

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

OFFICER-INVOLVED ANIMAL SHOOTING – 093-11

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
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Foothill	10/19/11		
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Officers(s) Involved in Use of Force	Length of Service
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Officer A	2 years, 10 months
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Reason for Police Contact

Officers responded to an “open door” radio call at a residence. Upon entering the residence and approaching the rear yard, the officers were attacked by a Rottweiler dog, resulting in an officer-involved animal shooting.

Animal	Deceased (X)	Wounded ()	Non-Hit ()
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Rottweiler dog.			
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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 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 August 21, 2012.

Incident Summary

Officers A and B responded to an “open door” radio call at a residence. The officers arrived at the location and observed Witness A waiting by the front door. As Officer A approached the front wrought iron gate of the residence, a large Rottweiler appeared in the front yard. The dog barked aggressively and snapped at the approaching officers, who were standing on the opposite side of the gate. Officer B asked Witness A what had occurred and she replied that when she arrived home, she observed the front door of her residence open. Officers C and D also responded to back up Officers A and B.

Officer A directed Witness A to secure the dog so that officers could search the residence for any potential burglary suspects. Witness A complied and secured the dog behind a side gate, on the north side of the residence which separated the front and rear yards. Officer A asked Witness A if the dog could enter the residence from the rear yard while officers searched the residence. Witness A replied that the dog was secured and could not enter the residence.

Officers formulated a tactical plan, drew their firearms, and entered the residence to search for any suspect(s). Officers finished clearing the residence, culminating with the living room to the rear. In the living room, they noted a sliding glass door that was open, which led to the rear yard. The officers discussed and formulated a tactical plan to clear the rear yard.

Prior to exiting to the rear yard, they were concerned about the dog’s presence. Near the doorway, Officers A and B whistled to determine if the dog may have been unsecured in the rear yard. In addition to whistling, Officer B also knocked on the glass door in an attempt to get the dog’s attention. The officers did not hear any response from the dog and opined that the dog was secured.

Officers exited through the sliding glass door, when the dog suddenly appeared from around the corner.

The dog charged at Officers B and C in an aggressive manner causing Officer B to yell, “Dog!” Officers C and D, who were closest to the sliding glass door, turned and re-entered into the living room. Officer B also turned and had not yet re-entered the residence when Officer A observed the dog lunge and attempt to bite Officer B on the back of his leg. In fear for his partner’s safety, Officer A fired three rounds from his pistol at the dog from a distance of approximately 10 feet.

The dog was struck by the gunfire. The dog laid down on the patio floor and died at the scene.

Officers continued clearing the rear yard for any burglary suspects and none were located.

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 Officers A and B's tactics to warrant a tactical debrief.

B. Drawing/Exhibiting

The BOPC found Officers A and B'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

- In their analysis of this incident, the BOPC identified the following tactical considerations:
 - Dog Encounters
- 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, which requires that each incident be looked at objectively and the tactics be evaluated based on the totality of the circumstances.

A Tactical Debrief is the appropriate mechanism for the significantly involved personnel to evaluate the events and actions that took place during this incident. Although there were no tactical considerations that were identified, the involved officers would benefit from the opportunity to review the incident.

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

B. Drawing/Exhibiting

- In this instance, Officers A and B formulated a tactical plan to systematically search the residence for possible burglary suspect(s). The officers drew their pistols prior to conducting a search of the location. Based on the circumstances, it was reasonable for the officers to believe there was a substantial risk that the situation may have escalated to the level of deadly force.

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

C. Lethal Use of Force

- After the officers entered the rear patio area to conduct a systematic search of the area, Officer A was alerted to the dog's presence.

Based on the totality of the circumstances, an officer with similar training and experience would reasonably believe that the advancing hostile dog represented an immediate threat of serious bodily injury and that the use of lethal force would be justified in order to address the threat.

Therefore, the BOPC found that Officer A use of lethal force was objectively reasonable and consistent with Department policy.

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