

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

OFFICER-INVOLVED ANIMAL SHOOTING – 054-05

Division	Date	Duty-On(X) Off()	Uniform-Yes(X) No()
Van Nuys	07/05/05		

Officers(s) Involved	Length of Service
Officer A	4 years, 3 months

Reason for Police Contact
Officers responded to a radio call of an open door at a residence when they encountered an aggressive dog, resulting in an officer-involved animal shooting.

Animal(s)	Deceased ()	Wounded ()	Non-Hit (X)
German Shepherd 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, 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 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, 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 June 27, 2006.

Incident Summary

Officers A and B responded to a radio call of an open door at a residence. As the officers neared the residence on foot, Witness A, who had called the police initially about the open door, approached them. At that time, Officer A observed a German Shepherd dog lying in the open doorway. According to Officer A, the dog simultaneously observed the officers. The dog then jumped up and began barking while advancing on Officer A. The dog was also baring its teeth and had its ear pinned back, which Officer A knew to be indicators of an aggressive dog. The dog charged to within 15 feet of Officer A, and, as he retreated from the dog, Officer A unholstered his weapon and fired three rounds at the dog.

The dog was not struck by any of the rounds fired by Officer A. The officers moved forward and closed the door to the residence. When Officer A learned that the owner of the dog was in the residence and no burglary had occurred, he holstered his weapon.

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 and B's actions to be appropriate.

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

The BOPC found the tactics utilized were appropriate and required no action. The BOPC noted that the officers had formulated a tactical plan where Officer A would act as the contact officer and Officer B would act as the cover officer. The BOPC considered that the suddenness of the attack by the dog limited Officer A's options.

In conclusion, the BOPC found Officers A and B's actions to be appropriate.

B. Drawing/Exhibiting

The BOPC found Officer A was confronted with a charging dog, growling and baring its teeth. The BOPC determined that Officer A, fearing serious bodily injury or death, had sufficient information to believe the incident might escalate to a point where deadly force may become necessary.

In conclusion, the BOPC found Officer A's drawing and exhibition of a firearm to be in policy.

C. Use of Force

The BOPC found that Officer A feared being bitten by the charging dog, and in response fired three rounds at the dog from a distance of approximately 15 feet. The BOPC determined that Officer A reasonably believed the dog presented an immediate threat of serious bodily injury or death.

In conclusion, the BOPC found Officer A's use of lethal force to be in policy.