

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

OFFICER INVOLVED ANIMAL SHOOTING – 013-07

Division	Date	Duty-On(X) Off()	Uniform-Yes(X) No()
West LA	02/05/07		

Officers(s) Involved in Use of Force	Length of Service
Officer A, M./PO III	16 years, 7 months

Reason for Police Contact

On duty officer responded to a homeless encampment on the bluffs above a highway in response to a citizen complaint regarding a fire danger. During his response, the officer encountered two dogs.

Subject(s)	Deceased ()	Wounded (X)	Non-Hit ()
Two mixed-breed Rottweilers dogs.			

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 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 November 20, 2007.

Incident Summary

Officer A responded to a homeless encampment on the bluffs above a highway in response to a citizen complaint regarding a fire danger. Officer A notified Communications Division of his location and status prior to making his way toward the encampment. Officer A made his way up the hillside, and two large Rottweiler-mix dogs charged toward Officer A.

The dogs growled and barked as they approached the officer. Believing that the dogs were going to attack him, Officer A drew his service pistol and fired one round at the dogs from a distance of approximately 15 feet. The round struck the hillside and the two dogs stopped their advance and fled in different directions.

After the shot was fired, Witness A, who was the resident of the encampment and owner of the dogs emerged. Officer A asked Witness A to secure the dogs. Once the dogs were secured, Officer A holstered his pistol. Officer A then contacted a supervisor and reported that he had been involved in an animal shooting.

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 Officers A's tactics were appropriate.

B. Drawing/Exhibiting/Holstering

The BOPC found Officers A's drawing and exhibiting to be in policy.

C. Use of Force

The BOPC found Officers A's Use of Force to be in policy.

Basis for Findings

In adjudicating this incident, the BOPC considered the following:

A. Tactics

The BOPC noted several instances of prudent tactical decisions and proper actions. For instance, Officer A demonstrated commitment to duty and a high work ethic when he responded to investigate a citizen's complaint regarding a possible fire hazard posed by an illegal homeless encampment. Additionally, Officer A appropriately notified Communications Division via his Mobil Data Computer.

As in every spontaneous tactical incident, there were identified areas where improvements could have been made. For instance, it may have been tactically safer for Officer A to respond to the location with an additional officer. By having an additional officer present, contact and cover responsibilities could be designated and utilized in the event the officers encounter suspects living in the encampment. However, Officer A was acting in the capacity of a Senior Lead Officer and responded to a common request handled by Senior Lead Officers on a regular basis. In addition, Officer A responded during daylight hours. Although this issue merits discussion, it is not deficient in nature as to require training.

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

B. Drawing/Exhibiting/Holstering

The BOPC noted that, while scaling a bluff toward a homeless encampment, Officer A was charged by two Rottweiler mix breed dogs that were barking, baring their teeth and growling. In fear that the dogs were going to bite him, 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 become necessary and found Officer A's drawing, in policy.

C. Use of Force

The BOPC noted that, believing that the two charging dogs were going to bite him and possibly cause serious bodily injury, Officer A fired one round in an easterly direction at the dogs from a distance of approximately 15 feet.

The BOPC determined that, based on the aggressive actions demonstrated by both charging dogs, it was reasonable for Officer A to believe that the dogs presented an immediate threat of serious bodily injury to him and found Officer A's use of force in policy.