

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

OFFICER-INVOLVED ANIMAL SHOOTING – 057-14

Division	Date	Duty-On (X) Off()	Uniform-Yes (X) No()
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Hollenbeck	9/8/14		
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Officer(s) Involved in Use of Force	Length of Service
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Officer A	19 years, 3 months
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Reason for Police Contact

Officer A was patrolling an alley in response to complaints of transient activity in the area. As he walked in the alley, he was startled by a large dog that came running aggressively at him, resulting in an officer-involved animal shooting.

Animal(s)	Deceased () Wounded () Non-Hit (X)
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Pit Bull mix 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 suspect 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 August 11, 2015.

Incident Summary

Officer A received a complaint from a security guard of transient activity in the east/west alley across from the location. Officer A had received other complaints via his city phone regarding transients and narcotics in the same alley.

There was a large wrought iron gate at the entrance to the alley that appeared to be closed. As Officer A approached the closed gate, he observed a shopping cart with miscellaneous items in it. Officer A was unaware there was a dog in the immediate area.

Officer A opened the gate and proceeded to walk in a south westerly direction down the dirt alley. The alley is approximately 17 feet wide and curves in a northwesterly direction preventing anyone from seeing further down the alley. As Officer A began to walk past the curve of the alley, approximately 109 feet into the alley, he was startled by a medium size black and white dog running at him at a fast pace. The dog weighed approximately 45 pounds and was growling and barking as it ran towards Officer A, who believed he did not have enough time to deploy his baton or use his Oleoresin Capsicum (OC) spray.

In fear for his life, Officer A unholstered his pistol and fired three rounds at the approaching dog that was approximately 10 feet away.

Upon Officer A firing his weapon, the dog retreated and continued to bark as it slowly ran in a westerly direction. Officer A continued to watch the dog retreat as he stood holding his weapon at a two-handed, low-ready position until he lost sight of the dog, at which time he holstered his weapon.

Officer A requested that Department of Animal Regulations personnel respond for a vicious dog, contained within the alley. Animal Regulations responded from the North Central Facility and impounded the black and white pit bull mix canine.

Two transients were located further in the alley but did not claim ownership of the dog. They did not observe the shooting but heard the shots fired.

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 made the following findings.

A. Tactics

The BOPC found Officer A's tactics to warrant a Tactical Debrief.

B. Drawing/Exhibiting

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

C. Lethal Use of Force

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

Basis for Findings

A. Tactics

- 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.

Each tactical incident merits a comprehensive debriefing. In this case, although there were no identified tactical points or issues, 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. The BOPC determined that Officer A's actions did not substantially deviate from approved Department tactical training.

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

B. Drawing/Exhibiting

- Officer Medina approached the large wrought iron gate at the entrance of the alley and could see a shopping cart filled with miscellaneous items. Officer A opened the gate and proceeded to walk in a south westerly direction down the dirt alley to investigate the transient activity at the location. As he continued to walk further down the alley, Officer A was startled by a large dog running toward him and recognized this behavior as a threat. Believing the dog was going to bite him, Officer A drew his service pistol as the dog continued charging him with no sign of stopping.

Based on the totality of the circumstances, an officer with similar training and experience as Officer A, while faced with similar circumstances, would reasonably believe that there was a substantial risk that deadly force was justified.

In conclusion, the BOPC found Officer A's drawing and exhibiting of a firearm to be in policy.

C. Lethal Use of Force

- **Officer A** (pistol, 3 rounds)

Officer A received several complaints from a security guard of transient activity in the east/west alley across from the location. Officer A also received numerous citizen complaints in regards to transients and illegal narcotic activity in the same alley.

While walking down the dirt alley to investigate, Officer A was startled by a large dog, barking and growling, that was running toward him at a rapid pace. Fearing for his safety, Officer A became involved in an OIS.

Officer A assessed the situation and observed the dog retreat in the opposite direction. Officer A remained with his service pistol at a low ready position until the dog was out of sight.

Given the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Officer A would reasonably believe that the aggressive 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 A's use of lethal force to be in policy.