

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

OFFICER-INVOLVED ANIMAL SHOOTING – 122-05

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
77th Street	12/31/05		

Officer(s) Involved in Use of Force	Length of Service
Officer A	7 years, 11 months

Reason for Police Contact
Officers responded to a vicious animal radio call when they were attacked by a dog, resulting in an officer-involved animal shooting.

Animal(s)	Deceased (X)	Wounded ()	Non-Hit ()
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 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 3, 2006.

Incident Summary

Officers A and B responded to a vicious animal radio call. Upon their arrival to the location, the officers observed a woman through a plate glass window waving at them. The officers stopped at that residence and observed a Pit Bull dog in the driveway of the residence. Officer A exited the vehicle and retrieved a fire extinguisher from the trunk. As this occurred, the Pit Bull charged the officers and jumped into the front seat of the police vehicle through the passenger door that was open. Officer B closed the side door to keep the dog from exiting that side.

The dog exited the vehicle on the passenger's side and charged at Officer A, who was still in the area of the trunk of the vehicle. According to Officer A, the dog took an aggressive fighting stance and charged at him with its tail erect and baring its teeth. Officer A attempted to retreat, but drew his pistol and fired three rounds toward the advancing dog. The dog was eventually contained in the front porch of a property.

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 warrant training.

B. Drawing/Exhibiting

The BOPC found Officer A'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 there were two radio calls generated regarding a Pit Bull aggressively chasing individuals. When the officers arrived on the scene, they observed a Pit Bull in the driveway of a residence and parked their police vehicle adjacent to it. The BOPC also noted that the officers' attention was drawn to a female standing in the living room window behaving frantically. The officers subsequently exited their vehicle to search the area for individuals that may have been injured by the dog. The BOPC would have preferred that prior to exiting their vehicle, Officers A or B had attempted to obtain information from the woman through Communications Division. The BOPC also would have preferred that the officers had contained the dog while remaining in their vehicle and waited for the arrival of the Department of Animal Services, unless exigent circumstances became apparent and required their immediate attention. The BOPC determined that the officers would benefit from training related to hostile dog encounters.

In conclusion, the BOPC found Officers A and B's actions to warrant training.

B. Drawing/Exhibiting

The BOPC noted that as Officer A was standing at the open trunk of the police vehicle attempting to remove a fire extinguisher, the dog charged toward him while baring its teeth. The BOPC noted that Officer A, fearing the dog would attack him and viciously lock his jaws on him, drew his pistol. The BOPC determined that Officer A had sufficient information to believe the incident might escalate to the point where deadly force may become necessary.

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

C. Use of Force

The BOPC noted that after the officers exited their vehicle, the dog charged toward the officers and jumped into the police vehicle through the open front passenger door. The BOPC also noted that the dog moved about in the front seat of the vehicle, exited the front passenger door and charged Officer A while baring its teeth. The BOPC considered that Officer A, fearing the dog could cause serious bodily injury, fired three rounds at the dog. The BOPC determined that it was reasonable for Officer A to believe that the dog presented an immediate threat of serious bodily injury or death to him.

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