

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

**OFFICER-INVOLVED ANIMAL SHOOTING – 018-16**

<b>Division</b>	<b>Date</b>	<b>Duty-On (X) Off ( )</b>	<b>Uniform-Yes (X) No ( )</b>
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Newton	3/23/16		
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<b>Officer(s) Involved in Use of Force</b>	<b>Length of Service</b>
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Officer A	6 years
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**Reason for Police Contact**

Officers were approaching a location to conduct a probation check when two dogs charged towards them and Officer-Involved Animal Shooting (OIAS) ensued.

<b>Animal</b>	<b>Deceased ( )</b>	<b>Wounded ( )</b>	<b>Non-Hit (X)</b>
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Pit Bull dog			
Boxer 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 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 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 October 4, 2016.

## **Incident Summary**

Officers responded to the location for a routine probation compliance check. Tactics were previously discussed at a briefing. Officers responded to the location and started to deploy to positions of containment. As the entry team deployed, the officers approached an open wrought iron pedestrian entry gate. Suddenly, two dogs, a Pit Bull and a Boxer, exited the gate. Both dogs were growling aggressively and baring their teeth as they lunged toward the officers. Officer A had an unobstructed view of the dogs as they approached him. Officer A stepped rearward and to his right, toward the fence, as he unholstered his pistol to a two-handed, low ready position.

Fearing that the dogs would cause serious injury to his partner officers or him, Officer A fired one round at the Pit Bull dog in an easterly and downward direction from a distance of approximately 10 feet. Other officers immediately called out, "Dog shooting," to their fellow officers. Both dogs immediately halted their advance, turned, and ran eastbound on the south sidewalk to the front of the location. The round did not strike either dog.

## **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 of a firearm 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.

- During the review of this incident, the following debriefing points was noted:
  - Dog encounters
  - The investigation revealed that an officer had been assigned to carry the fire extinguisher but had left it in the trunk of his police vehicle.

### **A. Tactics**

The BOPC found Officer A's tactics to warrant a Tactical Debrief.

### **B. Drawing and Exhibiting**

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

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

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

### **Basis for Findings**

#### **A. Tactics**

- 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.

Each tactical incident merits a comprehensive debriefing. In this case, there were identified areas where improvement could be made and a Tactical Debrief is the appropriate forum for the involved personnel to review and discuss the incident and individual actions that took place during this incident.

In conclusion, the BOPC found Officer A's tactics to warrant a Tactical Debrief.

#### **B. Drawing and Exhibiting**

- According to Officer A, he observed the dogs charging in the officers' direction and was afraid they would cause serious injury to his partners or himself because of the sharp teeth and large build of the dogs, especially the Pit Bull. Fearing for their safety, he drew his service pistol.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officer A, while faced with a similar set of circumstances, would reasonably believe that there was a substantial risk that the situation may escalate to the point where deadly force may be justified.

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

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

- **Officer A** – (pistol, one round)

According to Officer A, he observed the dogs charging in the officers' direction and was afraid they would cause serious injury to his partners or himself. Fearing for their safety, he fired one round at the larger dog to stop the attack.

Given the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officer A would reasonably believe that the charging dog represented an immediate threat of serious bodily injury to his partner and himself and that the use of lethal force would be justified.

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