

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

OFFICER-INVOLVED SHOOTING – 007-07

Division	Date	Duty-On () Off(x)	Uniform-Yes() No(x)
Hollenbeck	01/18/2007		

Officer(s) Involved in Use of Force	Length of Service
Officer A	9 years, 10 months

Reason for Police Contact

Officer A was confronted by a Pit Bull dog who charged at him while growling and baring its teeth.

Suspect	Deceased ()	Wounded ()	Non-Hit (x)
Pit Bull Dog.			

Board of Police Commissioners' Review

This is a brief summary designed only to enumerate the 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 and addenda items); the 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 Los Angeles Police Department Command Staff presented the matter to the Commission and made itself available for any inquiries by the Commission.

The following incident was adjudicated by the BOPC on October 23, 2007.

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.

Incident Summary

Having recently completed their watch, off-duty Officers A and B were walking to their personal vehicles outside of the police station, which were parked approximately 100 yards away from each other.

As Officer A continued walking to his vehicle, he observed a brown Pit Bull dog suddenly appearing from behind a vehicle that was parked along the curb. The dog, which was growling and baring its teeth, ran toward Officer A. Officer A stepped backward in an attempt to distance himself from the dog, but the dog continued to approach Officer A.

Officer A unholstered his service pistol and noted that his shooting background was a four-foot cinder block wall. Officer A fired one round in a downward direction at the dog. The dog immediately changed direction and ran westbound, out of Officer A's view.

Officer A used his cellular telephone to inform the Watch Commander of the incident. Sergeant A responded to the scene.

Meanwhile, Officer B heard a gunshot, exited his car, and approached Officer A. Officer A informed Officer B that "a pit bull had just tried to attack [him]." Officer B did not otherwise witness the OIS or see the dog. There were no other witnesses to the 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/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 be appropriate and require no further action.

B. Drawing/Exhibiting/Holstering

- The BOPC found Officer A's s drawing to be in policy.

C. Lethal Use of Force

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

Basis for Findings

A. Tactics

The BOPC noted that, as Officer A approached his private vehicle, Officer A's actions were dictated by the suddenness of the dog's attack. Officer A appropriately attempted to create distance between the dog and himself; however, the dog continued to charge at him. With no other available options, Officer A assessed his background, drew his service pistol, and fired one round at the dog. Officer A quickly assessed the situation, and his actions were decisive and controlled.

The BOPC determined that Officer A's tactics were appropriate.

B. Drawing/Exhibiting/Holstering

The BOPC noted that Officer A observed the dog charging at him while growling and baring its teeth. Fearing serious bodily injury, Officer A drew his service pistol. The BOPC determined that Officer A had sufficient information to believe the incident might escalate to the point where deadly force may have become necessary.

The BOPC found Officer A's drawing to be in policy.

C. Use of Force

The BOPC noted that, after appearing from behind a parked vehicle, the dog charged at Officer A while growling and baring its teeth. Officer A attempted to create distance between the dog and himself by walking backward; however, the dog continued to charge at him. Due to the suddenness of the dog's advance on Officer A and the limited time afforded him to react, Officer A drew his service pistol and fired one round at the dog. The BOPC determined that Officer A believed that the vicious dog presented an immediate threat of serious bodily injury.

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