

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

IN-CUSTODY DEATH – 057-06

Division	Date	Duty-On (X) Off()	Uniform-Yes(X) No()
77 th Street	07/16/2006		

Officer(s) Involved in Use of Force	Length of Service
Not applicable.	

Reason for Police Contact

Officers A and B observed Subject 1 loitering in a location known as a narcotics “hot spot.” After initiating a consensual encounter, the officers determined Subject 1 had an outstanding felony warrant and arrested her. While in custody, Subject 1 went into medical distress and died.

Subject	Deceased (X)	Wounded ()	Non-Hit ()
Subject 1: Female, 39 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 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 Commission and made itself available for any inquiries by the Commission.

The following incident was adjudicated by the BOPC on 05/29/07.

Incident Summary

On July 14, 2006, Officers A and B observed Subject 1 walk across the street and toward a liquor store in a strip mall. The officers had observed Subject 1 loitering at the location earlier, which was known as a narcotics “hot spot.” Based on their knowledge of the location and their previous observation of Subject 1, Officer A and his partner decided to make contact with her.

Officers A and B initiated a consensual encounter with Subject 1. During their conversation with Subject 1, she told the officers that she was on probation for a narcotics-related offense.

Officer A contacted Communications Division (CD), advised of their location and requested a female officer respond to their location to conduct a search of Subject 1. Approximately one minute later, Officer A contacted CD and requested a wants/warrant check of Subject 1. The check revealed that Subject 1 had a felony warrant for Sales and Transportation of a Controlled Substance. Based on the warrant information, Subject 1 was handcuffed and placed under arrest without incident.

Officers C and D arrived at the location to conduct the search of Subject 1. Officer C conducted a pat down of Subject 1, which was met with negative results.

Officers A and B transported Subject 1 to the police station, confirmed the warrant, and obtained booking approval from Sergeant A. While completing the Department's Adult Detention Log, Sergeant A spoke with Subject 1 and asked her if she was sick, ill or injured. Subject 1 that replied she was not.

Once they completed the booking process, Officers A and B transported Subject 1 to the jail facility. While inside the jail facility, Officer B asked Subject 1 a series of questions regarding her medical condition. Subject 1 reiterated that she was not ill or injured. Officer B documented Subject 1's responses.

When the booking process was completed, Subject 1 was placed in a temporary housing unit, where she remained until the following morning.

On the morning of July 15, 2006, Detention Officer A assigned Subject 1 to a cell after Subject 1 said her leg was bothering her and requested a lower bunk bed. Subject 1 remained alone until another detainee, Witness 1, was assigned to the cell.

On the morning of July 16, 2006, Detention Officer B served breakfast to Subject 1 and Witness 1. Witness 1 offered Subject 1 her breakfast and she accepted it, eating both portions.

After eating, Subject 1 and Witness 1 engaged in a conversation. At some point during the conversation, Witness 1 heard Subject 1 make a sound as if she was gasping for air or choking. Witness 1 believed Subject 1 was having a seizure, anxiety attack or drug withdrawals and asked Subject 1 if she needed assistance. However, Subject 1 failed to respond.

Witness 1 looked down from her bunk at Subject 1 and observed Subject 1's eyes were rolling back. Witness 1 became concerned and pressed the cell intercom to summon assistance.

Detention Officer C responded and spoke with Witness 1, who began discussing her arrest but did not mention that Subject 1 appeared to be in medical distress. Detention Officer C was unaware of Subject 1's condition and told Witness 1 she would return in ten minutes and allow her to leave her cell to use the telephone or watch television, as allowed each day. Detention Officer C then walked away and resumed her duties.

Witness 1 attempted multiple times to get Subject 1 to respond but was met with negative results.

Detention Officer C returned to the cell to allow Subject 1 and Witness 1 to exit their cell. Witness 1 told Detention Officer C that she was unable to wake Subject 1. Detention Officer C directed Witness 1 to make another attempt to wake her. Witness 1 complied and shook Subject 1, but she failed to respond.

Detention Officer C utilized her hand-held radio and requested assistance for a medical emergency. Dispensary Nurse A and Doctor A responded within minutes and observed Subject 1 lying on the lower bunk bed. A preliminary assessment by Doctor A was that Subject 1 was not breathing, her extremities were cold, her hands and legs were flaccid and rigor mortis was present in her mouth. Detention Officer A responded to assist with Cardio Pulmonary Resuscitation (CPR).

Detention Officer C utilized her radio and requested additional assistance, which resulted in the response from Principal Detention Officer A and Detention Officer D. Principal Detention Officer A observed Subject 1's condition and directed Detention Officer D to initiate a crime scene log.

Principal Detention Officer B contacted the Los Angeles City Fire Department (LAFD) and requested paramedics as Doctor A, Nurse A and Detention Officer A continued CPR.

LAFD paramedics and firefighters arrived on scene and continued medical treatment. Subject 1 failed to respond. Subject 1 was subsequently pronounced dead.

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 that tactics does not apply.

B. Drawing/Exhibiting/Holstering

The BOPC found that drawing and exhibition does not apply.

C. Use of Force

The BOPC found that use of force does not apply.

Basis for Findings

A. Tactics

The BOPC found that tactics does not apply.

B. Drawing/Exhibiting/Holstering

The BOPC found that drawing and exhibition does not apply.

C. Use of Force

The BOPC found that use of force does not apply.

D. Analysis

The BOPC noted that, from the onset, Department personnel followed established protocol in caring for arrestees. Sergeant A documented Subject 1's responses regarding her health status appropriately on the Adult Detention Log, the arresting officers documented her lack of medical problems on the Medical Screening Form, and Detention Officer B immediately responded to Witness 1's activation of the cell intercom.

As Doctor A and Nurse A initiated medical treatment on Subject 1, they advised the jail personnel that the LAFD was required. Principal Detention Officer A utilized his hand held radio to request LAFD for a medical emergency; however, he did not state the nature of the emergency. Principal Detention Officer B heard the request and contacted CD. Although not initially aware of the details of the situation, he was able to deduce the nature of the emergency by listening to subsequent radio transmissions. Although this issue is not indicative of a deficiency requiring training for Principal Detention Officer A, the BOPC directed his Commanding Officer to discuss the importance of emergency radio procedures.