

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

IN-CUSTODY DEATH – 060-11

Division	Date	Duty-On (X) Off ()	Uniform-Yes () No (X)
Van Nuys	07/07/11		

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

Reason for Police Contact
Officers responded to a residence for a parole compliance check, when they discovered the Subject in possession of stolen property and arrested him. Officers transported the Subject to jail, where he died as a result of a drug overdose.

Subject(s)	Deceased (X)	Wounded ()	Non-Hit ()
Subject: Male, 61 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 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 May 15, 2012.

Incident Summary

Officers went to a residence to conduct a parole compliance check and discovered the Subject in the residence. The officers determined that the Subject was in possession of stolen property. The Subject was arrested and transported to jail for booking. The Subject reported a pre-existing Hepatitis condition and that he was trying to wean himself off of heroin.

As part of the directed medical monitoring at the time of intake, the Subject was seen three additional times by medical staff. Each time the medical staff cleared the Subject for booking and noted that he did not appear to be in need of medical attention.

When the inmates were loaded onto a bus to be transported to court, it was discovered that the Subject was missing. Officers responded to the cell where the inmates had been housed in preparation to be transported. The officers located the Subject in his bunk and noted that he was unconscious and not breathing. Efforts to revive him proved negative and he was pronounced dead.

The autopsy report indicated the cause of death as multiple drug intoxication. Additionally, the Subject had a 75 percent blockage in his left anterior coronary artery and a 60 percent blockage in his right coronary artery. The manner of death was ascribed as an accident. It was noted that the Subject had ingested heroin in the 12 hours prior to his death.

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 made the following findings.

A. Tactics

The BOPC found that tactics do not apply.

B. Drawing/Exhibiting

The BOPC found that the drawing and exhibition of a firearm does not apply.

C. Use of Force

The BOPC found that there was no use of force.

Basis for Findings

The BOPC determined that the Department followed all policies and procedures. It was also determined that the actions of the involved personnel did not contribute to the Subject's death. Additionally, there was no use of force involved in the Subject's arrest or detention. Therefore, individual findings are not required.