

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

NON-TACTICAL UNINTENTIONAL DISCHARGE – 015-14

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
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77 th Street	4/16/14		
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Officer(s) Involved in Use of Force	Length of Service
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Officer A	1 year, 1 month
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Reason for Police Contact

Officer A was in the locker room preparing for roll call. As he attempted to holster his pistol, he momentarily lost grip of it. As he attempted to regain control of the pistol, an unintentional discharge occurred.

Subject	Deceased () Wounded () Non-Hit ()
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Does not apply.

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 Inspector General. The Department Command staff presented the matter to the BOPC and made itself available for any inquiries by the BOPC.

In accordance with state law, divulging the identity of police officers in public reports is prohibited, so 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 October 14, 2014.

Incident Summary

Officer A was inside the locker room at the police station. Officer A was standing in front of his assigned locker and was preparing for roll call. Other officers were changing at their respective lockers approximately 20 feet from Officer A.

Officer A finished securing his police belt around his waist. He reached up with his right hand and grasped his duty pistol off of the top shelf of his locker, with his thumb and three fingers around the grip of the pistol and his right index finger placed along the frame. As Officer A removed the pistol and lowered it to place the pistol in his holster, the pistol struck coat hangers hanging on a metal clothing rod inside his locker. Officer A momentarily lost his grip on the pistol. In an attempt to regain control of the pistol, Officer A re-gripped it with his right hand. As he did so, his right index finger slipped off of the frame and onto the trigger, causing the pistol to discharge one round. The round entered Officer A's locker, penetrated the north wall of the locker, and continued through to the adjacent locker.

The expended round traveled into the right side of Officer A's locker through the adjacent locker, which was positioned against the west concrete wall of the locker room. A thorough inspection of the east side of the locker room wall confirmed that the discharged bullet did not exit the wall beyond the locker room.

There were no injuries as a result of this incident.

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 most cases, 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). In this incident, there was no Drawing/Exhibiting of a firearm, and no Use of Force by the officer involved. 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 will 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 made the following findings.

A. Tactics

The BOPC found Officer A's actions to warrant a Tactical Debrief.

B. Unintentional Discharge

The BOPC found Officer A's unintentional discharge to be negligent, warranting a finding of Administrative Disapproval.

Basis for Findings

A. Tactics

- Officer A's tactics were not a factor in this incident; therefore, they were not reviewed or evaluated. However, Department guidelines require that personnel who are substantially involved in Categorical Use of Force incidents attend a Tactical Debrief. Officer A was directed to attend a Tactical Debrief that included discussions with designated topics, relevant to this incident.

In conclusion, the BOPC found Officer A's actions to warrant a Tactical Debrief.

B. Unintentional Discharge

- **Officer A** – (pistol, one round)

In this instance, while attempting to replace his duty weapon into his holster, Officer A failed to maintain control of his pistol and lost his grip on it. As he attempted to regain control, he pressed the trigger of his pistol. Officer A's actions caused the unintentional discharge (UD) of the firearm.

The BOPC evaluated the circumstances relevant to Officer A's unintentional discharge and determined that his actions were negligent in nature, warranting a finding of Administrative Disapproval.