

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

OFFICER-INVOLVED ANIMAL SHOOTING 103-07

Division	Date	Duty-On(x) Off()	Uniform-Yes(x) No()
77 th Street	11/15/2007		

Involved Officer(s)	Length of Service
Officer A	12 years, 1 months

Reason for Police Contact

Officer encountered a dog while serving a warrant.

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, 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 October 7, 2008.

Incident Summary

On November 15, 2007, uniformed Officers A and B were assigned to assist officers and agents from an outside agency in the service of an arrest warrant at a residence. Officers A and B attended a briefing where both officers were assigned a perimeter position to observe the southeast portion of the location. Both officers were to be positioned on the property near the target residence. The officers were instructed to deploy inside the adjacent property because there were two vicious dogs that were in the yard of the warrant suspect's residence.

Officers A and B arrived at their assigned position and prior to entering the adjacent yard they did not observe any evidence of dogs being present. Officers A and B positioned themselves in a narrow walkway between a rear house and a cinder block wall at the southwest corner of the backyard.

The GED officers serving the warrant used a loud speaker to order the residents of the target location to exit as Officers A and B remained in their position.

Meanwhile, Witness A, a neighboring resident, was unaware that Officers A and B were in her backyard and opened the rear door of her residence to let her three dogs outside to urinate. Officer A observed one of the dogs, which was a Pit Bull running towards him and Officer B as it barked and snarled its teeth. Officer B, who was positioned between the dog and Officer A, observed the rapidly approaching dog and climbed atop a cinder block wall to escape.

Due to the confined space and limited available time, Officer A did not have the opportunity to escape the dog, so he drew his duty pistol as the dog advanced within five to eight feet of him. In fear for his safety, Officer A fired one round at the dog, striking it. The dog immediately stopped the attack and fell to the ground dead.

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 Reserve Officer A's tactics to warrant a tactical debrief.

B. Drawing/Exhibiting/Holstering

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

C. Use of Force

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

Basis for Findings

A. Tactics

The BOPC determined that Officers A would benefit from a Tactical Debrief.

B. Drawing/Exhibiting/Holstering

The BOPC evaluated the circumstances relevant to Officer A's drawing and determined that he had sufficient information to reasonably believe that there was a substantial risk and the situation may escalate to the point where deadly force may become necessary.

The BOPC found Officer A's drawing and exhibiting to be in policy.

C. Use of Force

The BOPC evaluated the circumstances relevant to Officer A's use of force. The BOPC has determined that Officer A had sufficient reason to believe that it was necessary to protect himself from the immediate threat of death or serious bodily injury.

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