

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

OFFICER-INVOLVED SHOOTING – 019-24

<u>Division</u>	<u>Date</u>	<u>Duty-On (X) Off ()</u>	<u>Uniform-Yes (X) No ()</u>
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Central	4/18/24		
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<u>Officer(s) Involved in Use of Force</u>	<u>Length of Service</u>
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Sergeant A	20 years 9 months
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Total Involved Officers

While officers were investigating an unrelated incident, the Subject charged at them with a knife, resulting in an Officer-Involved Shooting (OIS). The Subject was struck by gunfire and transported by ambulance to hospital, where he was treated for his injuries.

<u>Subject</u>	<u>Deceased ()</u>	<u>Wounded (X)</u>	<u>Non-Hit ()</u>
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Male, 32 years of age			
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Board of Police Commissioners' Review

This is a brief summary designed only to enumerate salient points regarding this Categorical Use of Force incident and does not reflect the entirety of the extensive investigation by the Los Angeles Police Department (Department) or the deliberations by the Board of Police Commissioners (BOPC). In evaluating this matter, the BOPC considered the following: the complete Force Investigation Division investigation (including all of the transcribed statements of witnesses, pertinent subject criminal history, and addenda items); the relevant Training Evaluation and Management System materials of the involved officers; the Use of Force Review Board recommendations; the report and recommendations of the Chief of Police; and the report and recommendations of the 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 25, 2025.

Incident Summary

On April 18, 2024, officers received a radio call regarding a possible allegation of crime. The following Central Area personnel responded to the radio call: Officers A, B, C, D, E, F, G, H, and Sergeant A.

While inquiries into the incident were ongoing, Officer F went to his/her police vehicle, which was parked facing south in the street and sat in the front passenger seat. As Officer E joined Officer F, the Subject was walking south towards the officers. The Subject stopped to the north of the officers on the opposite side of the intersection. Sergeant A joined Officer F at the police vehicle and stood next to the closed rear passenger-side door, facing south.

As Sergeant A joined Officer F at the police vehicle, the Subject resumed walking south across the intersection toward the officers. The Subject stopped near the rear of the police vehicle and stood facing the officers for approximately 15 seconds. Officer F remained inside the vehicle while Sergeant A faced southwest, unaware of the Subject's presence.

Witnesses A and B, and an unidentified male wearing a white shirt, were standing on the sidewalk southwest of the officers. Witness A gestured toward the Subject, capturing the attention of Witness B and the male in the white shirt. Sergeant A and Officer E then noticed the Subject, who was standing in the roadway.

Sergeant A looked back at Witness A, who stated that the Subject had a knife in his hand. Sergeant A did not initially hear Witness A, but briefly looked over at the Subject and then back at Witness A. While remaining with his/her back to the passenger door, Sergeant A looked at the Subject a third time and realized that the Subject was armed with a knife. Sergeant A turned his/her head to Officer E and asked, "Is that a knife on him?" Witness A reiterated, that the Subject had a knife in his hand.

Sergeant A looked at the Subject again, who suddenly charged south at the officers. In response, Sergeant A immediately unholstered his/her pistol and moved west, away from the Subject's line of attack.

The Subject chased Sergeant A onto the sidewalk with the knife held at shoulder height in his right hand and his arm extended in front of him. Sergeant A turned counterclockwise to face the Subject, who was now three feet from him, and fired a single round at the Subject utilizing a two-handed grip. The Subject was struck and dropped the knife as he collapsed to the ground.

According to Sergeant A, while positioned at the rear passenger door of the police vehicle, Witness A drew his/her attention by pointing north. Although Sergeant A could not hear what Witness A was saying, he/she briefly looked north and observed the Subject standing in the street approximately six feet away. Sergeant A looked back and forth between Witness A and the Subject and noticed a three to four-inch blade protruding from the Subject's right hand.

A review of BWV shows that as Sergeant A redeployed west, his/her index finger was inside the trigger guard of his/her pistol. When Sergeant A turned counterclockwise on the sidewalk to face the Subject, the muzzle of his/her pistol appeared to cross Officer E's path. However, the hammer of Sergeant A's double-action pistol did not move rearward prior to him/her firing at the Subject.

The Subject was struck in the left abdomen and forearm/wrist. He continued forward and Sergeant A backpedaled out of his path. As the Subject fell to the ground, he dropped the knife. Officer G, who was standing further west, heard the gunshot, and broadcast, that an OIS had occurred. Officers C, E, G, and H immediately joined Sergeant A and the Subject was taken into custody without further incident.

Approximately 90 seconds after the Subject was handcuffed, Firefighter Paramedics, who were already at the scene, assumed medical care of the Subject and transported him to hospital where he was treated for his injuries.

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
Sergeant A	Yes	Yes	Yes	N/a	N/a

Los Angeles Board of Police Commissioners' Findings

The BOPC reviews each Categorical Use of Force incident based upon the totality of the circumstances, namely all of the facts, evidence, statements and all other pertinent material relating to the particular incident. In every case, the BOPC makes specific findings in three areas: Tactics of the involved officer(s); Drawing/Exhibiting of a firearm by any involved officer(s); and the Use of Force by any involved officer(s). Based on the BOPC's review of the instant case, the BOPC made the following findings:

A. Tactics

The BOPC found Sergeant A's tactics to warrant a finding of Tactical Debrief.

B. Drawing/Exhibiting

The BOPC found Sergeant A's drawing and exhibiting of a firearm to be In Policy.

C. Lethal Use of Force

The BOPC found Sergeant A's use of lethal 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 suspect 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 suspected 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 suspect 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 RA for any person injured. In addition, officers shall promptly provide basic and emergency medical assistance to all members of the community, including victims, witnesses, suspects, persons in custody, suspects 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 discharged 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 discharged 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 discharging 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 suspect.

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 suspect 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 Techniques

- **Planning**
- **Assessment**
- **Time**
- **Redeployment and/or Containment**
- **Other Resources**
- **Lines of Communication**

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.

Planning – According to Sergeant A, he/she discussed tactics with his/her unit during roll call. They discussed the PATROL acronym, contact/cover roles and de-escalation.

Assessment – Sergeant A observed Witness A gesturing towards the Subject and noticed a three to four-inch blade protruding from the Subject's right hand and assessed the Subject was holding a knife. At the time, Officer E observed the Subject but did not assess him to be a threat as he/she did not observe the knife. After realizing the Subject was armed with a knife, the Subject charged toward him. Officer E assessed he/she did not have time to unholster his/her service pistol, only

to immediately redeploy. Once the Subject charged toward him/her while armed with the knife, Sergeant A assessed the Subject posed an imminent threat of serious bodily injury or death. After the OIS, Sergeant A assessed and determined the Subject no longer posed an imminent threat.

Time, Redeployment and/or Containment – The Subject suddenly charged at Sergeant A with a knife. Sergeant A and Officer E immediately redeployed. Sergeant A moved west, away from the Subject's line of attack in order to create distance and time. After the OIS, the Subject continued forward as Sergeant A backpedaled out of his path. The Subject's sudden actions reduced the amount of time Sergeant A had to employ further de-escalation techniques or other force options.

Other Resources/Lines of Communication – Upon observing the blade protruding from the Subject's hand, Sergeant A asked Officer E if that was a knife. Before Officer E could look and respond, the Subject charged at Sergeant A. The Subject's actions reduced any opportunity for officers to verbalize with him prior to the OIS. After the OIS, Officer G broadcast a help call and requested a Rescue Ambulance (RA). Officer G gave multiple commands to the Subject not to reach for the knife. The officers communicated the location of the knife, crossfire concerns and coordinated a plan to take the Subject into custody.

Tactical Debrief Topics

- **Tactical Communications** – After the OIS, the Subject fell to the ground and dropped the knife, which landed approximately five feet from him. The Subject began to get up from the ground and, without communicating his/her intentions, Officer H contacted the Subject's back as the Subject returned to his knees. Officers communicated a possible crossfire situation and called Officer H back to form an arrest team. The BOPC would have preferred a tactical plan had been formed and communicated before Officer H made contact with the Subject.
- **Situational Awareness** – Sergeant A redeployed westbound to avoid being stabbed by the Subject when he suddenly charged at him/her. Unbeknownst to Sergeant A, when he/she redeployed, he/she appeared to cover Officer E with the muzzle of his/her service pistol when he/she unholstered to address the Subject's attack. The FID investigation determined Sergeant A's covering of Officer E was inconclusive.

During their review, the Board discussed that Sergeant A's index finger appeared to be inside the trigger guard of his/her service pistol when he/she turned to address the Subject's attack. The Board recognized Sergeant A was placed in a high stress situation when the Subject suddenly charged at him/her from approximately 10 feet away and forced him/her to respond to an imminent deadly threat within two seconds. Given the circumstances, the Board commended Sergeant A for his/her ability to attain a two-handed grip on his/her service pistol, extend his/her arm into a shooting position, and acquire a flash sight picture before firing a single round to

address the threat. The Board noted it was reasonable to conclude Sergeant A intended to shoot as he/she moved his/her service pistol in the Subject's direction and the hammer of Sergeant A's double-action service pistol did not move rearward prior to firing at the Subject. As a result, the Board did not believe his/her action of traversing the trigger guard was a violation of the Basic Firearms Safety Rules.

Command and Control

- Officer G and Sergeant A coordinated the formation of an arrest team to take the Subject into custody, facilitated medical aid and secured the scene. Sergeant B, Central Patrol Division, declared himself/herself the Incident Commander (IC) and monitored Sergeant A.

The UOFRB determined, and the BOPC concurred, the overall actions of Officer G and Sergeants A and B were consistent with Department training and the BOPC's expectations of officers and supervisors during a critical incident.

B. Drawing/Exhibiting

Sergeant A

The UOFRB assessed Sergeant A's drawing of his/her service pistol. The Board noted Sergeant A unholstered his/her service pistol in response to the Subject charging toward him/her while armed with a knife. The Board opined it was objectively reasonable to believe the situation could escalate to the use of deadly force.

Based on the totality of the circumstances, the UOFRB determined, and the BOPC concurred, an officer with similar training and experience as Sergeant A would reasonably believe the situation may escalate to where the use of deadly force could be justified.

Therefore, the BOPC found Sergeant A's drawing and exhibition of a firearm to be In Policy.

C. Lethal Use of Force

Sergeant A – 9mm semi-automatic pistol. One round fired in an easterly direction, in a downward angle from approximately three feet.

Round One

According to Sergeant A, the Subject suddenly charged at him/her while armed with a knife. He/she immediately unholstered his/her service pistol as he/she redeployed west onto the sidewalk. Sergeant A believed he/she was about to be stabbed in the back and turned counterclockwise to face the Subject, who was rapidly advancing on

him/her. As the Subject continued charging towards him/her with the knife raised to shoulder height, Sergeant A aimed at the Subject's center body mass and discharged a single round.

The UOFRB assessed the circumstances and evidence related to the use of deadly force. In their assessment of the OIS, the Board considered Sergeant A's limited time to react due to the Subject's sudden action. The Board noted that the Subject armed himself with a knife and, without provocation, charged at Sergeant A. The Board opined the Subject compressed the incident timeline, preventing Sergeant A from attempting de-escalation techniques or using other force options. The Subject's actions caused Sergeant A to believe he/she was in imminent danger of being stabbed and he/she reacted by redeploying westbound and discharging one round at the Subject. The Board opined the Subject's actions caused the use of lethal force as it left Sergeant A with no other option to defend himself/herself. As it pertains to Sergeant A's one round, the Board found it to be objectively reasonable, proportional, and necessary to defend against the Subject's deadly, imminent threat.

Furthermore, the UOFRB noted Sergeant A fired one round in a controlled and deliberate manner. After firing the first round, Sergeant A assessed and observed the Subject had fallen and dropped the knife, which the Board noted officers are trained to shoot until the threat stops. The Board commended Sergeant A's ability to quickly assess the situation and realize the Subject was no longer a threat after firing a single round. The Board commended Sergeant A's fire discipline and maturity in a high stress situation. Sergeant A's assessment and restraint demonstrated the Department's guiding principle of reverence for human life.

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

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