

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

OFFICER-INVOLVED ANIMAL SHOOTING 071-07

Division	Date	Duty-On(x) Off()	Uniform-Yes(x) No()
77 th Street	07/06/07		

Involved Officer(s)	Length of Service
Officer A	10 years, 5 months

Reason for Police Contact

Officer encountered a Pit Bull at a residence when he returned a mini bike.

Subject(s)	Deceased ()	Wounded ()	Non-Hit (x)
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 subject 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 BOPC; 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 June 24, 2008.

Incident Summary

On July 6, 2007, Officer A and B conducted a traffic stop of a subject riding a mini-motorcycle. In the course of the stop, the officers determined that the subject had a no-bail misdemeanor warrant and arrested him.

Prior to transporting the subject to the police station, the officers drove to the subject's residence to drop off the mini-motorcycle and to inform the subject's mother of his arrest. The officers parked their vehicle in front of the address and Officer B remained in the police vehicle with the subject while Officer A approached the residence.

Officer A did not observe any warning signs regarding the presence of a dog at the address. Officer A walked up the front steps of the residence, and observed a large Pit Bull dog growling at him. Officer A stepped back, but the dog lunged forward and attempted to bite him. Officer A drew his service pistol and fired two rounds at the dog from a distance of approximately six feet. The dog was not struck by Officer A's rounds and fled to the side of the residence.

Officer A then reholstered his pistol and requested a supervisor. The dog was subsequently controlled by an occupant of the residence.

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's tactics to be appropriate.

B. Drawing/Exhibiting/Holstering

The BOPC found Officer A's drawing and exhibition of a firearm 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 BOPC noted that Officers A and B conducted a follow-up to the subject's residence. Officer A parked the police vehicle in front of the residence and exited, while Officer B remained in the front passenger seat, monitoring the subject. Officer A noted no indicators of the presence of dogs at the location and entered the front gate. As Officer A ascended the front steps of the residence, he observed the dog growling at him from the porch. Officer A descended the stairs and walked backward toward the front gate in an attempt to create distance between the dog and himself. By walking backward, Officer A was able to monitor the dog's actions; however, this affected the speed at which he could proceed to safety. Before Officer A was able to reach the gate, the dog lunged forward and attempted to bite him, thereby dictating Officer A's actions.

The BOPC determined that Officer A's tactics were appropriate and require no further action.

B. Drawing/Exhibiting/Holstering

The BOPC noted that, as Officer A ascended the front steps toward the porch, he observed a dog growling at him. Officer A descended the stairs and walked backward toward the front gate. The dog followed Officer A down the stairs and lunged at him. Fearing he was about to be bitten, Officer A drew his service pistol.

The BOPC determined that Officer A had sufficient information to believe that the incident might escalate to the point where deadly force may become necessary and found his drawing to be in policy.

C. Use of Force

The BOPC noted that Officer A walked backward to increase the distance between the dog and himself; however, the dog continued to advance toward him. Officer A observed the dog lunge forward in an attempt to bite him. Fearing he was about to be bitten and seriously injured, Officer A fired two rounds in a northerly direction at the dog.

The BOPC determined that, based on the dog's actions, it was reasonable for Officer A to believe that the dog presented a threat of serious bodily injury to him.

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