

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

OFFICER-INVOLVED SHOOTING – F018-24

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No (X)
Outside City	4/18/24		

Officer(s) Involved in Use of Force

Length of Service

Detective E	23 years, 10 months
Detective B	17 years, 8 months
Detective F	15 years, 2 months
Officer B	14 years, 3 months
Officer D	16 years, 3 months

Reason for Police Contact

On April 18, 2024, personnel assigned to the United States Marshal Apprehension Task Force (USMATF) responded to a residence in the City of Torrance to serve a Probable Cause Arrest Warrant (Ramey warrant).

The USMATF was composed of personnel assigned to the Los Angeles Police Department (LAPD or Department) Gang and Narcotics (GND) Division, Metropolitan Division, and the United States Marshals Service, Pacific Southwest Regional Fugitive Task Force. During the warrant service, the Subject fired a handgun in the officers' direction, resulting in an Officer-Involved Shooting (OIS).

<u>Subject</u>	<u>Deceased ()</u>	<u>Wounded (X)</u>	<u>Non-Hit ()</u>
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Male, 44 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 (LAPD or Department) or the deliberations by the Board of Police Commissioners (BOPC or Commission). 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 March 11, 2025.

Incident Summary

A multi-location warrant service was planned and scheduled for April 18, 2024. Detective A completed an LAPD Tactical Operation Plan that contained the names and addresses of four suspects, including the Subject. The Operation Plan identified the Subject's address located in the City of Torrance. The Subject's residence (the target location) was the first location on the list. On the day of this incident, the target location was a two-story dwelling unit located to the rear of another house on the same lot.

Unbeknownst to the officers, the Subject recently married Witness A, the owner of both properties. During the threat assessments completed by Detectives A and B, no association between Witness A and the Subject was identified. Contrary to the computer inquiries conducted by Officer A and Detective B, the Subject resided in the front house. Additionally, the front house was undergoing recent construction, and a new addition was being constructed on the rear portion of the residence.

On April 18, 2024, at approximately 0200 hours, Detective B drove by and scouted the Subject's residence. According to Detective B, he/she identified the target location and noted there was a large hedge in front of the property. Additionally, he/she observed a vehicle parked in the driveway. Using Department resources, Detective B determined the vehicle was registered to Witness A. According to Detective B, he/she did not complete a work-up on Witness A.

At approximately 0241 hours, Detective B contacted the Torrance Police Department and advised them of the impending warrant service. At approximately 0243 hours, Detective B contacted the LAPD Communications Division (CD) and informed them of their location.

The USMATF personnel were all wearing tactical ballistic vests with law enforcement insignia on the front and back of the vests, identifying them as police officers. All of the USMATF personnel were attired in plainclothes except for Officers B and C, who were wearing BDU pants and black sweatshirts with patches depicting the words "LOS ANGELES METRO POLICE" printed on each sleeve in off-white lettering. According to Detective C, he/she generally assigns uniformed personnel in front during operations for identification purposes. Officers B and C were the only USMATF personnel wearing Body Worn Video (BWV) cameras.

During the briefing, the USMATF personnel discussed the location, case details, type of operation, tactics, the Subject's physical descriptors, and criminal history. They also reviewed aerial photographs of the location obtained from Google Maps. The individual assignments of the task force members were also discussed and explained during the briefing.

Although there was no information linking the Subject to the front house, Detective C assigned Detective D to act as a "*Rear Guard*" and monitor the front house during the warrant service. According to Detective C, he/she assigned Detective D to this position with good tactics in mind because the occupants of the front house were unknown, and the USMATF team had to bypass the front house to get to the Subject's residence.

At approximately 0337 hours, the USMATF arrived at the scene. According to Detective C, he/she identified the target location which had the address clearly displayed above the front door. The surrounding area was illuminated by streetlights and porch lights from the front house and neighboring residences. Additionally, Detective C observed ambient lighting emitting from a window on the front residence.

Detectives A and C remained in front of the location as the contact team and walked in a southerly direction toward the rear house. According to Detective C, the contingency plan, if the Subject was not home or did not answer the door, was to either leave the location and notify Officer A of the results or door-knock the front residence and ask if they knew the Subject or his whereabouts.

As the contact team approached the location, Officer B observed security cameras mounted on the front house. According to Officer B, the *“front camera”* was red, which caused him/her to believe it was actively recording and/or someone could be watching them. Officer B verbally communicated his/her observations with the officers at the scene. Additionally, Detective C stated he/she observed a security camera mounted on the northeast corner of the front house and broadcast that information. He/she also noted that the lens was red, which caused him/her to believe it was recording or that someone was watching the video.

The contact team encountered a closed wooden gate as they walked up the driveway. Officer C noticed a small latch on top of the gate, raised the latch, and opened the gate. Once the gate was open, the contact team continued walking in a southerly direction, toward the rear house. As they did so, they encountered two small barking dogs in the rear yard. The team assessed the situation and proceeded toward the rear house.

As they traversed the driveway, many officers utilized their flashlights to illuminate the area and discovered the rear portion of the front house was under construction. As a result, there were many unfinished areas, including an opening/gap on the east side of the structure. The opening was just south of the wooden gate, adjacent to the side door. The opening was approximately seven feet nine inches tall and one foot, three inches wide. Detective D shined his/her flashlight through the windows on the east side of the property. As he/she did so, he/she observed miscellaneous items within the structure; however, he/she indicated that the interior was mostly empty and appeared unoccupied.

Once in the rear yard, Officers B and C canvassed and assessed the location. They identified the front door of the rear house and determined it had a rear door. Officer C advised Detective E of his/her observations and requested personnel to cover that area. Officer C said the rear yard was illuminated by LED lighting affixed to the west side of the rear house. The investigation determined that there was recessed lighting along the west wall of the rear house at the time of the incident.

The USMATF established containment as follows: Officers B, C, and Detective E positioned themselves on the north side of the rear house, while Detectives B and F covered the west side, and Detective G and Officer D covered the rear (south side). According to Detective G, he/she unholstered his/her pistol when he arrived at the rear of the property and was covering the back door.

Simultaneously, Senior Inspector A and Officers E and F provided containment along the east side of the front house. Officer E and Senior Inspector A positioned themselves south of the wooden gate. Initially, Officer F positioned himself/herself near the southeast corner of the front house, then redeployed north of the wooden gate.

Detective D was positioned at the rear of the front house and was responsible for covering the glass double doors on the structure's south side. He/she was standing on an elevated cement platform southeast of the double doors.

Once Detective E was satisfied with the containment, he/she gave approval for the door-knock to commence. Officer B then knocked on the front door of the rear house and announced their presence. According to Officer B, he/she conducted three separate door-knocks at the location and explained, *"So when I knocked on the door, no response. We waited, um, to hear any kind of movement, any kind of signs of life inside the residence. And again, knocking again. Next time I knocked a little louder, and I began - - saying, 'Police.' Third time I knocked, um, I knocked it for the third time. Knocked much harder. I raised my voice, and I started saying 'Police, Police, LAPD.'"*

According to Detective F, Detective E directed him/her to knock on the sliding door on the west side of the rear house to create more noise. As Officer B was conducting his/her second door-knock, Detective F used his/her flashlight and knocked on the metal portion of the sliding door approximately four times. According to Detective E, Detective F's door-knock created a loud metallic sound. However, they received no response from the rear house.

Meanwhile, Detective D was positioned behind the front house and was looking through the glass double doors. He/she held her flashlight in his/her left hand and illuminated the interior of the residence. He/she turned off the flashlight after determining there were no occupants in that room.

Shortly thereafter, Detective D observed the Subject emerge from a corner within the front residence. According to Detective D, he/she illuminated the Subject with his/her flashlight and observed him holding a *"dark firearm"* or *"dark-colored handgun"* in his left hand. Detective D said the Subject looked directly at him/her, raised the gun to his chest level, and pointed the muzzle in his/her /her direction. Detective D believed his/her life was in danger and immediately alerted the team by yelling, *"Gun!"*

Detective D believed the situation could result in death or serious bodily injury; therefore, he/she redeployed backward in a southerly direction while simultaneously attempting to unholster his/her pistol. Before he/she could unholster, Detective D heard gunshots emit from within the residence and lost his/her footing. He/she fell off the cement platform and landed face down on the ground, southeast of the concrete platform. According to Detective D, he/she attempted to gain cover/concealment by crawling in a northerly direction toward the southeast corner of the front house.

According to Officer C, he/she heard Detective D yell, *"Hey gun!"* which directed his/her attention toward the front house. He/she looked through a window on the east side of the structure and observed a male (the Subject) running inside the location. He/she then

heard two gunshots and observed two simultaneous muzzle flashes inside the location. Officer C unholstered his/her pistol and held it in a low-ready position.

When the gunfire began, Officer F and Senior Inspector A were in the driveway area. After hearing the gunshots, Officer F unholstered his/her pistol and held it in a low-ready position. Officer F then sought cover behind a vehicle and covered the front door. Officer E redeployed north and joined Officer F. Believing his/her life was in danger; Officer E also unholstered his/her pistol and held it in a low-ready position.

Detective A said he/she unholstered his/her pistol after hearing gunshots. According to Detective A, he/she held his/her pistol in his/her right hand in a low-ready position.

An OIS then ensued involving Detectives B, E, F, and Officers B and D.

Below is an account of the officers' actions during the OIS and their reasoning for using deadly force. The order does not represent the sequence in which the officers discharged their pistols since some of the shootings happened simultaneously:

Detective B was positioned near the rear house when he/she heard a loud noise that startled him/her and made him/her jump. He/she then heard Detective D yell, *"He's got a gun!"* According to Detective B, he/she had a reasonable belief that the situation could lead to serious bodily injury or death. Therefore, he/she unholstered his/her pistol and held it in a two-handed shooting position.

Moments later, Detective B heard someone yell, *"Get cover!"* and *"The gunshots are coming from the front house!"* Detective B then turned around and looked through glass double doors of the front house and observed a muzzle flash inside the location. According to Detective B, the muzzle flash illuminated the suspect, which Detective B described as a *"black figure."* Detective B observed the Subject holding a gun with both hands, raised to chest level in a *"high-ready"* position. According to Detective B, the muzzle of the gun was pointed in his/her direction.

After observing the muzzle flash, Detective B heard a gunshot and the sound of glass breaking. He then observed Detective D fall and believed he/she was struck by gunfire. In defense of his/her life and the lives of the other USMATF personnel, Detective B fired one round at the Subject in a northerly direction from an approximate distance of 28-38 feet. Detective B explained, *"So, um, in defense of my life, in defense of Officer [F], who was standing to my right, and Detective - - I'm sorry Detective [F] to my right, and Detective [E] - - or [D], who's standing somewhere to my right, too, I shot after I saw the muzzle flash. Because I feel like I saw the muzzle flash first, and then I heard it. So I shot, and I started yelling 'Police.'"*

According to Detective B, he/she assessed after firing the first round and observed an additional muzzle flash. Therefore, Detective B fired one additional round at the Subject, also in a northerly direction from the same approximate distance. After discharging his/her second round, Detective B assessed and heard additional rounds being fired by the Subject. Therefore, he/she attempted to fire a third round; however, his/her pistol malfunctioned. Detective B removed the magazine from his/her pistol, cleared the

malfunction, and inserted a new magazine into his/her pistol. He/she then utilized the tactical light attached to his/her pistol and illuminated the house's interior, but could no longer see the Subject.

Officer B was on the north side of the rear house conducting the knock-and-notice when he/she heard Detective D yell, *"He has a gun!"* followed by the sound of two gunshots. According to Officer B, the gunshots appeared to be coming from the western portion of the front house; however, he/she did not know the exact location.

After hearing the gunshots, Officer B said he/she unholstered his pistol and held it in a two-handed, low-ready position. According to Officer B, he/she began looking for cover and yelled *"Police!"* multiple times. No cover was available, so he/she sought concealment behind a sheet of plywood near the southeast corner of the front house.

Officer B heard a second volley of gunfire and observed a dark silhouette emerge from an opening on the east side of the front house. He/she then observed the Subject's left shoulder and arm protrude from the opening. According to Officer B, the Subject was holding a black semi-automatic pistol in his hand and pointed it in his/her (Officer B's) direction.

According to Officer B, he/she fired two to three rounds at the Subject in a northerly direction, aiming at the Subject's center mass. The Subject then retreated into the residence, and Officer B lost sight of him. Officer B then observed Detective D lying face down on the ground and believed he/she had been shot. Simultaneously, he/she heard additional gunshots being fired through the glass double doors on the south side of the front house.

In defense of Detective D, Officer B positioned himself/herself in front of him/her and fired an additional two to three rounds in a northerly direction, where he/she believed the Subject to be.

For his/her second volley, Officer B said he/she fired in *"controlled pairs"* through the southern wall of the front house. Officer B explained, *"I knew that was my only option, was to put rounds through that wall in the direction of the suspect, so they can get my officer, which I thought was hit, out of the line of fire."*

The investigation determined that Officer B fired six rounds total. According to Officer B, the Subject's background at the time of his/her first volley was a door and wall. For his/her second volley, the background was the rear portion of the front house, which he/she perceived to be a large empty space.

Detective E was positioned on the north side of the rear house when he/she heard Detective D yell, *"He's got a gun!"* Detective E said he/she turned around and simultaneously unholstered his pistol, which he/she held in a two-handed shooting position. He/she then heard a gunshot emit from the front house and observed the glass double doors shatter.

After witnessing Detective D fall, Detective E believed he/she had been struck by gunfire. Detective E added, *"There was no doubt in my mind he [the Subject] had already taken one of us out. He was - - primary goal was to kill as many of us as he could."*

According to Detective E, he/she and Officer B redeployed and stepped in front of Detective D. Detective E added, *"...I unholstered, stepped in front of Detective D, because I believe [he/she] had been hit, we train as a unit when an officer goes down, step over the officer."* Detective E then directed Officer F to assist Detective D.

Shortly thereafter, Detective E observed the Subject's left arm and shoulder area emerge from an opening on the east side of the front house. According to Detective E, the Subject was holding a *"black gun"* and pointing it in his/her direction. He/she then observed two muzzle flashes.

In defense of his/her life and the life of Detective D, Detective E fired two rounds at the Subject in a northerly direction from an approximate distance of 21 feet. After discharging his/her two rounds, Detective E assessed the situation and could no longer see the Subject, who had retreated into the residence.

Detective F was positioned along the west wall of the rear house, covering the sliding door. According to Detective F, he/she heard Detective D say, *"He has a gun!"* He/she then unholstered his/her pistol, which he/she held in his/her right hand, with the muzzle pointed down, alongside his/her right leg.

Detective F turned toward the north and observed Detective D running in a southerly direction. Simultaneously, he/she heard gunfire emitting from the front house. Detective D then fell, causing Detective F to believe he/she had been struck by gunfire.

According to Detective F, he/she verbally announced his presence by yelling, *"Police!"* multiple times and knelt on his/her left knee, south of Detective D. As he/she did so, Detective F held his/her pistol in his/her right hand with the muzzle pointed toward the double doors. Detective F visually and verbally checked on Detective D and ensured he/she was okay.

According to Detective F, he/she could hear officers exchanging gunfire with the suspect east of his/her location and was trying to *"acquire a target."* Detective F then heard a second volley of gunfire and believed the Subject was attempting to ambush them.

Detective F observed the Subject through the glass double doors running in a westerly direction and believed he (the Subject) was attempting to kill him/her and his/her partners. As the Subject ran west, Detective F fired one round at the Subject in a northerly direction from a kneeling position. As he/she did so, Detective F held his/her pistol in his/her right hand, in a one-handed shooting position.

Officer D was positioned near the southwest corner of the rear house. He/she heard someone north of his location say *"Gun!"* Officer D looked north and directed his/her attention toward the front house. According to Officer D, an officer shined a flashlight into the front house, illuminating the interior. Officer D looked through the glass double doors and observed the Subject standing inside the front house with his arm extended in a

south easterly direction. According to Officer D, he/she could see the outline of a gun in the Subject's hand. Officer D was cognizant that there were officers positioned in that vicinity and feared that the Subject was going to ambush them.

According to Officer D, he/she unholstered his pistol and held it in a two-hand shooting position with the muzzle pointed toward the Subject. Nearly simultaneously, Officer D heard multiple gunshots and believed the Subject was shooting at the officers.

Officer D observed Detective F on the north side of the rear house. According to Officer D, *"Officer [F] was on the north side of that corner, however, I stepped a little away from the structure to my left, [west] and I had very clear line of sight of the structure, and where the suspect was. So I fired, believe two to three, and that was to stop the suspect from shooting at my partners."*

Officer D fired two to three rounds in rapid succession at the Subject in a northerly direction from an approximate distance of 33 feet. According to Officer D, he/she assessed after his/her first volley and observed a *"dog pile of officers"* near the northwest corner of the rear house. Officer D explained that the pile of officers consisted of Detectives B, D, and F. Officer D thought they had been struck by gunfire.

Officer D observed Detective B crouching down and directed him/her to redeploy south in his/her direction. As Detective B redeployed south, along the west side of the rear house, Officer D heard officers yelling, *"Police!"*

Officer D described Detective B as a *"larger guy"* and indicated that he/she could not see past him/her as he/she redeployed. Officer D moved further west to gain a better line of sight on the Subject and make room for Detective B to redeploy safely. As Detective B was in the process of redeploying, Officer D heard more gunfire and believed the Subject was shooting at Detective B. In defense of Detective B's life, Officer D fired two additional rounds at the Subject in a northerly direction.

Using his/her flashlight, Officer D illuminated the interior of the front house and observed the Subject running in a northerly direction. He/she broadcast his/her observations over the radio and redeployed to the southwest portion of the rear yard. According to Officer D, he/she holstered his/her pistol when he/she could no longer see the Subject moving within the residence.

Following the OIS, Detective E broadcast on the radio and notified Detective C that shots had been fired. Detective E knew that Detective C was responsible for communications and would broadcast the help call. Therefore, Detective E focused on command and control and the tactical redeployment of his/her personnel.

At approximately 0342 hours, Detective C broadcast shots fired, officers need help and verified that all officers were okay and accounted for.

In response to the help call broadcast, multiple units responded to the scene including Sergeant A who advised CD that he/she was en route to the location.

After the OIS, the officers' positions and roles changed multiple times. Therefore, unless a specific moment was deemed significant, the officers' general movements and actions were summarized.

As they waited for additional resources to arrive at the scene, Detective E coordinated the redeployment of his/her personnel and directed them to seek cover behind the rear house. The USMATF personnel contained the location and awaited the arrival of additional resources.

Detective C informed CD that his/her officers were okay and requested the Torrance Police Department personnel meet him/her in front of the location. The dispatcher asked Detective C if there was a Code-Four and if all officers were accounted for. Detective C replied, *"All officers are accounted for, we do not have a Code-4. We still have the suspect inside the location."* The CD Emergency Board Operator (EBO) contacted the Torrance Police Department and notified them of the OIS incident. The Torrance Police Department indicated they would dispatch uniformed personnel to the location.

Meanwhile, Detective A was concerned about cover and the well-being of the officers at the scene. He/she feared that an officer may have been injured during the incident and wanted to prepare for a potential extraction. He/she decided to retrieve his/her police vehicle so they could utilize it as cover and extract any injured personnel if necessary. Detective A holstered his/her pistol and pulled his/her vehicle into the driveway.

Detective A wanted to ensure that the occupants inside the residence knew they were police officers and had the location "surrounded." Therefore, he/she activated the vehicle's front and rear takedown lights. He/she then retrieved his/her bullhorn from his/her vehicle, activated it, verbally identified himself as a police officer, and ordered the occupants to exit the premises.

Shortly thereafter, Detective A observed a female inside the front house, later identified as Witness A, who was frantically moving around the house and appeared to be *"hysterical."* Detective A continued verbalizing on the bullhorn and attempted to gain compliance from Witness A and any other occupants within the location. Additionally, Detective A felt that if he/she continued utilizing the bullhorn, it could redirect the Subject's attention away from the contact team, who was still at the rear of the location.

Detective A ordered Witness A to exit the residence, and she complied. Officer F spoke with Witness A and inquired about additional occupants inside the location and what had transpired. She indicated that her husband [the Subject] was still inside the residence.

Detective A continued ordering the occupants out of the residence utilizing the bullhorn. Shortly after Witness A exited the residence, the Subject exited. Detective A noticed that the Subject had a tourniquet [belt] wrapped around his arm. Senior Inspector A holstered his/her pistol, removed his/her handcuffs, and handcuffed the Subject. The Subject was taken into custody without further incident. Senior Inspector A searched the Subject's person for weapons and contraband with negative results. Shortly thereafter, the USMATF personnel discovered that the Subject had a gunshot wound to his left arm. The Subject was escorted away from the property and seated on the curb in front of the location. Once the Subject was apprehended, Officers C and F holstered their pistols.

Detective C requested a Rescue Ambulance (RA) to respond to their location and broadcast that the Subject was in custody. The Subject was placed onto a gurney, and then rolled into the ambulance, where he was treated for a gunshot wound to his left arm.

Multiple LAPD units arrived at the scene, along with Sergeant A. As additional LAPD units arrived at the scene, Sergeant A and Detectives A and C ensured that the USMATF personnel were relieved by patrol resources.

Sergeant A met with Detective C who directed him/her to the involved officers and ordered them not to discuss the incident. Sergeant A ensured the involved officers were separated and monitored.

In the interim, Sergeant A formed a contact team consisting of uniformed patrol officers and coordinated a protective sweep of both houses. During the protective sweep of the front house, a handgun was discovered on the floor inside of the residence.

In the backyard, Sergeant A located cartridge cases and a gun magazine on the ground and directed an officer to monitor and preserve the evidence. During a protective sweep of the rear house, officers located Witness B and escorted him out of the location. No other subjects or witnesses were identified.

The Subject was transported to Harbor-UCLA Medical Center for further treatment. After treatment, the Subject was discharged from the hospital and released for booking.

BWV and DICVS Policy Compliance

NAME	TIMELY BWV ACTIVATION	FULL 2- MINUTE BUFFER	BWV RECORDING OF ENTIRE INCIDENT	TIMELY DICVS ACTIVATION	DICVS RECORDING OF ENTIRE INCIDENT
Officer B	No	No	No	N/A	N/A
Officer C	No	Yes	No	N/A	N/A

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Los Angeles Board of Police Commissioners' (BOPC) Findings

The BOPC reviews each 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 Detectives B, E, and F, and Officers B and D's tactics to warrant a finding of Tactical Debrief.

B. Drawing and Exhibiting

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

C. Lethal Use of Force

The BOPC found Detectives B, E, and F, and Officers B and D'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 the BOPC’s 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 his/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/Assessment – Detective C received a request to serve multiple Ramey warrants, including one for the Subject, from Juvenile Division Abused Child Section (ACS). Detective C assigned the case to Detective A who then assigned the case to Detective B. Detectives A and B each conducted a threat assessment of the Subject, which included reviewing the Subject's criminal history and running the Subject for any registered firearms. Detectives A and B both concluded the Subject was low-risk based upon his nonviolent and minimal criminal history and that no firearms were registered to him. Detective A then completed a multi-location Tactical Operation Plan.

On the day of this incident, Detective B drove by and scouted the Subject's residence. The USMATF personnel then conducted a briefing prior to the warrant service, where they discussed the layout of the property, provided personnel with a picture of the Subject and discussed their planned approach. According to Detective A, he/she assigned the following roles to USMATF personnel: Detective C was the Officer in Charge (OIC) tasked with overseeing the tactical operation, including communications and command and control; Detective A was the field operations supervisor; Officer B was assigned to the arrest team and selected to conduct the "knock and notice" announcement; Officer E was assigned to the arrest team and equipped with the 40mm less-lethal launcher (LLL); Officer C and Special Investigator A were assigned to the arrest team; Detective E was tasked with overseeing the arrest team and the "knock and notice;" Detective B was the investigating officer and part of containment; and Detectives D, G, and F, along with Officers F and D, were assigned as containment.

Time/Redeployment and/or Containment – Before conducting the door knock, USMATF personnel established containment around the rear house. During the door knock, the Subject fired a handgun from the rear of the front residence and officers redeployed to cover when feasible. The Subject's sudden actions prevented the officers from using additional time as a de-escalation technique.

Lines of Communication/Other Resources – Prior to the warrant service, Detective B notified CD, Torrance Police Department, the Mental Evaluation Unit (MEU) and Los Angeles Regional Criminal Information Clearinghouse (LA CLEAR).

Upon establishing containment, Detective E instructed Officer B to conduct the knock and notice. Officer B knocked on the front door of the rear house and announced

himself/herself as the police three times. Throughout the subsequent OIS, the officers continued to announce themselves as the police. Detective A used a bullhorn to once again identify themselves as police and ordered the occupants out of the residence. After the OIS, Detective E alerted Detective C of what transpired and ensured all personnel in the rear had redeployed to available cover. Detective C then broadcast shots had been fired and officers needed help. Detective C additionally requested the assistance of the Torrance Police Department.

During the review of the incident, no Debriefing Points were identified.

Additional Tactical Debrief Topics

- **Tactical Communication/Planning** – On the day of this incident, Detective B drove by and scouted the Subject's residence. According to Detective B, he/she identified the target location and noted there was a large hedge in front of the property, which significantly reduced his/her ability to see the rear house. Additionally, Detective B observed a vehicle parked in the driveway. Using Department resources, Detective B determined the vehicle was registered to Witness A. According to Detective B, he/she did not complete a work-up on Witness A because he/she believed it did not meet the policy of "right to know, need to know," since the car was registered to the front location and there was no known association between the Subject and Witness A at the time.

The USMATF was planning to serve seven warrants on the day of this incident, with the Subject's warrant being served first. Detective A completed a multi-location Tactical Operation Plan while Detective B completed a single location Tactical Operation Plan specific to the Subject's address. The plans contained different briefing times, emergency medical facilities, and ACS investigating officers.

The BOPC would have preferred the involved personnel completed a full work-up of Witness A and considered the possibility the front residence could have been related to the rear house. The BOPC also would have preferred Detective B's Tactical Operation Plan be completed in a more thorough and detailed manner consistent with the plan completed by Detective A. To enhance future performance, the BOPC directed this to be a topic of discussion during the Tactical Debrief.

Command and Control

- *Command and Control is the use of active leadership to direct others while using available resources to coordinate a response, accomplish tasks and minimize risk. Command uses active leadership to establish order, provide stability and structure, set objectives, and create conditions under which the function of control can be achieved with minimal risk. Control implements the plan of action while continuously assessing the situation, making necessary adjustments, managing resources, managing the scope of the incident (containment), and evaluating whether existing Department protocols apply to the incident.*

Command and Control is a process where designated officers use active leadership to command others while using available resources to accomplish tasks and minimize risk. Active leadership provides clear, concise, and unambiguous communication to develop and implement a plan, direct officers, and manage resources. The senior officer or any person on scene who has gained sufficient situational awareness shall initiate Command and Control and develop a plan of action. Command and Control will provide direction, help manage resources, and make it possible to achieve the desired outcome. Early considerations of PATROL will assist with the Command and Control process.

While serving the Ramey warrant, Detective E gave his/her contact team the command to door knock once containment had been established. After the OIS, Detective E broadcast shots had been fired and notified Detective C. Detective C broadcast on Southeast Base frequency shots had been fired and requested the response of Torrance Police Department. Detective C confirmed that all personnel were okay and accounted for. While waiting for backup to arrive, Detective E coordinated the redeployment of all personnel to ensure they had sufficient cover.

During this time, Detective C advised CD all officers were accounted for and requested Torrance Police Department meet him/her at the front of the location and that there was no Code Four at this time. Additionally, Detective A pulled his/her police vehicle into the driveway of the target location, activated his/her front and rear takedown lights, and utilized his/her bullhorn to verbally identify himself/herself as a police officer. While doing so, he/she observed Witness A frantically running around the house. Detective A ordered Witness A out of the house who complied, and advised the Subject was still in the house. Detective A then ordered the Subject out of the house, who complied, and was handcuffed by Special Investigator A. When the Subject exited, officers noticed he had a gunshot wound to his left arm and had applied a tourniquet.

At approximately 0346 hours, Lieutenant A notified Captain A of the OIS. At approximately 0349 hours, Detective C broadcast the Subject was in custody. Approximately three minutes later, Sergeant A arrived at scene and ensured all officers involved in holding the target location donned ballistic helmets. Sergeant A then met with Detective C, who directed Sergeant A to the involved personnel. Detective C ordered the involved personnel not to discuss the incident and Sergeant A ensured all involved personnel were separated and monitored.

Sergeant B obtained a Public Safety Statement (PSS) from Officer D. Sergeant C obtained a PSS from Detective B. Sergeant D obtained a PSS from Officer B and Detective E. Lieutenant A also arrived at scene and assumed IC duties from Detective C. Sergeant E obtained a PSS from Detective F. The Department Operations Center (DOC) was also notified of the OIS by Detective C.

Sergeant A formed a contact team and conducted a protective sweep of both houses on the property. While conducting the protective sweep, officers located a handgun on the floor inside the front residence. During the protective sweep of the rear house, officers located Witness B.

The UOFRB determined, and the BOPC concurred, the overall actions of Detectives A, C, and E, Sergeants A, B, C, D, and E, and Lieutenant A, were consistent with Department training and the BOPC's expectations of supervisors during a critical incident.

Tactical Debrief

- In conducting an objective assessment of this case, the UOFRB determined, and the BOPC concurred, the actions of Detectives B, E, and F, and Officers B and D, did not substantially deviate from Department tactical training, policies, and procedures.

Each tactical incident merits a comprehensive debriefing. A Tactical Debrief is the appropriate forum for the involved personnel to discuss individual actions that took place during this incident. Therefore, the BOPC directed Detectives B, E, and F, and Officers B and D, to attend a Tactical Debrief and the identified topics be discussed.

The BOPC found Detectives B, E, and F, and Officers B and D's tactics to warrant a finding of Tactical Debrief.

B. Drawing/Exhibiting

- **Detective E**

While positioned on the north side of the rear house, Detective E heard Detective D yell, "*He's got a gun!*" Detective E then turned around and simultaneously unholstered his/her service pistol, holding it in a two-handed shooting position. According to Detective E, he/she believed the Subject's "*primary goal*" was to "*kill as many*" officers as he/she could and therefore felt the situation had escalated to where deadly force would be justified.

- **Detective B**

While positioned near the rear house, Detective B heard a loud noise that startled him/her and made him/her jump. Detective B then heard Detective D yell, "He's got a gun!" Detective B unholstered his/her service pistol and held it in a two-handed shooting position. According to Detective B, he/she had a reasonable belief the situation could lead to serious bodily injury or death.

- **Detective F**

While positioned on the west wall of the rear house, covering the sliding door, Detective F heard Detective D say, "*He has a gun!*" Detective F then heard two gunshots and observed Detective D fall. Detective F unholstered his/her service pistol and held it with his/her right hand. According to Officer F, he/she believed that Detective D had been shot and the situation had already escalated to deadly force.

- **Officer B**

While on the north side of the rear house conducting the door knock, Officer B heard Detective D yell, “*He has a gun!*” followed by the sound of two gunshots. According to Officer B, the gunshots appeared to be coming from the western portion of the front house; however, he/she did not know the exact location. After hearing the gunshots, Officer B unholstered his/her service pistol and held it in a two-handed, low ready position. According to Officer B, he/she had an “*immediate fear*” that himself/herself or his/her partners were going to be “*hurt or killed.*”

- **Officer D**

While positioned near the southwest corner of the rear house, Officer D heard someone yell, “*Gun!*” and directed his/her attention toward the front house. Officer D observed the Subject standing inside the front house, with his/her arm extended in a southeasterly direction, holding a firearm. Officer D unholstered his/her service pistol and held it in a two-handed shooting position, and nearly simultaneously, heard multiple gunshots and believed the Subject was shooting at officers. According to Officer D, he/she believed that the Subject was attempting to ambush the officers. Officer D believed the situation would possibly lead to the use of deadly force.

The UOFRB assessed Detectives B, E, and F, and Officers B and D’s drawing and exhibiting of their service pistols. The UOFRB noted while conducting the door knock of the rear house, each of the involved personnel heard Detective D yell “*gun!*” and observed him/her fall to the ground and believed he/she had been struck by gunfire. Based on the Subject’s actions and Detective D’s reaction, the UOFRB opined it was reasonable for Detectives B, E, and F, and Officers B and D, to believe the situation had escalated to where deadly force may be necessary.

Based on the totality of the circumstances, the UOFRB determined, and the BOPC concurred, an officer with similar training and experience as Detectives B, E, and F, and Officers B and D, would reasonably believe the situation had escalated to where deadly force may be justified. Therefore, the BOPC found Detectives B, E and F, and Officers B and D’s drawing and exhibiting of a firearm to be In Policy.

C. Lethal Use of Force

- **Detective E** – pistol, two rounds in a northerly direction from an approximate distance of 21 feet.

Background – Detective E’s background at the time of the OIS was the wall of the front house.

Detective E was positioned on the north side of the rear house when he/she heard Detective D yell, “He’s got a gun!” Detective E then heard a gunshot emit from the front house and observed the glass double doors on the southside of the front house shatter. Detective E observed Detective D fall and believed he/she had been struck by gunfire. According to Detective E, he/she and Officer B redeployed and stepped in

front of Detective D. Detective E then observed the Subject's left arm and shoulder area emerge from an opening on the east side of the front house. Detective E observed the Subject holding a "black gun" and pointing it in his/her direction, followed by two muzzle flashes. In response to the Subject's actions and in defense of his/her and Detective D's lives, Detective E discharged two rounds at the Subject.

- **Detective B** – pistol, two rounds in a northerly direction from an approximate distance of 28 to 38 feet.

Background – Detective B's background at the time of the incident was a wall inside the residence.

Detective B was standing near the rear house when he/she heard a loud noise that startled him/her and made him/her jump. Detective B heard Detective D yell, "He's got a gun!" Detective B then heard someone yell "get cover!" and directed his/her attention to the glass double doors of the front house. While looking through the glass, Detective B observed a muzzle flash which illuminated the Subject. Detective B observed the Subject holding a handgun with both hands, raised to chest level in a "high-ready" position. According to Detective B, the muzzle of the gun was pointed in his/her direction. After observing the muzzle flash, Detective B heard a gunshot and the sound of glass breaking. He/she then observed Detective D fall and believed he/she was struck by gunfire. In response to the Subject's actions and in defense of his/her life and the lives of other USMATF personnel, Detective B discharged one round at the Subject in a northerly direction from an approximate distance of 28 to 38 feet.

After firing his/her first round, Detective B observed an additional muzzle flash come from the Subject's location. In response to the Subject's actions and in defense of his/her life and the lives of the other USMATF personnel, Detective B discharged one round at the Subject in a northerly direction from an approximate distance of 28 to 38 feet. After discharging his/her second round, Detective B continued to hear rounds being fired by the Subject and attempted to discharge a third round but experienced a malfunction. Detective B removed the magazine from his/her pistol, cleared the malfunction, and inserted a new magazine into his/her pistol. Detective B then utilized the tactical light attached to his/her pistol and illuminated the house's interior but could no longer see the Subject.

- **Detective F** – pistol, one round in a northerly direction from an approximate distance of 13 feet.

Background – Detective F's background at the time of the incident was the front house, which was under construction.

Detective F was positioned along the west wall of the rear house, covering the sliding door, when he/she heard Detective D say, "*He has a gun!*" Detective F turned north and observed Detective D running in a southerly direction. Simultaneously, he/she heard gunfire emitting from the front house and observed Detective D fall, causing Detective F to believe he/she had been struck by gunfire. Detective F then announced his/her presence by yelling, "*Police!*" multiple times and knelt on his/her left knee,

south of Detective D. Detective F held his/her service pistol in his/her right hand with the muzzle pointed toward the double doors. Detective F checked on Detective D and ensured he/she was okay. While doing so, Detective F heard other officers exchanging gunfire with the Subject and believed the Subject was attempting to ambush them. Detective F observed the Subject through the glass double doors running in a westerly direction and believed the Subject was attempting to kill him/her and his/her partners. As the Subject ran west, Detective F, with a one-handed grip, discharged one round from his/her service pistol at the Subject from a kneeling position.

- **Officer B** – pistol, six rounds in a northerly direction from an approximate distance of 22 feet.

Background – Officer B's background at the time of the incident was a door and wall of the front house for his/her first volley. For the second volley, his/her background was the rear portion of the front house, which Officer B perceived to be a large empty space.

First Volley

Officer B was on the north side of the rear house conducting the door knock when he/she heard Detective D yell, "*He has a gun!*" followed by the sound of two gunshots. Officer B redeployed to the southeast corner of the front house to find concealment, as cover was unavailable. Officer B then heard a second volley of gunfire and observed a dark silhouette emerge from an opening on the east side of the front house. Officer B then observed the Subject's left shoulder and arm protrude from the opening, holding a black semi-automatic pistol in his hand and pointed in Officer B's direction. In response to the Subject's actions, Officer B discharged two to three rounds at the Subject from an approximate distance of 22 feet.

Second Volley

Officer B observed the Subject retreat into the residence and lost sight of him. Officer B then observed Detective D lying face down on the ground and believed he/she had been shot. Simultaneously, he/she heard additional gunshots being fired through the glass double doors on the south side of the front house.

In defense of Detective D and in response to the Subject's actions, Officer B discharged two to three rounds in "*controlled pairs*" from an approximate distance of 22 feet. Officer B stated he/she was aiming where he/she believed the Subject to be.

- **Officer D** – pistol, six rounds in a northerly direction from an approximate distance of 33 feet.

Background – Officer D's background at the time of the incident was the interior of the front house.

First Volley

Officer D was positioned toward the southwest corner of the rear house when he/she heard someone north of his location say “Gun!” Officer D looked through the glass double doors of the front house and observed the Subject standing inside the front house with his arm extended in a southeasterly direction holding a handgun. Officer D explained he/she was cognizant there were officers positioned in that vicinity and feared the Subject was going to ambush them. Officer D heard multiple gunshots and believed the Subject was shooting at the officers. In response to the Subject’s actions, Officer D discharged two to three rounds in “*rapid succession*” at the Subject from an approximate distance of 33 feet.

Second Volley

After Officer D’s first volley of gunfire, he/she observed what he/she described as a pile of officers, consisting of Detectives B, D, and F, near the northwest corner of the rear house and believed they had all been struck by gunfire. Officer D observed Detective B crouching down and directed him/her to redeploy south in his/her direction. As Detective B was in the process of redeploying, Officer D heard more gunfire and believed the Subject was shooting at Detective B. In response to the Subject’s actions and in defense of Detective B’s life, Officer D discharged two to three additional rounds at the Subject from an approximate distance of 33 feet.

Note: The FID investigation revealed four discharged cartridge casings were found that matched the handgun used by the Subject.

The UOFRB assessed the use of lethal force by Detectives B, E, and F, and Officers B and D. The UOFRB noted each of them heard Detective D call out a gun, heard gunshots and saw Detective D on the ground, causing them to believe he/she had been shot. The UOFRB noted the officers believed they were being ambushed by the Subject and he had a position of advantage on them at the time. The UOFRB opined the evidence showed the Subject was clearly moving through the house and firing a gun from different positions. Based upon the Subject’s actions, it was reasonable for Detectives B, E, and F, and Officers B and D, to believe the Subject posed an imminent deadly threat to the officers and their use of lethal force was objectively reasonable, proportional, and necessary.

Regarding Officer B’s cover fire in his/her second volley, the UOFRB noted Officer B shot where he/she reasonably believed the Subject to be. The UOFRB opined Officer B discharged three to four deliberate and controlled rounds to provide cover for the extraction of Detective D, who all of the officers believed had been shot by the Subject. Officer B used cover fire to assist in protecting Detective D.

The UOFRB additionally noted there were no background or foreground issues identified in this incident. Regarding the front house, it was seemingly under construction, leaving the officers to believe it was vacant. Regarding Officer D, his/her statements clearly indicated he/she moved west to ensure his/her foreground was clear when discharging his/her second volley.

The UOFRB noted in the Subject's statement, he claimed he was unaware the officers in his backyard were the police and believed his home was being burglarized. The UOFRB opined the Subject's statements were likely untrue due to the clarity and quality of the surveillance video the Subject used to observe the officers. The surveillance system had a clear view of the driveway where the officers entered. All officers at scene wore tactical vests with police identifiers.

As it pertains to the number of rounds discharged by the officers, the UOFRB noted Detectives E and B discharged two rounds, Detective F discharged one round, and Officers B and D discharged six rounds. Based on the available evidence, the UOFRB opined that each of the officers faced an imminent deadly threat each time they discharged their service pistols, and the force used was proportional to the reasonably perceived level of resistance.

Based on the totality of the circumstances, the UOFRB determined, and the BOPC concurred, an officer with similar training and experience as Detectives B, E, and F, and Officers B and D, in the same situation, would reasonably believe the use of lethal force was proportional, objectively reasonable, and necessary. Therefore, the BOPC found Detectives B, E, and F, and Officers B and D's use of lethal force to be In Policy.

Medical Treatment/Rendering Aid

- After being taken into custody, the officers observed the Subject had a gunshot wound to his left arm with a makeshift tourniquet applied to his left arm. Detective C requested a RA for the Subject. Torrance Fire Department arrived at scene and began treating the Subject. The Subject was transported to a hospital and was treated for a gunshot wound. After treatment, the Subject was discharged from the hospital and cleared for booking. The officers met the Department's expectation for rendering aid.

Detective B informed Sergeant C he/she was injured and had possibly been shot in the left arm. Sergeant C requested an RA for Detective B for a possible graze wound to the arm. Torrance Fire Department was still at scene and examined the injury. Detective B was later taken to a hospital and was treated by a doctor. Detective B believed the injury was a graze wound from a projectile; however, the doctor was unable to confirm the cause of the injury.

Detective D fell during the incident and sustained abrasions to his/her left knee and left elbow. Detective D was treated at the scene by fire department personnel. In the months following this incident, Detective D experienced numbness and tingling to his/her foot and muscle spasms on his/her back; therefore, he/she sought additional medical treatment.

Officer F scraped his/her ankle while seeking cover in the front yard of the location during the OIS. As a result, he/she sustained a small abrasion to his/her left inner ankle area.