

Incident Summary

Officer A was on duty in the parking structure at the police station. Officer A conducted a six-point safety check of his shotgun; however, he did not ensure that the weapon's magazine was unloaded prior to doing so. In the course of the check, Officer A closed the shotgun's action, placed the safety in the "off" position and pressed the trigger. The shotgun discharged and the expended projectiles impacted the parking structure's concrete ceiling.

Following the discharge, Officer A checked the immediate area to ensure nobody had been injured, engaged the shotgun's safety and removed the remaining three live cartridges from the shotgun's magazine. Officer A then placed the shotgun, the live cartridges and the expended cartridge in his vehicle.

Officer B was also in the parking structure at the time of the unintentional discharge, and telephoned a supervisor to notify him of the 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 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

Does not apply.

B. Drawing/Exhibiting/Holstering

Does not apply.

C. Unintentional Discharge (UD)

The BOPC found Officers A's UD to be negligent.

Basis for Findings

A. Tactics

Do not apply.

B. Drawing/Exhibiting/Holstering

Does not apply.

C. Unintentional Discharge

In this instance, Officer A neglected to adequately inspect the shotgun's magazine in accordance with Department policy and training. As a result, an UD occurred while he was conducting the safety check.

The UD of the shotgun by Officer A substantially and unjustifiably deviated from approved Department training and was negligent in nature. A finding of Administrative Disapproval – Negligent Discharge, is a finding where it was determined that the UD of a firearm resulted from operator error, such as a violation of Department policy and training which occurred in this incident.

In conclusion, the BOPC found that Officer A's UD to be negligent.