

Incident Summary

Officer A was off-duty and at his residence outside of the City of Los Angeles when he observed that his neighbor's two Pit Bull dogs had escaped from their garage.

Note: Officer A had lived at his residence for four years and had previously seen the dogs chase children and other dogs aggressively. On prior occasions, he had helped the dogs get back into their garage.

Officer A observed the two dogs chasing two kids on their bicycles. The children were able to ride away from the dogs, and the dogs returned to their residence, directly across the street from Officer A's house. Due to the aggressive behavior of the dogs, Officer A was afraid the dogs might attack someone so he went back into his house and retrieved his pistol, holstering it in his front waistband.

Upon returning outside, Officer A observed the dogs still roaming around and yelled at the dogs from the bottom of his driveway to go home. The two dogs appeared to listen and began running toward their garage. One dog turned when he neared the garage and began running towards Officer A. The first dog was growling and showing his teeth. The second dog also began running with the first dog towards Officer A.

Officer A yelled for the dogs to stop but they continued running at him in an aggressive manner. Officer A started to back up in his driveway to keep his distance when he tripped over his feet. Officer A unholstered his pistol as the first dog leapt towards him. In fear of being attacked by the dog, which was exhibiting vicious behavior, Officer A fired two rounds as he fell back to the ground.

The first dog yelped, turned, and ran back towards his residence across the street with the second dog behind him. Officer A believed his two rounds struck the first dog in the face area. Witness A, the owner of the two dogs, exited his residence and observed the first dog bleeding in his front yard. Witness A loaded the dog in his truck and took it to a local animal hospital.

Meanwhile, Witness B telephonically contacted the local police department to report a shooting. According to Witness B, he was in his home office when he heard two gunshots and the sound of a dog yelping. He looked out his window and observed Officer A standing in his driveway, placing something in his waistband. Witness B did not see a gun but believed the item he observed Officer A placing in his waistband was a handgun.

Officer A notified his Patrol Watch Commander (WC), Sergeant A.

Officers from the local police department arrived at the scene and began their investigation.

Sergeant A dispatched uniformed Sergeant B to Officer A's residence.

Sergeant A notified Real Time Analysis and Critical Response Division (RACR) of the dog shooting, which subsequently notified Force Investigation Division (FID) personnel.

Sergeant B arrived at Officer A's residence and took a public safety statement (PSS).

FID personnel arrived at scene and began investigating the Animal Shooting with the assistance of the local police department.

Witness Statements

Witness C lived next door to where the two Pit Bull dogs resided. Witness C described the Pit Bull dogs as being aggressive. Witness C was outside of his residence when he realized the two dogs were loose because he heard and saw the dogs barking at Witness D, who was walking her dogs.

He went back into his residence to retrieve a form for animal control so neighbors could sign it in order to file a formal complaint. When he returned, Witness D was gone so he began riding his bike around the area in order to find her. As Witness C rode his bicycle, both dogs began to chase him and tried to bite his ankles. The dogs chased Witness C for about a block and a half before returning to their home.

Approximately five minutes later, Witness C observed Officer A standing on the driveway of his home and both dogs running toward Officer A.

Officer A began running backwards away from the dogs but tripped and fell on his back as the dogs ran toward him. Witness C observed Officer A pull a gun from his waistband and shoot one of the dogs twice.

Note: According to Officer A, he fired two rounds at the first dog prior to falling back onto the ground.

All other witnesses were heard-only witnesses or witnesses that had encounters with the first dog the same day as the officer-involved animal shooting or on prior occasions.

The first dog sustained a gunshot wound to the right jaw and right paw and was taken by Witness A to a local animal hospital. The first dog was treated for two through-and-through gunshot wounds to the right side of his mouth and right paw area.

Officers from the local police department conducted a follow-up investigation at the hospital. They interviewed the doctor and took photos of the first dog's injuries.

Note: According to Officer A, he believed both his rounds struck the first dog in the face and head area.

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 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 Officers A'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:
 - 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 identified areas for improvement neither individually nor collectively substantially deviated 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.

The BOPC found that Officer A's tactics warranted a Tactical Debrief and that the specific identified topics be covered.

B. Drawing/Exhibiting

- Officer A observed two large dogs barking, baring their teeth, and running toward him in an aggressive manner. Officer A re-deployed rearward, and believing he was in danger of being bitten by the dog, drew his service pistol.

According to Officer A, he started to back up his driveway to keep distance from the dogs, but tripped over his own feet. The first dog was approximately five feet away as he jumped at Officer A, who unholstered his pistol and fired two rounds in fear that the dog was going to bite him and cause serious bodily injury.

Given the fact that two large dogs were aggressively advancing toward Officer A, 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 A's drawing and exhibiting of a firearm to be in policy.

C. Lethal Use of Force

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

Officer A observed two large dogs in his neighborhood chasing children as they rode their bicycles. Due to the dogs' prior aggressive history, Officer A retrieved his service pistol. Officer A exited his house and observed the dogs roaming the neighborhood. Officer A yelled at the dogs to go back to their house. The dogs seemed to obey Officer A's commands but then suddenly turned around and charged at him as he stood on his driveway.

Officer A attempted to re-deploy rearward when the first dog started charging toward him (displaying teeth, barking, and snarling) but tripped over his own feet and fell down. Believing that the dog was going to bite him and cause serious bodily injury, Officer A fired two rounds from his service pistol to stop the attacking dog when the dog jumped toward him from approximately five feet away.

Given the totality of the circumstances, an officer with similar training and experience as Officer A would reasonably believe that the attacking dogs posed an imminent threat of serious bodily injury or death 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.