

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

OFFICER-INVOLVED ANIMAL SHOOTING 114-06

Division	Date	Duty-On () Off (X) Uniform-Yes() No()
Outside of the City	12/16/2006	

Involved Officers	Length of Service
Sergeant A	24 years, 4 months

Reason for Police Contact

Sergeant A was off-duty at his home in a rural area of the county. Sergeant A discovered that his livestock of three goats and two sheep had been attacked by an animal.

Subject	Deceased (X) Wounded () Non-Hit ()
One Goat	
Two Sheep	

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 Department Command Staff presented the matter to the BOPC 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 April 22, 2008.

Incident Summary

Sergeant A was off-duty at his home in a rural area of the county. Sergeant A discovered that his livestock of three goats and two sheep had been attacked by an animal. Two of the goats were dead, and the remaining animals had been severely mauled.

Sergeant A contacted Animal Care and Control, which responded and conducted its investigation. Sergeant A was advised to destroy the remaining animals due to their serious injuries. Sergeant A contacted the local police agency and advised them that he would have to destroy three animals. Sergeant A then used a personally-owned rifle to fire seven rounds at the three animals, effecting their destruction. The rounds were fired in a downward direction, from an approximate distance of five feet.

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

A. Tactics

Does not apply.

B. Drawing/Exhibiting/Holstering

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

C. Use of Force

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

Basis for Findings

Tactics

Does not apply.

Drawing/Exhibiting/Holstering

The BOPC noted that Sergeant A owned five animals that had been mauled by a vicious animal. Three of the animals sustained serious injuries, causing them critical suffering. An officer from the Animal Care and Control service advised Sergeant A that the animals would need to be destroyed due to their injuries. Sergeant A retrieved a privately owned rifle from his residence in order to destroy the animals.

The BOPC determined that Sergeant A had sufficient information to believe that the incident had escalated to the point where deadly force was necessary and found Sergeant A's drawing in policy, requiring no action.

Use of Force

The BOPC noted that Sergeant A utilized his privately owned rifle and fired a total of seven rounds in a downward direction into the chest area to destroy three personally owned suffering animals. The background consisted of the dirt inside of an animal pen.

The BOPC determined that, based on the critical condition of the animals, it was reasonable for Sergeant A to believe that the situation required the use of lethal force. The BOPC found Sergeant A's use of force in policy.