

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

OFFICER-INVOLVED ANIMAL SHOOTING 070-07

Division	Date	Duty-On(x) Off()	Uniform-Yes(x) No()
77 th Street	07/06/07		

Involved Officer(s)	Length of Service
Officer A	4 Years

Reason for Police Contact

Officer encountered a dog when making an arrest.

Subject(s)	Deceased ()	Wounded (x)	Non-Hit ()
Pit Bull			

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 subject 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 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.

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 10, 2008.

Incident Summary

Lieutenant A, Detective A, and Officer A were participating in the service of a search warrant. Officer A was assigned to secure the back door of the residence and took a position inside the back door. He did not enter the backyard of the residence due to the presence of a large Pit Bull dog that appeared to be agitated.

Detective A, accompanied by Lieutenant A, asked Witness A, who was the owner of the dog, if he could secure it. Witness A was a named suspect on the search warrant and was detained and in handcuffs when this request was made, so Detective A removed Witness A's handcuffs. Witness A retrieved a padlock, entered the backyard and grabbed the dog by its collar. Witness A dragged the dog toward a chain in order to secure the animal. As he did so, the dog jerked back and forth violently, and growled.

Officer A, who was concerned that the rear yard had not been searched for weapons and that Witness A was not handcuffed, entered the yard. Witness A let go of the dog as he attempted to grab the chain. The dog immediately ran toward Officer A, displaying a vicious stare, growling, and baring its teeth. Officer A stepped back and as the dog came within four feet of him, Officer A drew his service pistol and believed the dog was going to viciously attack him, so he fired four rounds at the dog. The dog crashed into the side of the residence. Officer A reholstered his pistol and led Witness A back to the house, where he was once again handcuffed. The dog expired at the scene from its wounds.

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 determined that Officer A's actions were appropriate.

B. Drawing/Exhibiting/Holstering

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 force to be in policy.

Basis for Findings

A. Tactics

The BOPC noted that, during the execution of the search warrant, the officers at scene discovered a loose dog in the backyard. Lieutenant A and Detective A enlisted Witness A's assistance to secure his dog. Witness A, who was handcuffed at the time, agreed to do so. Witness A was unhandcuffed and allowed to enter the backyard. The BOPC would have preferred that the supervisors at the scene had requested personnel from the Department of Animal Services to secure the dog. The officers allowed Witness A, a felony suspect, access to an unsearched area and an aggressive animal.

The BOPC determined that Lieutenant A and Detective A would benefit from additional tactical training, and will direct the Commanding Officer to schedule Lieutenant A and Detective A for training at Training Division.

The BOPC determined that Officer A's actions were appropriate.

B. Drawing/Exhibiting/Holstering

The BOPC noted that Officer A stepped off the porch to maintain sight of Witness A and observed the dog break free from Witness A's control and charge toward him, while growling and baring its teeth. Concerned for his safety, Officer A drew his firearm. The BOPC determined that Officer A had sufficient information to believe that the incident might escalate to the point where deadly force may become necessary.

The BOPC found Officer A's drawing and exhibition of a firearm to be in policy.

C. Use of Force

The BOPC noted that Officer A, fearing he was about to be bitten by the dog, drew his service pistol and fired four rounds in rapid succession, from a distance of three feet, in a downward direction. The dog was struck by the rounds and crashed against the side of the house. The dog expired at the scene from its wounds.

The BOPC found Officer A's use of force to be in policy.