

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

OFFICER-INVOLVED ANIMAL SHOOTING 058-08

Division	Date	Duty-On(x) Off()	Uniform-Yes(x) No()
77 th Street	06/13/08		

Involved Officer(s)	Length of Service
Officer A	7 years, 7 months

Reason for Police Contact

Responding to a vicious animal radio call.

Subject(s)	Deceased (x)	Wounded ()	Non-Hit ()
Pit Bull			

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 Los Angeles Police Department Command Staff presented the matter to the Commission and made itself available for any inquiries by the Commission.

Because state law prohibits divulging the identity of police officers in public reports, the masculine pronouns (he, his, and him) will be used in this report in situations where the referent could in actuality be either male or female.

The following incident was adjudicated by the BOPC on June 2, 2009.

Incident Summary

On June 13, 2008, uniformed Officers A and B were assigned a “vicious animal” radio call. The comments of the call indicated that a Pit Bull dog was attempting to attack people and that the dog was an ongoing problem.

Upon arrival the officers heard yelling and they walked down the driveway and encountered Witness A, who was behind a metal door of the residence. Witness A told the officers that she had called 911, and that there was a dog loose on the property. Witness A also indicated that a boy had been attacked by the dog and needed medical attention.

The officers saw a Pit Bull dog in a parking area to the rear of the property. Three people inside a parked car told the officers that the dog had attacked a boy, who was in a nearby van. The officers looked in the van and saw two people, one of which was Victim A who had been attacked by the dog.

The dog’s attention appeared to be drawn to the officers so Officer A drew his Glock service pistol and Officer B armed himself with a five-foot-long 2”x4” piece of wood. The dog began to walk in the officers’ direction so Officer B took cover behind an unoccupied car and Officer A moved behind an open chain-link gate. The dog moved within two feet of Officer A, and began to growl and bare its teeth. The dog continued to advance toward Officer A, who was unable to retreat due to the presence of a fence behind him. Fearing he would be attacked and injured, Officer A fired three rounds from his gun and struck the dog, but the dog continued to growl and advance. Officer A fired a fourth round, which struck the dog and caused the dog to fall to the ground dead.

A rescue ambulance responded and transported Victim A to a hospital for treatment of multiple bite injuries that he sustained from the dog attack.

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/Holstering of a weapon 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 A and B's tactics to warrant a tactical debrief.

B. Drawing/Exhibiting/Holstering

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

C. Use of Force

The BOPC found Officer A's use of 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.

Therefore, a Tactical Debrief is the appropriate mechanism for the significantly involved personnel to evaluate the events and actions that took place during this incident.

The BOPC will direct that Officers A and B's tactics to warrant a Tactical Debrief.

B. Drawing/Exhibiting/Holstering

In this situation, the officers were confronted with a dog that had already attacked one person. As the dog approached Officer A, it growled and bared its teeth. Fearing that he was going to be attacked by the dog and suffer serious injury or death, Officer A drew his weapon.

Therefore, due to Officer A's reasonable belief that the situation had escalated to a level where deadly force had become necessary, Officer A's drawing and exhibiting to be in policy.

C. Use of Force

In this situation, the officers were confronted with a dog that had already attacked one person. As the dog approached Officer A, it growled and bared its teeth. Fearing that he was going to be attacked by the dog and suffer serious injury or death, Officer A drew his weapon and fired four rounds at the dog.

Therefore, due to Officer A's reasonable belief that he was about to be attacked by the dog and that he may suffer serious injury or death, Officer A's use of force to be in policy.