

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

OFFICER-INVOLVED ANIMAL SHOOTING – 044-12

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
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Foothill	05/30/12		
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Involved Officer	Length of Service
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Officer A	4 years, 11 months
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Reason for Police contact

Officers responded to a “Vandalism Suspects There Now” radio call. Upon arriving at the location, a gray Pit Bull dog charged at Officer A, resulting in an officer-involved animal shooting.

Animal(s)	Deceased () Wounded () Non-Hit (X)
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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 22, 2013.

Incident Summary

Officers A and B were assigned a radio call to respond to a vandalism incident. The comments of the call noted that two males were hitting a vehicle with a sledge hammer.

Officers A and B arrived at the location and observed the vehicle. The vehicle windows were smashed out, glass fragments were on the ground next to the vehicle, and other damage was observed; however, there was no one near the vehicle. When the officers ran the license plate through the California Department of Motor Vehicle's automated system, it was revealed that the vehicle was parked in the rear of its owner's residence.

The officers entered the rear of the property in search of potential vandalism suspects but redeployed back near their parked police vehicle after observing three Pit Bull dogs exit the house on the property. As Officer A neared the passenger door of his police vehicle, a gray Pit Bull dog sprinted toward him. According to both officers, the dog's mouth was open, its teeth were bared. Believing he was about to get bit and had no other readily available options, Officer A drew his pistol and discharged three rounds at the dog. All three rounds missed the dog and struck the ground. The dog immediately ran back into the yard in which it came from and was secured by the owner.

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 Officers A and B's tactics to warrant a Tactical Debrief.

B. Drawing/Exhibiting

The BOPC found Officers A and B's 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:
 - Dog Encounters
- The evaluation of tactics requires that consideration be given to the fact officers are forced to make split-second decisions under very dynamic circumstances. Tactics are conceptual and intended to be flexible and incident specific. Each tactical incident inherently results in consideration for improvement.

Each incident must be looked at objectively and the areas of concern must be evaluated based on the totality of the circumstances. In this case, the tactics utilized did not unjustifiably and substantially deviate from approved Department tactical training.

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

B. Drawing/Exhibiting

- In this instance, Officers A and B entered the yard of a residence to investigate a radio call of "Vandalism Suspects There Now." The comments of the call stated, "Suspects Armed with Sledge Hammers." While investigating the vandalism and searching for potential suspects, the officers were confronted by a charging dog. Believing that the situation could escalate to the point where deadly force would be justified, both Officers A and B drew their service pistols and held them at a low ready position.

Based on the totality of the circumstances, officers with similar training and experience as Officers A and B would reasonably believe that the charging dog represented an imminent threat and that there was a substantial risk that the situation may escalate to the point where deadly force may be justified.

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

C. Lethal Use of Force

- **Officer A** – .45 caliber, three rounds.

In this instance, Officers A and B entered the rear yard of a residence to investigate a "Vandalism Suspects There Now" radio call. While in the rear of the yard, Officer

A heard barking coming from the main house and a short time later, observed three dogs charging toward him and his partner. Officers A and B immediately redeployed toward their police vehicle. As Officer A was approximately five feet from the passenger side of his police vehicle, he observed a gray dog sprinting toward him.

The BOPC determined that an officer with similar training and experience as Officer A would reasonably believe that the charging dog presented an imminent threat of serious bodily injury. Therefore, the BOPC found that Officer A's use of lethal force was objectively reasonable and consistent with Department guidelines.

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