

INTRADEPARTMENTAL CORRESPONDENCE

May 24, 2018  
3.2

**TO:** The Honorable Board of Police Commissioners

**FROM:** Chief of Police

**SUBJECT:** OFFICER INVOLVED SHOOTING FID NO. 049-17

Honorable Members:

The following is my review, analysis, and findings for Officer Involved Shooting (OIS), Force Investigation Division (FID) No. 049-17. A Use of Force Review Board (UOFRB) was convened on this matter on May 14, 2018. In this case, the recommended findings were not unanimous with a minority opinion rendered in regards to the Lethal Use of Force for Officers [REDACTED], Serial No. [REDACTED] and [REDACTED], Serial No. [REDACTED]

I have carefully weighed each opinion, considered the case in its entirety and adopted the recommendations of the majority opinion. I hereby submit my findings in accordance with Police Commission policy.

**SUMMARY**

Officers [REDACTED], Serial No. [REDACTED] and [REDACTED], Serial No. [REDACTED] Rampart Area Gang Enforcement Detail (GED), were in full uniform, driving a marked black and white hybrid police vehicle. The officers were travelling south on Witmer Street from 3<sup>rd</sup> Street, an area frequented by Rockwood Street Locos gang members, and placed themselves Code-Six in the area via their Mobile Digital Computer (MDC).

According to Officer [REDACTED], as they drove southbound on the 400 block of Witmer Street, [REDACTED] immediately recognized S. Alamillo and G. Melendez, standing on the east sidewalk near a large red produce truck. [REDACTED] then advised Officer [REDACTED] that Alamillo and Melendez had been served and were subject to the Rockwood gang injunction.

**Note:** According to the investigation, the injunction prohibits any documented Rockwood Street Locos gang members who had been served with the gang injunction from associating with one another in public.

[REDACTED]

According to Officer [REDACTED], as they approached Alamillo and Melendez, they began to walk away from one another. [REDACTED] advised Officer [REDACTED] they were *separating* as Alamillo proceeded to walk south on the east sidewalk of Witmer Street. As they were driving next to the large red produce truck, [REDACTED] noticed that Alamillo did not walk past the rear of the truck. [REDACTED] then backed up their police vehicle and observed Alamillo *ducking* and *trying to conceal himself*. [REDACTED] advised Officer [REDACTED] that [REDACTED] thought Alamillo was *gonna hide* from them and then decided to *just get out* of the car.

According to Officer [REDACTED] recognized Melendez as a Rockwood gang member from previous contacts. As they were attempting to get eyes on Alamillo from the police vehicle, [REDACTED] heard [REDACTED] partner advise [REDACTED] that [REDACTED] intended on conducting a gang injunction investigation just before they exited the vehicle.

According to Officers [REDACTED] and [REDACTED], they exited their vehicle to investigate Alamillo and Melendez for the gang injunction violation. As they exited the vehicle, Melendez continued to walk south on Witmer Street and Alamillo was now walking north.

According to Officer [REDACTED], Rockwood gang members have a tendency to *just run* in order to avoid gang injunction arrests. [REDACTED] intended to approach Alamillo quickly so [REDACTED] would not have *the opportunity to take off and run*; however, as [REDACTED] got closer [REDACTED] observed that Alamillo's had his right hand concealed in *some kind of backpack* and stopped his approach. [REDACTED] also observed that Alamillo appeared *angry and upset* as [REDACTED] ordered him to stop.

According to Officer [REDACTED] walked around the rear of the produce truck toward Melendez. [REDACTED] heard [REDACTED] partner giving commands to Alamillo and heard Alamillo respond that [REDACTED] *was not going to stop and shoot me*. [REDACTED] directed Melendez to *step to the side* as [REDACTED] walked north on the east sidewalk to assist [REDACTED] partner with Alamillo. As [REDACTED] approached, [REDACTED] could see that Alamillo had one of his hands concealed in a backpack.

**Note:** The investigation revealed that Melendez continued walking south and left the area.

According to Officer [REDACTED], [REDACTED] directed Alamillo to remove his hand from the backpack multiple times, but he refused to comply. [REDACTED] feared Alamillo was armed with a handgun and deployed to cover behind a parked vehicle on the east side of the street as [REDACTED] drew [REDACTED] service pistol. [REDACTED] then broadcasted a backup request for *a 415 man with a gun (Drawing/Exhibiting)*.

According to Officer [REDACTED] then heard Officer [REDACTED] advising [REDACTED] to get cover. [REDACTED] also continued to hear Alamillo state, *you're gonna have to shoot me*. Due to Alamillo's actions, [REDACTED] believed that Alamillo could be armed and drew [REDACTED] service pistol (Drawing/Exhibiting and Debriefing Point No. 1).

[REDACTED] then redeployed rearward into the street and took a position of cover behind the front driver's side of the red produce truck and [REDACTED] and Officer [REDACTED] ordered Alamillo to take his hand out of the back pack (Additional Tactical Debrief Topics – Simultaneous Commands).

According to Officer [REDACTED] left [REDACTED] position behind the produce truck and redeployed north to a white Nissan. [REDACTED] then broadcasted that Alamillo was walking northbound on the east side of the street.

According to Officer [REDACTED], Alamillo continued to conceal his hand inside his backpack. [REDACTED] had not observed a gun, so [REDACTED] wanted to get other tools to de-escalate the situation. [REDACTED] then requested a bean bag shotgun over Rampart base frequency.

According to Officer [REDACTED], Alamillo continued to yell out, *just shoot me and rest in peace Jackie*. [REDACTED] attempted to de-escalate the situation by telling Alamillo, *I know about her, just calm down and relax*. Alamillo then responded, *I promise I'm not gonna shoot you* which further convinced [REDACTED] that Alamillo was armed.

According to Officer [REDACTED], Alamillo then began to walk north and stated, *you're not going to stop me*. [REDACTED] utilized vehicles that were parked on the street as cover and followed Alamillo as he walked towards several citizens who were in the immediate area. [REDACTED] ordered the citizens to move away because [REDACTED] felt Alamillo *could do something* and then heard Officer [REDACTED] request a beanbag shotgun over Rampart base frequency.

According to Officer [REDACTED], Alamillo stated, *you guys have to shoot me, you're gonna have to kill me*, and then turned around and started walking south as additional officers were running up.

Officers [REDACTED], Serial No. [REDACTED] and [REDACTED], Serial No. [REDACTED] Rampart Area GED, and Officers [REDACTED], Serial No. [REDACTED] and [REDACTED], Serial No. [REDACTED] Rampart Patrol Division, arrived on scene and drew their service pistols (Drawing/Exhibiting).

According to Officer [REDACTED] approached the scene and observed Officers [REDACTED] and [REDACTED] were holding Alamillo at gunpoint. [REDACTED] then unholstered [REDACTED] TASER and simultaneously observed Officers [REDACTED] and [REDACTED] arrive and deploy the beanbag shotgun. As [REDACTED] began to walk toward Alamillo, who was near the red produce truck, [REDACTED] observed him remove a chrome handgun from his backpack with his right hand and place it to the right side of his head.

Officer [REDACTED] yelled, *gun*, and directed Officer [REDACTED] to get cover. [REDACTED] then ordered Alamillo to drop the gun as [REDACTED] drew [REDACTED] service pistol and took cover with Officer [REDACTED] behind a vehicle. [REDACTED] then heard an officer fire three to four beanbag rounds at Alamillo. The beanbag rounds did not appear to have an effect on Alamillo (Drawing/Exhibiting and Additional Tactical Debrief Topics – Simultaneous Commands).

According to Officer [REDACTED], upon [REDACTED] arrival, [REDACTED] observed Alamillo  *pacing back and forth with his hands in his pocket* while Officers [REDACTED] and [REDACTED] were trying to communicate with him. [REDACTED] then observed Alamillo *pull a weapon out* [REDACTED] then took cover and drew [REDACTED] service pistol (Drawing/Exhibiting).

According to Officer [REDACTED], he observed several officers walk into his line of fire, so he holstered his service pistol and began to yell for officers to watch their crossfire (Tactical Debrief No. 2).

According to Officer [REDACTED] then observed Alamillo pull out a *silver* handgun from the backpack and *put it right to his head*, while yelling out, *just kill me, shoot me*.

Officers [REDACTED], Serial No. [REDACTED] and [REDACTED], Serial No. [REDACTED] Rampart Patrol Division, arrived on scene and Officer [REDACTED] directed Officer [REDACTED] to deploy the beanbag shotgun as they exited their vehicle.

According to Officer [REDACTED], upon their arrival [REDACTED] observed Officer [REDACTED] in the street and Alamillo on the sidewalk holding a handgun to [REDACTED] head. [REDACTED] and [REDACTED] partner then assumed cover behind a vehicle that was parked on the east side of the street. At that point, [REDACTED] was able to hear Alamillo screaming and drew [REDACTED] service pistol (Drawing/Exhibiting).

According to Officer [REDACTED] observed Alamillo walking south on Witmer Street behind a *produce truck* parked on the east side of the street. [REDACTED] observed that Alamillo was *utilizing that truck as cover* and that some of the officers from the gang unit were on the west side of the truck.

[REDACTED] feared if Alamillo started walking south, [REDACTED] might run into one of the apartment buildings or take someone hostage, so [REDACTED] directed Officer [REDACTED] to deploy the bean bag and announced, *bean bag up, bean bag ready*.

According to Officer [REDACTED] directed Officer [REDACTED] to deploy the beanbag shotgun and then observed Officer [REDACTED] fire three consecutive sock rounds at Alamillo which all struck Alamillo on the upper torso area without any effect.

According to Officer [REDACTED], as they arrived, [REDACTED] observed Alamillo holding a silver handgun to [REDACTED] head and heard officers commanding Alamillo to *drop the gun*. [REDACTED] then deployed the bean bag shotgun, loaded a round into the chamber and took cover with Officer [REDACTED].

According to Officer [REDACTED] heard Officer [REDACTED] advise [REDACTED] that they *were gonna have to bean bag him*. Due to Alamillo holding a gun to his head and him being a *danger to himself* or the possibility that he would *turn the gun towards other officers*, [REDACTED] did not have an opportunity to issue *the warning*.

As the officers were following Alamillo southbound, Sergeant [REDACTED] Serial No. [REDACTED] Rampart Area GED, arrived on scene. Sergeant [REDACTED] observed the officers moving south along the east sidewalk, utilizing the parked vehicles as cover. [REDACTED] assumed a position north of Officer [REDACTED] and observed Alamillo holding a handgun to his head then heard an officer yell, *beanbag up*.

According to Officer [REDACTED] *went up on target* with the bean bag and deployed four beanbag sock rounds at Alamillo (Less Lethal Use of Force).

According to Officer [REDACTED] observed the beanbag rounds strike Alamillo but have no effect on him and [REDACTED] continued to hold the gun to his head. Alamillo then turned away, positioned the barrel of the gun pointing down, and started walking south on the sidewalk.

According to Officer [REDACTED] heard a beanbag shotgun being fired and observed the sock rounds striking Alamillo on the chest with no effect. Alamillo remained in place still holding the handgun to his head.

According to Officer [REDACTED], upon arrival [REDACTED] observed Officers [REDACTED] and [REDACTED] giving commands to the Alamillo on the east sidewalk. [REDACTED] positioned [REDACTED] behind a parked vehicle and observed Alamillo holding a handgun to [REDACTED] head and shouting, *shoot me*.

According to Officer [REDACTED] *heard rounds being fired* but didn't know where they were coming from then *realized they were beanbag rounds* when [REDACTED] observed them bouncing off of Alamillo. [REDACTED] observed that the beanbag had no effect on Alamillo and Alamillo continued to hold the handgun to his head.

According to Officer [REDACTED], as [REDACTED] exited [REDACTED] vehicle [REDACTED] observed Alamillo holding a gun to [REDACTED] head. [REDACTED] then advised [REDACTED] partner that *he's got a gun and to take cover*. [REDACTED] utilized the large red produce truck for cover and attempted to maintain a line of sight on Alamillo. [REDACTED] felt like [REDACTED] had a tactical advantage, but *Alamillo just kept moving*. *Alamillo kept walking southbound on the east side of the street*. [REDACTED] observed *a lot of people* in the area and [REDACTED] concern was *preservation of life* of those people.

According to Officer [REDACTED] loaded [REDACTED] remaining two rounds into the bean bag shotgun and then followed Alamillo south while using the parked vehicles as cover. Alamillo then stopped in front of an apartment complex. [REDACTED] then took a position of cover behind a black car and observed that Alamillo still had the gun to his head.

Officers [REDACTED] Serial No. [REDACTED] and [REDACTED] Serial No. [REDACTED] Rampart Area GED, arrived and broadcast they were Code-Six.

According to Officer [REDACTED] observed Alamillo walking towards [REDACTED] with a *big steel firearm* held to his head with his right hand and then advised [REDACTED] partner that Alamillo had *a gun in his hand*.

According to Officer [REDACTED], as [REDACTED] approached the scene, [REDACTED] observed Officer [REDACTED] walking backwards and looking to the east curb of Witmer. [REDACTED] heard Officer [REDACTED] advising [REDACTED] that Alamillo had *a gun*. [REDACTED] then observed Alamillo holding *a chrome or silver gun to his head with his right hand*.

Officer [REDACTED] exited the vehicle, retrieved [REDACTED] Police Rifle (PR) out of the trunk and deployed to the east side of the street. Officer [REDACTED] exited, deployed north in the street and unholstered [REDACTED] weapon (Drawing/Exhibiting).

According to Officer [REDACTED] observed Alamillo walking south towards [REDACTED] and Officer [REDACTED] walking south of the suspect in the street. [REDACTED] feared for Officer [REDACTED] safety and advised him to come towards [REDACTED].

Alamillo continued walking south on the east sidewalk. Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] moved south with Alamillo while utilizing parked vehicles for cover. Officer [REDACTED] observed several officers with their guns drawn and attempted to limit the use of deadly force by advising the officers, *one shooter, one shooter*.

According to Officer [REDACTED] was south of the red produce truck in the street and observed Alamillo walking toward [REDACTED] with the handgun pointed at his head. [REDACTED] then began to walk backwards tracking Alamillo, and heard Alamillo yelling, *shoot me I'm not going to drop the handgun*.

According to Officer [REDACTED], Alamillo lowered the gun to his right side and stopped in front of an apartment building located at [REDACTED] South Witmer Street. [REDACTED] ordered Alamillo to put the gun down, but he again refused to comply.

Officers [REDACTED], [REDACTED], [REDACTED] and [REDACTED] also yelled for Alamillo to put the gun down but he ignored their commands (Additional Tactical Debrief Topics – Simultaneous Commands).

According to Officer [REDACTED] came up on target again with the bean bag shotgun and fired a fifth sock round, assessed and observed that Alamillo continued to hold the handgun to his head. [REDACTED] then came up on target with the bean bag shotgun again and fired a sixth sock round (Less Lethal Use of Force).

According to Officer [REDACTED], Alamillo stated *shoot me kill me* and then lowered the handgun momentarily before raising and pointing it at [REDACTED] and the other officers. In fear for [REDACTED] life and the lives of *all the officers that were there*, [REDACTED] fired at Alamillo until he *went down* (Lethal Use of Force).

According to Officer [REDACTED], Alamillo *dropped his hand* and [REDACTED] observed [REDACTED] *raise the gun towards officers*. [REDACTED] thought Alamillo was *going to kill one of the officers* and thought that Alamillo *actually fired a round at them*. [REDACTED] then fired [REDACTED] service pistol at Alamillo *as a last resort* (Lethal Use of Force).

According to Officer [REDACTED] observed Alamillo *pointing the weapon at the officers* and thought if [REDACTED] *didn't shoot the suspect*, [REDACTED] *was gonna shoot [REDACTED] partners*. [REDACTED] had a *split-second to make the decision* and fired [REDACTED] service weapon at Alamillo to prevent [REDACTED] from shooting [REDACTED] partners (Lethal Use of Force).

According to Officer [REDACTED], as the officers were *telling the suspect to drop the weapon*, Alamillo *screamed and pointed the weapon in his direction*. [REDACTED] then fired [REDACTED] service weapon to protect [REDACTED] and [REDACTED] partner *because of the imminent threat* (Lethal Use of Force).

According to Officer [REDACTED], Alamillo brought the gun down away from his head and pointed it in the direction of [REDACTED] Officer [REDACTED]. [REDACTED] believed that Alamillo shot off a round and [REDACTED] simultaneously shot off a round at the same time (Lethal Use of Force).

According to Officer [REDACTED] observed Alamillo punch out and aggressively point the gun towards the officers. [REDACTED] then braced [REDACTED] service weapon and shot at Alamillo from behind cover (Lethal Use of Force).

According to Officer [REDACTED], as [REDACTED] was moving forward, the suspect pointed the gun in [REDACTED] direction and waved it to the officers and that's when he fired (Lethal Use of Force).

According to Officer [REDACTED] observed Alamillo turn and then point the firearm towards the officers. [REDACTED] fired as Alamillo was still pointing at the officers. The suspect went down and then he didn't fire anymore (Lethal Use of Force).

**Note:** Officer [REDACTED] advised FID investigators that when [REDACTED] came up on target and pressed the trigger, [REDACTED] realized that [REDACTED] did not move the safety selector switch to the firing position on [REDACTED] police rifle (Additional Tactical Debrief Topics – Rifle Manipulations).

According to Officer [REDACTED], after firing [REDACTED] sixth and last sock round, Alamillo who has the gun to his head, starts to point it towards [REDACTED] and other officers. [REDACTED] then grounded the bean bag shotgun, drew [REDACTED] firearm and fired [REDACTED] service weapon at Alamillo. Shortly thereafter, [REDACTED] heard an officer yell, hold your fire (Drawing/Exhibiting and Lethal Use of Force).

Alamillo was struck by the gunfire and fell backwards onto his back into the grassy area with the gun above his head, near his right hand.

**Note:** Based on BWV, Officer [REDACTED] and [REDACTED] fired their weapons after Alamillo had fallen to the ground. The third round fired by Officer [REDACTED] also appeared to be fired when Alamillo was on the ground (Lethal Use of Force).

Officer [REDACTED] advised officers to cease fire multiple times and then Sergeant [REDACTED] ordered officers to hold your fire. Officers [REDACTED] and [REDACTED] then approached Alamillo and Officer [REDACTED] handcuffed Alamillo without incident. Officer [REDACTED] then broadcast a request for a Rescue Ambulance (RA) for Alamillo.

Lieutenant [REDACTED] Serial No [REDACTED] Rampart Patrol Division, responded and assumed the role of Incident Commander (IC).

Los Angeles Fire Department (LAFD) emergency medical personnel responded, conducted an assessment, and pronounced Alamillo's death at scene.

## FINDINGS

**Tactics – Tactical Debrief, Officers** [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED].

**Drawing/Exhibiting – In Policy, No Further Action, Officers** [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED].

**Less Lethal Use of Force – In Policy, No Further Action, Officer** [REDACTED].

**Lethal Use of Force – In Policy, No Further Action, Officers** [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED]. **Administrative Disapproval, Out of Policy, Officers** [REDACTED], [REDACTED], and [REDACTED].

## ANALYSIS

### **Detention**

Officers observed two known gang members who had been served with a gang injunction. The gang members were associating on a public sidewalk in violation of the gang injunction and the officers initiated a pedestrian stop for the violation. The officers' actions were appropriate and within Department policies and procedures.

### **Tactics**

*Department policy relative to Tactical Debriefs is: "The collective review of an incident to identify those areas where actions and decisions were effective and those areas where actions and decisions could have been improved. The intent of a Tactical Debrief is to enhance future performance" (Los Angeles Police Department Manual, Volume 3, Section 792.05).*

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.

### Tactical De-Escalation

*Tactical de-escalation involves the use of techniques to reduce the intensity of an encounter with a suspect and enable an officer to have additional options to gain voluntary compliance or mitigate the need to use a higher level of force while maintaining control of the situation (Use of Force - Tactics Directive No. 16, October 2016, Tactical De-Escalation Techniques).*

[REDACTED]



Tactical de-escalation does not require that an officer compromise his or her safety or increase the risk of physical harm to the public. De-escalation techniques should only be used when it is safe and prudent to do so.

In this case, the involved officers were faced with a suspect who immediately refused to comply with their commands to remove his hand which he concealed in a backpack. Believing he may be armed, the officers redeployed to cover, requested additional resources, and verbalized with the suspect in an attempt to gain compliance.

During the incident, the suspect presented the officers with an imminent threat of serious bodily injury or death, and the officers utilized lethal force to stop the deadly threat.

During a review of the incident, the following Additional Tactical Debriefing Points were noted:

**Debriefing Point No. 1      Utilization of Cover**

*Cover is defined as any object that will stop the opponent's bullets. Officers should attempt to seek cover when involved in any tactical situation and especially when there are weapons involved. Officers should be aware of what items in their surrounding areas can be used as cover and what type of cover is required to stop certain rounds (gun, shotgun, or rifle rounds) (Los Angeles Police Department Basic Firearms Manual, January 2014).*

*Whenever possible, officers should place an object between themselves and the suspect as cover or a barrier. A barrier could be a chain link fence, wrought iron gate or any similar object that prevents the assailant from reaching the officer. If the suspect is contained and does not pose an immediate threat to officers, the public or himself/herself, time is our best tool. Time allows more opportunity to communicate with the suspect and helps to calm the situation (Training Bulletin, Volume XXXV, Issue 9 May 2003).*

Several officers left the cover of the parked vehicles to track Alamillo's movements as he paced back and forth on the sidewalk with a loaded handgun held to his head.

The utilization of cover enables an officer to confront an armed suspect while simultaneously minimizing their exposure. As a result, the overall effectiveness of a tactical incident can be enhanced while also increasing an officer's tactical options.

In this case, the officers were attempting to stay within close proximity to the suspect in an attempt to contain the suspect who continued to walk away from them with a handgun in his hand.

Based on the totality of the circumstances, I have determined that in this circumstance the officers' actions were not a substantial deviation from approved Department tactical training. I will direct that this topic be discussed during the Tactical Debrief.

## Debriefing Point No. 2      Crossfire

*Does the surrounding area provide a clear background/foreground? Officers must be aware of where the bullet will go and where it may stop. Officers should not fire under conditions that would subject bystanders to death or possible injury, except in Imminent Defense of Life or to prevent serious bodily injury (Standardized Roll Call Training Program, Deployment Period No. 8/2007).*

Officers, when faced with a tactical incident, improve their overall safety by their ability to recognize an unsafe situation and work collectively to ensure a successful resolution. The ability to adjust to a tactical situation ensures minimal exposure to the officers.

In this case, the officers had to continually adjust their deployment as the suspect paced back and forth on the sidewalk. As officers adjusted their deployment locations, additional personnel at scene were required to adjust their muzzle direction or their position due to the potential of a crossfire.

Based on the totality of the circumstances, the UOFRB determined, and I concur, that the officers' actions were not a substantial deviation from approved Department tactical training. In an effort to enhance future tactical performance, I will direct this be a topic of discussion during the Tactical Debrief.

### Additional Tactical Debrief Topics

**Simultaneous Commands (Non-Conflicting)** – The investigation revealed that several officers gave simultaneous commands to Alamillo during the incident. Although the commands were non-conflicting, the officers are reminded that simultaneous commands can sometimes lead to confusion and non-compliance. I will direct that this be a topic of discussion during the Tactical Debrief.

**Rifle Manipulations** – The investigation revealed that when Officer [REDACTED] came up on target with his police rifle and intended to fire, he did not move the selector switch to the fire position. In an effort to enhance future tactical performance, I will direct that this be a topic of discussion during the Tactical Debrief.

### Command and Control

Sergeant [REDACTED] took control of the scene, ensured the officers did not discuss the incident and monitored the officers until the arrival of additional supervisors, who obtained the Public Safety Statements (PSS).

These actions of this supervisor were consistent with Department supervisory training and met my expectations of field supervisors during a critical incident.

### Tactical Debrief

Each tactical incident merits a comprehensive debriefing. In this case, there were identified areas where improvement could be made and a Tactical Debrief is the appropriate forum for the involved personnel to discuss individual actions that took place during this incident.

Therefore, I will direct that Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] attend a Tactical Debrief and that the specific identified topics are covered.

**Note:** Additionally, the Tactical Debrief shall also include the following mandatory discussion points:

- Use of Force Policy;
- Equipment Required/Maintained;
- Radio and Tactical Communication (including Code Six);
- Tactical Planning;
- Tactical De-Escalation;
- Command and Control; and,
- Lethal Force.

### General Training Update (GTU)

On June, 15, 2017, Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] attended a GTU. All the mandatory topics were covered including the Use of Effective Cover, Pedestrian Contacts, Use of Less-Lethal Force, Simultaneous Commands, Crossfire, Tactics, Armed Suspects, and Mentally Ill Persons.

### Drawing/Exhibiting

*Department policy relative to drawing and exhibiting a firearm is: "An officer's decision to draw or exhibit a firearm should be based on the tactical situation and the officer's reasonable belief there is a substantial risk that the situation may escalate to the point where deadly force may be justified" (Los Angeles Police Department Manual, Volume No. 1, Section 556.80).*

According to Officer [REDACTED] observed, Alamillo, a known gang member, concealing his hand inside a backpack and refusing to remove it when directed by [REDACTED] partner. [REDACTED] also continued to hear Alamillo state, *you're gonna have to shoot me*. Due to Alamillo's actions, [REDACTED] believed that Alamillo could be armed and drew [REDACTED] service pistol.

Officer [REDACTED] recalled,

*I withdrew my weapon. The situation might escalate to the use of deadly force. I mean, it's – I know gang – gang members are known to carry guns. I know that's a high crime area.*

*The suspect has his hand inside his backpack. It was very unusual for a person just to keep his hand inside the backpack after giving him numerous commands to take the – his hands out.*

According to Officer [REDACTED] observed, Alamillo, a known gang member, conceal his hand inside a backpack and refused to remove it when [REDACTED] directed him to do so. Fearing that Alamillo was armed, [REDACTED] drew [REDACTED] service pistol.

Officer [REDACTED] recalled,

*I was telling him to take his hand out – out of his backpack. He was refusing to do that. In my head, it clicked: Hey, I got to get to cover, because I – you know, this guy could be armed. And as I – as I was walking back – or as I was heading towards cover, slowly, I was – I drew my gun, because at that point, I felt, given that he – I know him, I know he's a gang member, he's been arrested for guns, he's been arrested for different violent crimes, that I drew my gun, and I drew my gun because I felt that the situation, the way it was going down, the way it was clicking and unfolding, that it was gonna be – I believed that there was gonna be a likelihood that I – there was – it might be a chance that I have to use deadly force.*

According to Officer [REDACTED] observed Alamillo on the sidewalk holding a handgun to his head. [REDACTED] then assumed cover behind a vehicle that was parked on the east side of the street and drew [REDACTED] service pistol.

Officer [REDACTED] recalled,

*As he was holding the hand to – as he was holding the handgun to his head, I could hear – I don't know what officer it was, but someone telling him to drop the gun. The suspect wasn't complying. He was not following officers' commands.*

*...before we made contact with the bean bag, I – I unholstered my weapon, seeing that the situation was leading to the possibility of use of deadly force. So I drew and exhibited my firearm, prior to having my partner deploy the bean bag.*

According to Officer [REDACTED], immediately upon [REDACTED] arrival, [REDACTED] observed Alamillo walking back and forth on the sidewalk holding a handgun to his head and directed him to drop the gun as [REDACTED] drew [REDACTED] service pistol.

[REDACTED]

Officer [REDACTED] recalled,

*Once I observed him and I saw the weapon and I knew that this was a deadly-force situation – I saw the gun, I saw him – I – I unholstered my weapon [REDACTED]*

According to Officer [REDACTED], based on the backup request for a man with a gun, [REDACTED] believed the situation could escalate to the use of deadly force and drew [REDACTED] service pistol upon exiting [REDACTED] vehicle.

Officer [REDACTED] recalled,

*So based on the – on the broadcast, the 415 man with a gun, and approaching scene, officers unholstered, and the information I received of the 415 man with a gun, Rockwood area, a known gang location, and then seeing two other officers unholster, it just gave me – it gave me a reasonable belief to think that the situation could be a deadly force situation. So I unholstered the second I exited the vehicle at a low-ready position. [REDACTED]*

According to Officer [REDACTED] observed Alamillo pacing back and forth with his hands in his pocket and then pull out a handgun. Fearing for [REDACTED] safety and the safety of [REDACTED] partner, [REDACTED] drew [REDACTED] service pistol.

Officer [REDACTED] recalled,

*At that time, the suspect was actually pacing back and forth with his hands in his pocket, and there were two other officers trying to communicate, actually, behind cover to the – to the suspect to drop – to drop the weapon, at that – which time, the suspect pointed the – pulled a weapon out. And I actually took cover with my partner behind a – behind a red truck. And I – at that time, I drew my firearm, because at that time, due to the fact that there was imminent threat to myself and my partner. [REDACTED]*

According to Officer [REDACTED], as [REDACTED] exited [REDACTED] vehicle, [REDACTED] observed a citizen running across the street as he simultaneously observed Alamillo with a chrome or silver gun held to his head with his right hand. Fearing for [REDACTED] own safety as well as for the safety of the community, [REDACTED] drew [REDACTED] service pistol.

Officer [REDACTED] recalled,

*I unholstered as I was instructing this unknown citizen crossing the street on Witmer away from the suspect's direction. I believe, simultaneously, it's when I observed the suspect pointing the gun to his right – with his right hand to the right side of his head. [REDACTED]*

[REDACTED]

According to Officer [REDACTED], as they approached in their police vehicle, [REDACTED] observed Alamillo walking with a handgun held to his head. [REDACTED] partner then stopped the vehicle. [REDACTED] then exited and retrieved [REDACTED] police rifle from the trunk.

Officer [REDACTED] recalled,

*At the same time, I observed the suspect walking towards us with a – it was a big steel firearm, possibly a 19 – I – I don't know what kind of gun, but I could see it. A big steel handgun. And he was holding it with his right hand to his temple. And I verbalized to my partner, he has a gun in his hand. Stop. Stop. Stop. He has a gun in his hand. My partner stopped the car. I – I exited the passenger side of the vehicle, because I was the passenger in the vehicle, and I responded to the back of the car to get my UPR patrol rifle. As I took my patrol rifle out of the vehicle, I racked a round to get it ready. [REDACTED]*

According to Officer [REDACTED], after [REDACTED] fired [REDACTED] final beanbag round, Alamillo moved the handgun away from his head and pointed it at [REDACTED] and the officers at scene. Fearing [REDACTED] would be shot, [REDACTED] drew [REDACTED] service pistol.

Officer [REDACTED] recalled

*Again, he – he had the gun to his head and he starts pointing it at other officers, myself, and my partner, in the direction of us. So I grounded the bean bag and just unholstered my firearm, just because it's – he's pointing a gun at us, and that's – I'm in fear that he's gonna shoot myself, my partner. He's gonna start shooting at us, and you have to defend yourself, partners, members of the communit [REDACTED]*

According to Officer [REDACTED], upon [REDACTED] arrival [REDACTED] observed Officers [REDACTED] and [REDACTED] with their service pistols drawn making contact with Alamillo who was concealing his hand inside a black backpack. [REDACTED] then observed Alamillo pull out a gun and drew his service pistol.

Officer [REDACTED] recalled,

*I drew my weapon cause I saw him pull out his – his pistol, his gun. And as we sought cover officers crossed in front of us and I came down to a low ready. I eventually holstered and the suspect started to run southbound on Witmer on the east sidewalk. [REDACTED]*

Based on the totality of the circumstances, the UOFRB determined, and I concur, that officers with similar training and experience as Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED], while faced with similar circumstances, would reasonably believe that there was a substantial risk the situation may escalate to the point where deadly force may be justified.

[REDACTED]

Therefore, I find Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] Drawing/Exhibiting to be In Policy, No Further Action.

**Note:** In addition to the above listed employees, there were additional personnel that either drew or exhibited firearms during the incident. This Drawing/Exhibiting was appropriate and requires no specific findings or action in regards to these officers.

### Less-Lethal Use of Force

*It is the policy of this Department that personnel may use only that force which is "objectively reasonable" to:*

- *Defend themselves;*
- *Defend others;*
- *Effect an arrest or detention;*
- *Prevent escape; or,*
- *Overcome resistance (Los Angeles Police Department Manual, Volume 1, Section 556.10).*

*The sock round is an impact munition that may be deployed on suspects who are violent or who pose a threat to themselves or others, when an officer believes,*

- *Attempts to subdue the suspect with other tactics have been, or will likely be, ineffective in the situation; or*
- *There is a reasonable belief that it will be unsafe for officers to approach within contact range of the suspect (Los Angeles Police Department Use of Force – Tactics Directive No. 6.2, Beanbag Shotgun – March 2013).*

**Officer [REDACTED]** – Beanbag Shotgun, six sock rounds, in two sequences, from a southeasterly direction with approximate distances of 30 and 36 feet.

#### First Sequence:

According to Officer [REDACTED] observed Alamillo standing there with a handgun to his head staring at the officers. Fearing [REDACTED] would utilize the handgun on either [REDACTED] or someone else, [REDACTED] deployed the beanbag shotgun.

Officer [REDACTED] recalled,

*I could just see the suspect standing there with the silver gun to his head, just staring at everyone. I wasn't sure if he was saying anything. At that point, I hear my partner say, Hey, we – we're gonna have to bean bag him. [REDACTED]*

[REDACTED]





- *Protect themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury; or,*
- *Prevent a crime where the subject's actions place person(s) in imminent jeopardy of death or serious bodily injury; or,*
- *Prevent the escape of a violent fleeing felon when there is probable cause to believe the escape will pose a significant threat of death or serious bodily injury to the officer or others if apprehension is delayed. In this circumstance, officers shall, to the extent practical, avoid using deadly force that might subject innocent bystanders or hostages to possible death or injury (Los Angeles Police Department Manual, Volume 1, Section 556.10).*

Officer [REDACTED] – .45 caliber Smith & Wesson, five rounds in an easterly direction from a distance of 22 feet.

According to Officer [REDACTED] observed Alamillo lower the handgun and then point it in [REDACTED] direction. To protect [REDACTED] and the officers that were around [REDACTED] fired five rounds from [REDACTED] service pistol at Alamillo to stop the lethal threat.

Officer [REDACTED] recalled,

*I feared for my safety, the safety of my partner, and – and there – I thought that there was an imminent threat, I mean, that was unfolding by him pointing or, you know, lowering the gun in my direction, that, that was the only option, like, I had was – in order to protect myself and to protect the lives of those other officers that were out there. [REDACTED]*

Officer [REDACTED] – .40 caliber Glock, six rounds in a northeasterly direction from a distance of 37 feet.

According to Officer [REDACTED] observed Alamillo point a handgun towards other officers who were north of [REDACTED] location. In defense of their lives, [REDACTED] fired six rounds from [REDACTED] service pistol at Alamillo to stop the threat.

Officer [REDACTED] recalled,

*He dropped his hand. And then I saw him raise the gun towards the officers. At that point, as a last resort, I used – I fired my handgun. I thought he was gonna kill one of the officers. I was – I was scared, because I thought he was gonna shoot one of them. I honestly thought that he actually shot a round at them [REDACTED]*

*When he raised – when he raised the gun, I heard a – a – a – gunfire, so I thought he was shooting at my – at – at my partner. That's when I fired at him. [REDACTED]*

[REDACTED]

Officer [REDACTED] – .40 caliber Glock, seven rounds in an easterly direction from a distance of 19 feet.

According to Officer [REDACTED] observed Alamillo extend his arm out and point the handgun toward the officers positioned north of [REDACTED]. In defense of lives, [REDACTED] fired seven rounds from [REDACTED] service pistol at Alamillo to stop the threat.

*Our main thing was preservation of life. Preservation of his life. Preservation of the public. There was a lot of people there. That – that street, Witmer Street, it's – it's known to be – it's a crowded street. And there's a lot of little kids. There's a lot of little girls playing. And so we're like, Hey. This guys got a gun. I mean, this has to be a priority. We – we have to stop this guy. We – we can't let him hurt anybody. We can't let the public that's there get hurt.* [REDACTED]

*He – he pointed the weapon to the – to the officers within a – a second. That quick. That fast. So at that – at that point, I knew that I needed to shoot. If I didn't – if I didn't shoot the suspect, he – he was gonna shoot my partners. He was – he was gonna shoot – he was gonna – you know, he could have killed them. He could have killed them.* [REDACTED]

Officer [REDACTED] – 9mm Glock, three rounds in an easterly direction from a distance of 26 feet.

According to Officer [REDACTED] observed Alamillo point the handgun toward [REDACTED] and the other officers. In fear for [REDACTED] life, and the lives of the other officers, [REDACTED] fired three rounds from [REDACTED] service pistol at Alamillo to stop the threat.

*And as I start to move forward, I see the suspect. He – so he has the gun to his head. And – and he – and when he – when – when I start to move forward, the suspect takes the gun out of his head and points it my direction and towards other officers' direction.* [REDACTED]

*At which point, I thought he was gonna start shooting at me and – and the other officers. So I – I fired approximately two rounds.* [REDACTED]

Officer [REDACTED] – 9mm Smith & Wesson, ten rounds in an easterly direction from a distance of 29 feet.

According to Officer [REDACTED] observed Alamillo point the handgun toward him and Officer [REDACTED], heard a shot being fired and believed Alamillo fired at them. Fearing for [REDACTED] life, [REDACTED] fired ten rounds from [REDACTED] service pistol at Alamillo to stop the threat.

*And at that time, that's when I – I returned fire. And I fired – at that time, I thought it was five to six – approximately five to six times, due to the fact that I thought – you know, I*

[REDACTED]

*thought I was in harm and also my partner. So I was trying to look out for both of us. And, obviously, you know, it was an imminent threat of life or death at that time.* ■

Officer ■■■■ – 9mm Smith & Wesson, two rounds in a southeasterly direction from a distance of 36 feet.

According to Officer ■■■■, after ■■■■ fired ■■■■ final beanbag shotgun round, ■■■■ observed Alamillo point the handgun toward ■■■■ and the other officers. Believing Alamillo was going to shoot at them, ■■■■ grounded the beanbag shotgun, drew ■■■■ service pistol, and fired two rounds at Alamillo to stop the threat.

*He had the gun to his head and he starts pointing it at other officers, myself, and my partner, in the direction of us. So I grounded the bean bag and just unholstered my firearm, just because it's – he's pointing a gun at us, and that's – I'm in fear that he's gonna shoot myself, my partner. He's gonna start shooting at us, and you have to defend yourself, partners, members of the community.* ■

Officer ■■■■ – .45 caliber, Smith & Wesson, two rounds in a southeasterly direction from a distance of 39 feet.

According to Officer ■■■■ observed Alamillo point the handgun towards ■■■■ and Officer ■■■■ and believed Alamillo fired one round at them. Fearing for their lives, ■■■■ fired two rounds from ■■■■ service pistol at Alamillo to stop the threat.

*At which point, he looked at my direction and he brought the – the gun down away from his head, and then pointed it – was bringing it down in a – in a pointing motion towards where Officer ■■■■ and I were at. And fearing that he was gonna shoot us and cause us immediate – you know, imminent death or serious bodily injury, I believed that he shot off a round at the same time.* ■

Officer ■■■■ – .40 caliber Glock, six rounds in an easterly direction from a distance of 23 feet.

According to Officer ■■■■ observe Alamillo move the handgun away from his head and then point it toward the officers north of him. Fearing for their lives, ■■■■ fired six rounds from ■■■■ service pistol at Alamillo to stop the threat.

*And the suspect pointed it kind of towards a northwest direction from where he was standing in a shooting motion, one-handed, and punched out – would be the action of him going from his head to the straightening his elbow and his forearm, his right hand, in a onehanded*

■■■■  
■■■■

*shooting position towards the officers. At that point, I – I don't know if he shot a round, but I – I recall feeling fear. ■*

**Officer ■** – 5.56 Colt, three rounds in a northeasterly direction from a distance of 59 feet.

According to Officer ■ observed Alamillo turn and then point the handgun toward the officers north of ■ location. Fearing for their lives, ■ fired three rounds from ■ police rifle at Alamillo to stop the threat.

*As he was – had the firearm in his right hand pointing to his temple and still yelling at the officers. Then he kind of made a gesture, like grinding his teeth. And, like, he was yelling. And then he turned westbound towards the street where the officers were standing behind the cars and pointed the firearm in westbound direction towards the officers. ■*

*He – my belief was he would definitely have shot at and harmed, possibly killed an officer. So I was trying to prevent harm to officers. ■*

Based on the totality of the circumstances, the UOFRB determined, and I concur, that officers with similar training and experience as Officers ■, ■, ■, ■, ■, and ■ would reasonably believe the suspects' actions presented an imminent threat of death or serious bodily injury and that the Use of Lethal Force would be objectively reasonable.

Therefore, I find Officers ■, ■, ■, ■, ■, and ■ Use of Lethal Force to be objectively reasonable and In Policy, No Further Action.

Additionally, the UOFRB determined, and I concur, that an officer with similar training and experience as Officers ■, ■, and ■, while faced with similar circumstances, would not have perceived the suspect's actions presented an imminent threat of death or serious bodily injury at the time these officers fired their weapons.

Therefore, I find Officers ■, ■, and ■ Use of Lethal Force was not objectively reasonable, and Out of Policy, Administrative Disapproval.

■■■■■■■■■■  
■■■■■■■■■■  
■■■■■■■■■■

**Audio/Video Recordings**

**Digital In-Car Video System (DICVS) / Body Worn Video (BWV)** – Rampart Division personnel were equipped with DICVS and BWV at the time of this incident. Multiple BWV cameras were activated and captured the officers' efforts to de-escalate the situation and the subsequent OIS. Multiple units, who were responding, had their DICVS cameras activated while enroute to the incident; however, none captured the OIS.

Respectfully,



CHARLIE BECK  
Chief of Police

Date: 5-24-18