

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

OFFICER-INVOLVED ANIMAL SHOOTING – 050-14

Division **Date** **Duty-On (X) Off ()** **Uniform-Yes (X) No ()**

Foothill 8/14/14

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

Officer B 18 years, 3 months

Reason for Police Contact

Officers were conducting enforcement of illegal homeless encampments when a dog charged toward Officer B resulting in an officer-involved animal shooting (OIAS).

Animal **Deceased ()** **Wounded (X)** **Non-Hit ()**

Pit Bull dog.

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.

Because state law prohibits divulging the identity of police officers in public reports, for ease of reference, the masculine pronouns (he, his, and him) will be used in this report to refer to male or female employees.

The following incident was adjudicated by the BOPC on April 14, 2015.

Incident Summary

Officer A attended the Area roll call and notified the officers and Watch Commander regarding the enforcement of the illegal homeless encampments at a specified location, which was scheduled for that morning.

Shortly thereafter several officers responded to the location, parked their motorcycles, and walked north across a small stream toward several encampments hidden within the brush. Officer B found the first encampment empty, and he asked the Air Unit if they observed anyone leaving the area. The Air Unit had not observed anyone, but directed Officer B toward another encampment south of the vacant one. Officer B began to walk north on a trail toward the second encampment when he heard a barking dog and immediately observed a large black and white pit bull terrier running in a full sprint south on the trail toward him. The dog was growling and showing its teeth and from prior experiences, Officer B recognized this behavior as a threat. Officer B unholstered his pistol as the dog continued charging him with no sign of stopping. Officer B was in fear for his life, he aimed at the charging dog's chest/head area, and from an approximate distance of three feet, fired once north. Officer B was not certain if the dog was struck, but it immediately retreated and ran north on the trail and out of his sight.

Officer B broadcast to notify the other officers of the incident and requested a supervisor. Officer B holstered his pistol when Officer A responded to the area with a fire extinguisher to contain the dog if it returned. Officer A located the owner of the dog, who then leashed the dog, which had an injury to its left front leg.

Uniformed Sergeant A arrived at scene, separated Officer B, and obtained a Public Safety Statement from him.

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 of a firearm 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 B's tactics to warrant a Tactical Debrief.

B. Drawing/Exhibiting

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

C. Lethal Use of Force

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

Basis for Findings

A. Tactics

- In its analysis of this incident, the BOPC identified the following tactical consideration:
- Dog encounters

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 Officer B's actions did not substantially deviate from approved Department tactical training. Therefore, a Tactical Debrief is the appropriate forum for the involved personnel to review and discuss the incident and individual actions that took place during this incident with the objective of improving overall organizational and individual performance.

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

B. Drawing/Exhibiting

- As Officer B walked to the second encampment, he heard a barking dog then observed a large black and white Pit Bull Terrier type breed dog running in a full sprint south on the trail toward him. The dog was "very aggressive, growling and showing its teeth" as the dog continued to run toward Officer B. Believing the dog was going to bite him, Officer B drew his service pistol and discharged his service pistol at the dog in an attempt to stop its advancement.

The BOPC determined that an officer with similar training and experience, while faced with similar circumstances, would reasonably believe that there was a substantial risk that the situation may escalate to the point where deadly force may be justified

Therefore, the BOPC found Officer B's drawing and exhibiting of a firearm to be in policy.

C. Lethal Use of Force

- The Air Unit directed Officer B to a second encampment a short distance from his current location. While walking toward the second encampment, Officer B heard a barking dog then observed a large black and white Pit Bull Terrier type dog running in a full sprint toward him. In defense of his life, Officer B fired one round at the dog.

Following the OIS, Officer B observed the dog run in the opposite direction and out of view. Officer B remained with his service pistol out until Officer A arrived with the fire extinguisher.

Given the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officer B would reasonably believe that the dog posed an imminent threat of serious bodily injury and that the use of lethal force would be justified.

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