

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

IN-CUSTODY DEATH – 048-08

Division	Date	Duty-On () Off ()	Uniform-Yes () No ()
77 th Street	05/22/2008		

Officer(s) Involved in Use of Force Length of Service

Not applicable.

Reason for Police Contact

Undercover narcotics officers sold Subject 1 a fake narcotic filled balloon, then arrested Subject 1 for attempt possession of a narcotic. Subject 1 died two days later of natural causes, while in custody.

Subject	Deceased (X)	Wounded ()	Non-Hit ()
Subject 1: Female, 52 years.			

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 and addenda items); the 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.

The following incident was adjudicated by the BOPC on 05/05/09.

Incident Summary

On May 20th, 2008, Narcotics officers were conducting a reverse sting operation. Subject 1 approached an undercover officer and asked to purchase heroin. The undercover officer sold Subject 1 a balloon filled with chocolate powder for ten dollars. After the transaction was concluded, undercover officers approached Subject 1, identified themselves as police officers and took Subject 1 into custody without incident.

Uniformed police officers transported Subject 1 to a police station for processing.

At 6:48 p.m., a watch commander conducted a pre-booking interview of Subject 1. The watch commander documented on the Adult Detention Log that Subject 1 had congestive heart failure and should be taking medication for the condition. The watch commander approved Subject 1 to be booked for the drug violation

At approximately 7:15 p.m., uniformed police officers transported Subject 1 and two other female arrestees to jail for booking and medical treatment.

At 7:35 p.m., a uniformed female police officer conducted a strip-search of Subject 1 at the jail. Subject 1 was cooperative and the search was conducted without incident. No contraband was found.

At 9:21 p.m., Subject 1 was medically screened by a medical doctor at the jail. The doctor determined that Subject 1 was not in medical distress. The doctor prescribed medications for Subject 1's medical conditions. The doctor documented that Subject 1 was required to have her blood pressure checked twice a day and approved Subject 1 to be booked.

On May 21, 2008, at approximately 1:15 a.m., a doctor and a nurse examined Subject . According to the doctor, Subject 1 said she was feeling better. Subject 1 was given her prescribed medication.

On the afternoon of May 21, 2008, a jail detention officer (DO) gathered the arrestees in Subject 1's cell to escort them to sick call. Subject 1 told the DO that she did not want to go to sick call and wanted to lie down. The DO told Subject 1 that she was required to go to sick call. The DO then escorted Subject 1 and the other arrestees' to a holding tank, where they waited until the medical staff was ready to examine them.

At 4:15 p.m., a nurse and a nurse practitioner examined Subject 1 and administered her prescribed medication. Subject 1 was not in medical distress and she had no complaints.

At 5:34 p.m., dinner was served to the arrestees. At 6:58 p.m., a DO entered Subject 1's cell to retrieve the trash from dinner and noticed that Subject 1 was lying down and was awake.

Note: According to another arrestee who was housed in the cell, when the DO brought dinner to the cell, Subject 1 was lying down on the floor of the cell. The DO requested Subject 1 to get up; however Subject 1 did not respond or move. The arrestee assumed Subject 1 was asleep.

DOs conducted cell checks every half hour from 7:32 p.m. to 10:28 p.m. A DO conducted cell checks at 10:50 p.m. and 11:30 p.m. These checks revealed nothing out of the ordinary, according to inspection records.

On May 22, 2008, a DO conducted the required jail checks every half hour from 12:01 a.m. to 1:32 a.m. and did not document that anything was unusual.

Meanwhile, a DO received a list of the arrestees who were scheduled to be seen by the jail medical personnel and called them out of their cells via the intercom system. Once the arrestees were present, two DOs escorted them to a holding tank, where the arrestees waited until the medical staff was ready to examine them.

As a DO was checking off each arrestees' name from the sick list, the DO noticed that Subject 1, whose name was on the list, was not present.

The DO then returned to the cell to retrieve Subject 1 and escort her to sick call. The DO observed Subject 1 lying on a mat on the floor, covered by a blanket. The DO entered the cell and discovered Subject 1 was not breathing. The DO immediately summoned assistance.

A nurse, nurse practitioner and a doctor responded and found that Subject 1 was not breathing, had no pulse, and that her body was cold and rigid. The nurse practitioner initiated cardio pulmonary resuscitation (CPR) while the other nurse retrieved emergency medical equipment. Several jail personnel responded and assisted in administering emergency medical treatment to Subject 1.

At 1:47 a.m., Communications Division contacted the Los Angeles Fire Department (LAFD) to respond to the jail. At 1:48 a.m., LAFD personnel arrived at the jail. LAFD paramedics examined Subject 1 and declared her deceased at 1:56 a.m.

Los Angeles Board of Police Commissioners' Findings

The BOPC determined that Subject 1's detention and arrest were consistent with acceptable standards. It was established that there was no use of force involved in the detention, arrest or transportation of Subject 1. Additionally, Subject 1's medical condition did not deteriorate to a medical emergency until approximately 29 hours after she was booked at the jail, and she received appropriate medical attention during her time in custody. The BOPC found that there was no correlation between the actions of Department personnel and the death of Subject 1.