

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

**UNINTENTIONAL DISCHARGE – 059-11**

<b>Division</b>	<b>Date</b>	<b>Duty-On ( ) Off(X)</b>	<b>Uniform-Yes( ) No(X)</b>
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Central	06/28/11		
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<b>Officer(s) Involved in Use of Force</b>	<b>Length of Service</b>
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Officer A	1 year, 2 months
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**Reason for Police Contact**

Officer A manipulated his pistol, resulting in an Unintentional Discharge.

<b>Suspect</b>	<b>Deceased ( )</b>	<b>Wounded ( )</b>	<b>Non-Hit ( )</b>
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Does not apply.

**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 March 6, 2012.

**Incident Summary**

Officer A was alone in his bedroom in his residence when he decided to test the trigger on his privately-owned pistol. The weapon was in a holster in a cabinet located in Officer A's bedroom. In the past, Officer A felt the trigger on his pistol was too loose. Officer A retrieved the pistol from the cabinet, unholstered the weapon, and released

the magazine, but did not clear the weapon's chamber. Officer A then pulled the pistol's trigger, causing the weapon to discharge one round into the bedroom wall.

After the discharge, Officer A inserted the magazine back into the weapon, then placed the weapon back into its holster and into the cabinet.

Officer A checked for injured parties, determined there were none, and notified his supervisor of the Unintentional Discharge (UD). There were no eyewitnesses to the UD.

### **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**

Does not apply.

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

Does not apply.

#### **C. Unintentional Discharge**

The BOPC found Officer A's unintentional discharge to be negligent.

#### **Basis for Findings**

In this instance, while attempting to inspect his handgun, Officer A failed to properly unload his handgun and conduct the required chamber check as required to verify the condition of the weapon prior to pressing the trigger. Officer A's actions caused the unintentional discharge (UD) of the firearm.

The BOPC found that Officer A's UD to be negligent. The BOPC directed that Officer A attend a Tactical Debrief.