

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

**OFFICER-INVOLVED ANIMAL SHOOTING – 019-12**

<b>Division</b>	<b>Date</b>	<b>Duty-On (X) Off ( )</b>	<b>Uniform-Yes (X) No ( )</b>
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Topanga	04/01/12		
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<b>Involved Officer</b>	<b>Length of Service</b>
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Officer A	21 years, 10 months
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**Reason for Police contact**

Officer A responded to a “vicious animal” radio call in which a Pit Bull attacked and bit a victim, when the dog attacked the officer, resulting in an officer-involved animal shooting.

<b>Animal(s)</b>	<b>Deceased (X) Wounded ( ) Non-Hit ( )</b>
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Pit Bull dog.	
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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 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 the incident was adjudicated by the BOPC on January 8, 2013.

## **Incident Summary**

Officer A responded to a “vicious animal” radio call in which a Pit Bull had attacked and bit a victim.

Upon his arrival at the location, Officer A read the comments of the call which stated the Pit Bull was still inside the location where the attack took place and that Department of Animal Services personnel had a 15-minute estimated time of arrival.

Officer A observed two Los Angeles Fire Department fire engines parked on the street in front of the location, but did not observe any fire personnel. To protect himself, the fire personnel and other citizens, Officer A deployed his Department-issued shotgun.

As Officer A entered the location, he met with Witness A, who told him fire personnel were inside, treating a dog bite victim. Officer A walked on the sidewalk to the east part of the location. Officer A took a few steps when he heard numerous citizens yelling for him to watch out for the dog.

Suddenly, Officer A observed a large Pit Bull dog emerge from a stairwell approximately 15 feet northeast of him. The Pit Bull was barking, snarling, and baring its teeth. The dog immediately ran toward Officer A. In fear for his life, Officer A took three steps backward to evade the attack. As Officer A stepped back, he stepped over an eight-inch planter with his right foot; however, his left foot hit the top of the planter causing him to fall to the sidewalk on his back. As Officer A lay on his back, the Pit Bull lunged toward him and attempted to bite him. While the Pit Bull was in mid-air, Officer A kicked the dog causing it to fall backward. Officer A rose to a seated position and continued to kick the dog to keep from sustaining great bodily injury.

Fearing he was going to be killed, Officer A, from a seated position, fired one round at the Pit Bull. The dog was struck in the jaw area by the gunfire, stopped its attack, and ran away.

Department of Animal Services personnel responded to the location and captured the injured dog. The dog was later euthanized.

## **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 Officer A's tactics to warrant a Tactical Debrief.

**B. Drawing/Exhibiting**

The BOPC found Officer A's drawing and exhibition of a firearm to be in policy.

**C. Lethal Use of Force**

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

**Basis for Findings**

**A. Tactics**

- In their analysis of this incident, the BOPC identified the following tactical considerations:

1. Tactical Communications/Requesting Backup

In this instance, Officer A had prior knowledge that a dog already attacked and bit someone at the radio call location. Although the dog had bitten a citizen, Officer A did not request backup or the response of additional units prior to entering the building or upon locating the dog. However, Officer A's decision to enter the complex prior to requesting additional units was to protect citizens and LAFD personnel from the aggressive dog. Cognizant that the primary unit was responding, Officer A's decision not to request back up and enter the building to search for the vicious animal was reasonable.

In conclusion, the BOPC found that Officer A's decision not to request backup prior to making contact with the dog did not substantially deviate from approved Department tactical training due to the dynamic nature of the incident. However, the benefits of having additional officers present when confronting an aggressive dog would be worthy of discussion.

- The evaluation of tactics requires that consideration be given to the fact that officers are forced to make split-second decisions under very stressful and dynamic circumstances. Tactics are conceptual and intended to be flexible and incident specific, which requires that each incident be looked at objectively and the tactics be evaluated based on the totality of the circumstances.

After a thorough review of the incident, the BOPC determined that the identified areas for improvement neither individually nor collectively substantially deviated from approved Department tactical training.

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

## **B. Drawing/Exhibiting**

- In this instance, with knowledge that a vicious dog had attacked a victim, Officer A believed that the situation may escalate to the point where deadly force may be justified and deployed the shotgun.

An officer with similar training would reasonably believe that there was a substantial risk that the situation may escalate to the point where deadly force may be justified when confronting a vicious Pit Bull breed dog that had already displayed a propensity for violence.

In conclusion, the BOPC found Officer A's drawing and exhibition of a firearm to be in policy.

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

- **Officer A** – 12 gauge shotgun, one round, from approximately two feet.

Officer A responded to a radio call of a vicious Pit Bull breed dog that attacked a victim. As Officer A approached LAFD personnel, the dog emerged from a stairwell and converged on Officer A while snarling and barking.

An officer with similar training and experience as Officer A would reasonably believe that the attacking dog represented an immediate threat of serious bodily injury and that the use of lethal force would be justified in order to address the threat.

In conclusion, the BOPC found Officer A's use of lethal force to be objectively reasonable and in policy.