

Incident Summary

A specialized unit was conducting a search warrant at a designated location. Detective A was the Officer In-Charge (OIC) of the incident. A pre-incident briefing was held at the local police station and PowerPoint information was presented by Officer A. Officer A also distributed Tactical Plans with individual officer assignments.

Upon completion of the briefing, all personnel drove to the area of the identified location for the search warrant via a pre-designated route of travel. Officers assigned to the entry teams parked their vehicles near the location. The officers exited their vehicles and formed a line set for entry. The entry teams for the adjacent residences consisted of different personnel.

Note: No “Code Six” broadcast [indicating they had arrived at the location] was made until after the OIS, due to oversight. The Area Captain was made aware of the issue and advised he would address it with his personnel.

The entry teams entered the front yard, and as officers walked east across the front yard, Officer A heard someone from within the residence yelling, “The cops are here. They’re coming, they’re coming.” Officer A immediately advised the other officers with him that they had been compromised.

The officers continued down the driveway toward the backyard. As they approached the backyard, they observed a brown colored Pit Bull dog, which was attached to a chain near the detached garage on the corner of the property. According to Officer B, the brown dog’s body was taut with its mouth open, its teeth bared, and was facing the officers preventing them from entering the backyard. Officer B moved forward, pulled the safety pin on the fire extinguisher, and activated the extinguisher in the direction of the brown dog, causing it to flee toward the corner of the detached garage.

As Officer C approached the steps to the rear door of the location, he observed the back door being pushed closed.

Simultaneously, Officers D, E, F, and G continued through the backyard and detained two female Subjects, and ordered them to the ground on their stomachs near a wall in the backyard. Officer B positioned himself between the brown dog, which was approximately six feet away, and the entry teams. The dog barked and growled at officers and, according to Officer F, the hair on the dog’s back was standing up. As officers maneuvered through the backyard, the dog, still with its body taut and its mouth open with its teeth bared, charged at Officer B. Officer B activated the extinguisher a second time, which caused the dog to retreat back toward the garage momentarily.

As this was occurring, Officers C and H proceeded up the rear steps of the location, standing side by side. Officer C used his left foot to push the backdoor open and observed a large black Pit Bull dog, approximately two feet away, running at him.

Officer C described the dog as displaying its teeth while growling and barking consistent with a dog that was about to attack. Officer C began yelling at the black dog to get back, while pushing the muzzle of the shotgun toward the dog's head in an attempt to make it retreat. After several attempts of placing the shotgun's muzzle in the dog's face, the black dog suddenly lunged toward Officer C, still with its teeth showing and growling, coming within six to eight inches of his groin area.

Officer C feared that he or other members on his search team were about to be bitten, and fired one round from his shotgun into the face of the black dog. Simultaneously, Officer H, standing with both hands on his pistol and his finger along the frame, saw the black dog, with its teeth showing, its ears flattened and its rear legs bent, preparing to attack, so he fired three rounds from his pistol. The black dog fell to the ground at Officer C's feet just outside of the backdoor. Officer C yelled out to the rest of the members on the search teams that it was a "dog shooting only" and continued to make entry into the second residence, which was attached to the first location. Just after the shooting by Officers C and H, officers observed a Subject exit a bedroom into the hallway and was ordered to the ground. A second Subject was observed exiting a bathroom into the hallway and was also ordered to the ground. As officers entered the residence they encountered a third Subject in the kitchen and ordered him to the ground. All three individuals were then taken into custody and handcuffed.

Just after the shooting by Officers C and H, the brown dog broke loose from its chain and ran toward Officer F. Officer F, standing near the corner of the garage and holding his pistol with two hands, observed the brown dog charging in his direction with its teeth showing, rigid muscles, and growling. Fearing that the dog was about to attack him or a fellow officer, Officer F fired four rounds from his pistol to stop the advancing dog. Officer F then stepped out of the path of the advancing brown dog and again fired an additional four rounds to prevent him or other officers from being attacked.

The brown dog then ran alongside the garage and positioned itself near the corner of the garage facing Officers D, E, and F. The brown dog again, showing its teeth and growling at officers, prepared to attack. According to Officer E, the brown dog began moving toward him. Fearing for his safety, Officer E fired two rounds at the torso of the brown dog from his pistol.

Simultaneously, Officer D observed the brown dog showing its teeth, growling aggressively, and preparing to attack, so he fired one round from his pistol at the dog's torso. The brown dog then ran along the fence line and collapsed. Officers then moved in and handcuffed both of the initial female Subjects pending further investigation.

Note: There were no cross fire issues between Officers C, D, F, and H or the witnesses. However, based on position placement of Officers D and E, Officer D was standing approximately 8 feet north of Officer E and 1-3 feet west of Officer E's line of fire, creating a potential cross-fire situation.

Detective B broadcast that the incident had been resolved and that an officer-involved animal shooting had occurred over the police radio.

Force Investigation Division personnel reviewed all documents and circumstances surrounding the separation, monitoring and the admonition not to discuss the incident to officers prior to being interviewed by FID investigators. All protocols were followed.

Public Safety Statements (PSS) were obtained from all the involved officers with the exception of Officer H. These statements were consistent with the results of this investigation. In addition, the involved officers were directed not to discuss the incident and were monitored by their respective sergeants.

Officers arrested one Subject for Possession of a Controlled Substance and two of the Subjects for outstanding misdemeanor warrants. All three individuals were transported to Southwest Area Station and then to 77th Jail Division and booked.

City of Los Angeles Animal Control personnel arrived at the scene and entered the backyard of the location, accompanied by detectives. Both Pit Bull dogs were impounded and transported for a necropsy.

Witness Statements

FID personnel interviewed Witness A, who stated he was sitting in a chair in the backyard between the two sets of steps leading into the location, facing in a northerly direction and reading a magazine. Witness A said he looked up and saw approximately eight to ten officers walking toward him when they told him to get down on the ground. Witness A said he complied and got down onto his knees and then the officers put him down flat onto his stomach and handcuffed him. As this was occurring, Witness A said he heard the black Pit Bull dog inside one of the residences growling, barking, and “charging” at the approaching officers. Witness A believed that someone was holding the dog back from running out of the residence; however, he did not see anyone holding the dog. Witness A said he heard several gunshots being fired and then officers entered the residence. Witness A stated that he did not see the dog struck by any of the rounds that the officers fired. Witness A stated that he believed the brown dog belonged to one of the occupants at the location. Witness A stated that he did not know that the brown dog had been shot during this incident. Witness A stated that the brown dog was kept chained up to the chain link fence on the east side of the property near the garage area.

After canvassing the neighborhood, FID investigators were unable to locate any additional witnesses who saw the OIAS.

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 and 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 Officers C, D, E, F, and H's tactics to warrant a Tactical Debrief.

B. Drawing/Exhibiting

The BOPC found Officers C, D, E, F, and H's drawing and exhibiting of a firearm to be in policy.

C. Lethal Use of Force

The BOPC found Officers C, D, E, F, and H's lethal use of force to be in policy.

Basis for Findings

A. Tactics

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

1. Code Six

Although the operations plan called for Detective A, Officer-In-Charge, to voice the Code Six broadcast, it did not occur. A Code Six broadcast was not made until after the OIS had occurred.

The BOPC evaluated the circumstances surrounding the service of the search warrant and noted that there were thirty five officers assigned to the operation. Accordingly, sufficient resources were readily available to address any unforeseen tactical concerns. Cognizant that tactics are conceptual and intended to be flexible and incident-specific, the BOPC found that the absence of a Code Six broadcast did not present an officer safety concern. As such, the BOPC found the officers' actions did not substantially deviate from approved Department tactical training.

However, serving a search warrant is inherently dangerous and in order to reinforce the importance of having Communications Division be aware of officers' location during the service of a search warrant, this topic was to be discussed during the Tactical Debrief.

2. Situational Awareness

In this instance, the FID investigation revealed a potential cross-fire situation created by the positions of Officers D and E. The BOPC noted that Officers D and E were cognizant of their shooting backgrounds and reported they were clear.

According to Officer D, he was in fear of getting bit by the dog and then fired one round into the torso of the brown dog in a downward angle and northeastern direction. The background was clear of any people and the only thing behind the brown dog when he fired a round was a wooden fence.

According to Officer E he fired two rounds facing north from his pistol. He fired at the dog's midsection at a downward angle. The background of the dog had no pedestrians and it appeared to be an alley through the fence.

In conclusion, Officers D and E were confronted by a hostile dog that they perceived could cause serious bodily injury. The BOPC assessed Officers D and E's actions and determined that they were reasonable. Officer D fired one round and Officer E fired two rounds respectively. Officer D and E were aware of each other's position while addressing the ongoing threat posed by the dog. Nevertheless, the importance of situational awareness was to be addressed during the Tactical Debrief.

3. 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 the tactics used by Officers C, D, E, F, and H 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.

B. Drawing/Exhibiting

- In this instance, the involved personnel were conducting a narcotics search warrant at the aforementioned locations. The officers contained the locations and subsequently drew and/or exhibited their weapons. The service of a narcotics search warrant is inherently dangerous as suspects are frequently armed. Furthermore, the suspect(s) are familiar with the location thus placing the officers at a tactical disadvantage. Therefore, it is reasonable for officers to draw/exhibit firearms to address the possibility of encountering armed and dangerous suspect(s) who have the distinct tactical advantage. In this situation it was reasonable for the involved personnel to believe that they may encounter an armed suspect(s) during the search warrant service.

Therefore, the BOPC found Officers C, D, E, F, and H's drawing and exhibiting of a firearm to be in policy.

C. Lethal Use of Force

First location

Officers C and H were assigned to the entry team for the first identified residence. Positioned in the front was Officer C, armed with his Department approved shotgun, and Officer H to his immediate right.

- Officer C (shotgun, one round)

Officer C pushed open the rear door with his foot and the black dog advanced toward the officers. Believing that the dog was about to bite him and came within six to eight inches of his groin, Officer C ensured his shooting background was clear and discharged one shotgun round at the dog to stop its attack.

- Officer H (pistol, three rounds)

Officer H, who stood next to Officer C, observed the aggressive dog exposing his teeth as the door opened. The dog advanced toward himself and Officer C and, believing that the dog's attack was imminent, Officer H discharged three rounds from his service pistol to stop the dog's actions.

An officer with similar training and experience as Officers C and H 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 stop the dog's actions.

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

Second location

Shortly following the first OIAS, the brown dog's chain broke loose from the fence, and the dog ran toward the officers in the rear yard.

- Officer F (pistol, eight rounds in two sequences of fire; the first sequence of fire was from approximately five to ten feet, the second sequence of fire was from approximately six feet)

The dog ran to the fence line, then turned and faced Officer F. According to Officer F, the dog again growled, exhibiting its teeth, and quickly closed the distance between them from twelve to six feet, resulting in Officer F firing four rounds in two sequences at the advancing dog to stop its advance.

- Officer E (pistol, two rounds)

Once the dog broke free from the chain, Officer E observed it run past him, hit the rear fence, then turn and face Officer E. The dog began to advance toward Officer E, and believing that the dog was about to attack him, Officer E discharged two rounds from his service pistol to stop the dog's attack.

- Officer D (pistol, one round)

Officer D observed the dog running nearby along the fence line while displaying aggressive behavior toward him. Officer D, believing that he might be bitten, discharged one round from his service pistol at the dog to stop its aggressive actions.

An officer with similar training and experience as Officers D, E, and F 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 stop the dog's actions.

In conclusion, the BOPC found Officers D, E, and F's use of lethal force to be objectively reasonable and in policy.