

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

OFFICER-INVOLVED SHOOTING – 057-24

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
Topanga	12/29/24		

Officer(s) Involved in Use of Force	Length of Service
Officer A	17 years, 5 months
Officer B	6 months
Officer C	17 years, 9 months
Officer E	2 years, 2 months

Reason for Police Contact

Topanga Patrol Division officers responded to a vandalism radio call at a motel. As the officers were responding, the call was updated to an incident involving a man with a gun. While at scene, the Subject confronted the officers armed with two air guns, resulting in an Officer-Involved Shooting (OIS). The suspect was struck by gunfire and pronounced deceased at scene.

Subject	Deceased (X) Wounded () Non-Hit ()
----------------	---

Subject: 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 November 25, 2025.

Incident Summary

On December 29, 2024, Communications Division (CD) received a call regarding a male (later identified as the Subject) who was throwing objects inside and outside of his motel room. Communications Division generated a vandalism radio call and assigned it to Officers A and B.

Shortly thereafter, CD received another call in which the caller indicated that the Subject was walking through the motel carrying a gun. The information was updated and broadcast as a "man with a gun" call.

Officers A, B, C, D, and E responded to the location. Sergeant A also responded from the Topanga Community Police Station. The responding officers broadcast a request for an Air Unit and units equipped with a ballistic shield to assist with the call.

Note: Due to weather conditions, Air Support Division operations were suspended during this incident.

Officer A drove past the motel because he/she saw an individual on the side of the motel waving the officers down. Officer A parked his/her vehicle on the curb near the motel and exited the vehicle. At the same time, Officer C parked his/her vehicle near Officers A and B's vehicle. As the officers arrived, CD broadcast information that the Subject had fired shots, and it was unknown if there were any victims at the location.

Officers A and B exited their vehicle and went to the trunk. Officer A told Officer B, "Get your gun out and watch the front." Officer B stood to the rear of the vehicle as he/she unholstered his/her pistol. Officer A retrieved a ballistic shield from the trunk of the vehicle.

Officer C arrived and retrieved his/her rifle from the trunk of his/her vehicle.

Officers D and E arrived and parked near Officer C's vehicle. Officer E retrieved a shotgun from the vehicle rack and chambered a round.

As Officers A and C retrieved equipment, the Subject walked toward the street. Officer B is heard on BWV saying, "There is a male, oh my God, I think he is armed."

The Subject walked toward the officers with a gun in each hand. The Subject raised his right arm fully extended, pointed a gun at the officers, and yelled, "Hey, stop, stop!" The Subject lowered his right arm and raised his left arm pointing the other gun at the officers as he said, "Stop, stop!" again. The Subject alternated the motion of lowering his left arm and raising his right arm, continuously pointing the guns in the direction of the officers.

Surveillance video captured the sound of the Subject firing while facing the officers.

Simultaneously, Officers A and B moved and ducked behind their vehicle as Officer A broadcast, "Officer Needs Help Shots Fired." Officer A raised the ballistic shield up in front of his/her torso and stated, "Get back, get back, get back," as he/she moved toward Officer C's vehicle.

The Subject moved to his right, between a parked vehicle and a planter yelling, "Stop, stop!" He discarded one of the guns, raised the other with a two-handed grip, and pointed it at the officers.

The Subject continued firing the gun and yelling, "Yeah!"

Officer B's fired a single round in a southeasterly direction as he/she moved backward. Officer B fired from an approximate distance of 100 feet.

While standing behind Officer C's vehicle, Officer A unholstered his/her pistol.

Simultaneously, Officer D unholstered his/her pistol and moved to the rear of his/her vehicle. According to Officer D, he/she heard the gunshots, unholstered, and could not see the Subject or who was shooting.

The Subject fired his gun again. The Subject walked out into the driveway of the parking lot, approached the officers holding the gun and yelling, "Yeah, you can't kill me. No man can hurt me!" The Subject squatted down, and turned toward the officers with his arm extended, pointing the gun in the direction of the officers.

Officer A fired one round at the Subject from an approximate distance of 87 feet. The Subject turned to his left and jumped up and down as he fired his gun again. Officer A fired a second round from an approximate distance of 100 feet. The Subject turned and ran back between the parked vehicle and planter.

Officer C retrieved his/her rifle from the trunk of his/her vehicle and moved to the rear of Officer A's vehicle. Officer A followed Officer C, moving back to his/her vehicle and taking a position on the driver's side. Simultaneously, Officer E moved to the passenger side of Officer C's vehicle and broadcast a "Shots Fired" help call. Officer D moved to the rear of Officer C's vehicle, taking a position next to Officer B.

The Subject ran between the parked vehicle and a planter toward the motel as he repeatedly yelled, "Second coming!" The Subject turned back toward the officers, walked between the planter and a stairwell, raised his gun with a two-handed grip pointed toward the officers and yelled, "Yeah [expletive]."

The Subject fired his gun again, and Officer E fired one round at the Subject in a southeasterly direction from approximately 100 feet. After the round was fired, Officer E cycled the action on the shotgun and chambered another round. Simultaneously, the Subject turned to his left in a circular motion and fired another shot.

The Subject looked in the direction of the officers, carrying the gun in his right hand as he walked past a parked vehicle, and he fired another shot.

Simultaneously, Officer E yelled out, "Bumping, bumping!" as he/she moved from Officer C's vehicle to the driver's side of Officer A's vehicle. The Subject crouched down and then raised up, pointing the gun in the officers' direction.

Officer C fired his/her rifle at the Subject. The Subject yelled, raised his gun above his head as he turned, and moved out of view of surveillance cameras. Officer C fired additional rounds at the Subject. Officer C fired a total of nine rifle rounds at the Subject, in a total of 13.7 seconds.

According to Officer C, he/she perceived that the Subject fired four to five shots during the incident. Officer C stated he/she targeted center mass and the Subject kept moving. When the Subject popped out looking for him/her, Officer C fired another round and continued to shoot each time the Subject repeated the action through the sequence of fire until the Subject disappeared.

Officer E stood near the driver's side door of Officer A's vehicle with the shotgun pointed toward the motel. Officer A handed the ballistic shield to other officers and retrieved his/her rifle from the trunk of his/her vehicle. According to Officer A, he/she deployed his rifle because of the type of gun the Subject had and because of the distance.

Officer E broadcast a request for a Rescue Ambulance (RA) to respond and stage at a nearby intersection.

Officer C directed officers to get a unit on the east side of the motel and set up containment. According to Officer C, he/she wanted a position of high ground to establish containment in the event the Subject returned.

Sergeants A and B arrived at the location. Sergeant A declared him/herself the Incident Commander (IC). Sergeant B began to set up a Command Post (CP) in a nearby lot.

Officer C briefed Sergeant A on the tactical situation, as well as the Subject's description and weapon. Sergeant A requested the response of additional supervisors.

According to Sergeant A, the scene involved an ongoing tactical situation, so he/she kept the officers in place, instead of pulling the involved officers away from the location.

Sergeant A requested the response of Metropolitan Division K-9 Units. Sergeant A broadcast to all containment units to hold their positions and not approach the motel. Sergeant A directed Officer E to broadcast the Subject's description.

Patrol units from several divisions responded, containment was set up around the motel, and traffic was diverted away from the motel.

Sergeant A notified Topanga Area Patrol Division Watch Commander, Sergeant C, that an OIS occurred. Sergeant C advised he would contact Metropolitan Division, Special Weapons and Tactics (SWAT).

Communications Division broadcast information received from the occupant of a motel room, who advised that a gun was on the floor in front of another room. According to Sergeant A, he/she received the information about the gun in the hallway. Sergeant A advised he/she did not know where the Subject was located and was concerned the Subject could start shooting again, so he/she did not send officers in to secure the weapon. Sergeant A directed officers to use the Public Address (PA) speaker to call the Subject out. Officer E made PA announcements directing the Subject to come out unarmed. The Subject did not respond to the commands.

Sergeant D escorted Officer E to the CP for separation and monitoring. Sergeant B took a Public Safety Statement (PSS) from Officer E.

Sergeant D directed Officer C to come with him/her to the CP for separation and monitoring and took a PSS from him/her.

Sergeant A called Sergeant B at the CP to request the response of the Mental Evaluation Unit (MEU) to assist.

Officers A and B relinquished their containment positions on the motel. Officer A downloaded his/her rifle and secured it in the trunk of his/her vehicle. Sergeant D took a PSS from Officers A and B, separately, and initiated separation and monitoring protocols.

Witness A called 911 and reported she saw the Subject laying on the ground in the first-floor hallway and he was not moving.

Upon arrival, Metropolitan Division personnel assumed the responsibility of containment and replaced patrol officers.

Metropolitan Division SWAT Sergeant E had a telephonic conversation with Witness A, confirming she saw the Subject laying in the hallway for approximately one hour and he had not moved. Witness A also stated that the Subject was not breathing. Witness A provided a description of the person in the hallway, and a photograph taken with her cell phone.

A tactical plan was developed to approach and assess the Subject's condition. SWAT officers then entered a pedestrian gate on the side of the motel and located the Subject laying on his back, unresponsive. Los Angeles Fire Department Paramedic A assessed the Subject. Paramedic A pronounced the Subject deceased.

The investigation determined that the Subject had been armed with a double barreled, 72 caliber Air shotgun and a 9mm caliber Air pistol.

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 A, B, C, and E's tactics to warrant a finding of Tactical Debrief.

B. Drawing and Exhibiting

The BOPC found Officers A, B, C, and E's drawing and exhibiting of a firearm to be In Policy.

C. Lethal Use of Force

The BOPC found Officers A, B, C, and E'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 – Officer A had been Officer B’s Field Training Officer (FTO) for six weeks. During that time, they had tactics discussions regarding contact and cover roles, intermediate force options, and the utilization of their ballistic shield. While enroute, Officer B read the comments of the call to Officer A and provided him/her with the Subject’s description. Once they learned the Subject was reportedly armed with a gun, they discussed deploying their ballistic shield.

Officers D and E had been partners for approximately four months. They had tactics discussions regarding contact and cover roles and how to handle various calls for service. While enroute, Officers D and E broadcast a request for an Air Unit, information on the Subject’s updated location, and a unit with a ballistic shield.

Officer C was working as a single officer unit. During roll call that day, he/she presented a mock scenario of a man with a gun, shots fired, and a hostage situation as a thought provoking and policy discussion exercise for the officers on his/her watch. Because the Subject was reportedly armed with a gun, Officer C planned to deploy his/her rifle to gain the tactical advantage through greater precision and distance. Prior to responding, Officer C viewed the motel on his/her cell phone to identify the best route of travel and identify a possible location which would provide him/her with cover and high ground.

Assessment – Immediately upon arrival, Officers A, B, C, and E observed the Subject slowly and deliberately walk toward them and shoot at them before redeploying and continuously moving to and from positions of cover and concealment. Officers A, B, C, and E’s assessment of the Subject’s actions brought officers to the conclusion that he posed an imminent threat of death or serious bodily injury if not immediately addressed. When the Subject retreated back into the confines of the motel and the firing had stopped, the officers had assessed the situation and determined the situation met the criteria for a barricaded suspect.

Time – Approximately 34 seconds after Officers A, B, and C’s arrival, and approximately two seconds after Officers E’s arrival, the Subject confronted the officers and fired at them. The Subject’s actions were offensive in nature and forced them to immediately react, which reduced their ability to immediately employ further de-escalation techniques. The Subject’s bold and deliberate actions compressed the incident timeline, eliminated any possibility of other force options and forced officers to react to his continuous, imminent threat of serious bodily injury or death to themselves and community members in the motel.

Redeployment and/or Containment – As the Subject fired at them, Officers A, B, C, and E redeployed to various positions of cover offered by their police vehicles in order to obtain distance, cover, better line of sight and positioning in response to the Subject's movements and to address his deadly and violent actions.

After the OIS, the Subject ran toward the side of the motel and out of sight. Officers established containment around the motel. Officer C redeployed to a position of containment on a second story parking ramp just west of the motel which offered high ground and increased visibility of the motel. Sergeant A ensured containment was established and perimeter locations provided to the CP.

Other Resources, Lines of Communication – While enroute to the radio call, officers broadcast requests for an Air Unit and a ballistic shield. Officer A broadcast a help call for shots fired, and Officer E broadcast a direction of approach for responding units, a request for an RA to stage nearby, and broadcast containment positions for officers to occupy.

Sergeant A broadcast that he/she was at the location, declared him/herself as the IC, requested the response of additional supervisors, and directed a Sergeant to establish a CP. Officer C briefed Sergeant A on the tactical situation, the Subject's description, and weapons he used. Sergeant A broadcast for CD to contact the motel manager to inform the motel residents to stay in their rooms and inquired if the manager could identify the Subject's location via motel video.

Sergeant A requested the response of the Metropolitan Division K-9 Units and SWAT and directed officers at scene to hold their containment positions and not approach the motel because they were unaware of the Subject's exact location since the firing had stopped. Sergeant A directed Officer E to broadcast the Subject's description for officers on the perimeter and to make multiple PA announcements directing the Subject to surrender. The Subject did not respond to these commands.

- During its review of this incident, the BOPC noted the following tactical considerations:
- **Basic Firearm Safety Rules**

During the incident, the muzzle of Officer B's service pistol was momentarily directed in Officer A's direction. This occurred when the Subject fired his gun at the officers, causing them to redeploy to Officer C's police vehicle. When asked, Officer B stated that he/she waited until his/her partner passed him/her before he/she placed his/her finger on the trigger and fired.

The BOPC noted that Officer B's finger was not on the trigger when his/her muzzle briefly covered his/her partner prior to the OIS. The Board considered that at the time of the OIS, Officer B was a probationary police officer who had only worked 18 patrol shifts and had never been involved in any application of force prior to the incident. The Board noted that Officer B's BWV corroborated his/her statements when it depicted Officer A move in front of his/her muzzle as he/she redeployed when the Subject fired at the officers. The Board noted that despite his/her lack of experience, Officer B remained cognizant of his/her surroundings and muzzle direction, attempted

to alert his/her partner to his/her position by reaching out to him/her and still had the presence of mind to wait until Officer A moved past his/her muzzle to place his/her finger on the trigger, and addressed the imminent deadly threat presented by the Subject.

The BOPC acknowledged the Subject's attack on the officers was deliberate, and his behavior was chaotic, forcing Officer B to react in a fluid and dynamic situation to the imminent deadly threat. The BOPC found that the tactics employed by Officer B did not substantially deviate from Department approved tactical training.

Based on the totality of the circumstances, the BOPC determined that the tactics employed by Officer B were not a substantial deviation from Department approved tactical training.

Additional Tactical Debriefing Topics

- **Shotgun Manipulations** – During the incident, Officer D temporarily relieved Officer E of the shotgun as he/she donned his/her ballistic helmet. Officer E's BWV depicts Officer D's finger on the shotgun safety while a round is seated in the chamber. Officer D subsequently placed his/her finger onto the frame. Although there was no violation of the basic firearms safety rules and Officer D was not identified as being substantially involved in this incident, it was determined that Officer D would benefit from attending the Tactical Debrief and that shotgun manipulation be a topic of discussion

Command and Control

- Sergeant A responded to the incident, identified him/herself as the IC, and kept the involved officers in place due to their established situational awareness and the ongoing tactical situation. Sergeant B established the CP, and Sergeant A directed officers to hold their containment of the motel because they were not aware of the Subject's exact location and requested the response of Metropolitan Division K-9 units and SWAT.

Sergeant A attempted to gather additional information from the Person Reporting (PR) and have the motel manager monitor their cameras to determine the Subject's exact location. Sergeant D subsequently directed other officers to relieve the involved officers when the tactical situation permitted and obtained the PSS from Officers A, B, and C. Sergeant B obtained the PSS from Officer E.

The overall actions of Sergeants A, B, and D were consistent with Department supervisory training and met expectations of supervisors during a critical incident.

Tactical Debrief

- In conducting an objective assessment of this case, the BOPC determined that the actions of Officers A, B, C, and E did not deviate from Department approved tactical training.

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

Officers A, B, C, E, along with Officer D, were directed to attend a Tactical Debrief, where the specific identified topics would be discussed.

Therefore, the BOPC found Officers A, B, C, and E's tactics to warrant a finding of Tactical Debrief.

B. Drawing and Exhibiting

- **Officer B**

First Occurrence (Service Pistol)

According to Officer B, he/she unholstered his/her service pistol because the comments of the call described a man with a gun.

Second Occurrence (Service Pistol)

According to Officer B, he/she holstered his/her service pistol to retrieve his/her ballistic helmet. Once he/she donned his/her ballistic helmet, he/she unholstered again as the scene still had an active threat.

- **Officer A**

First Occurrence (Service Pistol)

According to Officer A, based on the comments of the call, he/she had the reasonable belief that the situation could escalate to one involving the use of deadly force.

Second Occurrence (Rifle)

According to Officer A, he/she deployed his/her rifle because of the distance, he/she believed the Subject was armed with a rifle, and he/she wanted his/her rifle for a more powerful option.

- **Officer E (Shotgun)**

Upon arrival, Officer E retrieved a shotgun from his/her vehicle's rack and chambered a round. According to Officer E, he/she wanted superior firepower against an armed subject.

- **Officer C (Rifle)**

According to Officer C, he/she deployed his/her rifle because the Subject was armed, and he/she wanted the advantage of an offensive weapon.

The BOPC assessed Officers A and B's drawing of their service pistols, Officer E's exhibiting of the shotgun, and Officers A and C's exhibiting of the rifle. In the Board's assessment, they noted that the circumstances surrounding the incident clearly created a reasonable belief amongst the officers that the situation may escalate to the point where deadly force may be justified.

Therefore, the BOPC found Officers A and B's drawing and exhibiting of their service pistols, Officer E's exhibiting of the shotgun, and Officers A and C's exhibiting of the rifle to be In Policy.

C. Lethal Use of Force

- **Officer B** – pistol, one round from an approximate distance of 100 feet in a southeasterly direction.

Background – According to Officer B, his/her background consisted of the motel and parked cars.

Round One – According to Officer B, he/she observed the Subject walking toward him/her and his/her partner while holding two large firearms. Officer B observed the Subject raise his arm and fire in his/her direction. In response, Officer B fired a single round.

- **Officer A** – pistol, one round in a southeasterly direction from an approximate distance of 87 feet and a second round from an approximate distance of 100 feet.

Background – According to Officer A his/her background was the motel wall.

Round One – According to Officer A, he/she fired because he/she observed that the Subject was armed with a firearm, and he/she believed that the Subject was going to kill him/her and his/her partner.

Round Two – According to Officer A, he/she assessed after his/her first round and observed that the Subject was still armed. Officer A fired a second round because the Subject was still armed, and he/she was in fear for his/her and his/her partner's lives.

- **Officer E** – shotgun, one round in a southeasterly direction from approximately 100 feet.

Background – According to Officer E his/her background consisted of the motel and a vehicle.

Round One – According to Officer E, he/she observed the Subject firing rounds and believed he was going to kill him/her or his/her partners.

- **Officer C** – rifle, nine rounds in a southeasterly direction, from an approximate distance of 100 feet. All nine rounds were fired in 13.7 seconds.

Background – According to Officer C his/her background was an unoccupied vehicle.

Rounds One through Nine – According to Officer C, he/she believed the Subject was shooting at him/her. Officer C utilized the rear of Officer A's police vehicle for cover. Officer C stated the Subject had already fired at officers, and Officer C observed the Subject moving around, crouching down, and utilizing cover. Officer C believed that the Subject was trying to gain a tactically advantageous position on the officers so he could kill them. Officer C targeted center mass and fired nine rounds, shooting each time the Subject presented himself.

The BOPC evaluated each officer's use of lethal force. The Board considered that the officers were responding to a radio call of a man with a gun and upon arriving at the motel, CD broadcast that the Subject had fired shots. As it pertained to Officers A, B, C, and E's use of lethal force, the Board discussed that the Subject immediately confronted the officers while armed with two guns. The Board noted the Subject pointed both guns at the officers and fired at them multiple times as he attempted to make himself a difficult target to acquire, while quickly and unpredictably moving to different positions, crouching down and using the motel stairwell, planter, and a parked vehicle for cover and concealment. Officers A, B, C, and E reasonably believed the Subject posed an imminent threat of serious bodily injury or death to officers and community members.

The BOPC commended Officer B, a probationary officer, for maintaining his/her focus and composure in a fluid and stressful situation. As his/her partner, Officer A, redeployed in front of his/her service pistol's muzzle, Officer B attempted to alert him/her by reaching out to Officer A and still having the presence of mind to wait until he/she moved past his/her muzzle to place his/her finger on the trigger and address the imminent deadly threat presented by the Subject.

The Board commended Officer A for deploying his/her ballistic shield to provide a tactical advantage over the Subject. From behind his/her shield, Officer A observed the Subject pointing a gun at him/her and his/her partner. In response to the Subject's threat, Officer A fired a round, assessed, and observed that the Subject was still armed. Accordingly, Officer A fired a second round.

The Board discussed Officer E's selection of the shotgun in response to the Subject's deadly threat. The Board noted the maximum effective range for the shotgun is 17-25 yards (51 to 75 feet) and a potentially lethal range of 300 yards (900 feet). Officer E fired his/her shotgun at the Subject from an approximate distance of 100 feet, within the maximum lethal distance.¹ The Board opined that the shotgun was an appropriate weapon system for the threat that the Subject presented.

The BOPC also noted that Officer C deployed his/her rifle due to the comments of the call stating that the Subject was armed with a gun. Officer C believed that the Subject was shooting at him/her and his/her partners. In response, Officer C fired nine rounds, shooting each time the Subject presented himself while armed with a gun. The Board noted that Officer C demonstrated great discipline and restraint as a total of nine rounds were fired in 13.7 seconds. The Board noted that Officer C continually assessed between rounds and fired in a deliberate and controlled manner. The Board discussed rounds eight and nine in greater detail, as they were fired as the Subject was running away from officers and toward the motel. The Board factored in Officer C's statements, describing that the Subject was actively moving, utilizing cover and pointing his firearm in Officer C's direction. The Board also considered the FID investigators' determination that Officer C was able to see the Subject and maintain his/her sight picture as the Subject ran from officers further into the motel when Officer C fired rounds eight and nine.

The Board concluded that it was reasonable for Officers A, B, C, and E to believe the Subject posed an imminent deadly threat and that all rounds fired by Officers A, B, C, and E were objectively reasonable, necessary, and proportional to defend themselves.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officers A, B, C, and E, in the same situation, would reasonably believe the use of deadly force was objectively reasonable, proportional and necessary.

Therefore, the BOPC found Officers A, B, C, and E's lethal use of force, all rounds, to be In Policy.

Medical Treatment/Rendering Aid

- Officer E broadcast a request for an RA to respond and stage at a nearby intersection until it was safe to approach. Officer E made several PA announcements for the Subject to come out from the motel and surrender to police. The Subject did not respond. Due to the ongoing tactical situation of the Subject being armed with guns, engaging officers in a shooting, and the officers not knowing the Subject's exact location, Sergeant A directed officers to hold containment of the motel and wait for

¹ Maximum effective range is the distance at which a shotgun can place 100 percent of the nine pellets on a target. The average shot pattern increases approximately one inch per yard (Los Angeles Police Department Training Bulletin Vol. XXXIII, December 2001).

Metropolitan Division resources to respond as it was not safe or practicable to approach the Subject, take him into custody, and render aid.

SWAT officers entered the motel and located the Subject lying on his back, unresponsive. Paramedic A assessed the Subject and pronounced the Subject deceased.

The BOPC noted that officers are trained to render medical aid only when it is safe and practicable to do so. In this instance, the scene was an ongoing tactical situation that had transitioned from an immediate deadly threat to that of a barricade. The officers were unaware that the Subject was in need of aid and once officers were able to approach the Subject, consistent with the Department's de-escalation requirement and barricade protocol, immediate aid was provided by LAFD personnel who were accompanied by SWAT officers. The Board noted that Officer E requested an RA to respond and stage until it was safe to provide medical assistance and made efforts to have the Subject surrender with multiple PA callouts. The Board recognized Sergeants A's efforts to attain the Subject's location by utilizing the manager to monitor motel cameras and form a tactical plan to take the Subject into custody sooner. The Board assessed the officers' response to the Subject, in addition to his need for medical aid, and found their actions met the Department's expectation for rendering aid.