

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

OFFICER-INVOLVED SHOOTING – F060-23

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
Central	10/14/23		

Officer(s) Involved in Use of Force	Length of Service
Officer C	8 years, 4 months
Officer F	2 years, 2 months
Officer D	7 months

Reason for Police Contact

Officers were en route to an unrelated radio call when they were flagged down by a community member in a vehicle. That person advised that there was a man in the street armed with a knife. The officers located the Subject and ordered him to drop the knife; however, he refused. Additional officers arrived, and they discharged 40mm less-lethal projectiles at the Subject as he walked toward community members. The Subject then led the officers in a foot pursuit. When the Subject charged at an officer with the knife, an Officer-Involved Shooting (OIS) occurred.

Subject	Deceased ()	Wounded (X)	Non-Hit ()
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Male, 47 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 (CUOF) 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 (FID) 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 (UOFRB) recommendations, including any Minority Opinions; the report and recommendations of the Chief of Police (Chief); and the report and recommendations of the Office of the Inspector General. The Department Command staff presented the matter to the BOPC and made itself available for any inquiries by the BOPC.

The following incident was adjudicated by the BOPC on October 1, 2024.

Incident Summary

Officers A and B were stopped at an intersection when they were approached by a community member in a truck. The driver directed their attention to an intersection nearby and advised them there was a man in the street armed with a knife.

Prior to the officers' arrival, security video from the area, captured a male suspect, later identified as the Subject, walking in and out of traffic lanes, checking the doors of parked vehicles, and harassing pedestrians. When the Subject grabbed an arm of a community member, a brief standoff occurred before the Subject again walked into traffic lanes. The Subject then walked in front of the community member in the truck who was stopped facing west at the intersection. As the Subject continued south in the traffic lanes, the community member in the truck turned north and flagged down Officers A and B.

As the community member driving the truck alerted the officers, the Subject approached a black sedan stopped at the northbound red light. The Subject then touched the hood of the sedan and appeared to communicate with the driver. The Subject then walked farther south to a white minivan, in the northbound number-one lane, and attempted to open the driver's door as the driver pulled forward. When the Subject turned south away from the vehicle, security footage captured him holding a knife in his right hand. Officers A and B drove south, through the intersection, and illuminated the Subject with their spotlights as they drove toward him.

According to Officer A, he/she first observed the Subject, standing in the middle of the street, near a white vehicle. Officer A did not observe the knife and believed that the Subject may have been panhandling. Officer A drove slowly south toward the Subject, and activated the "air horn," (siren) of their police vehicle in an effort to clear him from the roadway. The Subject then walked to the east sidewalk toward community members standing near a bus stop. As Officer A conducted a U-Turn, the officers observed the Subject reach for one of the community members and noted that he was armed with a knife. Officer A stopped in the northbound number-two lane, with their vehicle pointed northeast toward the Subject, who was approximately 15 feet away from them. The officers exited their vehicle and stood behind their respective doors. Officer B broadcast that they had a suspect with a knife.

Officer B unholstered his/her pistol and ordered the Subject to drop the knife. The Subject looked toward the officers, before walking away north. Officer B then broadcast a description of the Subject and his direction of travel. Officer B holstered his/her pistol and the officers drove north. Officer B observed Officers C and D's police vehicle driving south and broadcast, "*Unit responding southbound [...], suspect is on the east side of the sidewalk, armed with a knife.*"

According to Officers C and D, while en route to the backup call, they discussed whether the 40mm launcher may be necessary as a less-lethal option. As they drove to the scene, Officer D removed the 40mm launcher from the rack in their vehicle and held it pointed down toward the passenger floorboard between his/her feet. According to Officer C, as he/she drove south, he/she heard Officer B broadcast that the Subject was on the east sidewalk. Officer C's view of the sidewalk was partially obstructed by a truck parked facing north along the east curb; however, he/she could see the Subject was holding a 10

to 12-inch knife in his right hand, down at his side.

Officer C maneuvered their police vehicle into the northbound number one lane and parked it facing southeast toward the sidewalk, approximately fifty feet north of the Subject. Officer C indicated that he/she positioned his/her vehicle to provide them cover as the Subject walked north. As the officers exited their vehicle, Officer C directed Officer D to load the 40mm launcher. Simultaneously, Officer C unholstered his/her duty pistol, and ordered the Subject to drop the knife.

Officer D loaded the 40mm launcher and briefly moved forward to the front passenger side bumper of their police vehicle. Officer C directed Officer D to, "*Get behind cover,*" at which point Officer D moved behind the front passenger quarter panel. From behind his/her driver's side door, Officer C ordered the Subject to drop the knife. The Subject looked in Officer C's direction; however, he continued walking north. Officer C described the Subject as appearing agitated and rigid, and, as the Subject passed approximately twenty feet in front of their vehicle, Officer C warned a nearby community member to get out of the way. As the Subject continued north, Officer C issued a TASER warning, telling the Subject, "*If you get any closer, you're gonna get tased.*" According to Officer C, he/she did not access or discharge his/her TASER because he/she assessed the Subject to be beyond its effective range.

The following is an account of Officers C, D, E, F, and Sergeant A's actions. Although described in chronological order, many of their actions occurred simultaneously.

Moments later, Sergeant A arrived, followed shortly after by Officers E (driver) and F. Sergeant A stopped his/her vehicle in the northbound number two lane, parallel with the Subject. As the Subject continued north on the sidewalk, Sergeant A paced him with his/her vehicle. Officers C and D moved from their vehicle to the driver's side of Sergeant A's vehicle, utilizing it as cover.

Officers E and F drove north past Sergeant A's vehicle. While doing so, Officer F removed the 40mm launcher from the rack, activated the sighting system, loaded it, and directed the muzzle at the passenger floorboard between his/her feet.

In an effort to contain the Subject, Officer E stopped their vehicle approximately eighty feet north of him, facing east toward the sidewalk. An Air Unit arrived over the call, as Officers E and F positioned their vehicle. The officers exited, and Officer E unholstered his/her duty pistol as Officer F deployed the 40mm launcher.

As the Subject walked north, Sergeant A remained in his/her vehicle, and continued to pace him, to allow Officers C and D to use his/her vehicle as cover. Sergeant A directed Officer D, who was positioned along the front driver's side of his/her vehicle, to discharge the 40mm launcher. Officer C then announced, "*40, 40, 40!*" to alert the other officers that the 40mm launcher was about to be discharged.

According to Officer D, he/she heard Sergeant A's direction; however, he/she individually assessed the need to discharge the 40mm launcher due to the Subject continuing to move north toward other officers, while armed with the knife. Believing that the Subject

posed an immediate threat to the officers, Officer D aimed at the Subject's left leg, and discharged one 40mm round. The investigation determined that Officer D discharged the 40mm round from an approximate distance of 47 feet, striking the Subject in the lower back. When struck, the Subject flinched and reached for his lower back with his left hand, before running north on the sidewalk.

According to Officer F, he/she observed that the Subject was still armed with the knife and running toward pedestrians. Fearing for their safety, Officer F indicated there was no time to give a warning, and he/she discharged one 40mm round at the Subject's navel area. The investigation determined that Officer F discharged the 40mm round from an approximate distance of 28 feet. Officer F observed the 40mm round fall away from the Subject's body, and believed he/she struck him near his navel.

The Subject continued running north with the knife. Officers C, D, E, and F followed approximately 50 feet behind, in the street, while ordering the Subject to drop the knife. Sergeant A followed the officers in his/her vehicle.

The Subject then ran east on the south sidewalk. The Air Unit broadcast, "*Officers are going to be in a foot pursuit, east sidewalk.*" As Officer C and the other officers approached the corner, Officer C directed them to stop. Officer C unholstered his/her pistol and cleared the corner in an effort to ascertain whether the Subject was lying in wait to assault officers.

From the southeast curb, Officer C observed the Subject approximately 40 feet away, on the south sidewalk. The Subject briefly turned and faced them before raising his right hand with a knife and running east on the sidewalk.

Officers D, E, and F followed approximately 65 feet behind the Subject as he continued running east on the south sidewalk. As they did so, Officer E ordered the Subject to, "*Drop the knife.*" Officer E advised the other officers that he/she would handle communication and broadcast their location.

Sergeant A turned east and passed the officers as he/she continued pacing the Subject. Officer C holstered his/her pistol, caught up to Sergeant A's vehicle, and ran along the rear driver's side, utilizing it as cover.

As the Subject continued east toward, and past, community members, the officers on the sidewalk, including Officer F, ordered the Subject to drop the knife. Additionally, Officers D, E and F warned the community members to, "*Get out of the way!*"

As Sergeant A continued east, he/she unholstered his/her TASER and placed it on the passenger's seat. When he/she observed the Subject approaching a group of people at the next intersection, Sergeant A accelerated his/her vehicle. According to Sergeant A, the Subject posed a risk to nearby community members at the intersection. He/she decided to drive ahead of the Subject, to triangulate on him, in an effort to prevent the Subject from reaching the community members. As the Subject continued running on the sidewalk, Officer C continued running in the street.

According to Officer D, the Subject continued running in the direction of additional

community members while still armed with the knife and believed the Subject was a danger to their safety. Officer D aimed at the Subject's left leg and discharged one round from the 40mm launcher. The investigation determined that Officer D discharged his/her second 40mm round from an approximate distance of 22 feet. Upon being struck by Officer D's 40mm round, the Subject flinched, turned north, and ran into the street between two parked vehicles.

Officer C, who had continued running on the street, briefly lost view of the Subject due to vehicles parked along the south curb. Simultaneously to Officer D firing his/her second 40mm round, Officer C observed the Subject emerging from between the parked vehicles. Officer C's momentum carried him/her farther east and he/she was now positioned northeast of the Subject. As the Subject cleared the vehicles, he began running directly at Officer C. According to Officer C, he/she observed the Subject raise the knife and believed he intended to strike or stab him/her. Officer C pivoted to face the Subject, while back-pedaling and unholstering his/her duty pistol.

As the Subject ran directly at Officer C, he held the knife in his right fist and his arm bent at a 90-degree angle. According to Officer C, he/she did not have time to give any commands, and believing he/she would be stabbed or killed, he/she aimed at the Subject's center torso and fired one round. The investigation determined that Officer C fired this round from an approximate distance of seventeen feet. Officer C believed the round was ineffective, and he/she continued to back up as the Subject continued to run at him/her with the knife.

Officer C then fired a second round and began moving laterally to his/her left in an effort avoid the Subject's path of attack. Officer C believed his/her second round was also ineffective as the Subject continued toward him/her, closing the distance with the knife. Officer C then fired a third and final round. The investigation determined that Officer C fired the third round from an approximate distance of ten feet. Simultaneously, the Subject dropped the knife and collapsed to the ground. Officer C indicated he/she continually assessed.

A timeframe analysis determined all three of Officer C's rounds were fired in 0.701 seconds. The investigation determined that one of Officer C's rounds struck the Subject in the chest and was retained within his body. The other two rounds impacted two unoccupied vehicles parked behind the Subject.

As the Subject collapsed, Officer C completed his/her lateral move to his/her left. At that point, Officers D, E and F, as well as Sergeant A joined him/her. Sergeant A immediately requested a Rescue Ambulance (RA) for the Subject, and additional units to block traffic.

Simultaneously, the officers formed an arrest team and took the Subject into custody. The officers immediately placed the Subject in a recovery position and began assessing his injuries. Sergeant A and Officer C directed the officers to start Cardiopulmonary Resuscitation (CPR); however, the Subject was conscious and breathing and the officers advised it was not necessary. Additionally, Officer C directed officers to verify no community members were injured as a result of the OIS. The officers continued rendering aid to the Subject by applying direct pressure to his chest wound until the arrival of LAFD approximately 10 minutes later.

The RA arrived at the scene and treated the Subject for a gunshot wound to the left side of his torso. The Subject was then transported to the hospital where he was treated for a gunshot wound to the left chest.

BWV and Digital In-Car Video (DICV) Policy Compliance

NAME	TIMELY BWV ACTIVATION	FULL 2-MINUTE BUFFER	BWV RECORDING OF ENTIRE INCIDENT	TIMELY DICV ACTIVATION	DICV RECORDING OF ENTIRE INCIDENT
Officer C	Yes	Yes	Yes	Yes	Yes
Officer D	Yes	Yes	Yes	Yes	Yes
Officer E	Yes	Yes	Yes	Yes	Yes
Officer F	Yes	Yes	Yes	Yes	Yes
Sergeant A	No	Yes	Yes	Yes	Yes

Los Angeles Board of Police Commissioners’ (BOPC) Findings

The BOPC reviews each categorical use of force (CUOF) 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). Based on the BOPC’s review of the instant case, the BOPC made the following findings:

A. Tactics

The BOPC found Officers C, D, E, F, and Sergeant A’s tactics to warrant a finding of Tactical Debrief.

B. Drawing and Exhibiting

The BOPC found Officers C and E’s drawing and exhibiting of a firearm to be In Policy.

C. Intermediate Use of Force

The BOPC found Officers D and F’s intermediate use of force to be In Policy.

D. Lethal Use of Force

The BOPC found Officer C’s lethal use of force to be In Policy.

Basis for Findings

In making its decision in this matter, the Commission is mindful that every “use of force by members of law enforcement is a matter of critical concern both to the public and the law enforcement community. It is recognized that some individuals will not comply with the law or submit to control unless compelled to do so by the use of force; therefore, law

enforcement officers are sometimes called upon to use force in the performance of their duties. The Los Angeles Police Department also recognizes that members of law enforcement derive their authority from the public and therefore must be ever mindful that they are not only the guardians, but also the servants of the public.

The Department's guiding principle when using force shall be reverence for human life. Officers shall attempt to control an incident by using time, distance, communications, and available resources in an effort to de-escalate the situation, whenever it is safe, feasible, and reasonable to do so. As stated below, when warranted, Department personnel may use objectively reasonable force to carry out their duties. Officers may use deadly force only when they reasonably believe, based on the totality of circumstances, that such force is necessary in defense of human life. Officers who use unreasonable force degrade the confidence of the community we serve, expose the Department and fellow officers to physical hazards, violate the law and rights of individuals upon whom unreasonable force or unnecessary deadly force is used, and subject the Department and themselves to potential civil and criminal liability. Conversely, officers who fail to use force when warranted may endanger themselves, the community and fellow officers." (Special Order No. 23, 2020, Policy on the Use of Force - Revised.)

The Commission is cognizant of the legal framework that exists in evaluating use of force cases, including the United States Supreme Court decision in *Graham v. Connor*, 490 U.S. 386 (1989), stating that:

"The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain and rapidly evolving – about the amount of force that is necessary in a particular situation."

The Commission is further mindful that it must evaluate the actions in this case in accordance with existing Department policies. Relevant to our review are Department policies that relate to the use of force:

Use of De-Escalation Techniques: It is the policy of this Department that, whenever practicable, officers shall use techniques and tools consistent with Department de-escalation training to reduce the intensity of any encounter with a Subject and enable an officer to have additional options to mitigate the need to use a higher level of force while maintaining control of the situation.

Verbal Warnings: Where feasible, a peace officer shall, prior to the use of any force, make reasonable efforts to identify themselves as a peace officer and to warn that force may be used, unless the officer has objectively reasonable grounds to believe that the person is already aware of those facts.

Proportionality: Officers may only use a level of force that they reasonably believe is proportional to the seriousness of the Subjected offense or the reasonably perceived

level of actual or threatened resistance.

Fair and Unbiased Policing: Officers shall carry out their duties, including use of force, in a manner that is fair and unbiased. Discriminatory conduct in the basis of race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, housing status, or disability while performing any law enforcement activity is prohibited.

Use of Force – Non-Deadly: It is the policy of the Department that personnel may use only that force which is “objectively reasonable” to:

- Defend themselves;
- Defend others;
- Effect an arrest or detention;
- Prevent escape; or,
- Overcome resistance.

Factors Used to Determine Objective Reasonableness: Pursuant to the opinion issued by the United States Supreme Court in *Graham v. Connor*, the Department examines the reasonableness of any particular force used: a) from the perspective of a reasonable Los Angeles Police Officer with similar training and experience, in the same situation; and b) based on the facts and circumstances of each particular case. Those factors may include, but are not limited to:

- The feasibility of using de-escalation tactics, crisis intervention or other alternatives to force;
- The seriousness of the crime or suspected offense;
- The level of threat or resistance presented by the suspect;
- Whether the subject was posing an immediate threat to the officers or a danger to the community;
- The potential for injury to citizens, officers or suspects;
- The risk or apparent attempt by the suspect to escape;
- The conduct of the suspect being confronted (as reasonably perceived by the officer at the time);
- The amount of time and any changing circumstances during which the officer had to determine the type and amount of force that appeared to be reasonable;
- The availability of other resources;
- The training and experience of the officer;
- The proximity or access of weapons to the suspect;
- Officer versus suspect factors such as age, size, relative strength, skill level, injury/exhaustion and number of officers versus suspects;
- The environmental factors and/or other exigent circumstances; and,
- Whether a person is a member of a vulnerable population.

Drawing or Exhibiting Firearms: Unnecessarily or prematurely drawing or exhibiting a firearm limits an officer’s alternatives in controlling a situation, creates unnecessary anxiety on the part of citizens, and may result in an unwarranted or accidental discharge

of the firearm. Officers shall not draw or exhibit a firearm unless the circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm. When an officer has determined that the use of deadly force is not necessary, the officer shall, as soon as practicable, secure or holster the firearm. Any drawing and exhibiting of a firearm shall conform with this policy on the use of firearms. Moreover, any intentional pointing of a firearm at a person by an officer shall be reported. Such reporting will be published in the Department's year-end use of force report.

Use of Force – Deadly: It is the policy of the Department that officers shall use deadly force upon another person only when the officer reasonably believes, based on the totality of circumstances, that such force is necessary for either of the following reasons:

- To defend against an imminent threat of death or serious bodily injury to the officer or another person; or,
- To apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible. Before discharging a firearm, officers shall consider their surroundings and potential risks to bystanders to the extent feasible under the circumstances.

Note: Because the application of deadly force is limited to the above scenarios, an officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or another person.

The Department's Evaluation of Deadly Force: The Department will analyze an officer's use of deadly force by evaluating the totality of the circumstances of each case consistent with the California Penal Code Section 835(a), as well as the factors articulated in *Graham v. Connor*.

Rendering Aid: After any use of force, officers shall immediately request a rescue ambulance for any person injured. In addition, officers shall promptly provide basic and emergency medical assistance to all members of the community, including victims, witnesses, subjects, Subjects, persons in custody, subjects of a use of force and fellow officers:

- To the extent of the officer's training and experience in first aid/CPR/AED; and
- To the level of equipment available to the officer at the time assistance is needed.

Warning Shots: It is the policy of this Department that warning shots shall only be used

in exceptional circumstances where it might reasonably be expected to avoid the need to use deadly force. Generally, warning shots shall be directed in a manner that minimizes the risk of injury to innocent persons, ricochet dangers and property damage.

Shooting at or From Moving Vehicles: It is the policy of this Department that firearms shall not be fired at a moving vehicle unless a person in the vehicle is immediately threatening the officer or another person with deadly force by means other than the vehicle. The moving vehicle itself shall not presumptively constitute a threat that justifies an officer's use of deadly force. An officer threatened by an oncoming vehicle shall move out of its path instead of discharging a firearm at it or any of its occupants. Firearms shall not be fired from a moving vehicle, except in exigent circumstances and consistent with this policy regarding the use of Deadly Force.

Note: It is understood that the policy regarding firing a firearm at or from a moving vehicle may not cover every situation that may arise. In all situations, officers are expected to act with intelligence and exercise sound judgement, attending to the spirit of this policy. Any deviations from the provisions of this policy shall be examined rigorously on a case by case basis. The involved officer must be able to clearly articulate the reasons for the use of deadly force. Factors that may be considered include whether the officer's life or the lives of others were in immediate peril and there was no reasonable or apparent means of escape.

Requirement to Report Potential Excessive Force: An officer who is present and observes another officer using force that the present and observing officer believes to be beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances based upon the totality of information actually known to the officer, shall report such force to a superior officer.

Requirement to Intercede When Excessive Force is Observed: An officer shall intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed by a subject.

Definitions

Deadly Force: Deadly force is defined as any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to, the discharge of a firearm.

Feasible: Feasible means reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

Imminent: Pursuant to California Penal Code 835a(e)(2), "[A] threat of death or serious bodily injury is "imminent" when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily

injury to a peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.”

Necessary: In addition to California Penal Code 835(a), the Department shall evaluate whether deadly force was necessary by looking at: a) the totality of the circumstances from the perspective of a reasonable Los Angeles Police Officer with similar training and experience; b) the factors used to evaluate whether force is objectively reasonable; c) an evaluation of whether the officer exhausted the available and feasible alternatives to deadly force; and d) whether a warning was feasible and/or given.

Objectively Reasonable: The legal standard used to determine the lawfulness of a use of force is based on the Fourth Amendment to the United States Constitution. See *Graham v. Connor*, 490 U.S. 386 (1989). *Graham* states, in part, “The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments - in circumstances that are tense, uncertain and rapidly evolving - about the amount of force that is necessary in a particular situation. The test of reasonableness is not capable of precise definition or mechanical application.”

The force must be reasonable under the circumstances known to or reasonably believed by the officer at the time the force was used. Therefore, the Department examines all uses of force from an objective standard rather than a subjective standard.

Serious Bodily Injury: Pursuant to California Penal Code Section 243(f)(4) Serious Bodily Injury includes but is not limited to:

- Loss of consciousness;
- Concussion;
- Bone Fracture;
- Protracted loss or impairment of function of any bodily member or organ;
- A wound requiring extensive suturing; and,
- Serious disfigurement.

Totality of the Circumstances: All facts known to or reasonably perceived by the officer at the time, including the conduct of the officer and the subject leading up to the use of force.

Vulnerable Population: Vulnerable populations include, but are not limited to, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities.

Warning Shots: The intentional discharge of a firearm off target not intended to hit a person, to warn others that deadly force is imminent.

A. Tactics

Tactical De-Escalation

Tactical de-escalation involves the use of techniques to reduce the intensity of an encounter with a suspect and enable an officer to have additional options to gain voluntary compliance or mitigate the need to use a higher level of force while maintaining control of the situation.

Tactical de-escalation does not require that an officer compromise his or her safety or increase the risk of physical harm to the public. De-escalation techniques should only be used when it is safe and prudent to do so.

Tactical De-Escalation Techniques

- *Planning*
- *Assessment*
- *Time*
- *Redeployment and/or Containment*
- *Other Resources*
- *Lines of Communication*
(Use of Force - Tactics Directive No. 16, October 2016, Tactical De-Escalation Techniques)

Planning – At the time of the incident, Officer C was Officer D’s Field Training Officer (FTO) and had been partners for approximately six weeks. During those times, they had discussed tactics, specifically contact and cover roles, as well as application of different force options. While responding to the backup request, Officers C and D discussed the deployment of the 40mm LLL as an intermediate force option. Upon arrival to the location, Officer D prepared the 40mm LLL.

Officers E and F had worked together on approximately three prior occasions and had prior discussions on contact and cover, tactical plans in certain situations and communications. As officers responded to the backup request of a man with a knife, they listened to the radio frequency for updated information and Officer F prepared the 40mm LLL, in anticipation of having an intermediate force option available.

Assessment – Responding units assessed the backup request broadcast which involved a man with knife. In exiting their police vehicles, Officers C, D, E and F observed the Subject was armed with the knife. Officers assessed the Subject’s actions and noticed the Subject was not in the right state of mind and did not respond to commands. Based on his/her training and experience, Officer C believed the Subject was under the influence of narcotics.

When officers at scene observed the Subject approaching a large crowd of pedestrians while armed with the knife, they assessed and determined the Subject posed an immediate threat of serious bodily injury or death to the public and the need for the Subject to be apprehended.

Officers D and F assessed after each round fired from their respective 40mm LLL to determine its effectiveness at stopping the Subject's deadly actions. During the OIS, Officer C assessed the Subject had fallen to the ground and stopped firing once the Subject's actions ceased being a deadly threat to him/her.

Time, Redeployment and/or Containment – Upon Officers A and B's initial contact with the Subject, officers utilized the benefit of time by waiting for additional resources to arrive, maintaining distance from the Subject and giving him commands to drop the knife.

In their efforts to triangulate and contain the Subject, Officers E and F drove their police vehicle ahead of the Subject prior to deploying from it. While pursuing the Subject on foot, Officer C momentarily redeployed and used Sergeant A's police vehicle for cover. As the Subject ran toward Officer C, Officer C redeployed backward by backpedaling in attempt to create and maintain distance away from the Subject.

Other Resources – The Watch Commander upgraded the radio call to a backup request prompting the response of additional resources. The Air Unit responded to the scene and broadcast the foot pursuit. Sergeant A requested LAFD respond and for additional units to assist with crowd control and street closures within the involved area.

Lines of Communication – Multiple officers at scene communicated with the Subject by giving him commands to drop the knife. Prior to Officer D deploying the first 40mm LLL projectile, Officer C alerted officers the 40mm LLL was about to be discharged.

As the officers approached the corner in pursuit of the Subject, Officer C directed them to stop as he/she cleared the corner in an effort to ascertain whether the Subject was lying in wait to assault officers.

During the review of the incident, the following Debriefing Points were noted:

Debriefing Point No. 1: Code Six

As Officers C, D, E and F responded to the backup request for a man armed with a knife, they did not go Code Six upon their arrival. According to the officers, they did not broadcast their Code Six location in order to maintain the radio frequency clear, as prominent information was being broadcast and the incident was unfolding rapidly.

The UOFRB (Use of Force Review Board) assessed Officers C, D, E, and F's adherence to the Department's Code Six policy. In their assessment, the UOFRB noted at the time Officers C and D approached the area in their vehicle, they observed the Subject coming toward their direction holding a knife which prompted their rapid deployment out from their police vehicle. Additionally, per Officer F, other officers were already at scene and they were not alone. Furthermore, Officer F reported due to the close proximity of the location and the street layout of the area, Officers C, E and themselves ended up in trail as they responded in their police vehicles. The UOFRB also noted at the time Officers C, D, E and F were arriving, radio traffic was

occupied as Officer B was broadcasting pertinent information regarding the Subject's actions and direction of travel.

The UOFRB noted the purpose of the Code Six policy is for officers to advise CD (Communications Division) of their location and the nature of their activity, should the incident necessitate the response of additional personnel. Although the UOFRB would have preferred Officers C, D, E and F advise CD they were at scene, based on the officers' response, the volume of radio traffic and in conjunction with the Subject's actions, the UOFRB opined it would not have been prudent for officers to update their status, as the officers were immediately confronted by the Subject. Additionally, the UOFRB opined Officers C, D, E and F were aware of the primary unit's location and there was a line of sight with other responding personnel, including Sergeant A. The UOFRB also opined the officers' subsequent broadcasts were an indication they had arrived at scene.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, that Officers C, D, E and F not broadcasting their Code Six location prior to initiating contact with the Subject was a substantial deviation with justification from Department approved tactical training. To enhance future performance, the Chief directed this be a topic of discussion during the Tactical Debrief.

Debriefing Point No. 2: Foot Pursuit Concepts – Apprehension vs Containment

Recognizing the Subject was still armed with a knife and posing a threat to public safety, Officers C, D, E and F attempted to prevent the Subject from accessing victims and prevent his escape by pursuing him on foot as the Subject remained armed. In Officers C and F's FID interviews, both officers stated they were in containment mode while Officers E and D and Sergeant A reported they were in apprehension mode. Their actions, however, appeared to be in-line with being in containment mode.

The UOFRB assessed Officers C, D, E and F's tactics during the foot pursuit. In their assessment, the UOFRB noted the Department's tactical training states officers generally should not pursue an armed suspect in apprehension mode. The UOFRB also noted when officers contacted the Subject, they observed the Subject was armed with a knife and followed the Subject in containment mode, consistent with Department tactical training. Additionally, the UOFRB noted the officers transitioned to apprehension mode when they observed the Subject approaching innocent bystanders, protecting the public from the Subject's potential deadly actions. The UOFRB opined the transitioning was necessary in this instance to try to limit the Subject's movements to protect the lives of the public.

As such, the UOFRB opined at that point the Subject posed an imminent threat to public safety. Officers C, D, E and F's transition to apprehension mode was appropriate and necessary to prevent the Subject from accessing victims and to preserve the lives and safety of the public. The UOFRB further opined during the officers' transition to apprehension mode, Officers C, D, E and F's tactics did not substantially deviate from the Department's tactical training or policy.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, the tactics employed by Officers C, D, E and F were not a substantial deviation from Department approved tactical training. To enhance future performance, the Chief directed this be a topic of discussion during the Tactical Debrief.

The tactics during the foot pursuit for Sergeant A will be further addressed under Command and Control.

Debriefing Point No. 3: Use of Force Warning

In their effort to stop the Subject's deadly actions, Officers D and F discharged their 40mm LLL at the Subject; however, both officers did not provide a use of force warning prior to utilizing the 40mm LLL. Officer D indicated he/she was not planning on having to fire the 40mm LLL at that time, and therefore, did not give the warning prior to discharging the first time. Additionally, Officer D did not provide a use of force warning prior to discharging his/her second 40mm LLL round due to the proximity of the Subject to the pedestrians he was approaching. According to Officer F, "*there was no time*" to give the warning prior to discharging his/her 40mm LLL.

The UOFRB assessed Officers D and F's lack of providing a verbal warning prior to deploying their 40mm LLL. The UOFRB noted at the time Officers D and F discharged their 40mm LLL, the Subject was armed with a knife, posing an immediate threat. The UOFRB also noted despite the numerous attempts to direct the Subject to drop the knife, the Subject did not comply. Additionally, the UOFRB noted Officer C had provided an intermediate force option warning for the TASER, warning the Subject what could happen if he came closer to him/her.

The UOFRB noted the Department's Use of Force Policy specifically indicates a warning is only required when feasible. Due to the rapid nature of this encounter, the UOFRB opined a less-lethal warning was not feasible due to the short window of opportunity the officers had to make in their decision to use the 40mm LLL, acquire the target and fire.

The UOFRB noted Officer D fired his/her first round approximately 30 seconds after exiting his/her police vehicle, while F fired approximately six seconds after stepping out of his/her car. As such, the UOFRB opined the Subject's abrupt actions to run toward innocent bystanders negated Officers D and F's opportunity to provide an additional intermediate force warning prior to the application of force; therefore, a use of force warning was not feasible.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, the tactics employed by Officers D and F to not provide a use of force warning was not a substantial deviation from Department approved tactical training. To enhance future performance, the Chief directed this be a topic of discussion during the Tactical Debrief.

Debriefing Point No. 4: Cover

As Officers E and F exited their police vehicle and made contact with the Subject, officers stood in front of their police vehicle and issued commands as the Subject approached and ran by them. While officers effectively used distance to provide time, they were without physical cover. As officers pursued the Subject in a close proximity towards the intersection, Sergeant A accelerated his/her police vehicle that Officer C was using as cover, leaving Officer C without the benefit of cover.

Regarding Officers E and F, the UOFRB noted upon arriving at scene and locating the Subject, Officers E and F had to react quickly as the Subject was rapidly approaching. The UOFRB opined the Subject's actions and the immediate threat he posed to the public, prompted Officers E and F to move forward of their police vehicle to prevent the public from being victimized. While the UOFRB would have preferred Officers E and F had confronted the Subject from behind cover, in this incident, the officers were confronting an aggressive and volatile armed suspect on a busy street with numerous bystanders present. Therefore, the UOFRB opined there was an urgency to stop the Subject's forward movement and protect unsuspecting community members.

Prior to the OIS, Officer C utilized parked cars as cover and attempted to remain behind Sergeant A's vehicle as much as possible. The UOFRB noted at the time Sergeant A moved forward ahead of the Subject, Officer C had distance from the Subject as well as the benefit of several parked vehicles between them. Just prior to the OIS, the UOFRB recognized it was Sergeant A's decision to accelerate forward in his/her police vehicle and left Officer C with limited options.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, the tactics employed by Officers E, F and C's use of cover and redeployment were not a substantial deviation from Department approved tactical training. To enhance future performance, the Chief directed this be a topic of discussion during the Tactical Debrief.

Additional Tactical Debrief Topics

Making Physical Contact with a Slung Weapon – As Officers D and F approached the Subject to take him into custody, they kept their 40mm LLL slung across the front of their bodies when they made contact with the Subject. Alternatively, Officers D and F could have slung the 40mm LLL to their backs. To enhance future performance, the Chief directed this be a topic of discussion during the Tactical Debrief.

Non-Conflicting Simultaneous Commands – Officers E, D, F and C provided multiple non-conflicting simultaneous commands to the Subject. Alternatively, one officer could have been designated to communicate and provide commands to reduce potential confusion. To enhance future performance, the Chief directed this be a topic of discussion during the Tactical Debrief.

Profanity – In directing the Subject to drop the knife, Officer F used profanity. Officer F continued to use profanity as he/she was in foot pursuit of the Subject and commanded the Subject to drop the knife. While in pursuit of the Subject, Officer F

directed pedestrians to move out of the pathway while using profanity. According to Officer F, he/she used profanity as an attempt to gain compliance from the Subject and to alert the pedestrians. Although not best practice, the use of profanity was not personal in nature, used to demean or insult, but intended to gain compliance. To enhance future performance, the Chief directed this be a topic of discussion during the Tactical Debrief.

Retention of Equipment – After handcuffing the Subject, Officer F placed his/her 40mm LLL on the ground as he/she donned personal protective equipment. Once Officer F donned personal protective equipment, he/she proceeded to render aid to the Subject and directed Officer D to secure his/her 40mm LLL. Officer D retrieved and took control of Officer F's 40mm LLL while he/she monitored the knife and held his/her own 40mm LLL. Although there were numerous officers present, it is important officers maintain control of their equipment to limit the possibility of suspect(s) obtaining possession of police equipment. To enhance future performance, the Chief directed this be a topic of discussion during the Tactical Debrief.

Tactical Planning/Communication – In observing the Subject armed with a knife in a populated area of pedestrians, Officers C, D, E and F actively engaged in the incident by reacting to the Subject's actions without verbalizing a plan and communicating their intentions with one another. However, the Chief recognized officers at scene assumed and maintained appropriate contact and cover roles consistent with standardized Department training and expectations, without additional need to verbalize those roles. While the Chief would have preferred they had discussed more specific plans prior to approaching the Subject, which necessitated an immediate response, the officers' concern for public safety limited their time and ability to communicate with each other, forcing the prioritization of containing and detaining the Subject to prevent harm to the public. To enhance future performance, the Chief directed this be a topic of discussion during the Tactical Debrief.

Protocols Subsequent to a Categorical Use of Force (CUOF) – Sergeant A directed Officers E and F to assist LAFD transport the Subject to the hospital after being involved in the CUOF incident. Officers were neither separated nor monitored during this time frame. Officers were subsequently replaced by uninvolved officers from the hospital detail, consistent with separation and monitoring protocols. According to Sergeant A, he/she was unaware of the level of involvement Officers E and F had during the CUOF incident, hence the reason he/she directed the officers to go the hospital with the Subject. To enhance future performance, the Chief directed this be a topic of discussion during the Tactical Debrief.

Securing Police Vehicle – As Officers C, D, E and F went into foot pursuit of the Subject, they did not secure their police vehicles. While pursuing the Subject, Officer C directed Officer B to secure his/her police vehicle. Officer B secured the police vehicles before he/she left the area. Officers are reminded the security of police vehicles is an important component of officer safety as there are tools and weapons in police vehicles that could be accessed by unauthorized persons. To enhance future performance, the Chief directed this be a topic of discussion during the Tactical Debrief.

Updating Status – After being directed by Sergeant A to transport the Subject to the hospital with LAFD, Officers E and F did not advise CD of their updated status while en route to the hospital. Upon arrival to the hospital, Officer E advised CD of their updated status as at scene at the hospital. The officers are reminded of the importance of updating their status to ensure CD is aware of their location should the incident necessitate the response of additional personnel. To enhance future performance, the Chief directed this be a topic of discussion during the Tactical Debrief.

Command and Control

Sergeant A responded to the backup request. Upon his/her arrival, Sergeant A remained inside his/her patrol vehicle as officers made contact with the Subject. When Officers C and D gave commands to the Subject and he started to flee, Sergeant A directed Officer D to discharge the 40mm LLL at the Subject.

While the officers pursued the Subject on foot, Sergeant A remained inside his/her patrol vehicle. According to Sergeant A, he/she remained in his/her police vehicle because the Subject was running fairly quickly and he/she was concerned by the time he/she got out of his/her police vehicle, the officers would be quite a distance away and he/she would not be able to catch up. Believing he/she would not be able to catch up to the officers and the Subject while on foot, Sergeant A opted to pursue the Subject while driving his/her police vehicle. Although Sergeant A did not communicate with the officers at scene a plan to use his/her police vehicle as cover, he/she believed he/she was providing officers rolling cover with his/her police vehicle.

As Sergeant A followed and paralleled the Subject in his/her police vehicle, Sergeant A unholstered his/her TASER while seated in his/her police vehicle. As the Subject was about to approach a crowd of pedestrians, Sergeant A accelerated his/her vehicle ahead, leaving Officer C without the benefit of utilizing his/her police vehicle as cover. This action was inconsistent with his/her stated purpose of allowing officers at scene to use his/her police vehicle as cover. According to Sergeant A, he/she accelerated to get ahead of the Subject in hopes to triangulate on him and keep the Subject from running towards and attacking the crowd. Sergeant A proceeded to exit his/her police vehicle as the OIS occurred. He/she immediately broadcast the help call after the OIS occurred, requested an RA for the Subject and directed officers to render aid. Additionally, Sergeant A requested crowd control management as a crowd formed near the involved officers.

Sergeant A directed involved Officers E and F to assist LAFD in transporting the Subject to the hospital. At the time, Sergeant A had not verified the officers' level of involvement. As a result, the officers were neither separated nor monitored during this time frame. Officers were subsequently replaced by uninvolved officers on the hospital detail, following separation and monitoring protocols.

During the incident, Sergeant A performed multiple supervisory tasks, such as requesting street closures, managing crowd control, directing officers to set up inner and outer crime scenes and establishing a Command Post.

The UOFRB assessed Sergeant A's adherence to Command and Control. The UOFRB noted Sergeant A was the first supervisor to arrive on scene prior to the OIS, was part of the tactical incident and managed the incident from his/her patrol vehicle. The UOFRB opined post OIS, Sergeant A's overall actions were consistent with Department training and expectations of supervisors during a critical incident.

The Chief determined the tactics employed by Sergeant A were not a substantial deviation from Department tactical training. To enhance future performance, the Chief directed this be a topic of discussion during the Tactical Debrief.

Tactical Debrief

In conducting an objective assessment of this case, the UOFRB determined, and the Chief and BOPC concurred, the actions of Officers C, D, E, F, and Sergeant A were not a substantial deviation from Department-approved tactical training.

Each tactical incident merits a comprehensive debriefing. In this case, there were identified areas where improvements could be made. A Tactical Debrief is the appropriate forum for the involved officers to discuss individual actions that took place during this incident. Therefore, the Chief directed Officers E, D, F and C, and Sergeant A to attend a Tactical Debrief and the specific identified topics be discussed.

Therefore, the BOPC found Officers C, D, E, F, and Sergeant A's tactics to warrant a Tactical Debrief.

B. Drawing/Exhibiting

Officer E

1st Occurrence

According to Officer E, he/she observed the Subject armed with a knife as he/she and Officer F arrived at scene in their police vehicle. Officer E drew his/her service pistol when he/she exited his/her vehicle. Believing it was a deadly force situation, Officer E unholstered his/her service pistol.

2nd Occurrence

According to Officer E, he/she observed the Subject charge toward Officer C's direction, then heard multiple gunshots not knowing who had fired a gun. Officer E believed the situation could escalate to the use of deadly force and unholstered his/her service pistol.

Officer C

1st Occurrence

According to Officer C, he/she observed the Subject as he/she exited his/her police vehicle and unholstered his/her service pistol. Based on the backup request, which involved a man armed with a knife, Officer C believed the situation could escalate to

the use of deadly force.

2nd Occurrence

As the Subject walked northbound and passed Officers D and C, Officer C unholstered a second time in order to provide Officer D cover as the 40mm LLL was being deployed. Believing the situation could escalate to use of deadly force, Officer C unholstered his/her service pistol.

3rd Occurrence

As officers approached the corner of Broadway and 6th Street where the Subject had turned, Officer C unholstered in order to clear the corner. Believing the situation could escalate to the use of deadly force, Officer C unholstered his/her service pistol.

4th Occurrence

According to Officer C, he/she observed the Subject run toward his/her direction while he was still armed with the knife. Believing it was a deadly force situation, Officer C unholstered his/her service pistol.

The UOFRB assessed Officers C and E's drawing and exhibiting of their service pistols. In their assessment, the UOFRB noted Officers E and C were aware the Subject was likely armed with a knife based on Officer B's code six and backup broadcasts of a man with a knife. Arriving at scene, Officers C and E observed the Subject holding a knife in his hand. As the Subject fled from the officers, they observed him approaching pedestrians posing a threat of serious bodily injury or death to the public. The UOFRB opined it was reasonable for them to believe the situation could escalate to the use of deadly force. The UOFRB also opined the circumstances surrounding the incident clearly created a reasonable belief amongst the officers the situation may rise to where lethal force may be justified.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, an officer with similar training and experience as Officers C and E would reasonably believe there was a substantial risk the situation may escalate to where deadly force may be justified.

Therefore, the BOPC found Officers C and E's drawing/exhibiting of a firearm to be In Policy.

C. Intermediate Use of Force

- **Officer D** – 40mm LLL, fired two 40-millimeter eXact iMpaCt rounds from an approximate distance of 47 feet for the first round and an approximate distance of 22 feet for the second round.

Background – Officer D's background was a mixed-use area with apartments, residential lofts and closed businesses for both rounds.

First Round

Officer D observed the Subject armed with a knife as he/she encountered the Subject upon arrival. As the Subject walked north, Sergeant A directed Officer D to discharge the 40mm LLL at the Subject. According to Officer D, he/she heard Sergeant A's direction to discharge the 40mm LLL; however, he/she individually assessed the need to discharge the 40mm LLL due to the Subject continuing to move north toward other officers while armed with a knife. Believing the Subject posed an immediate threat to the officers' safety, Officer D aimed at the Subject's left leg and discharged one 40mm LLL round at the Subject to protect officers from the immediate threat of serious bodily injury.

Second Round

According to Officer D, the Subject continued running in the direction of pedestrians while still armed with the knife. Believing the Subject was a danger to public safety, Officer D discharged a second round from his/her 40mm LLL in attempt to protect others from immediate threat of serious bodily injury. Officer D aimed at the Subject's left leg.

- **Officer F** – 40mm LLL, fired one 40-millimeter eXact iMpact round from an approximate distance of 28 feet.

Background – Officer F's background was a mixed-use area with apartments, residential lofts and closed businesses.

Arriving at scene, Officer F observed the Subject holding the knife directly in front of him with the blade outward. According to Officer F, as he/she and Officer E attempted to triangulate on the Subject and give him commands after he had been struck by Officer D's first 40mm LLL round, he/she observed the Subject began "actively walking" toward the direction of a pedestrian. Fearing for the safety of the pedestrian, Officer F discharged the 40mm round at the Subject's naval area to protect others from the immediate threat of serious bodily injury.

The UOFRB assessed Officers D and F's use of intermediate force. In their assessment, the UOFRB noted each time Officers D and F discharged their 40mm LLL, the Subject was armed with a knife posing an immediate threat to the safety of the public. Despite the multiple attempts to communicate with the Subject to drop the knife, the Subject did not comply. As a result, the UOFRB opined both rounds Officer D and the single round Officer F discharged from their 40mm LLL were in response to the Subject's erratic behavior as he continued to be armed and posed an immediate threat to the safety of the public.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, an officer with similar training and experience as Officers D and F, in the same situation, would reasonably believe the use of intermediate force was proportional and objectively reasonable.

Therefore, the BOPC found Officer D and F's intermediate use of force to be In Policy.

D. Lethal Use of Force

- **Officer C** – semi-automatic pistol, 9mm caliber, fired a total of three rounds from a decreasing distance of approximate 17-10 feet.

Round One

According to Officer C, upon being struck by Officer D's 40mm LLL round, the Subject ran into the street between two parked vehicles. Officer C briefly lost sight of the Subject due to the vehicles parked along the south curb. Officer C then observed the Subject emerge from between the parked vehicles and began running directly at Officer C while he raised the knife. Believing the Subject was going to strike or stab him/her, Officer C pivoted to face the Subject, back-pedaled and unholstered his/her service pistol. The Subject ran directly at Officer C as he held the knife in his right fist and his arm bent at a 90-degree angle. According to Officer C, due to the fluidity of the Subject's actions, he/she was unable to give any commands to the Subject. Fearing for his/her life and believing the Subject would stab or kill him/her, Officer C aimed at the Subject's torso and fired one round to protect him/herself from the imminent threat of serious bodily injury or death.

Round Two

According to Officer C, he/she believed the first round was ineffective and continued to backpedal as the Subject continued to run towards him/her with the knife. Officer C fired a second round in response. Officer C discharged the second round to protect him/herself from the imminent threat of serious bodily injury or death and began moving laterally to his/her left in an effort to avoid the Subject's path of attack.

Round Three

Officer C believed his/her second round was also ineffective as the Subject continued to run toward him/her, closing the distance with the knife. Officer C then fired a third and final round from his/her service pistol to protect him/herself from the imminent threat of serious bodily injury or death. After being struck by gunfire, the Subject dropped the knife and collapsed to the ground. Officer C immediately stopped firing when he/she observed the Subject was no longer armed and had fallen to the ground.

The UOFRB assessed Officer C's use of lethal force. The UOFRB noted the Subject was armed with a knife and acting erratic. The UOFRB opined officers at scene showed significant restraint and respect for human life as they prioritized communicating with the Subject and in electing to deploy intermediate force options prior to the OIS. The UOFRB also noted, despite the officers' attempts to communicate with the Subject to have him put down the knife, the Subject refused to listen to the officers' commands as he continued to flee while still holding the knife. As such, the UOFRB opined the Subject escalated the situation, demonstrated his willingness to commit violence and posed an imminent threat to life when he ignored the commands being given to him and ran toward Officer C while raising the knife.

The UOFRB further noted Officer C resorted to the use of lethal force by discharging his/her service pistol at the Subject as the Subject held the knife in his hand and charged directly toward Officer C. The UOFRB noted all three rounds were discharged as the Subject closed the distance on Officer C to within ten feet, despite Officer C redeploying back. Therefore, the UOFRB opined the use of lethal force was necessary as Officer C stopped firing immediately upon the Subject falling to the ground and the imminent threat had ceased.

The UOFRB assessed Officer C's background at the time of the OIS. The UOFRB noted the Subject's actions of running between the two vehicles and charging Officer C while holding a knife in an overhand position created an imminent deadly threat which necessitated an immediate response by Officer C to protect his/her own life. The UOFRB recognized Officer C's attempt to minimize risk to bystanders when he/she canted his/her body in such a manner that minimized the potential risk when he/she shot such that if he/she did miss his/her round would strike the engine block of the vehicles parked on the street. Furthermore, the UOFRB recognized Officer C maintained fire control and stopped discharging his/her firearm as soon as he/she observed the Subject had fallen to the ground and no longer posed an imminent deadly threat. As such, the UOFRB opined Officer C's efforts to balance the necessity to address the imminent threat to his/her life with his/her background were reasonable given the situation which demanded action in an immediate defense of life.

Based on the totality of the circumstances, the UOFRB determined, and the Chief and the BOPC concurred, an officer with similar training and experience as Officer C, in the same situation, would reasonably believe the use of lethal force was objectively reasonable, proportional and necessary.

Therefore, the BOPC found Officer C's lethal use of force to be In Policy.

Medical Treatment/Rendering Aid

Approximately eight seconds after the OIS, Sergeant A requested an RA for the Subject. The Subject was taken into custody within 20 seconds after the OIS, placed in a recovery position and assessed for injuries. Sergeant A and Officer C directed officers start Cardiopulmonary Resuscitation (CPR) on the Subject; however, the Subject was conscious and breathing and the officers advised it was not necessary. Officer E proceeded to render aid to the Subject by applying direct pressure to his chest wound until the arrival of LAFD personnel.

A Rescue Ambulance arrived at scene and assisted in rendering aid to the Subject. Fire Department personnel assessed the Subject's injuries and treated him for a gunshot wound to the left side of his torso. The Subject was transported by RA to a hospital where he was treated for a gunshot wound to the left chest.

Requirement to Intercede

Based on the review of this incident, the UOFRB determined, and the Chief concurred, the force used was not clearly beyond that which was necessary, as determined by an

objectively reasonable officer under the circumstances and would not have required an officer to intercede.