

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

OFFICER-INVOLVED ANIMAL SHOOTING – 071-11

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
Devonshire	08/31/11		

Officer(s) Involved in Use of Force	Length of Service
Officer A	15 years, 3 months

Reason for Police Contact

Officers responded to a vicious animal radio call involving two Pit Bull dogs. At the location, both dogs charged at the officers, resulting in an officer-involved animal shooting.

Animal	Deceased ()	Wounded ()	Non-Hit (X)
Pit Bull 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 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, 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 June 12, 2012.

Incident Summary

Officers A and B, along with Sergeant A, responded to a radio call of vicious animals (two Pit Bull dogs) that were at the reporting party's front door. Upon their arrival, the officers observed the Pit Bulls barking and growling. Suddenly, the Pit Bulls charged toward the officers, who were standing at the base of the driveway. Officer B removed his baton and held it in preparation of striking the dogs; however, the dogs turned their attention to Officer A.

According to Officer A, he drew his pistol when he observed the dogs aggressively charge his partner. The dogs then changed their direction and headed for him. Officer A began to back up as the dogs continued to advance. In fear for his safety, Officer A fired one round from his pistol at the first dog. Neither of the dogs was hit.

The dogs then ran past Officer A. Sergeant A was to the rear of the officers' vehicle as the dogs ran past him. Sergeant A sprayed both dogs with a single three-second burst of oleoresin capsicum (OC) spray. The dogs continued running east up a long driveway out of sight of the officers.

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 revolver 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 Sergeant A along with Officers A and B's tactics to warrant a tactical debrief.

B. Drawing/Exhibiting

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

C. Lethal Use of Force

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

Basis for Findings

A. Tactics

The evaluation of tactics requires that consideration be given to the fact that officers are forced to make split-second decisions under very stressful and dynamic circumstances. Tactics are conceptual and intended to be flexible and incident specific. In this instance, there were no areas for improvement identified.

In conclusion, the BOPC found Sergeant A along with Officers A and B's tactics to warrant a tactical debrief.

B. Drawing/Exhibiting

The BOPC determined that, based on the totality of the circumstances, an officer with similar training and experience would reasonably believe that there was a substantial risk that the situation may escalate to the point where deadly force maybe justified.

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

C. Lethal Use of Force

In this instance, Officer A responded to a radio call about two vicious Pit Bull breed dogs. As the officers began their approach to the location, they heard and then saw two Pit Bull breed dogs barking, growling and charging down the driveway.

Based on the circumstances, an officer with similar training and experience would reasonably believe that the charging dogs represented an imminent threat of serious bodily injury and that the use of deadly force would be justified. The BOPC determined that it was objectively reasonable for Officer A to believe that the dog presented an imminent threat of serious bodily injury.

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