

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

OFFICER-INVOLVED SHOOTING – 021-16

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
Mission	4/6/2016		

Officer(s) Involved in Use of Force	Length of Service
Officer A	1 year, 6 months
Officer B	9 years
Officer F	6 months
Officer H	13 years, 6 months
Officer I	6 years, 6 months
Officer J	8 years, 11 months
Officer M	22 years, 7 months
Officer N	21 years, 5 months
Officer O	20 years, 7 months
Officer S	21 years, 5 months
Officer V	17 years, 3 months
Officer W	21 years, 8 months
Officer X	30 years, 6 months
Officer Y	28 years, 8 months
Officer Z	16 years, 10 months
Officer CC	29 years, 8 months

Reason for Police Contact

Officers responded to assist a family with assessing the mental health status of the Subject who was displaying abnormal behavior. For their safety, officers attempted to pat the Subject down for weapons, and a struggle ensued. The Subject subsequently barricaded himself in a bedroom, where he armed himself with a knife and scissors, and began cutting himself. After attempts at negotiating with the Subject failed, officers attempted to take him into custody, resulting in an officer-involved shooting (OIS).

Subject(s)	Deceased (X)	Wounded ()	Non-Hit ()
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Subject: Male, 20 years of age.

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 April 4, 2017.

Incident Summary

A call was received from the Person Reporting (PR), requesting police assistance with a mentally ill family member. The PR advised that the Subject had just recently been released from the hospital, having been diagnosed as suicidal and chemically imbalanced. The PR also stated that the Subject had been acting “weird,” walking around, not making sense, and was possibly under the influence of marijuana. The PR then requested police assistance in taking the Subject back to the hospital.

Communications Division (CD) broadcast the call, and Officers A and B advised CD they would respond. The officers were driving a marked black and white police vehicle.

Officers A and B advised CD of their status and location (Code Six) and parked their police vehicle approximately two properties west of the location. Both officers activated their Body Worn Video (BWV) cameras. The officers exited their police vehicle, walked east and were met by the PR and another family member, Witness A. The PR advised the officers that the Subject was inside the residence; that he was “suicidal and chemically imbalanced,” and refused to go to the hospital. The PR stated that the family needed help transporting the Subject to the hospital where, it was their hope that the hospital would admit him for treatment.

The PR advised the officers that the Subject was physically strong because he often worked out, and that he had been smoking marijuana. The PR also advised the officers that just a few days prior to this incident, the Subject had been released from hospitalization for a mental evaluation hold and examination, after having been involved in an altercation with law enforcement officers from a different agency. Upon the Subject’s release, hospital personnel instructed family members to seek additional medical attention if the Subject began to act erratic again.

The PR also advised the officers that the Subject was inside, seated near the front door, and suggested that the officers enter the residence from the back door. The officers

approached on the east side of the residence, walked south on the driveway, and entered the home through the rear kitchen door. The PR walked in first, followed by the officers.

Officer B immediately began communicating with the Subject, who was seated on the arm rest of the couch in the living room located at the front of the residence. Also in the living room with the Subject was his brother, Witness B, who was standing to the right of the Subject. Officer B told the Subject that he was not in any trouble and that they were there to help him and take him to the hospital. The Subject immediately stood up, moved toward the front door, and used his right hand to begin opening the front door. Witness B pushed the door closed while moving to the right of the Subject to prevent him from leaving.

When the Subject stood up, Officer B observed the Subject to have bright red bloodshot eyes and that he tensed up, making his arms rigid as he held his arms close to his abdomen. Officer B opined that the Subject was either under the influence of a narcotic or lacked sleep due to his mental illness condition.

Officer B continued to verbalize with the Subject and reassured him that the officers were there to help, and they were going to take him to the hospital. Officer B stated, "I just want to make sure you don't have no weapons, alright? Ok, bro, let me just pat you down real quick, alright?" The Subject responded, "No, you're not going to touch me, bro," as he took a step backward, away from Officer B and moved his arms up in a defensive posture. As this occurred, Witness B kept his left hand on the door knob of the front door, while remaining to the right of the Subject.

According to Officer A, the Subject stepped toward Officer B in an aggressive manner, at which time Officer A made a broadcast requesting an additional unit.

Officer B continued to communicate with the Subject, who attempted to reach for the front door knob. The Subject was stopped by Witness B who refused to allow the Subject to open the front door by placing his body in front of it, blocking the Subject. After a few seconds, the Subject began to walk toward the officers, but was held back by Witness B, who grabbed the Subject's right arm, pulled him back, and held him back against the living room wall. The Subject's movements were obtained from Officer B's BWV.

Officer B then broadcast a request for a back-up unit. The Subject broke free from Witness B's grip, placed his right hand on top of Witness B's head, and moved it back and forth as he spoke to him. The Subject then raised both arms above his head and began to walk between Officers A and B. Officer B grabbed the Subject's right arm while Officer A attempted to grab his left arm, momentarily placing both hands on the Subject's left arm; however, there was a coffee table in the living room that obstructed his path. Witness B placed both his arms around the Subject's upper torso from behind and attempted to pull him back. The Subject resisted Officers A and B's attempts to secure his arms by pulling his arms away and keeping them close into his chest area.

The Subject struggled with the officers and with Witness B as they stumbled forward in the direction of the couch, which was against the wall between the front door and the bedroom door. With Witness B's arms still around the Subject's upper torso and Officer B using a firm grip on the Subject's right arm, the Subject used his hands to prevent himself from completely falling onto the couch while moving toward a bedroom door, which was located at the front of the residence, near the couch. Witness B prevented the Subject from going into the bedroom while he maintained his arms around him. As the struggle continued and moved closer to the bedroom door, Officer B lost control of the Subject's right arm. The Subject then used his left fist and struck Witness B in the head. Throughout this encounter, the officers continued to verbalize with the Subject in an effort to get him to comply. Officer B broadcast an officer needs help call.

Use of Non-Lethal and Less-Lethal Use of Force Options (Mission Patrol Officers)

As the Subject moved into the threshold of the bedroom door, Officer B grabbed his left arm, as Witness B's arms were still wrapped around the Subject. Officer A unholstered his TASER from his left side, transitioned it to his right hand and held it in a low-ready position. Officer A directed Witness B to move away from the Subject. Witness B released his hold of the Subject and stepped away from him. With the TASER in his right hand, Officer A stepped toward the Subject and used his left hand to grab the Subject's right forearm. Officer A then warned the Subject that he was going to be tased and it could cause injury. The Subject pulled his right arm away from Officer A, clenched his right fist and pulled his right arm rearward, as if he were about to strike Officer B.

Officer A, believing his partner was about to be struck in the face, pointed the TASER at the Subject's navel area and, from approximately two to three feet away, discharged the TASER for a duration of five seconds. According to Officer A, he was not sure if the TASER prongs made contact with the Subject; however, the Subject brought his arms, appearing rigid, into his abdomen area. According to Officer A, it did not appear that the TASER had any effect on the Subject. Officer A initiated an additional five-second TASER activation which, again, did not appear to have any effect on the Subject.

Officer B observed the darts strike the Subject in his center body mass and heard the TASER functioning; however, according to Officer B, it did not appear to have any effect on the Subject. The Subject remained in the threshold of the bedroom door with Officer B maintaining a hold of his left arm. The Subject momentarily paused then backed into the bedroom, pulling Officer B slightly into the bedroom with him. Officer B struggled to maintain control of the Subject's left arm while trying to pull him out of the bedroom.

The Subject used his right hand and reached toward Officer A's TASER, momentarily grabbing the front portion while attempting to pull it toward himself before his hand slipped off. Witness B then stepped onto the couch, standing behind Officer B and attempted to grab the Subject's left arm. Witness B was unable to grab the Subject's left arm and stepped away.

According to Witness B, it appeared that the TASER did have an effect on the Subject, immobilizing him for five to 10 seconds. The actions of the Subject were obtained from Officer B's BWV. The actions of Witness B were obtained from Officer A's BWV. Additionally, from Officer A's BWV, the TASER may have had an effect on the Subject, as his arms appeared to become rigid as he brought them in close proximity to his abdomen for a very brief period of time, while he continued to resist the officers.

The Subject then stepped backward into the bedroom and pulled his left arm away from Officer B. The Subject took a fighting stance, clenching his fists, and placing the lower portion of his arms in a 90-degree position, as he took a step toward Officer B. The Subject then reached toward his abdomen area and pulled the darts out from his body, throwing them to the floor. Officer B unholstered his TASER with his left hand and transitioned it to his right hand. Officer B disengaged the safety and attempted to discharge his TASER at the Subject, but the darts did not deploy. As Officer B verbalized that his TASER was not working, the Subject slammed the bedroom door closed. Unable to re-open the bedroom door, Officer B stated, "Leave him in there." Officer A disengaged the cartridge from his TASER, dropped it on the floor and reloaded another cartridge in the TASER.

The officers directed the family to exit the residence, and the officers then redeployed near the front door. Officer B maintained visual sight on the bedroom door and holstered his TASER as Officer A stood just outside the front door and maintained a visual on the bedroom window.

Arrival of Additional Mission Patrol Officers

Numerous back-up officers arrived, along with Sergeant A. Officer B directed the additional officers to cover the bedroom, where the Subject had barricaded himself, while he briefed Sergeant A and other arriving units. Sergeant A met with Officers A and B and ensured they were not injured. Officer B advised Sergeant A that a Use of Force (UOF) with a TASER had occurred, that the suspect was unarmed, and that he had barricaded himself inside the bedroom. Officer B also advised Sergeant A about the Subject's background that included the recent altercation with another law enforcement agency as well as his recent mental health hold at a local hospital.

In addition to the officers who responded to assist, Lieutenant A, as well as Sergeants B and C also responded to the scene.

After being briefed by Officers A and B, Sergeant A took command and control of the situation by deploying officers, as they arrived, to various positions, establishing both outer and inner perimeters, designating less-lethal, lethal cover, and an arrest team. Two teams consisting of a beanbag shotgun and TASER, with an arrest team and lethal cover were deployed, one inside the living room and the other outside in the front yard.

Officers C and D also arrived at the scene. Officer C stood in close proximity to the front door of the residence and assumed the role of communicating with the Subject. According to Officer C, he could hear the Subject moving large items around inside the room and believed that he was barricading the door. Officer C communicated the Subject's actions to other officers.

Officers E and F also arrived at the scene and were briefed by Sergeant A, who assigned them to cover the yard to the west of the residence. At some time during this incident, Officer E was given instructions to evacuate the residents from neighboring homes.

Sergeant B determined that he would establish the Command Post (CP) at a nearby intersection. Sergeant B indicated that he would investigate the initial Non-Categorical Uses of Force (NCUOF) and any other NCUOF that may occur from this incident and stayed at the CP so he would not be involved in the incident. Lieutenant A assumed the role of Incident Commander (IC).

Based on the initial information that the Subject was unarmed, Sergeant A developed a tactical plan to breach the bedroom door and take the Subject into custody with an arrest team from inside the residence. Regarding his decision to attempt entry into the bedroom at that time, Sergeant A indicated that the officers were concerned with whether or not the Subject had access to any other means of harming himself, "whether it be medication, whether it be a belt or something to hang himself, we didn't know. We were worried about him posing a threat to himself."

Sergeant A directed Officer C to communicate with the Subject as Officer D began to kick the door. Officer D kicked the door approximately six to seven times, creating a hole in the middle of the door, near the door handle. However, due to the door having a hollow core and being barricaded from the inside by the Subject, Officer D was unable to effectively breach the door, nor were officers able to see inside the bedroom.

At this time, Sergeant C came into the residence and advised Sergeant A that Assistant Chief A was at the CP, and he had suggested that time should be allowed for the Subject to come out on his own. Officers held their containment positions on both the inside and outside of the residence. Lieutenant A also requested that representatives from the Mental Evaluation Unit (MEU) respond.

Sergeant B contacted Metropolitan Division Lieutenant B, the SWAT Officer in Charge (OIC). Sergeant B advised Lieutenant B that Mission Patrol officers were handling an incident that involved a barricaded suspect. During this conversation, Lieutenant B determined that the incident did not meet SWAT call-out criteria since the Subject was not armed and family members had refused to sign a crime report for battery on a person. Lieutenant B advised Sergeant B to keep him posted, and suggested that MEU respond in lieu of SWAT.

Meanwhile, Officer C continued to communicate with the Subject, eliciting little or no response. Officer C repeatedly reassured the Subject that he was not in trouble and that the police were there only to help and take him to the hospital. At times, Officer C would ask the Subject to bang on the wall to show that he was okay. At one point, the Subject knocked twice on the wall. Another plan involved bringing the Subject's family member, Witness A, into proximity of the front door of the residence to communicate with the Subject and try to get him to come out. Witness A begged and pleaded for the Subject to come out so that he could be taken to the hospital; however, there was no response from the Subject. Officers then allowed the Subject's aunt and one of his friends to come forward individually to communicate with him, but there was still no response.

The officers also had a County of Los Angeles Mental Health Clinician with MEU attempt to communicate with the Subject, but he did not respond to the Clinician. After hours of failed verbal communications by various individuals, including police officers, family members, and mental health professionals, to have the Subject come out on his own accord, operational supervisors, Lieutenant A along with Sergeants A and C, developed a tactical plan to make entry into the room. Regarding his decision to enter, Lieutenant A stated, "I made the decision that we were going to go -- go get this guy [...] because he posed an immediate threat to his family[.]"

Development of Tactical Plan /Use of Additional Less-Lethal Resources

The plan that was developed required one team to be posted in the living room to make entry into the bedroom, while a second team would be posted in the front yard, outside the bedroom window. The plan was to utilize breaching tools to break down the bedroom door while, at the same time, causing a distraction by breaking out the bedroom window from the outside. The officers at the bedroom door would then make entry and take the Subject into custody while the outside team would stand by in case the Subject jumped out the window. Each team consisted of an officer assigned to a beanbag shotgun, a TASER, an officer assigned as lethal cover and a two-officer arrest team. Each team would also have an officer assigned to utilize the breaching tools. Sergeant A briefed all personnel regarding the tactical plan and each individual officer's assignments.

The interior team was positioned in the living room, just outside of the bedroom door. The exterior team was positioned in various locations outside of the bedroom window. Sergeant A called for the operation to begin. Officer G, using a large breaching pick, began to break out the bedroom window and remove the curtains. Immediately, Officer D began to strike the bedroom door with a sledgehammer. After striking the bedroom door numerous times, Officer D partially breached the door, creating a large opening in the door that allowed officers to look through. Once the door was breached, Officer D backed away from the door, placed the sledgehammer down, unholstered his service pistol, and assumed a low-ready position.

Officer C kept his service pistol in a low-ready position and moved toward the bedroom door. Officer E, armed with a TASER, was to the immediate left of Officer C, and moved forward alongside him. Officer C used his flashlight to illuminate the interior of the bedroom and observed the Subject armed with a knife in each hand. According to Officer C, the Subject was in a boxing stance while moving around the bedroom. Officer C verbalized, "beanbag, beanbag, beanbag," as Officer E turned toward Officer F and directed him to move forward. At this time, Officer F, who was armed with a beanbag shotgun that was in a low-ready position, moved forward toward the bedroom door. Officer F looked through the opening in the door and observed the Subject on top of a bed with a knife in each hand.

Officer F then disengaged the safety, aimed the beanbag shotgun at the Subject's navel and, from a distance of approximately 12 to 15 feet, fired one SuperSock round. According to Officer C, he observed the SuperSock round strike the Subject in his abdominal area. Officer F lost sight of the Subject, took his finger off the trigger and engaged the safety. Officers then re-deployed away from the bedroom door so that the exterior team officers could engage the Subject and to avoid any cross-fire situations. According to Officer C, the Subject attempted to jump over the barrier and exit through the opening in the bedroom door, while armed with a knife. Officer C ordered the Subject to, "Drop the knife," and aimed his service pistol at the Subject's upper torso/ center body mass. According to Officer C, he made eye contact with the Subject and, at this time, the Subject retreated back into the bedroom as Officer C returned his service pistol to a low-ready position.

According to Officer C, the Subject then positioned himself in the corner of the bedroom, farthest from the bedroom door and window. Officer F's BWV depicts him telling Officer E, "I think I hit him," when referring to firing his beanbag shotgun, although in his interview with FID investigators he stated that he did not know if the SuperSock round struck the Subject.

Simultaneously, as Officer G was raking the window, he observed the Subject, whose eyes were very wide open, in possession of knives clenched in each hand, with the blades protruding upward. According to Officer G, the Subject was running back and forth, from wall to wall, inside of the bedroom. Once the bedroom window and curtain were removed, Officer H, who was armed with the beanbag shotgun in a low-ready position, moved forward and was approximately five feet from the bedroom window. Officer H observed the Subject standing in the bedroom with his arms at chest level, bent at a 90-degree angle, holding a knife in each hand, with the blades pointed downward, swinging his hands in the officers' direction. Officer H immediately communicated, "He's got a knife, he's got a knife, he's got a knife," to other officers. Officer H ordered the Subject to "Drop the knife!" Sergeant C stated, "He's got two knives."

The Subject did not comply and lunged forward as if he was going to jump out of the window. Sergeant C directed Officer H to discharge his beanbag shotgun. Officer H aimed at the Subject's center body mass, disengaged the safety, and from a distance of

approximately 10 to 15 feet, fired a second SuperSock round from his beanbag shotgun. Officer H believed that the SuperSock round struck the Subject in his lower abdomen and observed him react to being hit by the round by moving back slightly and momentarily looking at Officer H. According to Officer H, he was uncertain if the officers in the interior were able to observe the Subject. In fear for the interior officers' safety, Officer H aimed his beanbag shotgun at the Subject's front mid-torso area and discharged a second SuperSock round from a distance of approximately 10 to 15 feet. The second round appeared to strike the Subject in his navel area as he jumped back and onto the bed. As this was occurring, Officer D continued to strike the bedroom door with the sledgehammer.

According to Officer I, after the bedroom window was broken out, he observed the Subject run toward the bedroom door. The distance for Officer H's beanbag discharge was obtained by using his position observed on Officer I's BWV in addition to crime scene measurements.

According to Sergeant C, the Subject was moving toward the bedroom door when he heard a beanbag shotgun being discharged. Sergeant C also stated that while the Subject was standing on a bed inside the room, he observed SuperSock rounds strike the Subject, but they had no effect.

According to Officer H, the bedroom window was not broken until officers were unable to breach the interior door. The statements attributed to Officer H and Sergeant C were obtained from BWV.

Officer H continued to order the Subject to drop the knife, which he failed to do. Officer H aimed his beanbag shotgun at the Subject's upper torso and fired two additional SuperSock rounds (third and fourth rounds total) from his beanbag shotgun, from a distance of approximately 10 to 15 feet, which again appeared not to have any effect.

While continuing to assess the situation, Officer H removed a beanbag cartridge from his shotgun side saddle and placed it into the shotgun magazine. Lieutenant A requested an additional beanbag shotgun to the front of the residence. Upon hearing the request, Officer J ran toward his vehicle to obtain another beanbag shotgun, which he obtained from another officer.

At one point, the Subject approached the bedroom window, causing the officers to step back. Officers continued to order the Subject to drop the knives. Officer H continued to verbalize to the Subject to drop the knives. Officer H aimed his beanbag shotgun at the Subject's mid-torso and discharged a fifth SuperSock round from a distance of approximately 10 to 15 feet, which appeared not to have any effect on him. Sergeant C directed Officer I, who was armed with a TASER, that should the Subject move toward the window again, that he should deploy the TASER. Officer I stood directly to the left of Officer H and from a distance of approximately 15 feet, when the Subject moved toward him, discharged his TASER at the Subject for a five-second duration, aiming at his navel area. According to Officer I, it did not appear that the TASER prongs made

contact with the Subject. As Officer I discharged the TASER, Officer J stated, "Beanbag up," as he stepped forward with the second beanbag shotgun. At this time, Officer I stepped slightly behind Officer H.

Officer J took a position in front of the bedroom window. Officer J observed the Subject, covered in blood and holding knives, pointed upward, in each hand. Officer J stated, "Go ahead and drop the knife," to which the Subject failed to comply. Officer J aimed his beanbag shotgun at the Subject's upper torso, center mass, and discharged one SuperSock round that, according to Officer J, caused the Subject to flinch but not drop the knives.

After a brief assessment, and because the Subject was still armed, Officer J aimed his beanbag shotgun at the Subject's center mass and discharged three additional SuperSock rounds, which did not appear to have any effect on the Subject. Officer J then removed two beanbag cartridges from the side saddle, attached to the beanbag shotgun, and placed them into the shotgun magazine. Officer J placed the beanbag shotgun safety on and held it in a low-ready position.

Simultaneously, Officer H aimed his beanbag shotgun at the Subject and fired his sixth SuperSock round that he believed struck the Subject. Sergeant C continued to verbalize to the Subject to drop the knives and put his hands up. All the less-lethal weapons and options used during the Mission Area tactical plan had, at this point, been ineffective. Mission Area officers were not able to disarm the Subject, nor could they get him to obey commands and surrender.

Eventually, the Subject secreted himself inside the bedroom, away from the window and door. Officer J placed the safety on the beanbag shotgun as he loaded two more rounds into the shotgun magazine and held his position.

According to Officer C, he observed the TASER prongs and beanbag rounds strike the Subject with no effect. The investigation determined that officers had discharged approximately 11 beanbag rounds at the Subject at this time.

According to Officer K, when officers directed the Subject to drop the knives, he used his right-hand index finger and waved it back and forth as to indicate, "no."

Lieutenant A called for a ceasefire of all less-lethal weapons and ensured that all personnel maintained their positions. Additionally, Lieutenant A directed all officers who had discharged their less-lethal munitions to re-load. From the exterior of the front window, Sergeant C attempted to communicate with the Subject, but was unsuccessful.

Barricaded Suspect Scenario Determined

After a period of time, Officer C moved to the exterior to once again communicate with the Subject, hoping that he would respond to a familiar voice. According to Officer C, while attempting to communicate with the Subject, he observed that the Subject was

bleeding and there were TASER darts on the left side of his body. The Subject was still in possession of the knives and, according to Officer C, may have been cutting himself. According to Officer I, the Subject attempted to conceal himself by kneeling behind a bookcase that was in close proximity to the bedroom window. Lieutenant A re-evaluated the situation and determined that they then had an armed and barricaded suspect. According to Officer E, the Subject stated, "You put down your guns, and I'll put down my gun." The investigation determined, however, that the Subject was not armed with a gun.

Sergeant B telephoned (SWAT) Lieutenant B and advised him that after attempting a tactical entry, officers observed that the Subject was armed with two knives, that additional less-lethal options had been used, including beanbag shotguns and TASERS, and none of them had been effective. He also advised Lieutenant B that the Subject was still armed with two knives and had barricaded himself. Lieutenant B advised Sergeant B that the situation now met their criteria, and SWAT would respond.

Mission Area officers maintained their positions and continued their attempts to communicate with the Subject through the open front bedroom window. At times, according to Officer J, the Subject would make motions as if he were cutting himself. Officers established minimal communications with the Subject, who requested a bottle of water. Officers advised the Subject that if he put the knives onto the floor, they would give him a bottle of water. All efforts to convince the Subject to discard the knives were unsuccessful. A few minutes later, Officer C observed the Subject drinking from an alcoholic bottle, that he believed to contain tequila, and requested that he stop drinking from the bottle so they could provide him with a bottle of water.

A notification was emailed by Metropolitan Division to all SWAT members regarding the SWAT call-out.

Meanwhile, Officer H threw a bottle of water into the bedroom through the open window; however, the Subject still did not comply with the officers' request to discard the knives.

According to Officer H, at some point after less-lethal options had been deployed and while officers were attempting to communicate with him, the Subject placed the knife blade, from his right hand, against the middle of his chest, and it appeared that he was sticking himself with it.

Captain A arrived at scene and assumed the role of IC from Lieutenant A.

Arrival of Metropolitan Officers

As Metropolitan Division officers arrived at the scene, they were briefed by Lieutenant B and deployed to the target location. Metropolitan Division officers relieved the Mission Area patrol officers from their positions.

When all patrol officers were replaced, Sergeant A had them meet in the driveway of the residence and directed them to turn off their BWV cameras. Mission Area officers then walked back to the CP and awaited further instructions.

Officer L deployed the armored vehicle (the BearCat) into the front yard of the residence. The front end of the vehicle was pointed in a southwest direction with the left side of the front bumper against the north wall of the residence. Officer L maneuvered the vehicle in front of the bedroom window, in a position where officers could safely look inside the bedroom window from within the armored vehicle. Officer M was positioned in the hatch while Sergeant D was seated in the front passenger seat. Officer N was deployed to the rear of the BearCat (outside) and assigned less-lethal weapons, including the 40MM and TASER, while Officer O was assigned as his lethal cover and armed with a shotgun. Officer M was supplied with a handheld spotlight that he placed on the BearCat vehicle to assist with illuminating the bedroom. Once the BearCat was in place, Officers were deployed to one residence west of the Subject's residence, to cover the west side of the property.

Note: A 40MM less-lethal munition is a shouldered weapon system that contains 40MM sponge rounds, which are point-of-impact, direct fire projectiles. The projectile consists of a plastic body with a sponge nose.

During interviews, some officers referred to this armored vehicle as a BearCat while others referred to it as a MedCat. For purposes of continuity, the armored vehicle will be referred to as a BearCat in this report.

Los Angeles City Fire Department (LAFD) Tactical Emergency Medical Support (TEMS), staffed by Fire Captain A and Firefighter/Paramedics (FF/PM) A and B, were deployed with SWAT at scene. As the TEMS supervisor, Captain A stayed at the CP and was the LAFD liaison for the operation. Firefighter/Paramedics A and B were deployed within the BearCat armored vehicle.

Tactical Emergency Medical Support personnel are LAFD paramedics assigned to SWAT and normally respond to incidents with SWAT personnel in case emergency medical intervention is needed for officers, victims, or suspects.

While assigning containment positions, Officer R directed Officer S, who was armed with a 40MM less-lethal munition, to obtain the TASER Shockwave (an area denial device) and respond to the location. Officer S transported the Shockwave to the location and placed it inside the living room, faced toward the bedroom door. Officer S placed the activation trigger outside the front door of the residence and continued to monitor the incident from this position.

Note: The Shockwave is a free-standing device that contains three rows of six TASER cartridges. The device is managed via cable from a handheld controller and each cartridge row is deployed independently from the other two. Each activation lasts five seconds and additional

activations are possible without deploying a second or third row of cartridges. When additional rows are deployed, the cumulative charge is no more than that of a single cartridge. The Shockwave does not have a downloadable activation summary. Although deployed, the Shockwave was not discharged during this incident.

Once Officer L had placed the BearCat vehicle into position, he observed the Subject to be on his knees, head faced to the west, his feet and back faced toward the interior bedroom door. Officer L observed that the Subject was holding a piece of glass in his right hand. Officer L broadcast, "He might have a shard of glass in one of his hands." During the course of the incident, as the Subject would move a little, Officer L was able to observe lacerations on the Subject's lower abdomen area. According to Officer L, at various times, the Subject would place the piece of glass to his torso and lean onto it as if he were attempting to injure himself.

According to Sergeant D, the Subject held a piece of glass in his right hand, up to his throat for most of the time while in the bedroom. It appeared to Sergeant D that the Subject had been cutting himself, and he observed blood on the Subject's face. However, Sergeant D opined that the Subject was not harming himself enough that SWAT needed to conduct a rescue.

According to Sergeant E, there was no information obtained that the Subject had any type of telephone accessible to him. Therefore, it was determined to place the CNT, comprised of Officers T and U, as well as a Sergeant and a doctor from Behavioral Science Section (BSS), in closer proximity to the residence.

Officer T, who was the primary CNT negotiator, stood near the front door of the residence and began to speak with the Subject while the doctor stood in close proximity to Officer T, but maintained cover behind the BearCat vehicle. After numerous unsuccessful attempts to elicit a response from the Subject and, in an attempt to make some noise to get the Subject's attention, Officer T threw a bottle of water into the bedroom; however, the Subject did not respond. During the time of negotiations, according to Officer T, the only responses he received from the Subject were, "Just go away." "I want you all to be safe. Just go away." "I'll be okay." "I want you to be okay." "Don't come in." Officer T attempted to build further rapport with the Subject, but was unsuccessful. According to Officer L, he observed the Subject slowly shake his head left to right as if to indicate that he would not comply.

According to Officer T, the Subject's family informed him that the Subject was probably starting to suffer from schizophrenia.

Officer T used the family in his negotiating tactics by having a family member record a message pleading with the Subject to come out peacefully; however, the Subject did not respond. Officer T played that message two times over the Magnetic Acoustic Device (MAD) system, a focused sound instrument for crowd control and which functions as a public address system. The Subject did not respond to the recording.

Shortly thereafter, the doctor entered the BearCat vehicle and made his way toward the front to look through the vehicle window and visually assess the Subject. The doctor observed the Subject in a crouched position, and he appeared to use his right arm to make stabbing motions toward his stomach. According to Officer U, the doctor opined that the Subject was under the influence of an unknown substance and did not look well.

Development of a Tactical Plan

With negotiations faltering, Sergeant E decided the officers were going to be pulling out and going downrange, back to the CP. Lieutenant B then met with the doctor and Captain A regarding the breakdown of negotiations, at which time they concurred that they were at an impasse. It was determined that the incident would then move from attempting a negotiated resolution to a tactical resolution. Several different types of tactical options were discussed. Captain A agreed to the option of introducing gas in the house.

Officer R and Sergeant E briefed personnel deployed on the perimeter regarding the tactical plan and deployment of gas. Sergeant E used the MAD system to advise the Subject that gas was going to be introduced and warned him of the negative effects it may have on him. Due to the nighttime conditions, personnel utilized artificial lighting from the armored vehicle and handheld, high intensity lights to illuminate the interior of the residence.

All SWAT and TEMS personnel on the perimeter and inside the BearCat armored vehicle donned gas masks. Officer V utilized a fireman's pole, through the opening in the bedroom door, to push over a bookshelf that was in close proximity to the Subject and move debris from the bedroom door. Since the Subject did not react, Officer W deployed tear gas, utilizing a delivery system, into the bedroom through the large hole that had been previously made in the bedroom door.

The deployment of the gas caused smoke to billow into the air as the Subject began to cough and moved from kneeling on the floor to kneeling over the bed. According to Officer L, as gas continued to fill the bedroom, the Subject stood up while now maintaining possession of a pair of scissors in his right hand. Officer L and Sergeant D lost their visual of the Subject for a few seconds.

Officer L then observed the Subject move closer to the bedroom window still armed with the scissors. Officer L broadcast, "He's [...] coming toward the window, he actually has, looks like scissors in his left hand." The Subject then stepped onto the window frame while holding the middle portion of the frame with his left hand and holding the scissors in his right hand, pressing the pointed end against his chest. As the Subject remained standing in the window frame, he began to look left and right which, according to Officer L, appeared as if he was looking for an avenue of escape.

Officer M, who was in a fixed position within the hatch of the BearCat vehicle, ordered the Subject to get on the ground and drop the weapon, but he failed to comply. Officer M aimed his beanbag shotgun at the Subject's upper torso, chest area, and from a distance of approximately five to six feet, fired one SuperSock round that appeared to strike him in his torso; however, it did not appear to have any effect.

The Subject then jumped from the window frame into the front yard area. According to Officer M, the Subject looked left and right, possibly looking for an escape route. Officer M told the Subject to get on the ground, and he again failed to comply. Officer M aimed his beanbag shotgun at the Subject's center body mass, and fired a second SuperSock round from a distance of approximately five to six feet, that appeared to strike the Subject's torso, but again, it had no effect.

Simultaneously, Officer N observed the pair of scissors in the Subject's right hand as he exited the window and immediately ordered the Subject to "Drop the knife!" According to Officer N, the Subject looked in his direction and began moving toward him. From a position of cover behind the BearCat vehicle, Officer N aimed at the Subject's center body mass and, from a distance of approximately 15 to 20 feet, fired one sponge round from his 40MM less-lethal weapon, which caused the Subject's body to "cringe;" however, he maintained possession of the scissors.

Officer N once again aimed at the Subject's center body mass and fired a second sponge round, from a distance of approximately 15 to 20 feet, striking the Subject in his stomach area, causing the Subject to drop the scissors. The Subject then looked left and right, according to Officer N, looking for an avenue of escape. The Subject then looked down, picked the scissors up and began to turn toward the west side of the residence. Officer N continued to verbalize with the Subject, who still did not comply. Officer N then attempted to fire a third sponge round; however, his weapon system malfunctioned and did not discharge the third round.

At the same time, according to Officer M, the Subject turned back toward the bedroom window, once again possibly looking for an avenue of escape. Officer M repeated his commands to get down on the ground, and once again, the Subject failed to comply. Therefore, Officer M aimed his beanbag shotgun at the Subject's upper back area and, from a distance of approximately five to six feet, fired a third SuperSock round that appeared to strike the Subject with no apparent effect. The Subject then turned to his right, exposing his left side to Officer M as he continued to verbalize to the Subject to get on the ground. Officer M aimed his beanbag shotgun at the Subject's side torso and, from a distance of approximately five to six feet, fired a fourth SuperSock round at him, which did not appear to have any effect.

The Subject turned and faced in Officer M's direction. At that juncture, it appeared to Officer M that the Subject was going to comply as he slightly leaned down, but then he immediately got back up and looked left and right. Officer M continued to give commands for the Subject to get on the ground and drop the weapon. Due to the Subject not complying, Officer M aimed his beanbag shotgun at the Subject's upper

torso, chest area, and from a distance of approximately five to six feet, fired a fifth SuperSock round that appeared to strike his chest but did not have any effect.

According to Sergeant E, the Subject jumped back onto the window as if he were going to re-enter the bedroom, but then jumped back into the front yard.

According to Officer L, the Subject dropped the scissors and, due to the close proximity of the front of the BearCat to the residence, climbed over the front portion of the BearCat vehicle and went toward the west side of the residence where Officer L could no longer see him. According to Officer O, within five seconds, the Subject returned to the front of the window, picked up the scissors and ran back toward the west side of the residence. Unable to broadcast on his police radio because he was holding his shotgun with both hands, Officer O yelled to other officers, "Hey, he just grabbed the knife." Sergeant D broadcast, "[Officer P,] he's coming at you. [Officer P,] coming at you." Followed by Officer L's broadcast, "Ok, he's on the 4 side and he has scissors in his hand."

Simultaneously, according to Officer N, as the Subject turned to run toward the west side of the residence, he slung his 40MM weapon system and transitioned to his TASER. Officer N aimed his TASER at the Subject's back area and discharged TASER prongs, from a distance of approximately 15 to 20 feet, that Officer N believed struck the Subject and lasted for a thirteen-second duration, but did not appear to have any effect. Officer N could hear the TASER activate and once again activated the TASER using the previously discharged cartridge, which lasted for a seven-second duration. The TASER did not appear to have any effect on the Subject, who continued toward the west side of the building. Officer N proceeded to remove the expended TASER cartridge from his TASER and placed the TASER into his "dump pouch."

Note: The pre-programmed five-second cycle can be overridden by continuing to depress the trigger and can be activated for up to 30 seconds. Also, later, when more than one TASER is being used on the suspect, the voltage charge to the suspect does not increase with the use of multiple TASERs.

Move to Backyard of the Residence/Use of Force via SWAT officers

According to Officer R, he went to the back of the residence and verbally advised Officers X and Y that the Subject was on the west side of the residence moving toward the back of the residence. Having seen the Subject run toward the west side of the residence and believing he would then run toward the back of the residence, Officers S and Z re-deployed, using the east side of the residence, to the back of the residence to assist Officers X and Y. According to Officer Z, he re-deployed to the back of the residence in order for officers to have an additional less-lethal option with his TASER.

Officers X and Y, who had been deployed to the back of the residence, were standing on the west side of the residence, near the southwest corner. Officer X, armed with a

beanbag shotgun, was standing approximately one step in front, and to the left, of Officer Y, who was armed with his rifle, with the attached tactical light, as lethal cover. Officer Y held his rifle in a low-ready position and used the tactical light attached to his rifle to illuminate the Subject. Officer X observed the Subject running toward him on the west side of the residence. Officer X yelled, "Stop, stop. Put your hands up," but the Subject did not comply. Officer X aimed his beanbag shotgun at the Subject's upper torso, chest, and upper stomach area, and fired one to two SuperSock rounds from a distance of approximately 21 feet, striking him in his upper torso and momentarily causing him to back up. The Subject reached to his right and placed his hands on the chain link fence that separated the property lines.

Officer X yelled, "Stop. Get your hands up," and the Subject failed to comply. Officer X aimed his beanbag shotgun at the left side of the Subject's upper torso, rib cage area, and discharged two additional SuperSock rounds, from a distance of 21 feet, that appeared to strike the Subject. The Subject removed his hands from the chain link fence and took a couple of steps forward in the direction of Officer X. Officer X verbalized, "Get down, get down;" the Subject failed to obey and continued forward. Officer X, therefore, took a couple of steps backward, aimed his beanbag shotgun at the Subject's upper torso and, from a distance of approximately 21 feet, discharged two SuperSock rounds. The rounds appeared to strike the Subject as he walked to approximately midway of the residence's west wall and sat down, adjacent to the air conditioning unit, which was immediately to the Subject's left side.

According to Officer Y, while the Subject was seated, he held up his right hand, and Officer Y could see the scissors. According to Officer X, the Subject appeared to pick up a red blanket that was on the ground and placed it around himself, possibly in an attempt to protect himself from additional less-lethal rounds. Officer Y broadcast, "he's lying down on the ground, but he's got the scissors in his hand."

Officer Y broadcast directions to Officer L regarding his positioning vis-a-vis the Subject. After the Subject sat for a short period of time, he stood up, the red blanket fell off him, and he began to move toward the front of residence.

As this occurred, Officer S turned to walk away from the southwest corner of the residence to prevent a crossfire situation. According to Officer S, the lighting conditions were poor, and he had difficulty maneuvering about the debris in the patio area, which included weight lifting equipment, furniture and a bicycle. Having heard that the Subject was on the west side of the residence and that officers on the north side of the residence were going to attempt to contact the Subject, Officer Z then began to re-deploy to the front of the residence. According to Officer Z, he knew that officers in the front of the residence had used a TASER and did not know if they had another one available. Officer Z wanted to make himself available in case another TASER was necessary.

Meanwhile, Officers N, O, V, W, AA, and BB were at the northwest corner of the residence. Officer N fixed the malfunction in his 40MM munition device, which he then

deployed. As the officers turned the corner, they faced south along the west side of the residence. According to Officer N, who was standing just to the right of Officer AA, the Subject was standing, faced in the officers' direction, still armed with the scissors, which he held up to his chest. Officer N stated, "Drop the scissors. Drop the scissors," to which the Subject did not comply. Officer N aimed his 40MM munition at the Subject's middle upper torso, chest, and upper stomach area, and from a distance of approximately eight to 12 feet fired a third sponge round that appeared to strike him, causing the Subject's body to "cringe." Officer N once again aimed his 40MM munition at the Subject's middle upper torso, chest, and upper stomach area, and from a distance of approximately eight to 12 feet, fired a fourth sponge round, which appeared to strike the Subject and again caused his body to "cringe." After the second volley, Officer N's 40MM munition once again malfunctioned. According to Officer N, the officers stopped their forward advancement approximately midway on the west wall of the residence.

Officers X and Y had moved away from the southwest corner of the residence, to prevent a crossfire situation, anticipating that officers from the front of the residence were going to engage the Subject. According to Officer Y, Officer X stood at an approximate 45-degree angle from the corner of the residence, while he stood against the back-residence wall to prevent the Subject from having clear access to the backyard. As the Subject ran from the west side of the residence toward the back of the residence, Officer X observed the Subject, approximately 15 feet away, holding a white metal object in his right hand. Officer X stated, "Stop. Put your hands up." However, the Subject did not comply. According to Officer X, he then stated to Officer Y, "He's up, he's up. He's coming." Officer X aimed his beanbag shotgun at the Subject's upper torso, chest upper stomach area, and from a distance of approximately eight feet, fired one SuperSock round at the Subject that did not appear to affect him.

The Subject had just passed the southwest corner of the residence and was now in the back of the residence where Officer Y was then able to see him and observed that the Subject was armed with the scissors, with the tip facing upward. According to Officer Y, the Subject turned back around, towards Officer Y, "making a slashing movement. And he's doing all this very furiously, [...] very angrily, very fast, in a rapid motion turning his body around counterclockwise - - clockwise in the event someone's behind him, slashing, and then starts to move - - [...] towards the direction of Officer X."

Officer X attempted to fire another SuperSock round but his beanbag shotgun was out of ammunition. According to Officer X, the Subject was wildly swinging his right arm while holding the scissors in his right hand and was approximately three feet away from him. In an attempt to distance himself from the Subject, Officer X stepped backward while pivoting his body, left and right, as the Subject moved forward lunging at him with the scissors. According to Officer Y, he had moved closer to Officer X and was now standing approximately one foot behind and to the right of him. According to Officer Y, the Subject moved toward Officer X and was approximately one foot from Officer X and approximately two feet from Officer Y.

Officer X disengaged his beanbag shotgun, dropping it to the ground, and was in the process of unholstering his service pistol. Simultaneously, Officer Y heard the click of Officer X's beanbag shotgun going empty, observed him discard it to the ground and begin to transition to his service pistol. Officer Y stepped to his right, into an "L configuration," which afforded him a direction of fire that avoided any crossfire situations with other officers who may have been on the west side of the residence, and placed his rifle in an underarm assault position (or close contact position). Officer X stated that, at this time, he felt something come across his arm.

According to Officer Y, "the individual is in a, it seems like a tight lower position, almost in a fighting position." the Subject's right hand was above his head and was coming down in a slashing motion toward the left side of Officer X. According to Officer Y, once the Subject completed the slashing motion, the natural progression caused his upper torso to lean forward and into a downward position. Officer Y estimated that he was approximately three feet from the Subject and opined that he would not have been able to initiate a "sighted press." A "sighted press" is when an officer utilizes the sights on his firearm, to align their target, prior to discharging their weapon. Fearing that the Subject would inflict serious injury to Officer X, Officer Y leaned his body forward, with his rifle still under his arm, which caused the barrel to come down, aimed at the Subject's center torso, and fired one shot.

The Subject fell to the ground and onto his back. Officer Y observed a serious injury in the Subject's neck/jaw line area. Officer S turned toward Officer Y and X and observed the Subject on the ground but did not know that he had suffered a gunshot wound. Officer S gave commands for the Subject to stay down on the ground and observed that the Subject was still armed with the scissors in his right hand. The Subject attempted to stand up and appeared to be on one knee with his back toward Officer S.

Simultaneously, Officer Z arrived at the back of the residence from the driveway and heard commands from officers telling the Subject to get down and to stop resisting. Officer Z observed that the Subject passed the rear containment and was down on one knee.

In an effort to place the Subject in a prone position, Officer S used one front kick, using his left foot, to the center of the Subject's back that caused him to fall back down to the ground. According to Officer S, he did not want the Subject standing, which would have given him the ability to gain leverage, turn toward the officers and assume a fighting stance with the scissors that were still in his hand. Officer S continued to tell the Subject to get on the ground, and the Subject failed to comply. According to Officer S, the Subject attempted to stand again. Officer S proceeded to utilize a second front kick, with his left foot against the center of the Subject's back, which caused him to fall back down to the ground. In an effort to keep the Subject in a prone position, Officer S used his left foot on the middle of the Subject's back and applied a third front kick. Regarding his use of the front kicks, Officer S stated, "I was only giving the kicks until his actions stopped and once he was down, [and] he was no longer standing[,] I no longer applied any force to the suspect." According to Officer S, the Subject rolled onto his back of his

own volition and continued to fight while on the ground as additional officers arrived to control and take him into custody.

Simultaneously, Officer Z deployed his TASER from his support side holster and closed the distance to approximately seven feet as he approached the Subject. Officer Z issued commands to the Subject to get down and to show his hands, but the Subject did not comply. Officer Z discharged his TASER at the Subject and observed at least one dart contact his abdomen area. The Subject fell on his back onto the ground as the TASER completed the five-second cycle. The Subject continued fighting, and Officer Z observed the scissors still intertwined within the fingers of his right hand. According to Officer Z, while the TASER cycled, the Subject was incapacitated, but when the five-second cycle was completed, he continued to resist officers. Officer Z initiated a second five-second cycle that appeared to be effective only while the current was active. Officer Z initiated a third cycle that lasted 18 seconds. The Subject continued to resist officers, and Officer Z initiated a fourth cycle that lasted five seconds. With the Subject still resisting, moving his arms, and kicking his legs, Officer Z initiated a fifth cycle, which also lasted five seconds.

As officers were attempting to control the Subject, Officer Y broadcast that the Subject was down.

Although the Subject appeared to react to each TASER activation, once the cycle ended, the Subject would become combative and would not comply with the officers' commands. Officer Z initiated a sixth activation that lasted five seconds, and then Officer Z initiated a seventh cartridge activation that lasted five seconds.

Simultaneously, officers on the west side of the residence began to move forward, toward the back of the residence. Once the officers passed the southwest corner of the residence, they observed the Subject lying on the ground, bleeding profusely.

Officer V approached with his TASER deployed in a low-ready position and observed the Subject on the ground, swinging his right hand back and forth, still holding the scissors, while attempting to get up. Officer V aimed his TASER at the Subject's right flank area, and from a distance of approximately four to five feet, discharged his TASER. According to Officer V, both probes contacted the right side of the Subject's upper torso. Officer V observed the Subject's body tense up as the TASER remained activated for the five-second cycle. After the initial five-second cycle terminated, the Subject once again became combative, swinging his right arm from side to side. Officer V initiated a second five-second cycle, which caused the Subject's body to "lock up."

However, once the five-second cycle terminated, the Subject again became combative, swinging his right arm side to side and attempting to get up. Concurrently with Officer V using his TASER, Officer Z initiated an eighth cycle, which lasted approximately five seconds. Officer V initiated a third five-second cycle. Once the five-second cycle had terminated, the Subject once again became combative with officers. Officer Z initiated a ninth activation that lasted for a five-second cycle. With the Subject still not complying,

Officer Z initiated a tenth TASER activation, which lasted 15 seconds. Officer Z initiated an eleventh TASER cartridge activation that lasted for 19 seconds. Officer Z initiated a twelfth TASER cartridge activation that lasted 12 seconds.

Simultaneously, Officer W came from the west side of the residence to the back of the residence and observed the Subject on the ground, bleeding profusely. Officer W also observed that the Subject was still armed with the scissors in his right hand and that he was making wild slashing motions. Officer W called for the pinning pole, which was handed to him by an unknown officer. Officer W placed the pinning pole against the Subject's chest and, in an effort to control him, used the ground as a controlling agent. Officer V then removed the cartridge from the TASER and dropped it.

At this same time, Officer CC stepped forward and grabbed the scissors that were in the Subject's right hand, to disarm him; however, the Subject had one finger through the loop of the scissors, and Officer CC was unable to disarm him. At this time, Officer V pressed the contacts from the TASER unit against the Subject's right triceps and initiated a drive-stun that completed a six-second cycle. At the termination of the six-second cycle, Officer V removed the TASER from the Subject's arm; however, he became combative again. Officer V pressed the contacts from the TASER unit against the Subject's triceps and initiated another five-second cycle. At the termination of the second drive-stun, Officer V removed the TASER from the Subject's arm. Officer O then grabbed the Subject's right forearm as Officer CC again reached for the scissors. Officer CC was then able to pull the scissors from the Subject's right hand and dropped them, to his left, onto the ground.

Concurrently, TEMS FF/PMs A and B were called to the northwest corner of the residence and waited for the all clear indication. Within approximately 45 seconds of hearing the gunshot, FF/PMs A and B were called to the back of the residence. As they turned the corner from the west side of the residence to the back of the residence, they observed the Subject lying on his back with a large quantity of blood around him, and with several officers actively attempting to control him. Firefighter/Paramedic B noticed a significant gunshot injury to the left side of the Subject's jaw.

Firefighter/Paramedic A made his way to the left of the Subject and noticed two sets of TASER darts attached to the Subject's upper torso, as well as bruising and welts throughout his body consistent with less-lethal rounds. Firefighter/Paramedic A injected the Subject, in his left upper arm, with a fast-acting sedative, but the Subject continued fighting. Firefighter/Paramedic A then used combat gauze and placed it inside the gunshot wound; however, the gauze kept falling out, because the Subject continued to fight with officers. According to FF/PM A, even after administering the sedative to the Subject, it appeared that the Subject was consciously fighting officers.

At one point, the Subject lunged at FF/PM B, but an unknown officer pulled FF/PM B out of the way and moved in to control the Subject. Officer CC then straightened the Subject's right arm and performed a twist lock on his right hand, at which time the Subject began to kick and move his body. In order to control the Subject's legs, Officer

CC used his feet, and his body weight, to step on the Subject's ankle area. Officer N struggled to control the Subject's left arm, but was eventually able to place a cord cuff on the Subject's left wrist. According to Officer O, a second cord cuff was placed on the Subject's right wrist, and officers were able to control his arms utilizing the cord cuffs. Officer Z used his hands and his body weight to control the Subject's legs as officers were then able to turn him over onto his stomach. Officer O grabbed the cord cuff that was on the Subject's right arm and together with Officer N, they completed the cuffing process behind the Subject's back.

The Subject was then carried over to an awaiting gurney that was brought to the back of the residence by LAFD Captain A. The Subject was left in a prone position throughout the transportation process. According to FF/PM A, due to the Subject's combative demeanor, they left him on his stomach because they were able to better control him. Also, by being placed facedown, the combat gauze that was packed into the gunshot wound in the Subject's neck remained inside and it allowed the blood to drain, creating a natural airway that would allow him to breathe more easily. According to Officer W, once the Subject was placed on the gurney he began to wildly kick his legs. Officer W obtained a Hobble Restraint Device (HRD) from an unknown Mission Area officer, placed the HRD around the Subject's ankles, and attached the HRD cord to the gurney.

As FF/PM A and B transferred the Subject to other LAFD personnel, they briefed them regarding the Subject's injuries and the medical intervention that had already been provided. At the same time, Officers E and D were called to the front of the residence and observed TEMS and other personnel bringing the Subject down the driveway to the RA on a gurney. Officers D and E were directed to ride in the RA with the Subject. Officers were told by an unknown officer that the Subject had sustained a gunshot to his chin and was still fighting. Officer E observed the Subject face down on the gurney, handcuffed behind his back and the HRD applied. Officer E observed that the Subject was wearing only underwear and that he also had multiple bruises and observed large amounts of blood. At one point during the transport to the hospital, Officer E noted that the Subject stopped moving and appeared to be losing consciousness.

When the RA arrived at the hospital, they were met by medical personnel who immediately began medical intervention. At the request of medical personnel, Officer C removed the HRD from the Subject. The Subject failed to respond to medical treatment and was pronounced dead at the hospital.

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, made the following findings:

A. Tactics

The BOPC found Captain A's, Lieutenant A's, Sergeants A, C, and E's; and Officers A, B, C, E, F, H, I, J, M, N, O, R, S, V, W, X, Y, Z, and CC's tactics to warrant a Tactical Debrief.

B. Drawing/Exhibiting

The BOPC found Officers A, C, H, J, N, O, R, S, V, W, Y, Z, and CC's drawing and exhibiting of a firearm to be in policy.

C. Non-Lethal Use of Force

The BOPC found Officers B, O, S, W, Z, and CC's non-lethal use of force to be in policy.

D. Less-Lethal Use of Force

The BOPC found Officers A, F, H, I, J, M, N, V, X, and Z's less-lethal use of force to be in policy.

E. Lethal Use of Force

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

Basis for Findings

A. Tactics

- In its analysis of this incident, the BOPC identified the following tactical considerations:

1. Additional Unit and Back-Up Unit Request

Officers A and B did not request an additional unit prior to entering the residence and did not request back-up when the Subject initially became aggressive.

In this case, prior to entering the residence, the officers received information from the PRs that the Subject was suicidal, as well as chemically imbalanced, and had recently been released from a mental evaluation hold. The PRs also advised the officers that the Subject had been involved in a use of force with officers during a previous incident. After entering the residence, the Subject became non-

compliant, and the officers requested an additional unit and then upgraded the request to a back-up unit.

Although officers are given discretion regarding the appropriate time to broadcast, a request for an additional unit or back-up would have been tactically advantageous prior to entering the residence.

Based on the totality of the circumstances, the BOPC determined in this instance, the officers' actions were not a substantial deviation from approved Department tactical training.

2. Hobble Restraint Device (HRD)

Officers W and Z placed the HRD on the Subject's legs and left him in the prone position.

In this case, LAFD medical personnel wanted the Subject to remain in the prone position to keep his airway clear and prevent him from suffocating on his own blood.

Based on the totality of the circumstances, the BOPC determined that the officers' actions were a substantial deviation, with justification, from approved Department tactical training.

- The BOPC also considered the following:
 1. **TASER Spark Check** – The investigation revealed that Officers A and B did not conduct a Spark Check of their TASERs at their start of watch. The officers are reminded to conduct a Spark Check at the beginning of every watch to ensure their TASERs are functioning as designed prior to deploying in the field.
 2. **Effective Encounters with Mentally Ill Persons / Agitated Delirium** – The investigation revealed that Officers A and B had responded to a radio call in which the Subject was being reported as possibly suffering from mental illness. Additionally, throughout the incident, the Subject displayed behavior consistent with a person in a state of Agitated Delirium.
 3. **Ballistic Helmet** – The investigation revealed that Mission Area personnel were not wearing their ballistic helmets as they held containment positions in and around the residence. All involved personnel are reminded to don their ballistic helmets while involved in a tactical situation involving an armed suspect, whenever feasible.
 4. **Chamber Check** – The investigation revealed that during the incident, beanbag shotguns were passed from one officer to another officer during transitions. As a result, the investigation was unable to confirm if the officers checked the status of

the weapons system as they were handed off. The officers are reminded of the importance of ensuring the condition of a weapon system they acquire prior to deploying it.

5. **Simultaneous Commands (Non-Conflicting)** – The investigation revealed that personnel at the scene were giving simultaneous commands to the suspect. Although the commands were non-conflicting, the officers are reminded that simultaneous commands can sometimes lead to confusion and non-compliance.
6. **Beanbag Shotgun / 40mm Target Areas** – The investigation revealed that Officers H, J, M, N, and X did not aim at the primary target area when discharging the Beanbag Shotgun and 40mm Less-Lethal Launcher. The officers are reminded the primary target area for the Beanbag Shotgun and 40mm Less-Lethal Launcher is the navel or belt line, and officers may target the suspect's arms, hands or legs when practicable.
7. **Preservation of Evidence** – The investigation revealed that the Subject's scissors were inadvertently transported to the hospital with the Subject and later placed in his personal property by medical staff at the hospital. The officers are reminded that a suspect's weapon should be secured at the scene and not disturbed until FID investigators arrive.

These topics will be discussed during the Tactical Debrief.

- 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 also 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 the officer's individual actions that took place during this incident.

Therefore, the BOPC found that Captain A, along with Lieutenant A and Sergeants A, C, and E; and Officers A, B, C, E, F, H, I, J, M, N, O, R, S, V, W, X, Y, Z, and CC's tactics warranted a Tactical Debrief and that the specific identified topics are discussed.

B. Drawing and Exhibiting

- According to Officer A, after the officers attempted to breach the Subject's bedroom door, he heard an officer state that the Subject was armed with knives and drew his service pistol. As the tactical situation progressed, he was reassigned as a lethal cover officer, holstered his TASER, and drew his service pistol.

According to Officer H, he observed that the Subject was still armed with the knives. Believing the situation could escalate to one involving the use of deadly force, he drew his service pistol.

Officers C and J were assigned as lethal cover officers inside the residence and drew their service pistols.

After the Subject was determined to be barricaded inside his bedroom, SWAT personnel responded and relieved Mission personnel. As SWAT Officers N, O, R, S, V, W, X, Y, Z, and CC assumed their positions around the perimeter of the residence, they exhibited their respective weapon systems.

Based on the totality of the circumstances, the BOPC determined an officer with similar training and experience as Officers A, C, H, J, N, O, R, S, V, W, X, Y, Z, and CC, while faced with similar circumstances, would reasonably believe there was a substantial risk that the situation may escalate to the point where deadly force may be justified.

Therefore, the BOPC found Officers A, C, H, J, N, O, R, S, V, W, X, Y, Z, and CC's drawing and exhibiting of a firearm to be in policy.

C. Non-Lethal Use of Force

- **Officer B** – (Firm grips)

According to Officer B, as the officers were talking to the Subject, he began walking toward them in an aggressive manner. He grabbed the Subject's right arm and a physical struggle ensued. As the Subject attempted to back into a bedroom, he used his hands and grabbed the Subject's left arm in an attempt to detain him.

- **Officer O** – (Firm Grip)

Following the OIS, Officer O assisted other SWAT officers with taking the Subject into custody. He used a firm grip to control the Subject's right arm so the scissors could be removed from his hand and he could be handcuffed.

- **Officer S** – (Kicks)

Following the OIS, Officer S approached the Subject, along with additional SWAT officers, to take him into custody. The Subject was on the ground, but was attempting to stand up when Officer S approached. Officer S utilized three front kicks to the Subject's back to keep him on the ground.

- **Officer W** – (Pinning Pole)

Following the OIS, Officer W assisted other SWAT officers with taking the Subject into custody by utilizing a pinning pole to restrict the Subject's movement and make it easier for officers to control his arms upon handcuffing him.

- **Officer Z** – (Firm grip and body weight)

Following the OIS, Officer Z utilized firm grips and body weight to control the Subject's legs and to assist additional SWAT officers with taking the Subject into custody. The Subject continued to resist as he was being loaded into the RA. Officer Z used a firm grip to hold onto the Subject's leg and apply a HRD.

- **Officer CC** – (Twist lock and body weight)

Following the OIS, Officer Z utilized a twist lock and body weight to control the Subject's right arm and legs to assist additional SWAT officers with taking the Subject into custody.

Based upon the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officers B, O, S, W, Z, and CC, while faced with similar circumstances, would believe this same application of non-lethal force would be reasonable to overcome the Subject's resistance, prevent his escape, and effect an arrest.

Therefore, the BOPC found Officers B, O, S, W, Z, and CC's non-lethal use of force to be objectively reasonable and in policy.

D. Less-Lethal Use of Force

- **Officer A** – (TASER, two activations in probe mode -- two five-second activations)

First Activation

According to Officer A, the Subject continued to resist and then appeared ready to strike his partner with a right fist punch. In an attempt to stop his resistance, Officer A discharged his TASER in probe mode at the Subject, contacting him in the torso.

Second Activation

The first TASER activation appeared to have no effect, and then the Subject grabbed the wires of the TASER darts and attempted to pull them out from his body. Officer A then activated his TASER a second time to stop the Subject's actions.

- **Officer F** – (Beanbag Shotgun, one sock round)

According to Officer F, after the door was breached, he heard an officer state that the Subject was armed with a knife, and then heard a request for a beanbag

shotgun. He moved to the door and observed the Subject armed with two knives. He then discharged one sock round at the Subject to stop the threat.

- **Officer H** – (Beanbag Shotgun, six sock rounds)

According to Officer H, he observed the Subject inside his bedroom holding two knives and ordered him to put the knife down. He then observed the Subject lunge forward and discharged one sock round at the Subject to stop the threat. The Subject moved toward the bedroom door still armed with the knives and he discharged another sock round at the Subject. According to Officer H, the Subject was swinging his arms with the knives and lunged towards the window. He then discharged four additional sock rounds at the Subject to stop his actions.

- **Officer I** – (TASER, one five second activation in probe mode)

Officer I was assigned as a less-lethal officer equipped with a TASER outside the residence. After the window was breached, he observed the Subject holding two knives and was directed by Sergeant C to utilize the TASER if he had a clear view. The Subject appeared in the window with the two knives, and Officer I discharged the TASER at him.

- **Officer J** – (Beanbag Shotgun, four sock rounds)

According to Officer J, he observed the Subject holding the knives and then discharged one sock round at the Subject. He assessed the situation, and it appeared that the sock round did not have an effect on the Subject. He then discharged three additional sock rounds at the Subject that also did not appear to faze him at all.

- **Officer N** – (40mm less-lethal launcher, four 40mm sponge rounds)

40mm – First Sequence

According to Officer N, he observed the Subject exit the window with scissors in his right hand. The Subject took a step towards him and Officer O, and Officer N discharged a 40mm sponge round at the Subject. The round struck the Subject, but he did not drop the scissors. He then discharged a second 40mm sponge round at the Subject. The Subject cringed after being struck, but still did not drop the scissors. He attempted to discharge a third 40mm sponge round, but his weapon malfunctioned and failed to fire.

40mm – Second Sequence

According to Officer N, he fixed the malfunction on his 40mm less-lethal launcher and followed the Subject along with additional SWAT officers. He observed the Subject holding the scissors in his right hand and ordered him to drop the scissors,

but the Subject did not comply. He fired two more 40mm sponge rounds at the Subject to stop his actions.

- **Officer N** – (TASER, two activations in probe mode -- one 13-second activation and one seven-second activation)

TASER Activations

According to Officer N, after his 40mm weapon malfunctioned, he transitioned to his TASER, and discharged it twice at the Subject in probe mode.

- **Officer M** – (Beanbag Shotgun, five sock rounds)

According to Officer M, he observed the Subject climb out of the window while holding scissors in his right hand and ordered him to get on the ground. The Subject ignored Officer M's commands and did not comply. Officer M discharged one sock round at the Subject that appeared to have no effect. He discharged a second sock round that also appeared to have no effect. He provided additional verbal commands to the Subject, but he did not comply. Officer M then fired three additional sock rounds at the Subject.

- **Officer X** – (Beanbag Shotgun, seven sock rounds)

According to Officer X, he observed the Subject coming down the west side of the residence with scissors in his right hand and ordered him to stop. The Subject did not comply and continued moving toward him. He discharged one sock round at the Subject. The Subject began moving toward him again, so Officer X discharged two additional sock rounds at the Subject's upper torso. The Subject turned and ran to the rear of the residence and then came back in his direction. He fired additional sock rounds at the Subject and started backing out of his position because the Subject was closing the distance. He ordered the Subject to stop, but the Subject continued running towards him with his arms swinging wildly. He discharged another sock round at the Subject.

- **Officer V** – (TASER, three activations in probe mode -- three five-second activations in probe mode and two five-second and one six-second activation in drive stun mode)

First, Second, and Third TASER Activations

Officer V was assigned as a less-lethal cover officer equipped with a TASER. As SWAT officers were attempting to take the Subject into custody after the OIS, he observed that the Subject was still waving the scissors and being combative. Officer V discharged his TASER in probe mode to stop the Subject's actions.

Fourth, Fifth, and Sixth Activations

As the officers were attempting to remove the scissors from the Subject's right hand and take him into custody, Officer V discharged his TASER in drive stun mode as well.

- **Officer Z** – (TASER, 12 activations in probe mode -- eight five-second activations, one 18-second activation, one 15-second activation, one 19-second activation, and one 12-second activation)

First Activation

According to Officer Z, he observed the Subject taking a knee and gave the Subject commands, but he did not comply. He observed small scissors in the Subject's hand and discharged his TASER at him, with at least one probe striking him in the abdomen.

Second through Twelfth Activations

Officer Z believed the TASER was effective because the Subject stopped resisting during the TASER's cycle; however, as soon as the cycle ended, he continued to fight. He continued to activate his TASER several times to stop the Subject's actions, but each time the cycle would end, the Subject would continue fighting and swinging his hands.

Based upon the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officers A, F, H, I, J, M, N, V, X, and Z, while faced with similar circumstances, would believe the application of less-lethal force options to stop the Subject's actions were objectively reasonable.

Therefore, the BOPC found Officers A, F, H, I, J, M, N, V, X, and Z's less-lethal use of force to be objectively reasonable and in policy.

E. Lethal Use of Force

- **Officer Y** – (pistol, one round)

According to Officer Y, he observed the Subject approach Officer X with the sharp end of the scissors exposed, attempting to slash Officer X. Officer X discharged a sock round at the Subject, but the Subject still continued to move toward Officer X. He heard Officer X's beanbag shotgun one more time, but did not hear a pop, and believed that Officer X was out of sock rounds. The Subject continued to approach Officer X with the scissors.

Fearing that the Subject was trying to inflict great bodily harm on Officer X, he held his patrol rifle at the close contact position, aimed at the Subject's center mass, and fired one round at the Subject to stop his actions.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officer Y would reasonably believe the Subject's actions presented an imminent threat of death or serious bodily injury and therefore, the lethal use of force would be objectively reasonable.

Therefore, the BOPC found Officer Y's lethal use of force to be objectively reasonable and in policy.