

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

IN CUSTODY DEATH – 041-05

<u>Division</u>	<u>Date</u>	<u>Duty-On (X) Off()</u>	<u>Uniform-Yes(X) No()</u>
Central Area (Jail)	05/26/05		

<u>Officer(s) Involved in Use of Force</u>	<u>Length of Service</u>
Not applicable.	

Reason for Police Contact

The Subject was arrested on the morning of May 26, 2005, and was transported to a Department jail facility. Later in the evening, other arrestees in the cell alerted Jail staff that the Subject needed assistance. Detention officers and supervisors formed an entry team, entered the cell and removed the Subject. When the officers removed the Subject he had no pulse and was not breathing. The Subject was transported to the Jail dispensary where attempts to revive him were unsuccessful.

<u>Suspect</u>	<u>Deceased (x)</u>	<u>Wounded ()</u>	<u>Non-Hit ()</u>
Subject 1: Male, 49 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 and involved officers, and other 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; 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 May 2, 2006.

Incident Summary

On the morning of May 26, 2005, the Narcotics Division (Narcotic Abatement Unit) was conducting undercover buy/bust operations in that area of downtown Los Angeles commonly referred to as Skid Row. The officer in charge was Detective A and the investigating officer was Officer A. Officer A had directed an undercover officer, Officer B, to purchase narcotics. Officer B was wearing a non-recording body wire and was monitored by Detective B. Uniformed Officers C and D were assigned as a "chase unit" to effect any arrests.

Officer B discussed the purchase of narcotics with Witness 1. Witness 1 led Officer B to Subject 1. Officer B asked Subject 1 if he could buy a "twenty"¹ and Subject 1 sold Officer B a package containing narcotics. Officer B walked away with the narcotics. Officers C and D responded and took Subject 1 and Witness 1 into custody without incident. Officers C and D then transported Subject 1 and Witness 1 to the Central Community Police Station for booking.

While at Central Community Police Station, Sergeant A completed an Adult Detention Log regarding Subject 1. At that time Subject 1 was asked by the Sergeant if he was "sick, ill or injured" to which Subject 1 responded "No." Sergeant A approved Subject 1 and Witness 1 for booking.

Detective C and Police Officer E transported Subject 1 to the Metropolitan Jail Section, Jail Division ("Jail Division"). In the meantime, Detective A had responded to the Jail Division to assist in the booking process.

Upon arrival at Jail Division, Detective A assisted in the booking by completing the Los Angeles County Medical Screening Form. Detective A inquired of Subject 1's medical problems and noted on the screening form that Subject 1 had high blood pressure and heart disease.

Subsequently, Subject 1 was taken to the Jail Division dispensary for medical evaluation. The evaluation was conducted by a Registered Nurse ("RN"). Subject 1 was approved for booking. Approximately 20 minutes later, Subject 1 was seen by a dispensary physician². The physician gave approval for Subject 1 to be held in custody by the Jail Division and prescribed medication to Subject 1. The physician also determined that Subject 1 was under the influence of alcohol and recommended that he be assigned to a lower bunk when placed in a cell.

Subject 1 was placed in a cell. During the evening, Subject 1 was provided his prescribed medication. Every 30 minutes, detention officers checked the cell, performing inspections and inmate counts. During this time, the checks revealed no indication that Subject 1 was in any form of acute medical distress.

The cell was checked at 11:00 P.M., with no indication that Subject 1 was in medical distress. At approximately 11:05 P.M., however, inmates in the cell began to call for assistance.

Detention Officers A and B responded to the cell and turned on the lights. The officers requested assistance and waited at the entrance of the cell for additional personnel to arrive. Detention Officer C heard the request for assistance and notified two RNs.

Detention Officers D, E and F, Sergeants A and B and the RNs responded to the cell. Once the officers had assembled, they entered the cell. Sergeant C, who was equipped

¹ A "Twenty" is street vernacular for \$20.00 in illegal narcotics.

² Dispensary physicians in jail units are not employees of the Los Angeles Police Department, but are City of Los Angeles employees.

with a TASER, monitored the other inmates in the cell while Detention Officers A and F checked Subject 1's vital signs. The officers could not find a pulse, and Subject 1 was removed from the cell on a gurney. As Subject 1 was being transported on the gurney to the Dispensary, one RN began to administer chest compressions while the second RN called 911 and requested paramedics.

Upon arrival at the dispensary, the physician and an RN attempted cardio pulmonary resuscitation on Subject 1. Subject 1 failed to respond and was pronounced dead by the physician at 11:22 P.M. Paramedics arrived as death was being pronounced.

A subsequent autopsy determined the cause of Subject 1's death to be "Sudden Cardiac Death" as a result of "Rheumatic Mitral Valve Disease."

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 the following areas: Tactics of the involved officer(s); Drawing/ Exhibiting/ Holstering of a weapon by any involved officer(s); the Use of Force by any involved officer(s), and any additional pertinent issues. 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.

Based on the BOPC's review of the instant case, the BOPC determined that all involved Los Angeles Police Department personnel followed Department policy and procedures. The BOPC concluded that no action by any member of the Los Angeles Police Department contributed to Subject 1's death.

The BOPC unanimously made the following findings.

A. Tactics

The BOPC found that tactics, as a specific area of evaluation, did not apply in these circumstances.

B. Drawing/Exhibiting/Holstering

The BOPC found that drawing/exhibiting/holstering did not apply in these circumstances.

C. Use of Force

The BOPC found that use of force did not apply in these circumstances.

Basis for Findings

A. Tactics

The BOPC determined that no tactical issues were associated with Subject 1's in-custody death.

B. Drawing/Exhibiting/Holstering

The BOPC determined that no firearms were drawn or exhibited in the course of this incident.

C. Use of Force

The BOPC determined that no force was used in the course of this incident.