

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

OFFICER-INVOLVED ANIMAL SHOOTING – 095-08

<u>Division</u>	<u>Date</u>	<u>Duty-On () Off (X)</u>	<u>Uniform-Yes() No(X)</u>
West Valley	10/29/08		

<u>Officer(s) Involved in Use of Force</u>	<u>Length of Service</u>
Officer A	5 years, 3 months

Reason for Police Contact

Officer was involved in a conversation on a public street when the officer encountered an aggressive Pit Bull dog.

<u>Animal</u>	<u>Deceased ()</u>	<u>Wounded (X)</u>	<u>Non-Hit ()</u>
Pit Bull dog.			

Board of Police Commissioners' Review

This is a brief summary designed only to enumerate the 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 and addenda items); the 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, 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 September 8, 2009.

Incident Summary

Officer A was off-duty on a public street talking to a friend. Two dogs, one of which was a Pit Bull, ran past Officer A. The Pit Bull stopped and began barking at Officer A and the friend. Both reacted by stepping back, away from the dog. The Pit Bull advanced toward Officer A and his friend. Officer A continued to step backward and drew his pistol. The Pit Bull then ran toward Officer A and the friend. When the dog was approximately eight feet away from him, Officer A fired one round at the dog. The round struck the dog, which retreated.

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 made the following findings.

A. Tactics

The BOPC found Officer A'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

In adjudicating this incident, the BOPC identified no tactical considerations.

B. Drawing/Exhibiting

The BOPC evaluated the circumstances relevant to Officer A's drawing/exhibiting and determined that Officers A was off-duty in on a public street conversing with a friend when Officer A encountered an aggressive Pit Bull dog which charged him. Officer A drew and exhibited his weapon to protect himself from bodily injury.

In conclusion, the BOPC found that Officer A's Drawing/Exhibiting to be in policy, requiring no further action.

C. Use of Force

During this incident, Officer A was attacked by a large dog, which presented a significant risk of serious bodily injury or death. As such, the BOPC found Officer A's use of lethal force to be objectively reasonable, and, thus, in policy, requiring no further action.