

Incident Summary

An operation involving Drug Enforcement Administration (DEA) agents and Los Angeles Police Department (LAPD) personnel resulted in the arrests of Subjects 1 and 2. The LAPD personnel involved in the operation remained in perimeter positions when the arrests were made and did not observe the manner in which the subjects were taken into custody.

Note: Per a prearranged agreement, LAPD officers were present for support purposes and were not to be involved in the physical arrest or handcuffing of the suspects.

Shortly following the arrests, Officer A approached the subjects' location and observed Subject 1 in a prone position on the ground with his hands handcuffed behind his back. Officer A did not observe Subject 2. With the assistance of Detective A, Officer A assisted Subject 1 to his feet and searched Subject 1 for any contraband. Nothing was recovered from Subject 1's person. Subject 1 was then placed in the back seat of a responding black and white police vehicle. During his contact with Subject 1, Officer A spoke to Subject 1. Subject 1 never indicated he was sick or injured during the incident nor did he say that he was subjected to any physical force while being taken into custody. Officer A noted Subject 1 had a small abrasion on one of his forearms.

Officer B responded to the scene of the arrests shortly after they were made. Officer B exited his vehicle, approached the DEA agents and observed Subject 1 on the ground. Subject 1 was handcuffed and in a prone position. According to Officer B, he did not have any contact with the subjects, did not speak with them and did not observe them to have any injuries.

Moments after the subjects were arrested, Detectives A and B responded to the location of the arrest. Detective B observed one subject on the ground. Detective B did not know if the suspects were already handcuffed or if the agents were in the process of completing the handcuffing procedure. Detective A observed Subject 1 to be lying on the ground in a prone position with his hands handcuffed behind his back. Subject 2 was already in a standing position and was handcuffed. Detective A did not observe any DEA agents or LAPD officers have any physical contact with Subject 1.

Detective A and Officer A approached Subject 1 to assist him to his feet. Subject 1 was cooperative and rolled to one side and up onto his knees. Detective A stated he assisted Subject 1 up by grabbing one of his arms. Subject 1 was then escorted to a black and white police vehicle that had arrived. Detective A observed a small amount of blood on Subject 1's arms, and a small abrasion to the right side of his face.

Note: Detective A and Officer A did not ask Subject 1 about the small amount of blood or the abrasion on Subject 1's arm. Also, Subject 1 did not appear to the detective or officer to be distressed or in pain.

Officers C and D responded to the subjects' location shortly after the arrests were made and observed that Subjects 1 and 2 were already handcuffed. The subjects were then placed in the back seat of their police vehicle and transported to a police station. Neither subject complained to the officers of any force having been used when they were arrested.

Lieutenant A was the Watch Commander at the police station at the time the subjects were brought in. Lieutenant A spoke with the subjects and asked them if they understood why they were being arrested or detained. They both stated yes. Lieutenant A then asked if they were sick, ill or injured. Both stated they were not; however, Subject 1 advised he had a metal rod or plate in one of his legs due to an old work related accident. Lieutenant A asked if they had any questions or concerns and they stated they had none.

Detective A spoke with Lieutenant A and advised him that one of the DEA agents had used some type of force on Subject 1. Detective A had obtained information from a DEA agent that when the agents approached the subjects' vehicle, Subject 1 was not cooperative in coming out of the vehicle. The agent(s) had pulled Subject 1 out of the passenger's side of the vehicle. Subject 1 had gone to the ground and was handcuffed.

Note: Detective A stated he was with Lieutenant A when he asked Subject 1 if he had any medical concerns. Subject 1 did not complain of any injuries or sicknesses. Subject 1 only mentioned that, years prior, he had a work-related accident resulting in a metal rod being placed inside his leg.

Officer B assisted with the booking process and asked Subject 1 if he was taking any medication or if he needed to see a doctor, to which Subject 1 responded "no." Subject 1 stated he had a metal rod in his leg and it was going to be taken out. Officer B stated he assisted with a strip search of the subjects and did not observe any visible injuries on either of them. Subject 1 never complained of any injuries, nor did Officer B observe Subject 1 display any signs of discomfort.

Detention Officer A was on-duty at the station when Subject 1 was brought in for booking. Detention Officer A spoke with Subject 1 and asked him if he was sick, ill, or injured. Subject 1 stated "no," and indicated that he did not need to see a doctor. Upon completion of the booking process, Subject 1 was placed in a holding cell with Subject 2. A short time later, Subjects 1 and 2 were fingerprinted and placed back inside the holding cell by Detention Officer B.

Detention Officers A and B subsequently returned to the holding cell to transfer the subjects to a different area of the jail facility. Subject 2 was seated on a bench and Subject 1 was lying down on the floor of the cell. Subject 2 stood up first while Subject 1 struggled to get up. Subject 2 then assisted Subject 1 up to a standing position by grabbing his left hand. Subject 1 yelled out in pain. Detention Officer A asked him what was wrong. Subject 1 stated he was in pain, that the left side of his chest hurt and he

was having difficulty breathing. Detention Officer A asked what had happened. Subject 1 stated he was beaten up by the officers that arrested him.

Subject 2 was then taken to another cell by Detention Officer B. Subject 1 remained in the holding cell pending his transfer to a Jail Dispensary for medical evaluation. Detention Officer A immediately advised Lieutenant A of Subject 1's condition.

Upon being advised by Detention Officer A that Subject 1 was complaining of pain, Lieutenant A decided that Subject 1 needed to be transported to the Jail Dispensary and obtained a patrol unit for transportation. The unit responded and discovered Subject 1 was spitting up blood. Lieutenant A was immediately advised, and a Rescue Ambulance was requested.

Fire Department personnel treated Subject 1 and transported him to a local hospital. Subject 1 was admitted to the hospital for fractured ribs and a punctured left lung. Subject 1 subsequently died at the hospital.

A Department of Coroner autopsy examination determined that the cause of Subject 1's death was hemothorax, a collection of blood in the space between the chest wall and the lung, resulting from multiple rib fractures due to blunt force injuries. Cirrhosis of the liver was identified as a contributing factor, due to clotting abnormalities associated with liver damage. The manner of Subject 1's death was determined to be "homicide."

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 determined that the available evidence supports that Department personnel followed all applicable policies and procedures and did not contribute to the death of Subject 1. Additionally, the BOPC found that no Department personnel were substantially involved in the use of force incident. Therefore, individual findings regarding Tactics, Drawing a Firearm, and Use of Force were not required.