

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

**OFFICER-INVOLVED ANIMAL SHOOTING 002-10**

<b><u>Division</u></b>	<b><u>Date</u></b>	<b><u>Duty-On()</u></b>	<b><u>Off(X)</u></b>	<b><u>Uniform-Yes( )</u></b>	<b><u>No(X)</u></b>
Outside City	01/05/10				

<b><u>Involved Officer(s)</u></b>	<b><u>Length of Service</u></b>
Sergeant A	28 years, 6 months

**Reason for Police Contact**

Officer's livestock confronted by bobcat.

<b><u>Animal</u></b>	<b><u>Deceased (X)</u></b>	<b><u>Wounded ( )</u></b>	<b><u>Non-Hit ( )</u></b>
Bobcat			

**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 suspect criminal history, and addenda items); the relevant Training Evaluation and Management System materials of the involved officers; the Use of Force Review Board recommendations; the report and recommendations of the Chief of Police; and the report and recommendations of the Inspector General. The Los Angeles Police Department Command Staff presented the matter to the Commission and made itself available for any inquiries by the Commission.

Because state law prohibits divulging the identity of police officers in public reports, the masculine pronouns (he, his, and him) will be used in this report in situations where the referent could in actuality be either male or female.

The following incident was adjudicated by the BOPC on May 18, 2010.

**Incident Summary**

On January 5, 2010, Sergeant A and Lieutenant A were off-duty at their residence caring for their livestock in their backyard when they observed that several of their livestock were agitated. Sergeant A and Lieutenant A reported that they raised domestic livestock and had an ongoing problem with predatory animals so one of the two would usually be armed when caring for their livestock.

As Lieutenant A was in the backyard he observed a bobcat near the chicken coops and alerted Sergeant A, who was armed with a personally owned .270 caliber Savage rifle. Sergeant A went to look for the bobcat, but it had left the area so they resumed caring for their livestock.

Within a short period of time, they noticed the livestock were again agitated. Sergeant A observed that the bobcat had returned and was near the chicken coops. Sergeant A believed the bobcat was an imminent threat to the livestock and fired one round from his rifle, which struck the bobcat. The bobcat ran a short distance, fell to the ground and then expired.

Lieutenant A reported the incident to his Commanding Officer and the Los Angeles County Sheriff's Department.

### **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/Holstering of a weapon by any involved officer(s); and the Use of Force by any involved officer(s). All incidents are evaluated to identify areas where involved officers can benefit from a tactical debriefing to improve their response to future tactical situations. This is an effort to ensure that all officers benefit from the critical analysis that is applied to each incident as it is reviewed by various levels within the Department and by the BOPC. Based on the BOPC's review of the instant case, the BOPC unanimously made the following findings.

#### **A. Tactics**

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

#### **B. Drawing**

The BOPC found Sergeant A's drawing to be in policy.

#### **C. Use of Force**

The BOPC found Sergeant A's use of force to be in policy.

## **Basis for Findings**

### **A. Tactics**

Although no tactical considerations were indentified, Officer A will benefit from the opportunity to review the incident.

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

### **B. Drawing**

In this incident, Sergeant A has an established practice of being armed while caring for animals on his property. California law permits an individual to carry loaded weapons on their own property and Sergeant A's status as a police officer does not limit this right. As such, the Department's policy relative to exhibiting a firearm does not apply to off-duty officers under these circumstances.

The BOPC found Sergeant A's drawing to be in policy.

### **C. Use of Force**

In this instance, Sergeant A was confronted by a bobcat which was a threat to his domestic animals. The California Fish & Game code allows for the destruction of predatory animals in order to protect domestic animals and livestock.

Sergeant A's actions had no nexus to his status as a Los Angeles Police Department officer and he was acting within the confines of state law.

The BOPC found Sergeant A's use of force to be in policy.