyweight on top of him.

- **Officer B** – (Firm Grip, Physical Force, Wrist Lock, Leg Sweep, Bodyweight, and Takedown)

According to Officer B, he grabbed Subject 1's left wrist with his right hand and his left elbow with his left hand, and ordered Subject 1 to put his hands behind his back. Subject 1 became rigid and Officer B was unable to place his arm behind his back. Officer B said Subject 1 began to squirm and try to get away. He then decided to transition to a wristlock to get Subject 1's left arm behind his back.

Officer B stated that Subject 1 straightened out his left arm and became rigid, so he decided to let go of Subject 1's wrist and attempt to take him to the ground. He grabbed Subject 1 from behind in a bear hug, placed his left leg behind Subject 1's left leg, and swept Subject 1's leg out from under him, taking him to the ground. Officer B then used bodyweight to hold Subject 1 down as he struggled to get Subject 1's right arm behind his back.

According to Officer B, after Subject 2 hit him in the head with the handcuffs, he let go of Subject 1. They both stood up and then Subject 1 started walking towards the grassy area. He grabbed Subject 1 by the shirt collar with his left hand as he and Sergeant A attempted to control Subject 1. Subject 1 continued to resist and began flailing his arms trying to get away, so Officer B grabbed Subject 1 from around the waist and placed his chest against Subject 1's back.

Officer B said when Subject 1 was on his stomach, he (Officer B) was on his knees on Subject 1's right side. He applied bodyweight with his left hand to Subject 1's right shoulder area and applied pressure with his right hand to the area behind Subject 1's neck.

- **Officer C** – (Bodyweight and Physical Force)

According to Officer C, he straddled the lower portion of Subject 1's body to gain control of his legs. He then applied bodyweight to Subject 1's lower torso to prevent Subject 1 from turning and swinging at any of the officers.

- **Officer D** – (Physical Force)

According to Officer D, he observed the officers take Subject 1 to the ground and went over to assist them. When Subject 1 tried to get up, he put his left palm on the right side of Subject 1's face and pushed him back to the ground.

- **Officer E** – (Firm Grip and Physical Force)

According to Officer E, he observed that Subject 1's right hand was handcuffed and the officers were trying to get the other hand out. He then pulled Subject 1's left arm out from beneath his body and placed it into the small of his back to be handcuffed.

- **Officer F** – (Firm Grip and Physical Force)

According to Officer F, he placed his right knee across both of Subject 1's legs, held Subject 1's calves with his hands, and applied bodyweight to prevent him from kicking the officers.

Based upon the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Sergeant A and Officers A, B, C, D, E and F, when faced with similar circumstances, would believe that this same application of non-lethal force would be reasonable to overcome Subject 1's resistance.

Therefore, the BOPC found Sergeant A and Officers A, B, C, D, E and F's non-lethal use of force to be objectively reasonable and in policy.

C. Use of Lethal Force

- **Officer A** – (Carotid Restraint Control Hold)

According to Officer A, he believed Subject 1 was armed with Officer B's service pistol and was continuing to actively resist. He transitioned to his left arm and then placed it over Subject 1's left shoulder and around his neck. Officer A then brought his right arm up to grab his right bicep with his left hand and attempted to apply the CRCH.

Officer A said Subject 1 continued to resist and began moving forward with him. Officer A tripped, which caused them both to go down to the ground, where he landed on top of Subject 1 with his bodyweight on top of him.

Officer A's left arm was still underneath Subject 1's neck, so he placed his right hand behind the back of Subject 1's head, cupped the back of Subject 1's head, and attempted to complete the CRCH, but he never got the hold locked in.

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 Subject 1's actions presented an imminent threat of death or serious bodily injury and that the use of lethal force would be objectively reasonable.

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