

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

**OFFICER-INVOLVED SHOOTING – 038-11**

<b>Division</b>	<b>Date</b>	<b>Duty-On (X) Off ( )</b>	<b>Uniform-Yes (X) No ( )</b>
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Southeast	04/27/11		
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<b>Officer(s) Involved in Use of Force</b>	<b>Length of Service</b>
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Officer A	14 years, 10 months
Officer C	3 years, 1 month
Officer D	4 years, 11 months

**Reason for Police Contact**

Officers responded to a “shooting in progress” radio call when they were confronted by an armed subject, resulting in an officer-involved shooting.

<b>Subject(s)</b>	<b>Deceased (X) Wounded ( ) Non-Hit ( )</b>
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Subject: Female, 56 years of age.

**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 April 3, 2012.

## **Incident Summary**

Officers A and B were attired in full uniform and driving a marked black and white police vehicle, when they received a radio call of a “shooting in progress.” Officers C and D, also in uniform, heard the broadcast and also responded.

Officers A and B arrived at the scene and were directed by witnesses to the location of the Subject, who was standing on the front porch of her home. Officer A looked at the Subject and saw her remove a small pistol from her pocket and holding the gun down to her right side. Officer A alerted Officer B that the Subject had a gun and Officer A drew his pistol.

Officer B notified Communications Division (CD) that they had a Subject at gunpoint and took cover behind a nearby vehicle. Meanwhile, Officers C and D arrived at the scene and took cover behind Officers A and B’s police vehicle.

Sergeant A heard the radio call and responded to the location. Sergeant A was aware that the call involved a gun and, upon arrival, he observed the Subject in front of a residence. Sergeant A drew his weapon immediately upon exiting from his vehicle.

Officers A and B drew their weapons and pointed them in the direction of the Subject, who still held the gun down to her side and appeared to be directing her attention at a person across the street. The Subject then raised her right arm with the gun and began to point the weapon in the direction of the person across the street. Officer A yelled at the Subject, at which time, the Subject pointed her weapon in Officer A’s direction. Officer A responded by firing multiple rounds at the Subject. Officers C and D, still positioned behind the police vehicle, also fired multiple times at the Subject.

After the Subject fell to the ground, Sergeant A assembled a search team and assisted Officer A in handcuffing the Subject. Officer B requested an ambulance for the Subject, who had sustained multiple gunshot.

The Los Angeles Fire Department arrived at the scene and administered medical treatment. The Subject was subsequently transported to the hospital where she was pronounced dead.

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## **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 firearm 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 along with Officers A, B, C, and D's tactics to warrant a Tactical Debrief.

### **B. Drawing/Exhibiting**

The BOPC found Sergeant A along with Officers A, B, C, and D's drawing and exhibition of a firearm to be in policy.

### **C. Lethal Use of Force**

The BOPC found Officers A, C, and D's use of lethal force to be in policy.

## **Basis for Findings**

### **A. Tactics**

- In their analysis of this incident, the BOPC identified the following tactical considerations:

#### **1. Tactical Communication/Deployment**

In this instance, Officer A promptly advised his partner that the Subject was in possession of a handgun. Furthermore, Officer B broadcast pertinent information to CD to better ensure appropriate action of responding personnel. Officer A observed that they did not have adequate cover and advised Officer B to seek cover and redeployed behind a parked van. The tactical communication used in this instance enhanced the involved officers' deployment and informed responding personnel of information necessary to make the most appropriate tactical decisions upon arrival. These actions were consistent with the expectations and should be reflected in future similar incidents.

The BOPC determined the tactics utilized did not unjustifiably and substantially deviate from approved Department tactical training.

- 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. In this instance, although there were no identified areas for improvement, the tactical considerations neither individually nor collectively unjustifiably or substantially deviated from approved Department tactical training.

In conclusion, the BOPC found Sergeant A along with Officers A, B, C, and D's tactics to warrant a Tactical Debrief.

## **B. Drawing/Exhibiting**

- In this instance, the officers were responding to a "shooting in progress" radio call. Officers A and B had minimal information regarding the incident. As the officers arrived at the radio call location and exited their patrol vehicles, a witness immediately directed them to the Subject. As the officers focused their attention toward the Subject, they observed her holding a handgun. As a result, Officers A, B, and D drew their service pistols.

Based on the radio call of a "shooting in progress," Officer C and Sergeant A drew their service pistol as they exited their police vehicles.

The BOPC determined that officers with similar training and experience would reasonably believe that when responding to a radio call involving a shooting or upon seeing an individual armed with a handgun that the situation could reasonably escalate to the point where deadly force was justified.

In conclusion, the BOPC found Sergeant A along with Officers A, B, C, and D's drawing and exhibition of a firearm to be in policy.

## **C. Lethal Use of Force**

- **Officer A** (pistol, 11 rounds)

In this instance, Officer A was advised that the Subject was armed. Officer A observed the Subject retrieve a small handgun from her pocket, raise the weapon and point it at a person who was across the street. The Subject then pointed the handgun in the direction of Officers A and B. Officer A initially fired five rounds at the Subject. The Subject fell to the ground and momentarily lost control of the gun. The Subject then re-gripped the handgun and raised it at Officer A. Officer A fired an additional six rounds at the Subject.

- **Officer C** (pistol, 3 rounds)

Officer C observed the Subject raise her arm and point a handgun at officers.

- **Officer D** (pistol, 3 rounds)

Officer D observed the Subject point a handgun in the direction of Officers A and B.

An officer with similar training and experience as the involved personnel would reasonably believe that the Subject's act of pointing a handgun at the officers posed a threat of serious bodily injury or death. Consequently, it was objectively reasonable for Officers A, C, and D to perceive the Subject's actions as a deadly threat and utilize lethal force in defense of their lives and those of their fellow officers.

Therefore, the decision by Officers A, C, and D to utilize lethal force in order to address the threat presented by the Subject was objectively reasonable and consistent with Department policy.

In conclusion, the BOPC found Officers A, C, and D's use of lethal force to be in policy.