January 22, 2019
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TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: OFFICER INVOLVED SHOOTING FID NO. 024-18

Honorable Members:

The following is my review, analysis, and findings for Officer Involved Shooting (OIS), Force Investigation Division (FID) No. 024-18. A Use of Force Review Board (UOFRB) was convened on this matter on January 7, 2019. I have reviewed and adopted the recommendations from the UOFRB for this incident. I hereby submit my findings in accordance with Police Commission policy.

SUMMARY

On April 10, 2018, at approximately 1743 hours, Communications Division (CD) broadcasted a radio call for a man with a knife at the Baldwin Hills Crenshaw Plaza mall located at 3650 West Martin Luther King Boulevard. At approximately 1808 hours, Sergeants [redacted], Serial No. [redacted], Southwest Area, University Park Task Force, and [redacted], Serial No. [redacted], Southwest Patrol Division, were in full uniform, driving marked black and [redacted] police vehicles, when they responded to the radio call (Additional/Equipment – Body Worn Video (BWV) Activation and Edged Weapons Protocol).

Note: The investigation revealed that a mall security guard observed a male, later identified as G. Mack, inside the mall armed with a knife. Security contacted Mack and asked him to leave the mall. Security dispatch contacted 911 when Mack refused to leave and asked for a psychiatrist. Mack was then monitored by security personnel via surveillance cameras and on foot, while awaiting the response of personnel from the Los Angeles Police Department.

A review of the 911 call revealed the security dispatch did not provide CD personnel with this information.

Prior to the sergeants’ arrival, CD received an additional call from security personnel advising that Mack was on the second level of the mall, near the Payless Shoe Store, and was brandishing a large knife and putting it back on his belt.
According to Sergeant [redacted], upon arrival, [redacted] believed Sergeant [redacted] was nearing the location and requested Sergeant [redacted] switch over to Southwest Area simplex frequency. [redacted] then directed Sergeant [redacted] to [redacted] location at the southeast entrance to the second level of the mall. Sergeant [redacted] communicated that [redacted] was on the opposite side of the mall and coming around, Sergeant [redacted] then advised Sergeant [redacted] that [redacted] was going to enter the mall, locate security personnel and make an assessment without making contact with the suspect.

Note: The investigation revealed that an additional broadcast was made by CD advising that security had the suspect detained. A review of the 911 call revealed that security personnel advised CD that security had Mack surrounded and did not indicate that he was detained.

According to Sergeant [redacted], upon entering the mall, [redacted] observed security personnel waving down and directing north to the Payless Shoe Store. [redacted] proceeded north to an open area with three kiosks, just south of an escalator rotunda, hereafter referred to as the second-floor concourse. Sergeant [redacted] made contact with security personnel, observed Mack and assumed control of the incident.

Note: The second floor of the Baldwin Hills Crenshaw Plaza was lined along the east and west sides with multiple open businesses. Escalator rotundas located near the north and south ends of the mall were connected by two north/south walkways. The two walkways were lined with glass safety railings that overlooked the first floor. A bridge connected the east and west walkways, midway along the southern portion of the mall.

According to Sergeant [redacted], did not observe any weapons in Mack's hands. However, Sergeant [redacted] noted Mack's demeanor was off; that he displayed a blank stare, was constantly looking around, and exhibited behavior consistent with agitated delirium. Sergeant [redacted] then broadcasted a request to CD for a back-up and requested the response of a unit equipped with a beanbag shotgun.

According to Sergeant [redacted], entered the second floor of the mall through the southeast entrance and walked north on the east walkway towards the second-floor concourse. Sergeant [redacted] then observed Sergeant [redacted] and heard broadcast a request to CD for a beanbag shotgun. Sergeants [redacted] and assumed a position of cover behind a kiosk in the second-floor concourse.

According to Sergeant [redacted], decided not to engage Mack right away. While waiting for additional units to arrive, Sergeants [redacted] and discussed a game plan to protect any imminent threat, which included directing security personnel to move citizens away from the area and designating Sergeant [redacted] as the Designated Cover Officer (DCO) and Sergeant [redacted] as the less-lethal coverage, equipped with a TASER.

Note: A review of Sergeants [redacted] and [redacted] BWV captured multiple citizen's entering/exiting stores and in the area of the second-floor concourse. Additionally, both sergeants attempted to advise citizens to leave the area.
According to Sergeant [redacted], Mack was agitated and displayed pre-fight indicators, which included a bladed stance, moving his head side to side, and pulling up his pants to facilitate movement. Sergeant [redacted] believed that Mack was preparing for an altercation. Due to the amount of people in the area, Sergeants [redacted] and [redacted] discussed the possibility of flanking Mack to utilize the TASER. Mack then displayed a chef’s knife with a blade approximately 12 inches in length.

According to Sergeant [redacted] was briefed by Sergeant [redacted] and as they awaited the response of additional units, all of a sudden Mack produced a knife with a long blade. Believing Mack could hurt himself or people walking by, Sergeant [redacted] drew service pistol.

According to Sergeant [redacted], based on past Department training, [redacted] was aware of how fast a person could advance with a knife. Additionally, with multiple people around Sergeant [redacted] believed that if Mack advanced toward Sergeant [redacted] or [redacted] would have been required to take a precision shot. Sergeant [redacted] then thumb-cocked service pistol into single action and utilized the countertop of the kiosk as a shooting platform (Additional Tactical Debrief Topics – Basic Firearm Safety Rules).

According to Sergeants [redacted] and [redacted], they repeatedly ordered Mack to drop the knife in an attempt to de-escalate the situation (Additional Tactical Debrief Topics – Non-Conflicting Simultaneous Commands).

Officers [redacted], Serial No. [redacted], and Officers [redacted], Serial No. [redacted], and [redacted], Serial No. [redacted] Southwest Patrol Division, Bicycle Unit responded to the location.

Note: Officers [redacted], [redacted] and [redacted] did not receive formal findings as the investigation revealed that they were not substantially involved in the incident.

According to Officer [redacted] believed the situation was under control because [redacted] heard CD broadcast on Southwest base frequency that security had the suspect in custody. Shortly thereafter, [redacted] heard the broadcast for a back-up and responded to the location. Based on the comments, Officer [redacted] believed Mack was no longer in custody and that there must have been a fight or something.

According to Officers [redacted] and [redacted], they were equipped with a beanbag shotgun and upon arrival, they proceeded up the north escalator and ran south around the east side of the rotunda to the second-floor concourse.

According to Sergeant [redacted], Mack was tracking Officers [redacted] and [redacted] approach. Sergeant [redacted] believed utilizing the TASER would place [redacted] very close to Mack and that the beanbag shotgun was the best option. As the officers closed the distance, Sergeant [redacted] directed Officer [redacted] to “Beanbag the suspect.” Mack, armed with the knife, then began running towards open stores that were unsecured and had patrons inside. Believing Mack was going to
take somebody hostage or begin slicing them with the knife, [insert placeholder] advised Sergeant [insert placeholder] to "shoot" [Additional – Beanbag Shotgun Manipulation].

Note: According to Sergeant [insert placeholder], as [insert placeholder] ran after Mack, [insert placeholder] did not fire [insert placeholder] service pistol because [insert placeholder] didn’t have a good shooting platform and the background was terrible [Additional Debrief Topics – Running with Service Pistol Drawn].

According to Sergeant [insert placeholder], based on Mack’s actions and [insert placeholder] failure to listen to commands, [insert placeholder] ran after Mack and drew [insert placeholder] service pistol [Drawing/Exhibiting and Additional Tactical Debrief Topics – Maintaining Control of Equipment/Running with Service Pistol Drawn].

According to Sergeant [insert placeholder], [insert placeholder] was waiting for Sergeant [insert placeholder], the DCO, to shoot, however it seemed that Sergeant [insert placeholder] did not have a good angle. Sergeant [insert placeholder] was not going to allow Mack to enter any of the open stores and hurt anybody. Sergeant [insert placeholder] then fired four rounds from [insert placeholder] service pistol at Mack to stop the threat [Lethal Use of Force].

Note: According to Sergeant [insert placeholder], [insert placeholder] knew [insert placeholder] had a clear background as [insert placeholder] fired [insert placeholder] rounds because Mack was running past a display in between stores.

According to Officer [insert placeholder], knowing that Mack was armed with a knife in a crowded place and believing that something involving violence was occurring, Officer [insert placeholder] believed the Patrol Rifle would allow [insert placeholder] better accuracy in a crowded mall situation. Upon arrival, Officer [insert placeholder] retrieved [insert placeholder] Patrol Rifle and entered the second floor of the mall through the southeast entrance [Drawing/Exhibiting and Additional Tactical Debrief Topics – Situational Awareness/Maintaining Control of Equipment].

Note: According to Officer [insert placeholder], as [insert placeholder] entered the mall, [insert placeholder] ran past numerous people, including families and children. Additionally, Officer [insert placeholder] had been inside the location on numerous occasions and was aware that a child’s playground was located on the first level near the south escalator.

According to Officer [insert placeholder], as [insert placeholder] ran north on the east walkway, [insert placeholder] observed a commotion which [insert placeholder] believed were officers in a scuffle on the west walkway near the second-floor concourse. Officer [insert placeholder] continued running north and heard shots fired from the location of the scuffle. Almost instantaneously, Officer [insert placeholder] observed Mack running towards [insert placeholder] on the west walkway. Mack then stumbled and fell, causing Officer [insert placeholder] to believe that Mack was hit by gunfire. Officer [insert placeholder] ran to the bridge that connected the east and west walkways and moved west, but remained on the bridge creating a little barrier between [insert placeholder] and Mack.

According to Officer [insert placeholder], Mack popped right back up holding a large kitchen knife with an approximate eight-inch blade in his right hand and began sprinting down the walkway. Mack did not appear to be fazed by the shots, which led Officer [insert placeholder] to believe that Mack was under the influence of a controlled substance, possibly PCP [Phencyclidine].
According to Officer [Name], heard officers yelling commands at Mack, but could not hear exactly what was said due to the distance. Officer [Name] then yelled at Mack to “Drop the knife.” Mack looked directly at Officer [Name] but did not seem to be registering anything. Mack continued running towards Officer [Name] with the knife raised. Recalling [Name] had run past families and children that were now behind Officer [Name] believed redeployment was unsafe and not a viable option. Officer [Name] believed Mack was going to stab [Name] and stab people behind [Name] so fired a first initial burst of two to three rounds from [Name] patrol rifle at Mack to stop the threat (Lethal Use of Force, Debriefing Point No. 1 and Additional Tactical Debriefer Topics – Target Acquisition).

Note: According to Officer [Name] background when [Name] fired first engagements was a solid TJ Maxx wall. Officer [Name] was aware that the open TJ Maxx store was to [Name] left and if Mack moved further south, [Name] would have a horrible background due to the number of people inside the store.

According to Officer [Name], Mack staggering but does not stop and continued to advance in [Name] direction, while still armed with the knife. Officer [Name] fired a second burst of two to three rounds from [Name] patrol rifle at Mack to stop the threat. Mack then fell to the ground (Lethal Use of Force and Additional Tactical Debriefer Topics – Target Acquisition).

Note: A review of Officer [Name] BWV captured firing eight rounds in one continuous sequence as Mack ran south on the west walkway.

According to Sergeant [Name], while running after Mack, [Name] heard gunshots fired and then observed glass being shattered to his right. Sergeant [Name] looked up and observed an officer with a rifle shooting. Believing it was a crossfire situation, Sergeant [Name] stopped, lost footing, fell to the ground and screamed out, “Crossfire! Watch the crossfire!”

Note: The investigation revealed that Officer [Name] first round impacted and shattered the fourth of a six pane TJ Maxx glass display window. At the time of the impact, Sergeant [Name], who was ahead of Sergeant [Name], was approximately 15 to 20 feet north of the impacted glass display window.

Additionally, a review of Officer [Name] BWV revealed that at the time Sergeants [Name] and [Name] reached the impacted display window, Officer [Name]’s subsequent rounds had already impacted further south in the walkway.

According to Sergeant [Name], as [Name] was running after Mack, [Name] had a wide view of things and observed officers coming north on the east walkway. Sergeant [Name] then fixated on Mack and heard additional shots being fired from the south. Sergeant [Name] believed that [Name] and the responding officers had triangulated on Mack and that there was not a crossfire situation.

Note: A review of Sergeants [Name] and [Name] BWV captured them stopping when Officer [Name] fired patrol rifle. When Officer [Name] stopped firing, Sergeants [Name] and [Name] continued to advance south on the west walkway (Debriefing Point No. 1).
According to Officer [redacted], when Mack fell to the ground, *the knife fell out of his hand*. *The moment* Mack’s back touched the ground, he rolled over, reached with his right hand and grabbed the knife while placing his left hand on the ground and tried to get back up. Mack raised the knife and pointed it at Officer [redacted] from a distance of approximately 10-15 feet away. Officer [redacted] observed that Mack was *directly in line with* [redacted] and [redacted] believed Mack was preparing to either charge and stab [redacted] the officers in peripheral, or the people inside the TJ Maxx. Officer [redacted] then fired one round from Patrol Rifle at Mack to stop the threat. Mack then fell to the ground and dropped the knife (*Lethal Use of Force)*.

**Note:** According to Officer [redacted], because Mack was on the ground, the angle [redacted] last round from was towards the floor, not anywhere there would be people.

According to Sergeant [redacted], Mack fell to the ground and attempted to get back up, while still armed with the knife. Believing Mack was going to *advance towards* [redacted] other officers, or *retreat* into the TJ Maxx where numerous patrons were located, Sergeant [redacted] fired one round from service pistol at Mack to stop the threat. Mack then fell to the ground and dropped the knife (*Lethal Use of Force)*.

**Note:** According to Sergeant [redacted] did not initially recall firing [redacted] last round. However, reviewing his BWV gave [redacted] some recollection of the events.

Additionally, the investigation revealed that Sergeant [redacted] and Officer [redacted] fired their final rounds at Mack almost simultaneously.

Officer [redacted] broadcasted a help call for shots fired and requested the response of a Rescue Ambulance (RA).

According to Sergeant [redacted], as additional personnel arrived, [redacted] holstered service pistol and resumed the role of a supervisor. Sergeant [redacted] established an arrest team, communicated a plan to approach and Mack was taken into custody without further incident (*Additional Tactical Debrief Topics – Preservation of Evidence/Protocols Subsequent to a Categorical Use of Force Incident/Public Safety at Critical Incidents and Additional – Running with Service Pistol Drawn/Weapons Handling/Preservation of Evidence/Reverence for Human Life)*.

Captain [redacted] Serial No. [redacted] Commanding Officer, Southwest Patrol Division, responded and assumed the role of Incident Commander (IC).

Sergeant [redacted] Serial No. [redacted] Southwest Patrol Division, responded, separated, monitored and obtained a Public Safety Statement (PSS) from Sergeants [redacted] and [redacted] and Officer [redacted] (*Additional – Protocols Subsequent to a Categorical Use of Force Incident*).

Los Angeles Fire Department (LAFD) personnel responded, assessed Mack’s medical condition at the scene and pronounced him dead at 1853 hours.
FINDINGS

Tactics – Tactical Debrief, Sergeants and along with Officer .

Drawing/Exhibiting – In Policy, No Further Action, Sergeants and along with Officer .

Lethal Use of Force – In Policy, No Further Action, Sergeant and Officer .

ANALYSIS

Detention

The involved sergeants responded to a radio call of a man with a knife in a mall. Upon arrival, the sergeants were directed to the suspect. As the sergeants awaited the response of additional officers, the suspect produced a knife. The sergeants repeatedly ordered the suspect to drop the knife. The suspect failed to comply with the sergeant’s commands and fled through the mall armed with a knife, resulting in an OIS. The sergeant’s actions were appropriate and within Department policies and procedures.

Tactics

Department policy relative to Tactical Debriefs is: “The collective review of an incident to identify those areas where actions and decisions were effective and those areas where actions and decisions could have been improved. The intent of a Tactical Debrief is to enhance future performance” (Los Angeles Police Department Manual, Volume 3, Section 792.05).

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.

Tactical De-Escalation

Tactical de-escalation involves the use of techniques to reduce the intensity of an encounter with a suspect and enable an officer to have additional options to gain voluntary compliance or mitigate the need to use a higher level of force while maintaining control of the situation (Use of Force - Tactics Directive No. 16, October 2016, Tactical De-Escalation Techniques).

Tactical de-escalation does not require that an officer compromise his or her safety or increase the risk of physical harm to the public. De-escalation techniques should only be used when it is safe and prudent to do so.
In this case, the sergeants formulated a plan to resolve the situation peacefully without the use of force despite observing that the suspect was armed with a knife inside a mall. The sergeants assessed the background, attempted to clear the location and utilized time and lines of communication in an attempt to de-escalate the situation and get the suspect to surrender. Additionally, the sergeants maintained their distance and repeatedly directed the suspect to drop the knife as they awaited the response of additional resources.

Before the beanbag shotgun could be discharged, the knife wielding suspect ran south through the occupied mall. Faced with an imminent threat of serious bodily injury or death to officers and or community members, a sergeant and an officer utilized lethal force to stop the deadly threat.

During a review of the incident, the following Additional Tactical Debriefing Point was noted:

**Debriefing Point No. 1  Situational Awareness**

*No matter what patrol strategy is deployed, officers on patrol must rely on their own observation and perception skills. Officers must function as trained observers. Officers on patrol are expected to practice disciplined observation and apply their training and experience to accurately perceive what is occurring or is about to occur.*

*To an officer, observation means the ability to gather information by noting facts or occurrences with a heightened sense of awareness. While on patrol, officers must use not only their eyes, but all of their senses including hearing, smell, etc., to obtain information from the outside world. Observation can be enhanced by training (knowing what to look for), experience (knowing where and when to look for it), a variety of special tools (e.g., binoculars, night vision scopes, etc.) (California Commission on Peace Officer Standards and Training, Learning Domain No. 21).*

Officers, when faced with an ongoing tactical situation, must remain alert to improve their overall safety by their ability to recognize an unsafe situation and then work collectively to ensure a successful resolution.

In this case, Officer [redacted] observed police activity northwest of [redacted] location, heard shots fired, saw Mack running south on the west walkway and assumed a position on the connecting bridge. When [redacted] fired [redacted] Patrol Rifle during the first sequence, [redacted] did not observe Sergeants [redacted] and [redacted] running behind Mack. I noted that Officer [redacted] was involved in a dynamic and time-compressed event and that [redacted] view of the sergeants may have been inhibited by the fact that they were at least 15-20 feet behind the area where his bullets initially impacted the TJ Maxx windows. Nonetheless, Officer [redacted] is reminded that situational awareness enhances the survivability of an incident for all involved. Additionally, after Sergeants [redacted] and [redacted] heard shots fired, they observed officers positioned to the south, noted Mack was on the ground and continued to move south on the west walkway, closing the distance to Mack.
The UOFRB was critical, and I concur, that triangulating on a running suspect requires officers to remain increasingly alert to their surrounding areas in order to prevent a crossfire situation. Although Officer [redacted] was not aware of the sergeant's location, [redacted] mitigated the risk of crossfire by not over penetrating the bridge and entering the walkway, which would have created a crossfire situation. Officer [redacted] was then faced with what he perceived was an imminent deadly force situation and assessed [redacted] background prior to firing [redacted] Patrol Rifle.

Additionally, once they heard shots being fired, Sergeants [redacted] and [redacted] stopped their pursuit of Mack to prevent a crossfire situation. The sergeants only continued toward Mack when Officer [redacted] stopped firing.

Based on the totality of the circumstances, the UOFRB determined, and I concur, that while identified as an area for improvement, the sergeants’ and officer’s actions were not a substantial deviation from approved Department tactical training. I will direct that this be a topic of discussion during the Tactical Debrief.

Additional Tactical Debrief Topics

**Basic Firearm Safety Rules** – The investigation revealed that after Sergeant [redacted] manually thumb-cocked his service pistol to single action mode, he placed his finger on the trigger at various times before he intended to shoot. The officers are reminded of adhering to the Basic Firearms Safety Rules to avoid a potential for an Unintentional Discharge. I will direct that this topic be discussed during the Tactical Debrief.

**Non-Conflicting Simultaneous Commands** – The investigation revealed that Sergeants [redacted] and [redacted] gave simultaneous commands to Mack during the incident. Although the commands were non-conflicting, the sergeants are reminded that simultaneous commands can sometimes lead to confusion and non-compliance. I will direct that this be a topic of discussion during the Tactical Debrief.

**Running with Service Pistols Drawn** – The investigation revealed Sergeants [redacted] and [redacted] ran after Mack with their service pistols drawn. In addition, Sergeant [redacted] service pistol had been manually thumb-cocked to single action mode and remained in that condition as [redacted] ran. In this case, it is understandable because the sergeants were faced with a running suspect during a lethal force situation. While unavoidable in this case, Sergeants [redacted] and [redacted] are reminded that there is a heightened concern for an unintentional discharge when running with a drawn service pistol. I will direct that this be a topic of discussion during the Tactical Debrief.

**Situational Awareness** – The investigation revealed that Officer [redacted] exited [redacted] vehicle without placing the vehicle in park. Officer [redacted] is reminded that not placing the vehicle in park can place officers and the community in danger. I will direct that this be a topic of discussion during the Tactical Debrief.
3.2

**Target Acquisition** – The investigation revealed that several of Officer [redacted] rounds struck glass storefronts and railings that were in the immediate area, rather than their intended target. Officer [redacted] is reminded of the importance of target acquisition, background, sight alignment and sight picture. I will direct that this topic be discussed during the Tactical Debrief.

**Maintaining Control of Equipment** – The investigation revealed that in order to transition to service pistol, Sergeant [redacted] dropped his TASER on the ground after being unable to holster it. In this case, it is understandable because Sergeant [redacted] was faced with a deadly force situation that required [redacted] to immediately draw [redacted] service pistol. Sergeant [redacted] is reminded, whenever tactically feasible, of the importance of maintaining control of [redacted] equipment prior to transitioning to other force options. I will direct that this topic be discussed during the Tactical Debrief.

The investigation also revealed that Officer [redacted] dropped [redacted] handheld radio on the ground as he ran toward the gunfire. Officer [redacted] is reminded of the importance of making every attempt to maintain control of his equipment, as it increases the likelihood of tactical success during incidents such as this. I will direct this be a topic of discussion during the Tactical Debrief.

**Preservation of Evidence** – The investigation revealed that Sergeant [redacted] directed Officer [redacted] to kick the knife away from Mack to prevent him from re-arming himself. Sergeant [redacted] is reminded, whenever tactically feasible, it is preferable to leave evidence undisturbed until FID investigators can properly document and preserve the scene. In this case, it is understandable because the risk of the suspect re-arming himself outweighed the benefits of leaving the evidence in place. While it was unavoidable in this case, I will direct that this topic be discussed during the Tactical Debrief.

**Protocols Subsequent to a Categorical UOF Incident** – The investigation revealed that after the OIS, Sergeant [redacted] directed an officer to canvas for witnesses and to try not to allow them to leave. According to Sergeant [redacted], when asked regarding the above statement #1 stated the law says that we can’t make somebody stay at a crime scene. Although it is evident Sergeant [redacted] understands the rights of witnesses, [redacted] is reminded to clearly articulate these when providing direction to officers in the field. I will direct that this topic be discussed during the Tactical Debrief.

**Public Safety at Critical Incidents** – The investigation revealed that after the OIS, it took approximately six minutes for officers to check the surrounding businesses for possible victims struck by gunfire. In this case, it is reasonable because an arrest team was established, a tactical plan of approach was discussed, then executed, and the suspect’s injuries resulted in the immediate medical treatment to Mack by police personnel. I will direct that this topic be discussed during the Tactical Debrief.
Command and Control

Sergeants [ ] and [ ] responded to the location and Sergeant [ ] assumed the role of IC. They assessed the situation, requested additional resources and less-lethal force options and attempted to clear the location of community members.

Additionally, the sergeants delineated their roles and communicated with each other and responding officers. Upon arrival of an officer equipped with a beanbag shotgun, Sergeant [ ] directed deployment of the less-lethal force option on the suspect.

After the OIS, Sergeant [ ] resumed the role of a supervisor. [ ] ensured an RA was requested, assembled an arrest team and ensured each officer clearly knew their role. After Mack was taken into custody, Sergeant [ ] directed officers to establish a crime scene and canvass for witnesses. Additionally, Sergeant [ ] identified the involved personnel and appropriately separated them, himself included, until additional supervisors arrived.

Captain [ ] responded and assumed the role of IC.

Sergeant [ ] responded, separated, monitored and obtained a PSS from Sergeants [ ] and [ ] and Officer [ ].

The actions of the supervisors were consistent with Department supervisory training and met my expectations of field supervisors during a critical incident.

Tactical Debrief

Each tactical incident also merits a comprehensive debriefing. In this case, there were identified areas where improvement could be made. A Tactical Debrief is the appropriate forum for the involved personnel to discuss individual actions that took place during this incident.

Therefore, I will direct that Sergeants [ ] and [ ], along with Officer [ ], attend a Tactical Debrief and that the specific identified topics are discussed.

**Note:** Additionally, the Tactical Debrief shall also include the following mandatory discussion points:

- Use of Force Policy;
- Equipment Required/Maintained;
- Radio and Tactical Communication (including Code Six);
- Tactical Planning;
- Tactical De-Escalation;
- Command and Control; and,
- Lethal Force.
General Training Update (GTU)

On April 19, 2018, Sergeants [Redacted] and [Redacted], along with Officer [Redacted], attended a GTU. All mandatory topics were covered, including Encounters with Edge Weapons.

Drawing/Exhibiting

Department policy relative to drawing and exhibiting a firearm is: “An officer’s decision to draw or exhibit a firearm should be based on the tactical situation and the officer’s reasonable belief there is a substantial risk that the situation may escalate to the point where deadly force may be justified” (Los Angeles Police Department Manual, Volume No. 1, Section 556.80).

According to Sergeant [Redacted] was briefed by Sergeant [Redacted] and as they awaited the response of additional units, Mack displayed a knife with a long blade. Sergeant [Redacted] drew service pistol believing Mack could hurt himself or people walking by.

Sergeant [Redacted] recalled,

I’m not sure in the very beginning that I saw a knife but while I’m standing there looking at him all of a sudden, he produces a knife. At that point that’s when I knew that with this knife can cause serious bodily...serious injury and or death. He can hurt himself and other patrons around because people were just walking by like there was normal business. I unholster my firearm.

According to Sergeant [Redacted], Mack was tracking Officers [Redacted] and [Redacted] approach. As the officers closed the distance, Sergeant [Redacted] directed Officer [Redacted] to “Beanbag the suspect.” Mack, armed with the knife, then began running towards open stores that were unsecured and had patrons inside. Sergeant [Redacted] believed Mack was going to take somebody hostage or begin slicing them with the knife. Based on Mack’s actions and his failure to listen to commands, Sergeant [Redacted] ran after Mack and drew service pistol.

Sergeant [Redacted] recalled,

The suspect then turned to his right...and began running towards opens stores that were unsecured and had patrons inside...I believed that at that point in time, the suspect with a large knife was going to go into a store, and he was going to either...somebody coming out unaware what’s going on and he takes them hostage or...begins slicing them...and I unholstered my weapon because I had reason to believe that this was going to escalate to the use of deadly force...

According to Officer [Redacted], knowing that Mack was armed with a knife in a crowded place and believing that something involving violence was occurring, Officer [Redacted] believed the Patrol
Rifle would allow [ ] better accuracy in a crowded mall situation. Upon arrival, Officer [ ] retrieved [ ] Patrol Rifle and entered the second floor of the mall through the southeast entrance. Officer [ ] recalled,

I was taking my rifle out because you know the guy is armed with a knife. We know he's inside a very crowded place, the Crenshaw Mall. We know that there's something going on where if there's violence involved, because they put out the backup...If I'm going to a crowded mall situation, I want better accuracy with any type of weapons that I'm bringing in because the people...I want to be able to put rounds accurately on target if the situation arose.

Based on the totality of the circumstances, the UOFRB determined, and I concur, that an officer with similar training and experience as Sergeants [ ] and [ ], along with Officer [ ], while faced with similar circumstances, would reasonably believe that there was a substantial risk the situation may escalate to the point where deadly force may be justified.

Therefore, I find Sergeants [ ] and [ ] along with Officer [ ] Drawing/Exhibiting to be In Policy, No Further Action.

Note: In addition to the above listed employees, there were additional personnel that either drew or exhibited firearms during the incident. This Drawing/Exhibiting was appropriate and requires no specific findings or action in regard to these officers.

Lethal Use of Force

Law enforcement officers are authorized to use deadly force to:

- Protect themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury; or,
- Prevent a crime where the subject's actions place person(s) in imminent jeopardy of death or serious bodily injury; or,
- Prevent the escape of a violent [ ] felon when there is probable cause to believe the escape will pose a significant threat of death or serious bodily injury to the officer or others if apprehension is delayed. In this circumstance, officers shall, to the extent practical, avoid using deadly force that might subject innocent bystanders or hostages to possible death or injury (Los Angeles Police Department Manual, Volume No.1, Section 556.10).

Sergeant [ ] - .45 caliber, five rounds in a southerly direction
Rounds One through Four – From an approximate increasing distance of 23 to 56 feet.

According to Sergeant [redacted] was waiting for Sergeant [redacted], the DCO, to shoot, but [redacted] believed Sergeant [redacted] did not have a good angle. Sergeant [redacted] was not going to allow Mack to enter any of the open stores and hurt anybody. Sergeant [redacted] then fired four rounds from [redacted] service pistol at Mack to stop the threat.

Sergeant [redacted] recalled,

_The suspect began running, I was waiting for [redacted] (Sergeant [redacted]) to shoot because he was the designated cover officer, and when he didn’t fire, I took it upon myself that perhaps that he didn’t have a good angle...I wasn’t going to allow this guy, or the suspect with a knife, to run into one of these stores and hurt anybody that was in those stores, or hurt any officers that were coming up and they were approaching...And at that time, I fired my weapon. And I continue to fire, assess. He was still running. I fired. Assessed. He was still up. I fired again and there was a time where I fired I knew that I struck the suspect. He started to go down._

_If I wouldn’t had engaged that suspect...that suspect was going hurt somebody...he had a knife...and if he wasn’t intending to use it on somebody, then he would have put that back in his pocket, he would have dropped it and tried to __, but he maintained control of that knife, and he was running towards open store._

Round Five – From an approximate distance of 32 feet.

According to Sergeant [redacted] Mack fell to the ground and attempted to get back up, while still armed with the knife. Believing Mack was going to advance towards other officers, or retreat into the TJ Maxx where numerous patrons were located; Sergeant [redacted] fired one round from [redacted] service pistol at Mack to stop the threat. Mack then fell to the ground and dropped the knife.

Note: According to Sergeant [redacted] did not initially recall firing last round. However, reviewing [redacted] BWV gave some recollection of the events.

Sergeant [redacted] recalled,

_I realized that after he went down, he was trying to get back up. And to me, the threat was still very, very much there watching him attempt to try to get back up. And he was also in front of a very large retail store with numerous patrons on the inside. And so I fired again to stop the threat._

_...at that point, there was no doubt in my mind that he was going to use that weapon that he had to either advance towards me, or to advance towards the officers that were coming into_
play, or then retreat into the store which was available for him to be able to go in and where there were numerous patrons inside.

Officer [redacted] – 5.56 mm, semi-automatic rifle, nine rounds.

Rounds One through Eight – in a northwesterly direction from an approximate decreasing distance of 32 to 18 feet.

According to Officer [redacted], yelled at Mack to “Drop the knife.” Mack looked directly at Officer [redacted], but did not seem to be registering him. Mack continued running towards Officer [redacted] with the knife raised. Recalling [redacted] had run past families and children that were now behind Officer [redacted] believed redeployment was unsafe and not a viable option.

In fear for life and the lives of others, Officer [redacted] fired eight rounds from [redacted] Patrol Rifle at Mack to stop the imminent threat.

Officer [redacted] recalled,

I’m running towards the backup...I hear shots...I see...the male suspect...running towards me but on the west side of the mall...I see him stumble, fall, and I heard shots...so I’m assuming he got hit...I hold in that cross bridge...That way, I have a little barrier between me and this guy...But despite falling down, he pops right back up, has a large kitchen knife...Probably like an eight-inch blade in his right hand, and he’s just sprinting down the - - the walkway. I hold my ground because...when I ran in, there were families, children behind me...making redeployment, you know, unsafe and unreliable because there’s an armed man running towards us...I yell at him...to drop the knife. He doesn’t. He just keeps running at me with the knife raised...I think he’s going to come and slash me open...I deploy my rifle and I do a couple quick bursts to stop him from running at me with a knife and - - and the people behind me.

After the first initial burst, he kind of staggers but doesn’t stop...I’m shooting at him and he’s not stopping with this knife in his hand. So I - - I did a second burst, two or three shots, and he falls to the ground. I see the knife fall out of his hand in front of him.

Round Nine – in a westerly direction from an approximate distance of 23 feet.

According to Officer [redacted], Mack fell to the ground and the knife fell out of his hand. The moment Mack’s back touched the ground, he rolled over, reached with his right hand and grabbed the knife while placing his left hand on the ground and tried to get back up. Mack was directly in line with Officer [redacted], approximately 10-15 feet away. Mack raised the knife and pointed it at Officer [redacted]. Believing Mack was preparing to charge and stab nearby officers, or the people inside TJ Maxx, Officer [redacted] fired one round from [redacted] Patrol Rifle at Mack to stop the threat. Mack then fell to the ground and dropped the knife.
Officer [REDACTED] recalled,

...the moment his shoulder hits the floor, he's back up, he's pushing himself up with his hand, and he reaches back and grabs the knife back up. At that point, his feet are down, he plants a hand, and it looks like he's about to stand back up. And at this point, he's 10, 15 feet away from me and the people behind me. And it looks like he's getting ready to charge at me. So I take another shot at him as I'm giving him commands to drop the knife, not to grab it, and because I think he's going to come up and slash us again.

Based on the totality of the circumstances, the UOFRB determined, and I concur, that an officer with similar training and experience as Sergeant [REDACTED] and Officer [REDACTED], would reasonably believe Mack's actions presented an imminent threat of death or serious bodily injury and that the Use of Lethal Force would be objectively reasonable.

Therefore, I find Sergeant [REDACTED] and Officer [REDACTED] Use of Lethal Force to be objectively reasonable and In Policy, No Further Action.

Additional/Equipment

Body Worn Video Activation – The investigation revealed that Sergeant [REDACTED] did not active BWV until [REDACTED] arrived at the second-floor concourse of the mall. Captain [REDACTED], Serial No. [REDACTED] Commanding Officer, Southwest Patrol Division, was advised and addressed this issue through a Comment Card. Captain [REDACTED] ensured audits will be completed on the involved sergeant for a 60-day period, following the Tactical Debrief to ensure the sergeant is properly activating BWV. The commanding officers of Operations South Bureau (OSB) and Office of Operations (OO) concurred with this action. As such, I deem no further action is necessary.

Edged Weapons Dispatch Protocol – The investigation revealed that Police Service Representative [REDACTED], Serial No. [REDACTED], CD, did not dispatch a field unit equipped with a beanbag shotgun to the radio call, which involved an edged weapon. Captain [REDACTED] Serial No. [REDACTED] Commanding Officer, CD, was advised and addressed this issue through a Comment Card.

Note: On July 31, 2018, Captain [REDACTED] directed a change in procedure regarding Edged Weapons Dispatch Protocols via Communications Division, Divisional Order No. 15-2018. The order changed the responsibility for assigning a supervisor and unit equipped with a beanbag shotgun from the Emergency Broadcast Operator (EBO) to the Radio Telephone Operator (RTO). Additionally, Captain [REDACTED] caused daily audits of Edged Weapons Dispatch Protocols in December 2018 and directed that those audits continue in January 2019 to ensure compliance. CD is also discussing the Edged Weapons Dispatch Protocols on a regular basis in each roll call. The Commanding Officer of Administrative Services Bureau (ASB) and the Director of the Office of Support Services (OSS) concurred with this action. As such, I deem no further action is necessary.
Beanbag Shotgun Manipulations – The investigation revealed that Officer [Redacted] disengaged the safety on [Redacted] beanbag shotgun because he intended to fire it at Mack. When Mack ran south through the mall, Officer [Redacted] followed behind, but did not reengage the safety. This was brought to the attention of Captain [Redacted] who addressed the issue through divisional training. This training was documented in the Learning Management System (LMS). The commanding officers of Operations South Bureau (OSB) and Office of Operations (OO) concurred with this action. As such, I deem no further action is necessary.

Running with Service Pistol Drawn – The investigation revealed Officer [Redacted], Serial No. [Redacted], Southwest Patrol Division, heard shots fired and ran inside the mall with a service pistol drawn. Although in this case, the action was reasonable based on the perceived threat level, Officer [Redacted] is reminded that there is a heightened concern for an unintentional discharge when running with a drawn service pistol. This was brought to the attention of Captain [Redacted] who addressed the issue through divisional training and was documented in the LMS. The commanding officers of OSB and OO concurred with this action. As such, I deem no further action is necessary.

Weapons Handling – The investigation revealed that Officer [Redacted] maintained a service pistol in [Redacted] right hand, while simultaneously placing a latex glove on [Redacted] left hand. Officer [Redacted] is reminded that there is a heightened concern for an unintentional discharge when multi-tasking with the hand holding a service pistol. This was brought to the attention of Captain [Redacted] who addressed the issue through divisional training. This training was documented in the LMS. The commanding officers of OSB and OO concurred with this action. As such, I deem no further action is necessary.

Preservation of Evidence – The investigation revealed that at the direction of Sergeant [Redacted], Officer [Redacted] kicked the knife away from Mack to prevent him from re-arming himself. Officer [Redacted] is reminded, whenever tactically feasible, it is preferable to leave evidence undisturbed until FID investigators can properly document and preserve the scene. In this case, it is understandable because the risk of the suspect re-arming himself outweighed the benefits of leaving the evidence in place. While it was unavoidable in this case, Captain [Redacted] addressed the issue through divisional training and it was documented in the LMS. The commanding officers of OSB and OO concurred with this action. As such, I deem no further action is necessary.

Protocols Subsequent to a Categorical Use of Force Incident – The investigation revealed that Sergeant [Redacted] did not deactivate BWV before obtaining PSS’s from the involved personnel. Additionally, Sergeant [Redacted], along with an additional uninvolved supervisor were also captured on BWV advising Officer [Redacted] not to turn off his BWV when [Redacted] inquired if [Redacted] should turn it off. This was brought to the attention of Captain [Redacted] who addressed the issue through divisional training with Sergeant [Redacted] and during divisional supervisor meetings. The commanding officers of OSB and OO concurred with this action. As such, I deem no further action is necessary.
The investigation also revealed that Officer [redacted], a perceptive witness, interviewed civilian witnesses at the scene prior to being separated. This was brought to the attention of Captain [redacted] who addressed the issue through divisional training. This training was documented in the LMS. The commanding officers of OSB and OO concurred with this action. As such, I deem no further action is necessary.

The investigation further revealed that Sergeant [redacted] Serial No. [redacted] South Traffic Division, did not document his monitoring duties in his Sergeant’s Daily Log. Captain [redacted] Serial No. [redacted] Commanding Officer, South Traffic Division advised that this issue has been addressed through training at the divisional level. The commanding officers of Transit Services Group and Transit Services Bureau concurred with this action. As such, I deem no further action necessary.

Reverence for Human Life — The investigation revealed that Officer [redacted] Serial No. [redacted], Southwest Patrol Division, provided medical treatment to Mack after he was handcuffed and prior to the arrival of LAFD personnel. Actions were exemplary and demonstrated that [redacted] thoughts were directed to the well-being of another human being despite his involvement in an OIS.

Audio/Video Recordings

Digital In-Car Video System (DICVS)/BWV — Southwest Division vehicles were equipped with DICVS. However, none of the DICVS captured the OIS as it occurred inside the mall.

Southwest personnel were equipped with BWV at the time of the incident. Sergeants [redacted] and [redacted], along with Officers [redacted], [redacted], [redacted] and [redacted] BWV captured portions of the OIS, Mack being taken into custody and post OIS activities.

Southwest Patrol Division Officers: [redacted], [redacted], Serial No. [redacted] [redacted] Serial No. [redacted] [redacted] Serial No. [redacted] [redacted] BWV’s captured the audio of the OIS, Mack being taken into custody and post OIS activities.
Outside Video – Surveillance video cameras from the Baldwin Hills Crenshaw Plaza captured Mack’s actions prior to his contact with police personnel and the OIS. A surveillance video camera from the Doc Popcorn kiosk captured the sergeants initial contact with Mack.

Additionally, there were two Instagram videos posted by [Redacted] that captured audio of the OIS.

Respectfully,

MICHAEL A. MOORE
Chief of Police

Date: 1-24-19