

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

OFFICER-INVOLVED ANIMAL SHOOTING – 016-11

Division	Date	Duty-On (X) Off()	Uniform-Yes(X) No()
Pacific	02/25/11		

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

Reason for Police Contact

Officers were conducting an investigation when a dog attacked the officers, resulting in an officer-involved animal shooting.

Animal(s)	Deceased ()	Wounded (X)	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 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 Chief and made itself available for any inquiries by the BOPC.

Because state law prohibits divulging the identity of police officers in public reports, 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 November 1, 2011.

Incident Summary

Officers A and B were conducting a felony investigation at a residence.

The officers saw the Witness exiting the front door of the location. The officers contacted the Witness and inquired about the location. Officer A asked if a manager was on site. The Witness confirmed that there was and volunteered to get him. Immediately upon the Witness opening the front door, a Pit Bull dog exited.

The dog first advanced on Officer B but then changed direction and started to advance on Officer A. The dog was barking, growling and baring its teeth, while advancing on Officer A. Officer A started to back away from the dog, while un-holstering his pistol. The dog lunged at Officer A and attempted to bite his arm. Officer A fired one round from his pistol at the dog. The first round had no effect on the dog, so Officer A fired a second round. After the second round, the dog, which was struck by both rounds, retreated inside the residence.

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 revolver 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 and B'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

In this case, the tactics utilized did not unjustifiably and substantially deviate from approved Department tactical training. Therefore, a Tactical Debrief is the appropriate mechanism for the significantly involved personnel to evaluate the events and actions that took place during this incident with the objective of developing peak individual and organizational performance.

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

B. Drawing/Exhibiting

In this instance, Officers A and B entered the complex to inquire about a felony warrant suspect. While standing in the courtyard, Officer A observed a dog exit the residence while barking, growling and baring its teeth. The dog then charged Officer A. Based on the circumstances, an officer with similar training and experience would reasonably believe that the dog posed a threat of serious bodily injury and that there was a substantial risk that the situation may escalate to the point where deadly force may be justified.

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, the dog charged at Officer A, causing him to back away from the dog. Fearing for his safety, Officer A fired one round at the dog. Officer A quickly assessed and noticed the dog was not stopping its attack. Officer A then fired a second round at the dog. Following the second shot, the dog immediately retreated back into the residence.

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.