

INTRADEPARTMENTAL CORRESPONDENCE

March 28, 2019  
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**TO:** The Honorable Board of Police Commissioners

**FROM:** Chief of Police

**SUBJECT:** OFFICER INVOLVED SHOOTING FID NO. 038-18

Honorable Members:

The following is my review, analysis and findings for Officer Involved Shooting (OIS), Force Investigation Division (FID) No. 038-18. A Use of Force Review Board (UOFRB) was convened on this matter on March 11, 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 June 9, 2018, at approximately 2340 hours, Officers [REDACTED], Serial No. [REDACTED], and [REDACTED], Serial No. [REDACTED], Hollenbeck Patrol Division, were dressed in full police uniform, driving a marked black-and-white police vehicle. They responded to a radio call of an *Assault with a Deadly Weapon suspect there now, armed with a knife, at [REDACTED] Gates Street.*

**Note:** The investigation revealed that an additional radio call of a shooting at [REDACTED] Gates Street was also broadcast. According to the officers, they did not observe any evidence of a shooting and believed that only a stabbing had occurred. The investigation revealed no evidence of a shooting.

According to Officer [REDACTED], upon their arrival they went *Code Six*. They exited their vehicle and an unidentified witness *directed* the officers to the location where the suspect (later identified as V. Arroyo Jr.) was *last seen*. As Officer [REDACTED] was walking towards the location [REDACTED] observed blood on the ground and the witness advised [REDACTED] that Arroyo Jr. had *stabbed somebody*. Officer [REDACTED] observed an additional unit arrive at the location and directed the officers to *bring a beanbag shotgun*.

**Note:** The investigation revealed that the additional unit consisted of Officers [REDACTED], Serial No. [REDACTED], and [REDACTED], Serial No. [REDACTED], Hollenbeck Patrol Division and that Officer [REDACTED] deployed a beanbag shotgun.

According to Officer [REDACTED], [REDACTED] and the additional officers *approached* the front door of the residence and observed that a locked, metal *security door* was closed, but the *inner door* was

[REDACTED]

open. Officer [REDACTED] could see through the door inside the residence and [REDACTED] observed Arroyo Jr. holding a knife and *struggling* with an individual whom [REDACTED] believed to be Arroyo Jr.'s [REDACTED] (later identified [REDACTED]). Officer [REDACTED] advised the additional officers that [REDACTED] observed Arroyo Jr. armed with a knife.

According to Officer [REDACTED], [REDACTED] directed Arroyo Jr. to *drop the knife, and come out with his hands up*. Officer [REDACTED] warned Arroyo Jr. that if he did not *drop the knife* he would get shot, but he ignored the commands. Officer [REDACTED] drew [REDACTED] service pistol, requested breaching tools and a backup for a *415 man armed with a knife*. Officer [REDACTED] believed [REDACTED] needed to make entry to stop Arroyo Jr. from harming [REDACTED], and another person he believed was inside the residence **(Drawing/Exhibiting)**.

The investigation revealed that additional personnel continued to arrive at scene, including Sergeant [REDACTED], Serial No. [REDACTED] along with Officers [REDACTED], Serial No. [REDACTED], and [REDACTED], Serial No. [REDACTED] Hollenbeck Patrol Division.

According to Officer [REDACTED], he continued to monitor the room through the door and observed [REDACTED] still struggling, trying to gain control of Arroyo Jr. Arroyo Jr. ran out of Officer [REDACTED] sight and [REDACTED] holstered [REDACTED] service pistol. Eventually, [REDACTED] opened the security door and Officer [REDACTED] directed [REDACTED] to exit the residence. [REDACTED] did not comply with the commands and walked back into the residence.

According to Officer [REDACTED], Officer [REDACTED] was standing next to [REDACTED] on the entry team followed by Officer [REDACTED] who was equipped with the beanbag shotgun. Officer [REDACTED] indicated that [REDACTED] wanted *less-lethal right next to [REDACTED]* as they made entry, so [REDACTED] asked Officer [REDACTED] if the beanbag shotgun had a *chambered round and the safety off*. Officer [REDACTED] replied, "Yes," and Officer [REDACTED] directed Officer [REDACTED] to give the beanbag shotgun to Officer [REDACTED] **(Additional Tactical Debrief Topics – Beanbag Shotgun Manipulations)**.

**Note:** The investigation revealed that upon obtaining the beanbag shotgun, Officer [REDACTED] did not verify the condition of the weapon **(Additional Tactical Debrief Topics – Beanbag Shotgun Manipulations)**.

According to Sergeant [REDACTED], [REDACTED] observed the officers lined up to make entry. [REDACTED] verified that they had less-lethal weapons available, including a beanbag shotgun, TASERS, and OC Spray. Additionally, [REDACTED] designated officers for those weapons and ensured there were officers assigned to the arrest team. Sergeant [REDACTED] designated [REDACTED] as *communications* because [REDACTED] was on the rear of the stick.

**Note:** A review of Sergeant [REDACTED] Body Worn Video (BWV) revealed that [REDACTED] joined the officers as they were already making entry into the residence. Additionally, upon [REDACTED] arrival [REDACTED] did not meet with the primary officers to brief the tactical plan **(Command/Control)**.

According to Officer [REDACTED], prior to making entry, [REDACTED] gave a Use of Force Warning, ordering Arroyo Jr. to *drop the knife* or he would be shot with the beanbag which would hurt, causing

*great bodily injury*. Officer [REDACTED] drew [REDACTED] service pistol and the officers made entry **(Drawing/Exhibiting)**.

According to Officer [REDACTED], as he and Officer [REDACTED] *made entry*, they *stood side by side* in the doorway on the *right* side of the living room. Officer [REDACTED] saw Arroyo Jr. holding a *knife in his right hand and a screwdriver in his left hand* and gave him commands to *drop the knife*.

According to Officer [REDACTED], [REDACTED] was *trying to stop* Arroyo Jr. from *attacking* and was *not listening* as Officer [REDACTED] gave him multiple commands to *get back*. Arroyo Jr. moved *forward* in a *threatening manner* with *his arms overhead in a stabbing manner*. Officer [REDACTED] told Officer [REDACTED] to *shoot* Arroyo Jr. with the beanbag shotgun.

According to Officer [REDACTED] *commanded* Arroyo Jr. to *drop the knives* that he held in *both hands*. Officer [REDACTED] observed that [REDACTED] was *grabbing* Arroyo Jr.'s *wrists, struggling* with him, and *trying* to get him to *drop the knives*. [REDACTED] *moved away* and Arroyo Jr. *walked towards* [REDACTED] with the knives. Officer [REDACTED] *immediately* fired what [REDACTED] *thought* to be *four shots* from the beanbag shotgun. The beanbag shotgun went *empty*, at which point Officer [REDACTED] *threw* it to [REDACTED] *right* and *drew* [REDACTED] service pistol to *defend* [REDACTED] **(Less-Lethal Use of Force, Drawing/Exhibiting and Additional Tactical Debrief Topics – Maintaining Control of Equipment and Non-Conflicting Simultaneous Commands)**.

**Note:** The investigation determined that Arroyo Jr. was armed with a knife in one hand and a screwdriver in the other. Additionally, the investigation revealed that Officer [REDACTED] discharged five beanbag sock rounds.

According to Officer [REDACTED], after Officer [REDACTED] *fired* the beanbag shotgun at Arroyo Jr., it *had no effect* and Arroyo Jr. *kept his forward aggression attack going*. Officer [REDACTED] fired one round from [REDACTED] service pistol at Arroyo Jr. because [REDACTED] feared that [REDACTED] was in *immediate danger of being stabbed*. Officer [REDACTED] conducted an *assessment* and determined that [REDACTED] first round *seemed to have no effect*. Officer [REDACTED] fired a second round from [REDACTED] service pistol at Arroyo Jr. who fell to the ground **(Lethal Use of Force)**.

**Note:** According to Officer [REDACTED], [REDACTED] was aware that [REDACTED] was in front of Arroyo Jr. and there was an additional *person on the couch* behind him as [REDACTED] fired. Officer [REDACTED] repositioned [REDACTED] by *stepping into* the room and *adjusting* [REDACTED] angle *up and away* to get an *open shot* at Arroyo Jr.

According to Officer [REDACTED], after Arroyo Jr. *fell* to the ground, he was still in possession of the screwdriver. Officer [REDACTED] holstered [REDACTED] service pistol, approached Arroyo Jr. and used a firm grip and physical force to remove the screwdriver from [REDACTED] left hand **(Non-Lethal Use of Force)**.

According to Officer [REDACTED], Arroyo Jr. attempted to push himself up off the ground so Officer [REDACTED] used bodyweight to maintain control of him, *grabbed* him by his *right wrist* and used physical force to *roll* him towards his left side. After rolling Arroyo Jr. over, Officer [REDACTED] used a firm grip and physical force to control his left arm and place it behind his back for handcuffing **(Non-Lethal Use of Force)**.

According to Officer [REDACTED] approached Arroyo Jr. and used *bodyweight* to control him. Additionally, Officer [REDACTED] *grabbed* Arroyo Jr.'s left wrist and brought his hand behind his back for handcuffing (**Non-Lethal Use of Force**).

According to Officer [REDACTED] observed Arroyo Jr. *resisting* the officers who were attempting to take him into custody. Officer [REDACTED] *grabbed* Arroyo Jr.'s left wrist and used physical force to pull his arm backwards for handcuffing (**Non-Lethal Use of Force**).

According to Officer [REDACTED] approached Arroyo Jr., *grabbed his leg and flipped him over*. After Arroyo Jr. was *secured*, Officer [REDACTED] *picked up* a knife he observed on the floor because he did not think it should be *sitting there* next to the *suspect* (**Non-Lethal Use of Force and Additional – Preservation of Evidence**).

According to Sergeant [REDACTED], after [REDACTED] heard the OIS, [REDACTED] broadcast a Help Call and verified that a Rescue Ambulance had been requested. Sergeant [REDACTED] observed officers *struggling* with Arroyo Jr., as they attempted to take him into custody. [REDACTED] also observed Officer [REDACTED] *recover* the knife that was on the ground near Arroyo Jr. Additionally, Sergeant [REDACTED] recovered the beanbag shotgun that Officer [REDACTED] had placed on the floor.

Los Angeles Fire Department personnel arrived and transported Arroyo Jr. to Los Angeles County-University of Southern California Medical Center where he was treated for gunshot wounds to his left ear lobe and right front shoulder.

The investigation revealed that Sergeant [REDACTED] Serial No. [REDACTED] Hollenbeck Patrol Division, responded and obtained a Public Safety Statement (PSS) from Officer [REDACTED] (**Additional – Public Safety Statement Protocols**).

## FINDINGS

**Tactics – Tactical Debrief**, Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED].  
**Administrative Disapproval**, Sergeant [REDACTED].

**Drawing/Exhibiting – In Policy, No Further Action**, Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED].

**Non-Lethal Use of Force – In Policy, No Further Action**, Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED].

**Less-Lethal Use of Force – In Policy, No Further Action**, Officer [REDACTED].

**Lethal Use of Force – In Policy, No Further Action**, Officer [REDACTED].

## ANALYSIS

[REDACTED]

## **Detention**

The officers responded to a radio call of a suspect armed with a knife. Upon their arrival, they observed blood on the ground and were advised the suspect stabbed a victim. Additionally, they observed the suspect inside the residence armed with knives attempting to attack an additional victim. The officers' actions were appropriate and within Department policies and procedures.

## **Tactics**

Department policy relative to a Tactical Debrief 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."*

Department policy relative to Administrative Disapproval is: *"A finding, supported by a preponderance of the evidence that the tactics employed during a CUOF incident unjustifiably and substantially deviated from approved Department tactical training" (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, Officer [REDACTED] formulated a tactical plan to enter the location and utilize the beanbag shotgun to stop the suspect's actions prior to the use of lethal force. Additionally, Officer [REDACTED] continuously assessed the threat and when given the opportunity to enter into the residence, [REDACTED] maintained a position of advantage and did not immediately enter the residence. [REDACTED] requested additional resources, including breaching tools. [REDACTED] maintained lines of communication by attempting to have the suspect comply with verbal commands as well as advising additional officers of the ongoing tactical situation. After de-escalation attempts were unsuccessful, Officer [REDACTED] perceived an imminent threat of serious bodily injury or death and utilized lethal force to stop the threat.

During the review of the incident, the following Debriefing Topics were noted:

### **Additional Tactical Debrief Topics**

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

**Beanbag Shotgun Manipulations** – The investigation revealed that Officer [REDACTED] disengaged the safety of the beanbag shotgun prior to intending to shoot. Additionally, Officer [REDACTED] obtained the beanbag shotgun from Officer [REDACTED] and did not verify the condition of the weapon. The officers are to be reminded of the importance of proper beanbag shotgun manipulations during tactical situations. I will direct that this be a topic of discussion during the Tactical Debrief.

**Maintaining Control of Equipment** – The investigation revealed that Officer [REDACTED] threw the beanbag shotgun on the ground while transitioning to his service pistol rather than utilizing the sling on the beanbag shotgun. Officer [REDACTED] is to be reminded of the importance of maintaining control of his equipment prior to transitioning to other force options. I will direct that this be a topic of discussion during the Tactical Debrief.

### **Command and Control**

*Incident Commander (IC) – In accordance with Department Policy, the IC sets the objectives, the strategy and directs the tactical response. Directing the tactical response means applying tactics appropriate to the strategy, assigning the right resources and monitoring performance (Supervisor's Field Operations Guide, Volume 2, LAPD Emergency Operations Guide).*

*Line Supervision – Defined. A supervisor who has the specific responsibility of issuing directions and orders to designated subordinates shall be considered as having the duty of line supervisor and shall be held accountable for achieving conformance with the directions and orders that he/she issues (Los Angeles Police Department Manual, Volume 3, Section 135).*

Sergeant [REDACTED] was the first supervisor to arrive on scene and did not take an active leadership role during the incident.

It is incumbent upon supervisors at the scene of a critical incident to demonstrate and exercise supervision that is consistent with Department supervisory and tactical training.

The UOFRB noted that Sergeant [REDACTED] did not take an active leadership role by meeting with the primary unit, providing oversight for the tactical operation, or providing direction to the

officers during the non-lethal use of force.

Sergeant [REDACTED] arrived prior to the officers making entry into the location and [REDACTED] waited approximately three and a half minutes before [REDACTED] made contact with the primary unit. As [REDACTED] approached the entrance to the residence, the primary unit had already formulated a tactical plan and were making entry into the location. Sergeant [REDACTED] observed an officer outside of the location about to make entry and asked if any officers were designated as less lethal. It was at this point that Sergeant [REDACTED] designated [REDACTED] as the communications officer. After the OIS, Sergeant [REDACTED] stepped out of the residence and broadcast the "Help Call" before stepping back in and monitoring the officers as they took the suspect into custody.

The UOFRB was critical of Sergeant [REDACTED] lack of command and control during this incident and concluded that [REDACTED] did not demonstrate the level of control or supervision expected of a field supervisor.

As a result, the UOFRB determined, and I concur, Sergeant [REDACTED] lack of supervisory oversight during this incident substantially and unjustifiably deviated from approved Department supervisory training, and thus warranted a Tactics finding of Administrative Disapproval.

I will direct that the topic of Command and Control, and my expectations of supervisors during critical incidents, be specifically addressed with Sergeant [REDACTED] during the Tactical Debrief.

Sergeant [REDACTED] responded to the scene and obtained a PSS from Officer [REDACTED]. Sergeant [REDACTED] did not direct Officer [REDACTED] to turn off [REDACTED] BWV prior to obtaining the PSS. The actions of this supervisor were otherwise consistent with Department supervisory training and met my expectations of a field supervisor during a critical incident. **(Additional – Public Safety Statement Protocols).**

### 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.

In conducting an objective assessment of this case, the UOFRB determined, and I concur, that the tactics utilized by Sergeant [REDACTED] substantially, and unjustifiably, deviated from approved Department tactical training, thus requiring a finding of Administrative Disapproval.

Additionally, I find the tactics utilized by Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] did not substantially deviate from approved Department tactical training.

Therefore, I will direct that Sergeant [REDACTED] along with Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] attend a Tactical Debrief and 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;
- Tactical Planning;
- Radio and Tactical Communication (including Code Six);
- Tactical De-Escalation;
- Command and Control; and,
- Lethal Force.

### General Training Update (GTU)

On June 21, 2018, Officers [REDACTED] and [REDACTED] attended a GTU. All mandatory topics were covered including Force Option Simulator and Beanbag Shotgun.

### 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 1, Section 556.80).

According to Officer [REDACTED] drew [REDACTED] service pistol while waiting for breaching tools because he believed that Arroyo Jr.'s actions would necessitate the use of deadly force.

Officer [REDACTED] recalled,

*There - - there was a point in the beginning before I requested breaching tools, I - - I unholstered my weapon. There was point where I thought I was going to shoot through the door, but they were out of sight and I holstered back up again.*

*The fight between the father and the suspect looked aggressive where I thought that I would need to use deadly force to stop the threat [REDACTED]*

According to Officer [REDACTED] drew [REDACTED] service pistol when [REDACTED] made entry into the apartment because [REDACTED] believed the situation could escalate to the use of deadly force.

Officer [REDACTED] recalled,

*I unholster as I made entry...Now the door's open. There's no barrier between me and the suspect. And - - and he's armed with the knife, and I already see him struggling with [REDACTED]*

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[REDACTED]



██████████ He's failing to comply. I had a reasonable belief the situation could even escalate to use of deadly force. I didn't want him to charge me or my fellow officers or the victim, so as -- as lethal, I wanted to be there to stop the threat if needed to do so. █

According to Officer ██████████ drew █ service pistol while approaching the front door to the residence.

Officer ██████████ recalled,

*Once passing the first window at the bottom of the stairs, immediately due to the fact that this person has a knife and he's now inside his home. I don't know if there's any firearms or anything, just to cover myself and other officers, I pulled out my firearm just to cover the windows, just in case for – if we started taking fire, I was already covering the windows, just in case. █*

According to Officer ██████████ drew █ service pistol after dropping the beanbag shotgun because █ believed the situation had elevated to deadly force.

Officer ██████████ recalled,

*Then at that point I honest truth, after the beanbag failed, I thought the ██████████ was going to -- I thought he was going to die. At that point, I thought he was going to get stabbed to death after that █*

According to Officer ██████████ drew █ service pistol while standing outside the residence because █ believed the tactical situation could lead to to the use of deadly force.

Officer ██████████ recalled,

*And as I'm looking down the stairwell, I hear like a gouging noise, like kind of – like above me. I see the suspect gouging through the window. So then immediately as I saw him gouging through it and yelling, basically, like I said, stated three, four approximately feet above me, that's when I unholstered. I, immediately unholster based on the tactical the situation could lead you – lead to the use of great bodily injury or death. █*

According to Officer ██████████ drew █ service pistol after giving the the beanbag shotgun to Officer ██████████ because the suspect had a knife.

Officer ██████████ recalled,

██████████

*I believe that he has a knife because Officer [REDACTED] says he has a knife in his hand. [REDACTED]*

According to Officer [REDACTED] drew [REDACTED] service pistol while stacked outside the residence because [REDACTED] believed the situation could rise to the use of deadly force.

Officer [REDACTED] recalled,

*As we're – as we're stacked up on the door and the suspect began stabbing through the window, the door was finally open. I had reason to believe that the situation could rise to the use of deadly force. [REDACTED]*

According to Officer [REDACTED] drew [REDACTED] service pistol because [REDACTED] believed the situation had elevated to deadly force.

Officer [REDACTED] recalled,

*I heard Officer [REDACTED] saying, "Drop the knife, drop the knife or you're going to get shot." So, yeah, I thought the situation could escalate to a-- to the point where deadly force may be justified. [REDACTED]*

Based on the totality of the circumstances, the UOFRB determined, and I concur, that an officer with similar training and experience as Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] 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 Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] 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.

### **Non-Lethal Use of Force**

*It is the policy of this Department that personnel may use only that force which is "objectively reasonable" to:*

- *Defend themselves;*
- *Defend others;*
- *Effect an arrest or detention;*
- *Prevent escape; or,*

[REDACTED]

- *Overcome resistance (Los Angeles Police Department Manual, Volume 1, Section 556.10).*

**Officer [REDACTED]** – Firm grip and physical force

According to Officer [REDACTED], after Arroyo Jr. fell to the ground, [REDACTED] was still in possession of the screwdriver. Officer [REDACTED] holstered [REDACTED] service pistol, approached Arroyo Jr. and used a firm grip and physical force to remove the screwdriver from his left hand.

Officer [REDACTED] recalled,

*As I approached the suspect, when he went down, I holstered so I could grab his arm with the screwdriver... He - - he continued to hold a tight grip on it, and I had to pry it from his hand. And then I just tossed it on the floor. [REDACTED]*

**Officer [REDACTED]** – Bodyweight, firm grip, and physical force

According to Officer [REDACTED], as [REDACTED] approached Arroyo Jr. to assist with taking him into custody, Arroyo Jr. attempted to push himself up off the ground. Officer [REDACTED] used bodyweight to maintain control of him.

Officer [REDACTED] recalled,

*He was - - he was still resisting to put his hands behind his back. At one point he was pushing off the ground trying to - - trying to get back up... I placed my left knee across his upper back right - - right shoulder area - - and that way we can get a better hold using my bodyweight and using the floor as a control mechanism. That way we can control his movements and eventually place his hands behind his back [REDACTED]*

According to Officer [REDACTED] grabbed Arroyo Jr. by his right wrist and used physical force to roll Arroyo Jr. towards his left side. After rolling Arroyo Jr. to his left side, Officer [REDACTED] used a firm grip and physical force to control Arroyo Jr.'s left arm to place it behind his back for handcuffing

Officer [REDACTED] recalled,

*I was able to holster up at that point because now he was no longer armed and I grabbed his right - - right arm right by the wrist area and Officer [REDACTED] grabbed his left arm by the wrist and we were trying to coordinate to flip him over to his back to place him in handcuffs. It took us a little bit to do it because the suspect was still full of blood and he was still - - was still resisting.*

[REDACTED]

-- the suspect is still trying to [REDACTED] his arm under him and he's not going with the commands to put his hands behind his back so I assist Officer [REDACTED] with the left arm trying to place it behind his back. Eventually, we're able to place it behind his back and Officer [REDACTED] handcuffed the suspect. [REDACTED]

**Note:** The investigation revealed that Officer [REDACTED] did not apply force or overcome resistance from Arroyo Jr. Officer [REDACTED] application of handcuffs while Officer [REDACTED] maintained control of Arroyo Jr.'s arm did not constitute an application of force. Officer [REDACTED], therefore, did not receive findings for Non-Lethal Use of Force.

**Officer [REDACTED]** – Bodyweight, firm grips, and physical force

According to Officer [REDACTED] approached Arroyo Jr. and used bodyweight to control him. Officer [REDACTED] grabbed Arroyo Jr.'s left wrist and brought his hand behind his back for handcuffing.

Officer [REDACTED] recalled,

*After that I -- I approached -- I saw the -- I didn't see a knife in -- in his hands anymore so I -- I approached the suspect. I placed some bodyweight with my knees and I grabbed his left -- his left arm, his left wrist and his arm. Two other officers came that were at the right door and -- and also to handcuff the -- take the suspect into custody. At that point, I -- I had the suspect's left hand and I brought it to behind his back and another officer placed handcuffs on him. [REDACTED]*

**Officer [REDACTED]** – Firm grip and physical force

According to Officer [REDACTED] observed Arroyo Jr. resisting the officers who were attempting to take him into custody. Officer [REDACTED] grabbed Arroyo Jr.'s left wrist and used physical force to pull his arm backwards for handcuffing.

Officer [REDACTED] recalled,

*I'm -- I -- I believe I grabbed, like I said, with my right hand, I believe I grabbed like his left arm or left wrist area. And then initially, we kind of, we both -- there were officers on the left and the right, and we both tried to pull him, and then finally, it was like, hey, let's pull him right. Let's all just pull him right. So then if you can imagine him like this with his arm extended, we just kind of pulled him backwards, and then he was taken into custody. [REDACTED]*

**Officer [REDACTED]** – Firm grips and physical force

According to Officer [REDACTED] approached Arroyo Jr. grabbed his leg and flipped him over.

[REDACTED]

Officer [REDACTED] recalled,

*And then at that point, I - - I went into the room, observed the suspect's on the ground, and I holstered up to try to flip him over to handcuff him. I grabbed his leg and flipped him over.*

Based upon the totality of the circumstances, the UOFRB determined, and I concur, that an officer with similar training and experience as Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED], while faced with similar circumstances, would believe that the same applications of non-lethal force would be reasonable to overcome Arroyo Jr.'s resistance.

Therefore, I find Officers [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED]'s Non-Lethal Use of Force to be objectively reasonable and In Policy, No Further Action.

### Less-Lethal Use of Force

*It is the policy of this Department that personnel may use only that force which is "objectively reasonable" to:*

- *Defend themselves;*
- *Defend others;*
- *Effect an arrest or detention;*
- *Prevent escape; or,*
- *Overcome resistance (Los Angeles Police Department Manual, Volume 1, Section 556.10).*

*The sock round is an impact munition that may be deployed on suspects who are violent or who pose a threat to themselves or others, when an officer believes,*

- *Attempts to subdue the suspect with other tactics have been, or will likely be, ineffective in the situation; or*
- *There is a reasonable belief that it will be unsafe for officers to approach within contact range of the suspect (Los Angeles Police Department Use of Force – Tactics Directive No. 6.2, Beanbag Shotgun – March 2013).*

Officer [REDACTED] – Beanbag Shotgun, five beanbag sock rounds in a southeasterly direction from an approximate distance of 10-12 feet.

According to Officer [REDACTED] observed [REDACTED] grabbing Arroyo Jr.'s wrists, struggling with him and trying to get him to drop the knives. When [REDACTED] moved away from [REDACTED] Arroyo Jr. walked toward [REDACTED] while holding the knives. Officer [REDACTED] immediately fired what [REDACTED] thought to be four shots from the beanbag shotgun.

Officer [REDACTED] recalled,

[REDACTED]

*And the [REDACTED] is just trying to make him release the knives, but after stepping away from him at that point, it was clear that he was coming at [REDACTED] with the knives. And at that point, I was able to take the - - what I thought was four shots with the beanbag [REDACTED]*

Based on the totality of the circumstances, the UOFRB determined, and I concur, that an officer with similar training and experience as Officer [REDACTED], while faced with similar circumstances, would believe that the same applications of less-lethal force would be reasonable to protect themselves and others from Arroyo Jr.'s violent actions and effect his arrest.

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

### **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 fleeing 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 1, Section 556.10).*

Officer [REDACTED] – .45 caliber, two rounds in a southeasterly direction from an approximate distance of eight to ten feet.

According to Officer [REDACTED], after Officer [REDACTED] fired the beanbag shotgun at Arroyo Jr., it had no effect and Arroyo Jr. kept his forward aggression attack going. Officer [REDACTED] fired one round from [REDACTED] service pistol at Arroyo Jr because [REDACTED] feared that [REDACTED] was in immediate danger of being stabbed. Officer [REDACTED] conducted an assessment and determined that [REDACTED] first round seemed to have no effect. Officer [REDACTED] then fired a second round from [REDACTED] service pistol at Arroyo Jr. who fell to the ground.

Officer [REDACTED] recalled,

*He approach - - he kept - - he kept his forward aggression attack going. Fearing that the [REDACTED] was in immediate danger of being stabbed causing great bodily injury and/or death, and the beanbags had no effect, I fired two rounds. I fired one round. It seemed to have no*

[REDACTED]



BWV at the time of this incident. Officers [REDACTED], [REDACTED], [REDACTED], and [REDACTED] BWV captured their actions during the incident. Additionally, [REDACTED] Serial No. [REDACTED], Hollenbeck Patrol Division, captured the suspect being taken into custody as well as the handcuffing.

**Outside Video – None**

Respectfully,

  
MICHAEL K. MOORE  
Chief of Police

Date: