

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

OFFICER-INVOLVED ANIMAL SHOOTING – 087-09

<u>Division</u>	<u>Date</u>	<u>Duty-On()</u>	<u>Off(X)</u>	<u>Uniform-Yes()</u>	<u>No(X)</u>
Outside City	12/30/09				

<u>Officers(s) Involved</u>	<u>Length of Service</u>
Sergeant A	28 years, 5 months

Reason for Police Contact
Livestock accosted by coyote.

<u>Subject(s)</u>	<u>Deceased ()</u>	<u>Wounded (X)</u>	<u>Non-Hit ()</u>
Subject: Coyote.			

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.

In accordance with state law, divulging the identity of police officers in public reports is prohibited, so the masculine pronouns (he, his, and him) will be used in this report in situations where the referent could in actuality be either male or female.

The following incident was adjudicated by the BOPC on May 18, 2011.

Incident Summary

Sergeant A was off-duty, inside his residence, when he heard his dogs barking in the back yard. Sergeant A has had an ongoing problem with predatory animals that have killed several of his livestock.

Sergeant A turned on the back yard lights and observed a coyote standing in close proximity to his dogs. Sergeant A feared for the safety of his dogs and armed himself with a shotgun. Sergeant A then exited his residence, observed that the coyote had

moved closer to his horse corral and observed a second coyote by a chicken coop. Sergeant A believed that the coyotes were an immediate threat to his livestock and fired one round from the shotgun at the coyote near the horse corral, striking it. Both coyotes then fled the backyard area.

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/Holstering of a weapon 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 Sergeant A's tactics to warrant a tactical debrief.

B. Drawing/Exhibiting/Holstering

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

C. Use of Force

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

Basis for Findings

A. Tactics

In adjudicating this incident, the BOPC considered the following:

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.

Each incident must be looked at objectively and the areas of concern must be evaluated based on the totality of the circumstances. In this case, the tactics utilized did not *"unjustifiably and substantially deviate from approved Department tactical training."*

In conclusion, the BOPC found Sergeant A's tactics to warrant a tactical debrief.

B. Drawing/Exhibiting

In this incident, Sergeant A initially observed one coyote that was a threat to his domestic livestock and armed himself so that he might defend his animals.

In conclusion, the BOPC found the Drawing/Exhibiting of Sergeant A to be in policy.

C. Use of Force

In this instance, Sergeant A was confronted by two coyotes that were a threat to his domestic animals. The California Fish & Game Code allows for the destruction of predatory animals in order to protect domestic animals and livestock.

In conclusion, the BOPC found Sergeant A's application of lethal force to be in policy.