

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

OFFICER-INVOLVED SHOOTING – 071-17

Division	Date	Duty-On (X) Off ()	Uniform-Yes (X) No ()
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Pacific	10/29/17		
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Officer(s) Involved in Use of Force	Length of Service
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Sergeant B	22 years, 10 months
Officer A	3 years, 6 months
Officer B	2 years, 1 months
Officer C	10 years, 3 months
Officer F	27 years, 7 months
Officer G	6 months

Reason for Police Contact

Pacific Division uniformed patrol officers responded to a male with mental illness radio call. During the investigation, the Subject's wife entered the residence and was taken hostage at knife point by the Subject. After the Subject failed to respond to commands to drop the knife, an officer-involved shooting (OIS) occurred. The Subject was struck in the right ear and was taken into custody. The Subject's wife was not injured.

Subject(s)	Deceased ()	Wounded (X)	Non-Hit ()
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Subject: Male, 27 years of age.

Board of Police Commissioners' Review

This is a brief summary designed only to enumerate salient points regarding this Categorical Use of Force incident and does not reflect the entirety of the extensive investigation by the Los Angeles Police Department (Department) or the deliberations by the Board of Police Commissioners (BOPC). In evaluating this matter, the BOPC considered the following: the complete Force Investigation Division investigation (including all of the transcribed statements of witnesses, pertinent subject criminal history, and addenda items); the relevant Training Evaluation and Management System materials of the involved officers; the Use of Force Review Board recommendations; the report and recommendations of the Chief of Police; and the report and recommendations of the Inspector General. The Department Command staff presented the matter to the BOPC and made itself available for any inquiries by the BOPC.

Because state law prohibits divulging the identity of police officers in public reports, for ease of reference, the masculine pronouns (he, his, and him) will be used in this report to refer to male or female employees.

The following incident was adjudicated by the BOPC on September 25, 2018.

Incident Summary

On the date of this incident, Los Angeles County Department of Mental Health (LACDMH) Psychiatric Mobile Response Team (PMRT) Psychiatric Social Workers (PSW) met with the Victim. The Victim advised that her husband, (the Subject) had been in what she described as a “drug induced psychosis” for approximately two weeks. The Victim had left their shared home approximately two weeks prior because of the Subject’s condition.

At the request of the Victim, PSW employees attempted to communicate with the Subject in order to make an assessment regarding his mental status. The Subject, who was in the front yard of his home, became angry and ordered the PSW employees to leave. The Subject refused to communicate with PSW employees so they were unable to make an assessment. The Victim was informed that PSW could not make an assessment and suggested that someone call the police for assistance.

A 911 call was made for assistance and the 911 operator was told that the Subject had hallucinations, paranoia, and was belligerent. Information was also provided that the Subject was on some type of unknown substance and was a danger to himself and the neighborhood. Further, that the Subject was under the influence of narcotics and mentally ill. When asked if the Subject had any weapons, the caller stated that the Subject did not have any weapons, but that there were kitchen knives in the home. The 911 operator was told that the Subject was not armed with the knives and that he was not threatening to hurt anyone.

Communications Division (CD) broadcast the call of a Subject with mental illness at the location. Police Officers A, B, C, and D, along with Sergeants A and B responded to the call.

Officers A and B, along with Sergeant A arrived at scene and were met by the Victim and PSW employees who relayed information concerning the Subject and that he had past violent contacts involving law enforcement. The Victim advised that the Subject had been making holes in the walls of their home with a knife as well as punching the walls and burning things. Officer A asked the Victim if she felt that the Subject was a danger to himself, others, or unable to care for himself, and she advised him that he was not.

According to the PSW employees, the Subject had shown signs of aggression by screaming and throwing dirt at them when they attempted to contact him.

Officers C and D arrived at the scene and were briefed by Sergeant A. Due to the violence toward police in the Subject's past, Sergeant A assigned Officer A to lethal cover and communications, Officer B to the Taser, Officer C to the beanbag shotgun, and Officer D to lethal cover. The officers began to congregate near the west end of the residence with the intention of making contact with the Subject in order to make an assessment of his mental status. According to Sergeant A, his intention was to get the Subject to cooperate, so that they could detain him and figure out how they could best help him.

At this time, the Subject exited the front gate of his residence to a position he could be seen by the officers from the street. The Subject immediately began to yell at the officers, stating, "If you guys come in here, I'm going to kill you." Officer A told the Subject that he was not in any type of trouble and that they just wanted to ask him some questions. The officers took a position of cover to the rear of the Subject's vehicle, which was parked in the driveway. The Subject picked up what Officer A believed to be a rock from the ground. As a result, Officer A drew his pistol to the low-ready position because he feared the Subject had armed himself with the rock. The Subject threw the object he had retrieved from the ground toward the officers, but Officer A observed it was just grass and dirt, rather than a rock.

The Subject then ran into his open garage and closed the door behind him. The Subject continued to yell through the closed garage door at the officers to leave. Officer A holstered his pistol after the Subject closed the garage door. Officer A continued to ask the Subject to exit his residence, but he refused. The Subject yelled to the officers, "If you come in, I'll kill you." Sergeant A advised officers that they were not going in after the Subject and directed the officers to move their police vehicles to positions in the street in front of the residence to use as cover. The officers parked their vehicles near the driveway and took positions of cover in the street behind the police vehicles.

During this time, a male, Witness A, opened the front gate of the residence. Officers ordered Witness A to respond to their location by the street. The Subject could be heard telling Witness A, "You don't need to go out there with them. Close the door." According to Sergeant A, Witness A advised officers, "I'm good. I'm going to stay back here." Witness A then retreated back behind the front gate out of the officers' view.

Sergeant B arrived at the location and was briefed by Sergeant A. Sergeant A contacted Pacific Patrol Division uniformed Watch Commander, Sergeant C, and advised him what had occurred. Sergeant C advised Sergeant A to pull back, and if not currently engaged with the Subject, to allow him to calm down and contact the Los Angeles Police Department (LAPD) Mental Evaluation Unit (MEU) to seek advice. Sergeant A then directed Officer A to call MEU. Officer A called MEU Police Officer E and advised him what had occurred. Officer A was advised that the Subject did not meet the criteria for a 5150 WIC hold, meaning he wasn't a danger to himself or others, and was advised there was not enough cause to enter into the Subject's home.

Note: Sergeants A and B did not believe that the actions of the Subject rose to the level of a crime and did not believe the Subject met the 5150 WIC hold criteria.

Officer A and Sergeants A and B informed the Victim that they would be unable to assist with the Subject because he did not meet the criteria for a 5150 WIC hold nor did they have probable cause to enter the location. The Victim became angry and began to protest. The Victim advised that the Subject was allowing Witness A to stay at their house and she did not want him there. The Victim was informed that the Subject had a right to allow anyone to stay because the house belonged to both of them.

The Victim became increasingly agitated and advised Officer A she was going to enter the residence and tell the Subject's guest that he could no longer stay. Officer A advised the Victim that he would prefer her to not enter the residence. Officer A advised the Victim it would be better to wait until the Subject was not acting so aggressive. The Victim told the officers that she intended to enter the residence and began walking in that direction.

Officer A followed the Victim, pleading with her not to enter the residence. Sergeant B observed the Victim walking toward her residence and crossed the street to follow her. Sergeants A and B were aware that officers were already assigned lethal and less-lethal options and Sergeant A told the officers that they would follow the Victim inside to ensure her safety. Sergeant B advised that although he and Sergeant A had determined they were not going to enter the residence to forcibly detain the Subject, he felt that it was his duty to ensure her safety. The Victim walked through the front gate with the officers following approximately 10 feet behind. The Victim continued walking through the courtyard into the open front door of the house.

As the officers walked into the courtyard area past the front gate, they could see through the open front door, across the living room, and into the backyard because the wall of the living room had numerous windows. The Victim yelled out to the Subject that she wanted Witness A out. At this point, the Subject could be seen in the backyard and started yelling at the officers to get out of his home. Officer B observed that the Subject was holding a six-inch knife in his left hand and ordered him to drop the knife. Officer B advised the other officers he had observed the Subject with a knife and holstered his Taser. Officer B then unholstered his pistol and pointed it at the Subject with his finger alongside the frame. The Subject soon moved out of the officers' view. Sergeants A and B advised officers to move to the edge of the house to get eyes on the Subject.

Officers A, C, and D moved to the corner of the house. Officer A observed the Subject at the corner of the house with the knife in his hand. Officer A unholstered his pistol to a low-ready position, with his finger alongside the frame, because he feared the incident could rise to the level of deadly force. Officer C pointed the beanbag at the Subject and removed the safety. Both Officers A and C ordered the Subject to drop the knife but he did not. The Subject then moved back out of the officers' view. Officer C advised he could no longer see the Subject.

Soon after, as Officer B stood at the open front door, he observed the Subject enter through the back door of the residence and walk through the living room out of his view. Seconds later, the officers heard the Victim screaming for help. Independently, each of the officers and sergeants felt that they needed to enter the location because they feared for the safety of the Victim.

Sergeant B knew that he already had officers assigned to lethal and less-lethal positions and, due to his prior experience working with the officers, he felt the officers were able to make entry into the house without specific tactical direction. Sergeant B believed he said, "Go." At this time, the officers entered into the front door of the home, Officer A with his handgun drawn to the low-ready position, followed by Officer B with his handgun drawn to the low-ready position, followed by Officer C with the beanbag shotgun, followed by Officer D and Sergeants A and B.

Officer A led the officers through the living room and through an interior doorway into the hallway. Officer A moved in the hallway and observed the Subject sitting on a bed in the farthest bedroom of the house. The bed was positioned in such a manner that it could be viewed from the hallway. The Victim was sitting on the floor in front of the Subject and he had a knife to the Victim's neck.

As the officers moved in the hallway, the Subject began to yell at the officers, saying, "I'm going to kill her. Officer A ordered, "Drop the knife. You're not in any type of trouble." The Victim screamed aloud, and the Subject continued by saying, "I'm going to kill her."

According to Officer A, the Subject removed the knife from the Victim's neck area and placed it behind her back, causing her to scream even louder. Officer A feared the Subject was now stabbing the Victim in the back. As a result, Officer A moved in the hallway until he took a position of cover in the doorway of the northernmost bathroom. Officer B took a position just to the right and slightly behind Officer A. Officer C remained behind Officers A and B with his beanbag shotgun at the low-ready position. Sergeant B took a position of cover in the bedroom doorway on one side of the hallway. Officer D entered the same doorway as Sergeant B and noticed Witness A laying on the bed. Officer D told Witness A to remain where he was until the incident was over. Sergeant A remained in the hallway.

Sergeants A and B both advised that they were acting as supervisors at this time and were constantly assessing the situation and considering different options.

At this time, the Subject stood up from the bed with the Victim in front of him. The Subject removed the knife from the Victim's back area and pointed it toward the officers and then back at the Victim several times while yelling at the officers to leave the house. Officer A continued to order the Subject to drop the knife. The Subject, still holding the Victim in front of him at knifepoint, began walking toward the officers. The Subject walked toward the officers then backed away several times while yelling at the officers

to leave. The Victim continued screaming as Officer A continued to give commands to drop the knife and now added orders for the Subject to get on the ground. After moving forward and back, the Subject moved more quickly toward Officer A, pointing the knife at the officers and bringing it back to the Victim's neck as he walked. Sergeant B heard Officer A order, "Drop the knife. Back up. Don't approach. Lay down."

The Subject ignored Officer A's commands and continued walking toward the officers. Sergeant A told the officers to get back. Officer B used his left hand to grab onto the rear of Officer A's equipment belt and guided him backward to ensure he did not trip. Officer B lowered his pistol down to his right side. Officer A walked backward in the hallway, while keeping his handgun forward. Each of the officers began to redeploy in the hallway. Officer C redeployed to a position of cover in the doorway of the southernmost bathroom on the side of the hallway. Sergeant A redeployed further in the hallway. Officer D remained in the east bedroom with Witness A and Sergeant B remained at his position of cover in the doorway to the bedroom.

Officer A continued to redeploy further in the hallway, walking backward with Officer B guiding him by his equipment belt. The Subject increased his speed, keeping the Victim in front of him, as he continued toward the officers and continuing to yell that he would kill the Victim. Officer A felt that the Subject was going to kill the Victim and considered using deadly force to stop his actions but told investigators that he did not have a clear shot due to the Victim's positioning in front of the Subject. Officer A continued redeploying rearward until he reached the side of the doorframe, which divided the two portions of the hallway. This position placed Officer A just inches away from Sergeant B, who was still in a position of cover in the doorway on the side of the hallway. At this point, Officer B was close to Sergeant B's position.

According to Sergeant B, when the Subject began moving toward Officer A, he unholstered his handgun to a left handed, low-ready position. Sergeant B felt like he needed to have his pistol out to help out in case something went wrong. Sergeant B advised his low ready was lower than usual and pointed into the bedroom instead of toward the Subject because of the close proximity and positioning of Officers A and B. The Subject continued moving toward the redeploying officers. Officer A continued to order the Subject to drop the knife.

Sergeant B stated it came to a point where the officers were backing up and it was like the Subject was forcing the situation. Sergeant B stated that when the Subject came up, he came really close to Officer A, and as he was coming, he removed his pistol and cocked the hammer. Sergeant B stated that he was getting ready because he knew they were at a disadvantage at this point because they could not fall back. The Subject had the knife at the Victim's throat and was moving fast. Sergeant B felt the situation was an immediate defense of life and there was no other option. Sergeant B fired one round, aiming at the Subject's head. Sergeant B stated that cocking the pistol gave him the ability to fire his gun with more precision. Sergeant B stated that if he had not fired at the Subject, there would have been a crossfire situation due to how the Subject was moving at the officers so his actions stopped that from taking place.

The Subject was struck by the fired round and immediately released his grip on the Victim and stumbled back. Officer B then pulled the Victim past him in the hallway between the officers. Officer A observed blood on the Subject's ear and observed him drop the knife as he moved backward in the hallway and then out of his view. Officer A followed after the Subject because he did not want to let him escape. Officers B and C and Sergeant B followed. When Officer A got to the bedroom he observed the Subject slowly stumbling backward toward the sliding glass door of the bedroom.

Officer A approached the Subject and grabbed his left arm near the sliding glass door in an attempt to gain control. Officer B observed the Subject on his knees and Officer A struggling with his left wrist. Officer B moved to a position where he could see the Subject's right hand and observed that he no longer had a knife. Officer B grabbed a hold of the Subject's right wrist with both hands and the Subject fell onto his back. Officers A and B kept their grips on the Subject's wrists as he attempted to kick and move his feet, and attempted to get back up off the ground.

Officer B placed his body weight on the Subject. Officer B laid his right elbow along the Subject's bottom jaw line as he spit and attempted to bite Officer B's elbow. Officer C ordered, "Turn over. Turn over. Stop resisting." Officer A also ordered the Subject to stop resisting. Officer C laid on top of the Subject using his body weight, rolled him over, and grabbed onto his left arm in an attempt to control him. Sergeant B placed his feet on top of the Subject's feet in an attempt to keep him from kicking.

The Subject pinched the skin on Officer C's arm and attempted to grab his groin. The Subject also pinched Officer B's skin. Officers A and C were able to pull the Subject's left arm behind his back, and Officer C used his handcuffs to handcuff the Subject's left wrist. Officer C then obtained his second set of handcuffs, locked the two handcuffs together, and then handcuffed the right wrist, which Officer B had pulled behind the Subject's back.

Sergeant A broadcast that the Subject was in custody. Sergeant A requested additional supervisors and requested a Rescue Ambulance.

Officers A, B, and C stood the Subject up. The Subject continued to pull away from the officers as they walked him out of the house. The officers had to use firm grips to walk him out of the house to Officer A's police vehicle. Upon arrival at the police vehicle, Officer A placed the Subject in the rear seat and attempted to seatbelt him in but he refused to remain still and moved away from Officer A. Officer A closed the rear doors to the police vehicle to contain the Subject while awaiting the RA.

Officers F and G arrived at the scene. At the request of Sergeant A, Officer F attempted to verbally calm the Subject down as he moved around in the rear of the police vehicle yelling profanities.

Los Angeles Fire Department (LAFD) personnel arrived at the scene. Sergeant A advised Officer F to transfer the Subject from the rear of the police vehicle to the gurney. Officer F opened the passenger side rear door of the police vehicle, but the Subject refused to exit the vehicle and continued to yell obscenities. Eventually, the Subject voluntarily exited the vehicle. Officer F placed a firm grip on the Subject's forearm and attempted to complete a finger flex wrist control. The Subject was able to defeat the finger flex wrist control and scratched Officer F's left forearm with his fingernails. Officer G firmly placed his hand on the Subject's shoulder in an attempt to calm him down. Using firm grips on the Subject's arms, Officers F and G walked the Subject to the awaiting gurney. The officers continuously pleaded with the Subject to relax and calm down, but he continued to yell obscenities.

When the Subject was in position in front of the gurney, LAFD assisted Officers F and G by pulling the Subject up onto the gurney in a seated position. Officer G then separated the two pairs of handcuffs behind the Subject's back, and he and Officer F handcuffed each arm to opposite rails of the gurney.

Los Angeles Board of Police Commissioners' Findings

The BOPC reviews each Categorical Use of Force incident based upon the totality of the circumstances, namely all of the facts, evidence, statements and all other pertinent material relating to the particular incident. In every case, the BOPC makes specific findings in three areas: Tactics of the involved officer(s); Drawing/Exhibiting of a firearm by any involved officer(s); and the Use of Force by any involved officer(s). All incidents are evaluated to identify areas where involved officers can benefit from a tactical debriefing to improve their response to future tactical situations. This is an effort to ensure that all officers' benefit from the critical analysis that is applied to each incident as it is reviewed by various levels within the Department and by the BOPC. Based on the BOPC's review of the instant case, the BOPC, made the following findings:

A. Tactics

The BOPC found Sergeant B, along with Officers A, B, C, F, and G's tactics to warrant a finding of Tactical Debrief.

B. Drawing/Exhibiting

The BOPC found Sergeant B, along with Officers A and B's drawing and exhibiting of a firearm to be in policy.

C. Non-Lethal Use of Force

The BOPC found Sergeant B, along with Officers A, B, C, F, and G's non-lethal use of force to be in policy.

D. Lethal Use of Force

The BOPC found Sergeant B's use of lethal force to be objectively reasonable and in policy.

Basis for Findings

A. Tactics

Detention

- The officers responded to a radio call to meet the Department of Mental Health on a male with mental illness. During their investigation, they determined the Subject did not meet the criteria for a mental evaluation hold and disengaged contact. The victim then entered the residence, where the Subject took the victim hostage, holding a knife to her throat. The officers' actions were appropriate and within Department policies and procedures.

Tactical De-Escalation

- Tactical de-escalation does not require that an officer compromise his 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 officers attempted to establish lines of communication with the Subject by verbalizing with him and calling his cellular telephone. However, he refused to comply and exit the residence.

After determining that there was not probable cause to enter the location, the officers chose to disengage. The Victim then entered the residence, and the Subject took her hostage, holding a knife to her throat. The officers entered the residence and verbalized with the Subject. Faced with an imminent threat of serious bodily injury or death, Sergeant B utilized lethal force to stop the deadly threat.

- In its review of this incident, the BOPC considered:

1. Tactical Communication/Tactical Planning

Sergeants A and B formulated and communicated a tactical plan to take the Subject into custody but did not assign the specific role of an arrest team.

Operational success is based on the ability of the 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. A sound tactical

plan should be implemented to ensure minimal exposure to the officers, while keeping in mind officer safety concerns.

In this case, prior to making initial contact with the Subject, Sergeant A formed a contact team with specific roles, such as less lethal and lethal, but did not designate arresting officers.

Additionally, when the Victim went into the residence, Sergeants A and B did not effectively communicate a plan as to how they would approach or detain the Subject if the situation escalated, forcing them to enter the residence. As a result, the officers were confronted with a fluid tactical situation that placed them at a tactical disadvantage.

Based on the totality of the circumstances, the BOPC determined that the Sergeants' actions were reasonable.

- The BOPC also considered the following:

1. Effective Encounters with Mentally Ill Persons

The investigation revealed that the officers responded to a radio call in which the Subject was being reported as possibly suffering from mental illness.

2. Stepping on Limbs

The investigation revealed that Sergeant B stepped on the Subject's feet while officers were taking him into custody. Sergeant B was reminded that stepping on a Subject's limbs can cause an officer to become off balance and may reflect unfavorably to the general public when doing so.

3. Maintaining Control of Equipment

The investigation revealed that Officer C placed the beanbag shotgun on the ground to assist with taking the Subject into custody. Officer C was reminded of the importance of maintaining control of his equipment.

The above topics were to be discussed during the Tactical Debrief.

- 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.

In this incident, the BOPC found Sergeant B, along with Officers A, B, C, F, and G's tactics to warrant a finding of Tactical Debrief.

B. Drawing/Exhibiting

- According to Sergeant B, the Subject ignored Officer A's commands and began walking toward the officers with the Victim slightly to the right side of his body, partially leaving his body exposed. As Officers A, B, and C started redeploying backwards, Sergeant B drew his service pistol to a low-ready position, believing the situation had escalated.

According to Officer A, as he approached the residence, he utilized a jeep parked in the driveway as cover. When Officer A attempted to verbalize with the Subject, he picked up what looked like a rock and threw it in the direction of the officers causing him to draw his service pistol. As Officer A assessed, he observed the object thrown was grass and dirt, and re-holstered his service pistol.

Later, while at the corner of the residence, Officer A observed the Subject at the corner of the yard armed with the knife. The Subject then advanced towards the officers, prompting Officer H to draw his service pistol to a low-ready position.

According to Officer B, looking from the front door through the house, he observed the Subject in the backyard holding a six-inch knife in his left hand and ordered him to, drop the knife. Officer B then advised the other officers that the Subject was armed, holstered his Taser, and drew his service pistol to a low-ready position.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Sergeant B, along with Officers A and B 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, the BOPC found Sergeant A, along with Officers A and B's drawing and exhibiting of a firearm to be in policy.

C. Non-Lethal Use of Force

- **Sergeant A** – (body weight)

According to Sergeant A, he observed the officers wrestling with the Subject and utilized his feet to apply body weight on top of the Subject's feet in an attempt to keep him from kicking.

Officer A – (firm grips, physical force)

According to Officer A, he followed the Subject into the bedroom. The Subject walked backwards and stumbled, falling to the ground. Officer A holstered his service pistol, moved forward, and attempted to grab the Subject's arms, but he

resisted. Officer A utilized a firm grip on the Subject's left arm as Officer B grabbed his right arm and placed him in handcuffs.

After taking the Subject into custody, they stood the Subject up and he continued to resist. Officer A utilized a firm grip to walk the Subject outside, before sitting him in the back of a police vehicle as they waited for the RA to arrive.

Officer B – (firm grips, body weight, physical force)

According to Officer B, he followed Officer A into the bedroom, grabbed the Subject's right wrist and wrestled him to the ground. The Subject continued to fight, scream, and spit, causing him to utilize body weight to pin the Subject down. When the Subject attempted to bite him, Officer B placed his right elbow along the Subject's jaw to prevent him from biting.

Officer C – (body weight, physical force, firm grip)

According to Officer C, he entered the bedroom and assisted Officers A and B with taking the Subject into custody. Officer C verbalized with the Subject to stop resisting, but he would not comply. Officer C then applied body weight on top of the Subject to hold him down and utilized physical force to roll him over. Officer C then used a firm grip on the Subject's left arm and handcuffed him.

Officer F – (firm grip, wrist lock)

According to Officer F, when the RA arrived, Sergeant A advised him and his partner, Officer G, to transfer the Subject from the rear of the police vehicle to the gurney. While transferring the Subject, he continued fighting against them. Officer F utilized a firm grip on the Subject's left forearm and attempted to complete a wrist lock. However, the Subject resisted and scratched his left forearm with his fingernails.

Officer G – (firm grip)

According to Officer G, while assisting Officer F walk the Subject to the RA, he was acting aggressive, causing him to utilize a firm grip on the Subject's right shoulder to control him.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Sergeant B and Officers A, B, C, F and G, while faced with similar circumstances, would believe that this same application of non-lethal force would be reasonable to overcome the Subject's resistance.

Therefore, the BOPC found Sergeant B, along with Officers A, B, C, F, and G's non-lethal use of force to be in policy.

D. Lethal Use of Force

Sergeant B – (pistol, one round)

According to Sergeant B, as the Subject advanced toward the officers, he feared that any further delay would have caused a cross-fire situation, putting the Subject between himself and the officers that were redeploying in the hallway.

Fearing for the safety of the officers and the Victim, and believing that there was no other option, Sergeant B manually cocked his service pistol into single-action mode, for a precision shot and fired one round at the Subject to stop the lethal threat.

Based on the totality of the circumstances, the BOPC determined that an officer with similar training and experience as Sergeant B would reasonably believe the Subject's actions presented an imminent threat of death or serious bodily injury and that the Use of Lethal Force would be objectively reasonable.

Therefore, the BOPC found Sergeant B's lethal use of force to be in policy.