

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

OFFICER-INVOLVED ANIMAL SHOOTING – 006-11

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
77th Street	01/18/11		

Officer(s) Involved in Use of Force	Length of Service
Officer A	7 years, 3 months

Reason for Police Contact
Officers responded to a foot pursuit of a narcotics and possible shooting suspect when they were attacked by a dog, resulting in an officer-involved animal shooting.

Animal	Deceased (X)	Wounded ()	Non-Hit ()
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 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 Chief and made itself available for any inquiries by the Commission

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 December 13, 2011.

Incident Summary

Two officers responded to a location in connection with an ongoing narcotics and possible shooting investigation.

The officers responded to the rear of the location (an alley) where they observed the Subject standing with a female. The officers exited their vehicle and approached the Subject, who ran into the rear yard of the location. Both officers chased the Subject through the rear yard where a Pit Bull dog bit one of the officers on the right buttock. That officer continued to chase the Subject, but the other officer, unable to follow due to the presence of the Pit Bull, got back in his police vehicle, and continued to pursue the Subject in the vehicle. The Subject was subsequently taken into custody.

Responding officers were directed to set up containment and to search for additional evidence. They were advised that an officer had been bitten by a large Pit Bull and that the dog may still be in the rear yard. Officer A responded to the alley behind the location.

Officer B responded to the rear yard where he observed the Pit Bull and broadcast his observation to the officers involved in the containment. When officers at the front of the residence were unable to contact the occupants, Officer A knocked on the garage door. The female exited the residence through the rear door into the rear yard. Officer A identified himself and asked the female to meet the other officers at the front door. Instead, the female walked to the garage and electronically opened the door. As the door began to rise, Officer A walked backward toward his police vehicle.

The Pit Bull exited the garage. Officer A ordered the female to contain the dog. The Pit Bull growled and bared its teeth and charged Officer A, who again ordered the female to contain the dog. According to Officer A, he recognized the dog's behavior as that of a dog about to attack and he feared the dog would possibly knock him to the ground and maul him if he did not take immediate action. The dog ran toward Officer A and was closing the distance between them too quickly for Officer A to utilize a type of force other than his firearm. Officer A unholstered his service pistol and fired three rounds at the dog, striking the dog and ceasing its advance.

The Department of Animal Services responded and took custody of the injured dog. As a result of his extensive wounds, the Pit Bull was euthanized.

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 Officer A's tactics to warrant a tactical debrief.

B. Drawing/Exhibiting

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

C. Use of Force

The BOPC found Officer A's use of lethal 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. Each tactical incident inherently results in considerations for improvement.

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 Officer A's tactics to warrant a tactical debrief.

B. Drawing/Exhibiting

In this instance, Officer A was aware that the dog had already attacked one officer and the animal was now charging toward him. Believing that the situation had escalated to the point where lethal force had become necessary to protect himself from serious bodily injury, Officer A drew his service pistol.

In conclusion, the BOPC found Officer A's drawing and exhibition of a firearm to be in policy.

C. Use of Force

In this instance, Officer A observed the garage door rising. Cognizant that the Pit Bull breed dog was in the rear yard and that it had exhibited a propensity for violence by biting the other officer, Officer A began to walk backward toward his police vehicle. The dog emerged from under the rising garage door and Officer A directed the female to contain it. The female ignored Officer A's commands and the dog began running toward Officer A, while growling and baring its teeth. Based on the dog's aggressive actions and Officer A's belief of imminent serious bodily injury, Officer A fired three rounds at the attacking dog.

An officer with similar training and experience as Officer A would reasonably believe that the charging dog presented an imminent threat of serious bodily injury.

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