

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

OFFICER-INVOLVED ANIMAL SHOOTING – 080-10

| Division | Date | Duty-On (X) Off () | Uniform-Yes () No (X) |
|-----------------|-------------|---------------------------|------------------------------|
| West Valley | 10/12/10 | | |

| Officer(s) Involved in Use of Force | Length of Service |
|--|--------------------------|
| Officer A | 9 years, 4 months |
| Detective B | 13 years, 9 months |

Reason for Police Contact
Officers were executing a search warrant when an officer-involved animal shooting occurred.

| Animal | Deceased () | Wounded (X) | Non-Hit () |
|---------------|--------------------|--------------------|-------------------|
| Pit Bull dog. | | | |

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 July 26, 2011.

Incident Summary

A briefing was conducted regarding a narcotics search warrant that was to be served. During the briefing, Officer A discussed what action to take if there was an officer-involved shooting, specifically addressing dog shootings.

Officers A and B and Detectives A, B, C, and D were assigned as the entry team. Detective D was equipped with a fire extinguisher in case of an encounter with a dog.

The entry team approached the front door of the residence. Officer A knocked on the front door and announced, "Police, search warrant." Officer A and Detective B opened the door and as they did so, a Pit Bull dog that charged at them, growling and barking, confronted them. They partially closed the front door to prevent themselves from being injured. Detective B requested the fire extinguisher be deployed to minimize the dog's aggressiveness.

Detective D moved toward the front door. Once the door was partially opened, Detective D sprayed a two-second burst from the fire extinguisher in the direction of the dog. The spray had a momentary effect on the dog, and the dog backed up into the hallway. The dog then charged at the officers again, and Detective D sprayed the dog with another burst from the fire extinguisher. The dog continued to be aggressive by growling and barking, and charged at the officers a third time.

Detective B, fearing that the dog was going to attack him or the other officers, unholstered his pistol and fired one round at the dog. Simultaneously, Officer A, also fearing that the dog was going to attack him or other officers, unholstered his pistol and fired two rounds at the dog. The dog then retreated to the rear of the residence. The dog was struck twice. Personnel from the Los Angeles Department of Animal Regulations, who were subsequently summoned to the scene, took custody of the dog.

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 Officer A and Detectives B and D's tactics to warrant a tactical debrief.

B. Drawing/Exhibiting

The BOPC found Officer A and Detective B's drawing/exhibition of a firearm to be in policy.

C. Use of Force

The BOPC found Officer A and Detective B's use of force to be in policy.

Basis for Findings

A. Tactics

In this case, the tactics utilized did not unjustifiably and substantially deviate from approved Department tactical training.

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

B. Drawing/Exhibiting

In this situation, Detective B and Officer A were in the forward position on the search team. Both Detective B and Officer A unholstered their firearms after prying open the security door and breaching the front door in preparation to execute a search warrant of the residence.

Based on the circumstances, it was reasonable for Detective B and Officer A to believe that the occupants of the residence, who were known to sell narcotics, posed a threat of serious bodily injury or death and that there was a substantial risk that the situation may escalate to the point where deadly force may be justified.

In conclusion, the BOPC found Detective B and Officer A's Drawing/Exhibiting to be in policy.

C. Use of Force

Detective B

In this instance, Detective B observed a Pit Bull charging toward him. Based on the Pit Bull's aggressive actions and Detective B's belief of imminent serious bodily injury, and to protect himself and his partners, Detective B fired one round at the attacking Pit Bull.

A detective with similar training and experience as Detective B would reasonably believe that the charging dog presented an imminent threat of serious bodily injury.

In conclusion, the BOPC found Detective B's use of force to be in policy.

Officer A

In this instance, Officer A observed a Pit Bull charging toward him. Based on the Pit Bull's aggressive actions and Officer A's belief of imminent serious bodily injury, to protect himself and his partners, Officer A fired two rounds at the attacking Pit Bull. An officer with similar training and experience as Officer A would reasonably believe that the charging dog presented an imminent threat of serious bodily injury.

In conclusion, the BOPC found Officer A's use of force to be in policy.