

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

**OFFICER-INVOLVED ANIMAL SHOOTING – 120-05**

<b>Division</b>	<b>Date</b>	<b>Duty-On (X) Off( )</b>	<b>Uniform-Yes(X) No( )</b>
Foothill	12/29/05		

<b>Officer(s) Involved in Use of Force</b>	<b>Length of Service</b>
Officer A	8 years, 6 months

**Reason for Police Contact**

Officers were conducting a probation search at a residence when they were attacked by a dog, resulting in an officer-involved animal shooting.

<b>Animal(s)</b>	<b>Deceased (X)</b>	<b>Wounded ( )</b>	<b>Non-Hit ( )</b>
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, 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 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 September 26, 2006.

## **Incident Summary**

Officers A and B were part of a probation search coordinated with an outside agency. The search focused on a residential location. Officers broke out into teams with one team covering the outside of the residence and the other team designated as the entry team. Once the officers were inside the residence and it was cleared of any possible subjects, the officers realized the subjects were located in a detached converted garage toward the rear of the property. Before officers could move into position, the subjects fled the garage. One of the officers on scene announced that the subjects were running and that one was armed.

Officer A took one of the subjects into custody inside the residence, secured him with handcuffs and exited the property with the subject. As Officer A exited the residence and moved to the backyard, he observed two subjects running across the yard toward the rear door of the residence and toward Officer B. Officer B issued commands to the subjects that resulted in those two being placed in a prone position on the ground. Officers A and B covered both subjects with their pistols.

As Officer A and B covered the subjects, a large Pit Bull dog came out from an unknown location in the yard and advanced toward Officer B. Officer B avoided the dog and when it continued to advance, he kicked it. Officer B announced the presence of the dog to Officer A. The dog briefly retreated from Officer B, but immediately turned its attention to Officer A, advancing upon him growling and baring its teeth in an aggressive manner. As the dog advanced, Officer A fired five rounds at the dog. Officer A continued to fire until the dog stopped its advance and retreated to the rear of the property. At the same time Officer A was firing at the dog, Officer B holstered his pistol, un-slung a beanbag shotgun he had on his shoulder and fired two beanbag rounds at the dog. Officer A secured his pistol and Officer B secured the beanbag shotgun. The Officers then proceeded to handcuff the prone subjects.

## **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 Officers A and B's actions to be appropriate.

## **B. Drawing/Exhibiting**

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

## **C. Use of Force**

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

## **Basis for Findings**

### **A. Tactics**

The BOPC noted that as Officers A and B were assisting other officers in a probation search, a large Pit Bull dog emerged from the yard, growling and baring its teeth as it ran toward Officer B. Officer B reacted by kicking the dog and communicating the dog's presence to Officer A. The BOPC further noted that the dog briefly retreated from Officer B before aggressively advancing on Officer A. Simultaneous with Officer A firing at the dog, Officer B holstered his pistol, then retrieved his slung beanbag shotgun and fired two sock rounds at the dog. The dog retreated to the rear of the yard and succumbed to its injuries. The BOPC noted that Officers A and B worked as a team to effectively defend themselves from the dog's vicious attack.

In conclusion, the BOPC found Officers A and B's actions to be appropriate.

### **B. Drawing/Exhibiting**

The BOPC noted that Officers A and B assisted officers with a probation search of a residence and had prior knowledge that a specific individual was known to carry firearms. The BOPC further noted that Officers A and B feared an armed confrontation with additional subjects, so they drew their pistols. The BOPC determined that officers A and B had sufficient information to believe the incident might escalate to the point where deadly force may become necessary.

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

### **C. Use of Force**

The BOPC noted that a large Pit Bull dog emerged from the yard, growling and baring its teeth. The dog ran toward Officer B, who kicked the dog. Officer B also communicated the dog's presence to Officer A. The dog retreated, then ran aggressively toward Officer A. The BOPC noted that Officer A, fearing the dog was going to attack him and cause great bodily injury, fired five rounds in rapid succession, which caused the dog's attack to stop.

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