

INTRADEPARTMENTAL CORRESPONDENCE

April 19, 2018
3.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: OFFICER INVOLVED SHOOTING FID NO. 043-17

Honorable Members:

The following is my review, analysis, and findings for Officer Involved Shooting (OIS), Force Investigation Division (FID) No. 043-17. A Use of Force Review Board (UOFRB) was convened on this matter on April 2, 2018. In this case, the recommended findings were not unanimous with a minority opinion rendered regarding the Tactics findings for Officers [REDACTED], Serial No. [REDACTED] and [REDACTED], Serial No. [REDACTED]

I have carefully weighed each opinion, considered the case in its entirety and adopted the recommendations of the majority opinion. I hereby submit my findings in accordance with Police Commission policy.

SUMMARY

On June 8, 2017, at approximately 1515 hours, Officers [REDACTED] and [REDACTED], Hollenbeck Patrol Division, were in full uniform, driving a marked black and white police vehicle, in the area of Huntington Drive North and Turquoise Street.

According to Officer [REDACTED], as they were driving north on Huntington Drive North passing Turquoise Street, [REDACTED] looked east on Turquoise Street and observed a male with a shaved head, later identified as P. Echeverria, *taking his shirt off, either on the sidewalk or in the street.* [REDACTED] then advised [REDACTED] partner of [REDACTED] observations.

According to Officer [REDACTED] partner advised [REDACTED] that there was *a possible gang member* on the *sidewalk* on Turquoise Street. [REDACTED] had previously been assigned to the Hollenbeck Area, Gang Enforcement Detail, and was familiar with the area and knew that it was a 18th Street gang *hangout.* [REDACTED] and [REDACTED] partner then decided to go speak to Echeverria in an effort to initiate a *consensual encounter* with him.

According to Officer [REDACTED], Turquoise Street is not accessible through Huntington Drive North, so [REDACTED] drove *around the block* to Huntington Drive South. As [REDACTED] went around the block, [REDACTED] spoke

[REDACTED]

with [REDACTED] partner about initiating a consensual encounter and about tactics in case Echeverria was *armed and attempted to flee*.

According to the officers, they turned west on Turquoise Street from Huntington Drive South and did not observe Echeverria. As they continued west, they past [REDACTED] Turquoise Street, and observed Echeverria to the rear of the location, sitting on the stairway of a two story multi-unit building.

Note: The rear multi-unit building and the single-family residence in front were on the same property and shared a common driveway. The multi-unit building had a separate address of [REDACTED] Turquoise Street.

According to Officer [REDACTED], since [REDACTED] had already drove past the driveway to the residence, [REDACTED] conducted a U-turn at the end of the block, drove east on Turquoise Street, and then turned into the driveway and drove toward Echeverria.

According to Officer [REDACTED], the *driveway* was too *long* to approach on foot because there was *no real cover*. Therefore [REDACTED] decided to drive their police vehicle up the driveway and park it closer to Echeverria, so if *anything happened*, their vehicle could provide them some *cover* (Additional Tactical Debrief Topics – Tactical Vehicle Deployment).

According to the officers, as they drove down the driveway, Echeverria stood up, descended the stairs and began walking towards them. They then parked, exited their vehicle and made contact with Echeverria.

According to Officer [REDACTED], upon making contact with Echeverria [REDACTED] *realized* that Echeverria was the same person [REDACTED] had recovered a handgun from approximately two weeks after responding to a Back-Up request, wherein a Use of Force had occurred. [REDACTED] also observed that Echeverria's shirt was raised, exposing *a bulge* in his right *crotch area*; Officer [REDACTED] believed it was possibly a *weapon or contraband*.

According to Officer [REDACTED], as [REDACTED] partner made contact with Echeverria, [REDACTED] observed a *bulge* in Echeverria's *right waistband, underneath his shorts*. Based on *the shape, size and location*, [REDACTED] believed the bulge in Echeverria's waistband was a *handgun*. [REDACTED] then broadcast their Code-Six location (Additional Tactical Debrief Topics – Code-Six).

Note: The investigation revealed Officers [REDACTED] and [REDACTED] did not communicate their observations to each other or that they believed that Echeverria was possibly concealing a weapon. According to both officers, they also believed that the consensual encounter had been turned into a *detention* based on their observations (Debriefing Point No. 1).

According to Officer [REDACTED], referring to the bulge that [REDACTED] observed, [REDACTED] asked Echeverria, *what do you have there, because I can see something there?* Echeverria failed to answer and instead placed his right hand in his right front shorts pocket. [REDACTED] then directed Echeverria to take his hand out of his pocket and he complied.

According to Officer [REDACTED], Echeverria appeared a *little agitated* so [REDACTED] was trying to *stay calm and deescalate the situation*. [REDACTED] asked Echeverria a second time, *what do you have right there?* Echeverria then put his left hand in his left front shorts pocket. [REDACTED] and [REDACTED] partner then *ordered* Echeverria to take his hand out of his pocket and he complied (Debriefing Point No. 2).

According to Officer [REDACTED] then directed his partner to search Echeverria. When [REDACTED] partner went to search Echeverria, Echeverria *pulled* away from [REDACTED] partner and began backing up (Debriefing Point No. 3).

According to Officer [REDACTED] partner advised him to search Echeverria. [REDACTED] attempted to *grab* onto Echeverria's left arm to *put his hands behind his back and handcuff him*, but [REDACTED] *pulled his hand away and started backing up* (Debriefing Point No. 3).

According to Officer [REDACTED] *grabbed* Echeverria's shirt or arm to stop him from fleeing. Echeverria then started moving forward, trying to run past them. Thinking about the bulge in his waistband, [REDACTED] assumed a position behind Echeverria and attempted to control his arms to prevent him from *reaching for his waistband* (Non-Lethal Use of Force).

According to Officer [REDACTED], Echeverria *tried to get around* them; however, a van parked in the driveway obstructed his avenue of escape. [REDACTED] partner *grabbed* Echeverria's right arm while [REDACTED] *grabbed* his left arm and a struggle ensued (Non-Lethal Use of Force).

Note: The officers' Body Worn Video (BWV) captured Echeverria dropping a handgun on the ground while resisting the officers attempts to take him into custody and then again grabbing hold of the gun up with his left hand. According to the officers, they were unaware that Echeverria had dropped a handgun.

According to Officer [REDACTED], Echeverria moved *forward, while crouching over*. [REDACTED] looked down at Echeverria and observed the *barrel of a handgun pointed up in his direction*. [REDACTED] then tried to *reposition [REDACTED] away from the barrel* and lost [REDACTED] grip on Echeverria. [REDACTED] then drew [REDACTED] service pistol (Drawing/Exhibiting and Additional Tactical Debrief Topics – Initiating Physical Contact While Holding a Service Pistol).

Note: Officer [REDACTED] BWV captured Echeverria holding a firearm in his left hand, with the barrel pointed in Officer [REDACTED] direction. Echeverria then transitions the handgun from his left hand to his right hand.

According to Officer [REDACTED] knew [REDACTED] partner was behind Echeverria, trying to get control of Echeverria's arms. [REDACTED] knew there was a *cross-fire situation* and that they were *fighting over the handgun*. So, [REDACTED] told [REDACTED] partner, *Watch out! Watch out! Move! Move! Move!* [REDACTED] partner then *pushed* Echeverria, creating distance between them.

According to Officer [REDACTED], Echeverria was crouched over and [REDACTED] was behind him, when [REDACTED] heard [REDACTED] partner repeatedly state *gun and* then [REDACTED] partner directed [REDACTED] to *get off, push or let go*

of Echeverria. [REDACTED] then pushed Echeverria, away, stepped off to the side and drew [REDACTED] service pistol (Non-Lethal Use of Force and Drawing/Exhibiting).

According to Officer [REDACTED], after [REDACTED] partner let go, Echeverria started to run down the driveway and turned back to either [REDACTED] left or [REDACTED] right. *Believing that Echeverria was still armed and was going to shoot [REDACTED] partner or [REDACTED]* utilized a one-handed close contact shooting position and fired three rounds from his service pistol at Echeverria to stop the lethal threat (Lethal Use of Force).

According to Officer [REDACTED], after pushing Echeverria [REDACTED] heard [REDACTED] partner fire approximately two rounds from [REDACTED] service pistol and saw Echeverria fall to the ground [REDACTED] then put out, *shots fired, officer, needs help* over Hollenbeck Base Frequency. Officer [REDACTED] then provided cover, while [REDACTED] holstered [REDACTED] service pistol and handcuffed Echeverria without further incident.

Lieutenant [REDACTED], Serial No. [REDACTED] Watch Commander, Hollenbeck Patrol Division, responded and assumed the role of Incident Commander (IC).

Sergeant [REDACTED], Serial No. [REDACTED] Hollenbeck Patrol Division, responded and obtained a Public Safety Statements (PSS) from Officer [REDACTED] after separating the officers.

Los Angeles Fire Department (LAFD) emergency medical personnel responded and transported Echeverria to County of Los Angeles-University of Southern California Medical Center where he was treated for gunshot wounds to his torso and left arm.

FINDINGS

Tactics – Administrative Disapproval, Officers [REDACTED] and [REDACTED].

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

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

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

ANALYSIS

Detention

In this case, when the officers attempted to initiate a consensual encounter. Prior to the encounter, they observed a bulge in Echeverria's shorts and believed he was possibly armed, immediately transitioning the contact into a detention. Officer [REDACTED] also recognized Echeverria as the same individual who was arrested for Carrying a Concealed Weapon two weeks prior.

[REDACTED]

Believing Echeverria was armed, the officers attempted to detain him. The officers' 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"

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, when the officers attempted to initiate a consensual encounter, they observed a bulge in the person's shorts and believed he was possibly armed. Believing the suspect was armed and they now had enough for a detention, one of the officers continued to verbalize with the suspect, by directing him to keep his hands out of his pockets. When one officer attempted to search the suspect, a struggle ensued, and the suspect retrieved the gun and pointed it at one of the officers.

Faced with an imminent threat of serious bodily injury or death, the officer utilized lethal force to stop the deadly threat.

During a review of the incident, the following Debriefing Points were noted:

Debriefing Point No. 1 Tactical Communication

Officers must approach every contact with officer safety in mind. Complacency, overconfidence, poor planning, or inappropriate positioning can leave officers vulnerable to attack (California Commission on Peace Officer Standards and Training, Learning Domain 21).

Officers are trained to work together and function as a team. In order to ensure officer safety and help ensure an appropriate outcome, the primary officers and cover officers must effectively communicate with one another. Appropriate communication involves advising the primary officer of any critical occurrences or safety issues (California Commission on Peace Officers Standards and Training, Learning Domain No. 22).

Operational success is based on the ability of officers to effectively communicate during critical incidents. Officers, when faced with a tactical incident, improve their overall safety by their ability to recognize an unsafe situation and work collectively to ensure a successful resolution.

In this case, both officers independently observed a bulge in Echeverria's shorts and believed he was possibly armed. In an attempt to prevent the situation from escalating, Officer [REDACTED] indirectly communicated to [REDACTED] belief that Echeverria was possibly armed, when [REDACTED] asked Echeverria on two occasions what was in his shorts and pointed to the bulge. When Echeverria ignored the question, Officer [REDACTED] directed Officer [REDACTED] to search Echeverria.

Based upon the totality of the circumstances, the UOFRB determined, and I concur, that while identified as an area for improvement, the officers' actions were not a substantial deviation from approved Department tactical training. I will direct this topic be discussed during the Tactical Debrief.

Debriefing Point No. 2 Back-Up Request

***Back-up Unit Request:** This emergency call shall be broadcast when an officer requires additional units immediately, but the situation does not rise to the level where serious bodily injury, death or serious threat to public safety is imminent. The officer requesting shall include the location, followed by the unit designation and all other pertinent information, including the reason for the request (Los Angeles Police Department Manual, Volume 4, Section 120.40).*

Officers [REDACTED] and [REDACTED] did not request a Back-up after they believed that Echeverria was possibly armed.

Although officers are given discretion regarding the appropriate time to broadcast, a request for a back-up unit would have been tactically advantageous based on the officers' observations.

In this case, as Officers [REDACTED] and [REDACTED] initiated contact with Echeverria, they observed a bulge in Echeverria's shorts and focused their attention on his actions. Echeverria appeared agitated and was uncooperative while Officer [REDACTED] continued to verbalize with him.

Based on the totality of the circumstances, the UOFRB determined, and I concur, that the officers' 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.

Debriefing Point No. 3 High-Risk Stop (Substantial Deviation – Officers [REDACTED] and [REDACTED])

A high-risk situation is one in which the involved officers reasonably believe that the suspect(s) poses a substantial risk of serious injury to the officer and/or the public. In this context, a high-risk situation usually involves felony crimes or investigation. However, a number of misdemeanor involving firearms or deadly weapons are termed high risk. Other considerations include the relative size of the officer to the suspect, the number of officers at the scene compared to the number of suspects, and any weapons of violence used by the suspect and whether a person with a mental illness is involved. The goal of any tactic, including search techniques, is to maintain control while reducing the potential for violence.

The inherent hazard involved in an incident where the high-risk search is used dictates that officers have their weapons drawn. However, this does not mean that if there are numerous officers on scene, every officer must have his or her weapon unholstered. The number of officers with their weapons drawn should be based on the seriousness of the crime, the type of weapon (if armed), the number of suspects, the number of officers and the particular officer's location in relation to the suspect. It is recommended that a designated cover officer be assigned in case the situation escalates to one warranting lethal force (Training Bulletin, Volume XXXVI, Issue 3, November 2004).

Officers must approach every contact with officer safety in mind. Complacency, overconfidence, poor planning, or inappropriate positioning can leave officers vulnerable to attack (California Commission on Peace Officer Standards and Training, Learning Domain 21).

When officers encounter a suspect, whom they believe is armed with a weapon, they are trained to conduct a high-risk search technique to safely take the suspect into custody. This tactic provides the officers a tactical advantage and allows them to plan, communicate, redeploy, utilize cover, give commands and approach the suspect from a position of advantage.

In this case, Officers [REDACTED] and [REDACTED] approached Echeverria and attempted to grab him after Echeverria repeatedly ignored their commands and placed his hands in his shorts pockets. Officer [REDACTED] believed he was concealing a firearm or contraband and Officer [REDACTED] believed he was concealing a firearm.

Based on the totality of the circumstances, the UOFRB majority determined, and I concur, that Officers [REDACTED] and [REDACTED] actions were a substantial deviation, without justification, from approved Department tactical training. I will direct this topic be discussed during the Tactical Debrief.

Additional Tactical Debrief Topics

Tactical Vehicle Deployment – The investigation revealed that Officer [REDACTED] drove the police vehicle down a long driveway to make contact with Echeverria, who was sitting on the stairs of an apartment complex, thus giving him an elevated platform. The officers are reminded of the importance of deploying their police vehicle in a more tactically advantageous position. I will direct this be a topic of discussion during the Tactical Debrief.

Code-Six – The investigation revealed that Officers [REDACTED] and [REDACTED] did not go Code-Six as they drove down the driveway to initiate a consensual encounter with Echeverria. The officers shall be reminded of the importance of going Code-Six prior to initiating contact. I will direct this be a topic of discussion during the Tactical Debrief.

Initiating Physical Contact While Holding a Service Pistol – The investigation revealed that Officer [REDACTED] had [REDACTED] service pistol drawn when [REDACTED] initiated physical contact with the suspect. Initiating physical contact with a suspect while holding a service pistol may inhibit an officer's ability to fully engage the suspect and can increase the risk of the suspect getting control of the service pistol. I will direct this be a topic of discussion during the Tactical Debrief.

Command and Control

Lieutenant [REDACTED] responded and assumed the role of IC. Sergeant [REDACTED] responded and assured the officers were separated, then obtained PSS from Officer [REDACTED].

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

Tactical Debrief

Each tactical incident merits a comprehensive debriefing. In this case, there were identified areas where improvement could be made and 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 Officers [REDACTED] and [REDACTED] attend a Tactical Debrief and that the specific identified topics are covered.

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 June 22, 2017, Officers [REDACTED] and [REDACTED] attended a GTU. All mandatory topics were covered, including Approaching Armed Suspects, Preservation of Evidence, Contact and Cover, Consensual Encounters and Force Option Simulator.

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 Officer [REDACTED], as [REDACTED] looked down at Echeverria, [REDACTED] observed a barrel of a handgun pointed up in [REDACTED] direction. [REDACTED] then tried to reposition [REDACTED] away from the barrel, lost [REDACTED] grip on Echeverria, and drew [REDACTED] service pistol.

Officer [REDACTED] recalled,

I can see a barrel of a handgun and it's pointed up in my direction. And at that point, I can hear my partner yell out, "Gun." And then, I try to reposition myself away from the barrel and try to position myself on the side. I think we kind of spun around... We pulled forward. I have lost grip of him, and that's when I saw the gun. When I saw the gun, I drew out [REDACTED]

According to Officer [REDACTED] heard [REDACTED] partner repeatedly state gun, then direct him to get off, push or let go of Echeverria. [REDACTED] then pushed Echeverria away, stepped off to the side, and drew his service pistol.

Officer [REDACTED] recalled,

...him [Echeverria] having the bulge, which was the - - the shape would resemble a - - a handgun...when I was on top of him, my partner's saying, "Gun, gun, gun." Thought the situation would escalate to the point where deadly force may be justified. So all that...all that in combination, I - - drew my - - my handgun [REDACTED]

[REDACTED]

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

Therefore, I find Officers [REDACTED] and [REDACTED] Drawing/Exhibiting to be In Policy, No Further Action.

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

Officer [REDACTED] – Firm Grip and Physical Force.

According to Officer [REDACTED] grabbed Echeverria's shirt or arm to stop him from fleeing. Echeverria then started moving forward, trying to run past them. Thinking about the bulge in his waistband, [REDACTED] assumed a position behind Echeverria and attempted to control his arms to prevent him from reaching for his waistband.

Officer [REDACTED] recalled,

I'm gonna pat him down...he pulls away...I followed him...I'm still trying to get a hold of him at this point...he starts to flee. So I try to grab him. I'm not sure if I - - what I grabbed, but I grabbed onto him. And then, my partner grabbed him as well...we were trying to hold...in my mind...he still had that thing on his waistband...I was trying to make sure his hand just didn't go down - - down into his waistband or he didn't pull anything out.

And then my partner tells me - - I don't know if it was get off or - - or push or let go. It was - - I let go of the suspect. I push - I pushed him and I retreated. I stepped off to the side. [REDACTED]

Officer [REDACTED] – Firm Grip and Physical Force.

According to Officer [REDACTED], Echeverria tried to get around them, however, a van parked in the driveway obstructed his avenue of escape. [REDACTED] partner grabbed Echeverria's right arm while [REDACTED] grabbed his left arm and a struggle ensued.

[REDACTED]

Officer [REDACTED] recalled,

So as my partner went in to go grab him again, that's - - right away, he pulled back. He probably stepped back about - - probably about a good five steps and pulled away from us. My partner then, grabbed his right arm and he was still attempting to pull away. And that's when I reached in and I grabbed his left [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] and [REDACTED], while faced with similar circumstances, would believe the same application of non-lethal force would be reasonable to overcome Echeverria's resistance.

Therefore, I find Officers [REDACTED] and [REDACTED]'s Non-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 No.1, Section 556.10).*

Officer [REDACTED] – .40 caliber, three rounds, in a southerly direction, from an approximate increasing distance of 11 to 14 feet.

According to Officer [REDACTED], after [REDACTED] partner let go, Echeverria started to run down the driveway and then turned back to either [REDACTED] left or [REDACTED] right. Believing Echeverria was still armed and was going to shoot [REDACTED] or [REDACTED] partner, [REDACTED] utilized a one-handed, close contact shooting position, and fired three rounds from [REDACTED] service pistol at Echeverria to stop the lethal threat.

Officer [REDACTED] recalled,

...I....initially saw the handgun, when it was pointing in my direction. And at one point...either I lost grip or I let go, and that's when I unholstered my firearm. And then, my partner was still struggling with the suspect...they were still struggling over the - - the firearm. So that's why I was telling my partner that we were somewhat facing each other, so

[REDACTED]

I knew I had a crossfire situation here. And I knew that they were still fighting over the handgun...I was in fear that my partner was going to be shot or I was gonna be shot. So I was telling my partner...watch out. Watch out. Move, move, move. And then, at that point, that's when he pushed him off. And then I fired three shots.

I no longer had a crossfire situation. And the suspect was going down the driveway, but he was -- he was either turning back to his -- I'm not a 100% sure either -- his left or his right. He was turning back. And I felt that at that one -- at that point, he was gonna either shoot me or my partner. I was believing he was still armed at the time. And that's when I fired three shots.█

Based on the totality of the circumstances, the UOFRB determined, and I concur, that an officer with similar training and experience as Officer █ would reasonably believe Echeverria'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 Officer █'s Use of Lethal Force to be In Policy, No Further Action.

Additional/Required Equipment

Digital In-Car Video System (DICVS) Activation – The investigation revealed Officers █ and █ did not activate their DICVS until after the OIS as required. This was brought to the attention of Captain █ Serial No. █ Commanding Officer, Hollenbeck Patrol Division, and was addressed through training at the divisional level. As such, I deem no further action is necessary.

Audio/Video Recordings

Digital In-Car Video System – Officers █ and █'s vehicles was equipped with DICVS but was not activated until after the OIS.

Body Worn Video – Hollenbeck Patrol Division personnel were equipped with BWV. Officers █ and █ activated their BWV, which captured their initial contact with the suspect, █ attempt to flee, their efforts to control the armed suspect, and the suspect arming himself with a handgun. During the struggle, their BWV cameras fell to the ground, therefore, only captured audio during the OIS.

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Outside Video – Cellular telephone video taken by Witnesses [REDACTED] and [REDACTED]
Escalante captured activity after the OIS.

Respectfully,



CHARLIE BECK
Chief of Police

Date:

4-19-18