

Summary 2015 Administrative Disapprovals

Date	FID#	Type	Division	AD Type	Notes
20150104 ¹	001-15	UD	Ramp	Neg UD	Operator error. Violation of Department Basic Firearm rules
20150105 ²	002-15	OIS	NHwd	Tactics	1) Sergeant B and Officers A and B did not notify SWAT or the Command Post that they were going to check out the adjacent property. 2) Officer B, after viewing suspect with a weapon began giving orders to the suspect, exposing himself instead of redeploying. 3) Sergeant B violated command and control by allowing officers to search the adjacent property without sufficient resources, helmets, or notification to SWAT of the Command Post.
20150115 ³	004-15	OIS	Msn	Tactics U of F	1) Sergeant A did not effectively communicate with the officers assigned to the team about their specific roles. He gave them multiple conflicting responsibilities. 2) Sergeant A had a barricaded suspect and did not request additional resources. 3) Sergeant A did not conduct a thorough assessment of the situation and decided to breach the door. He did not contact the Mental Evaluation Unit nor SWAT for advice. 4) It was not reasonable for Officer F to believe there was an imminent threat of death without seeing the knife.
20150121 ⁴	007-15	OIS	77th	Tactics	Officers: (1) did not discuss tactics at start of watch; (2) did not communicate during the incident; (3) engaged in vehicle pursuit without any discussion to post pursuit tactics; (4) did not broadcast sufficient information about fleeing suspects; (5) separation; (6) passing occupied vehicle; (7) left cover; (8) failed to utilize cover when chasing armed suspect; (9) passing unsearched suspects; (10) didn't carry TASER; (11) didn't carry hobble.
20150125 ⁵	008-15	OIS	Out	U of F	(1) should have taken more time to determine what was occurring.
20150207 ⁶	010-15	LERI	Hwd	Tactics	1) Sergeant A and B did not recognize a barricaded suspect situation and did not call SWAT. 2) Their decision to have officers climb the ladder compromised the safety of the officers. 3) The building was not evacuated.
20150210 ⁷	012-15	OIS	77 th	Tactics	(1) failure to communicate effectively with partner; (2) separation; (3) no Code 6; (4) did not utilize cover; (5) broadcast for back-up not help.
20150223 ⁸	016-15	OIS	SW	Tactics	1) The officers did not go Code 6 or broadcast a Code 5. 2) No written operational plan on the operation and on different frequencies. 3) The officers did not have on body armor.
20150226 ⁹	017-15	OIS	77 th	Tactics	1) Officers were not wearing their body armor. 2) Officer B had an unsecured firearm in his vehicle that he left unattended.
20150301 ¹⁰	018-15	OIS	Cent	Tactics	3/2 split: (1) Officer B failed to maintain control of his baton and pistol.
2015-03-03 ¹¹	019-15	OIS	Hlnbk	Tactics	1) Lieutenant A and Sergeant A did not demonstrate command and control. 2) Sergeant A involved himself in an incident (handcuffing and takedown of Suspect 4) instead of supervising. 3) Sergeant A did not accompany search team. 4) Lieutenant A not aware of different actions being conducted and therefore did not set the objectives, plan the strategy, and direct the tactical response.
20150305 ¹²	020-15	OIS	Out	Tactics U of F	<u>Tactics</u> (1) no Code 6; (2) did not discuss tactics at start of watch; (3) insufficient communication during incident; (4) failure to broadcast a help call; (5) pursued a possibly armed suspect; (6) should have used high risk vehicle stop; (6) initiating physical contact while holding pistol. <u>U OF F</u> : (1) not reasonable to believe in imminent danger.
20150315 ¹³	021-15	ICD	Fthl	Tactics	1) Officer B and C were not wearing their body armor. 2) The officers did not search the suspect. 3) The officers transported the suspect in the front seat, rather than the back, placing them at a tactical disadvantage.
20150315 ¹⁴	023-15	OIS	Nwtn	Tactics	1) Officers A, B, and C did not wear their body armor. 2) Officer A stopped the vehicle after driving 103 feet. He should have continued to drive out of the kill zone. 3) The officers were conducting activities outside their assigned area and had not notified the watch commander. 4) There was no communication among the officers of stopping the police vehicle or exiting the police vehicle. 5) There was no communication among the officers as to their knowledge that this was a gang area and that a gang feud was in progress. 6) Officer A had an unsecured pistol in the vehicle between the seat and the center console. When the officers exited the vehicle, it was readily accessible to suspects.
20150329 ¹⁵	027-15	OIS	Out	Tactics U of F	<u>Tactics</u> : (1) followed an armed suspect rather than notifying local jurisdiction; (2) did not notify jurisdiction until after OIS; (3) lack of reverence for life because he followed an armed suspect with another civilian in the officer's vehicle as a passenger; (4) left cover when he exited his vehicle; <u>U of F</u> : (1) round one was in policy since it was in response to suspect pointing a gun at officer, but rounds 2-4 were out of policy because the vehicle was moving away from the officer and violated the prohibition against shooting at moving vehicles; (2) when the vehicle was moving away from the officer, there was no longer an imminent threat of danger.
20150421 ¹⁶	031-15	OIS	Hlnbk	Tactics	(1) officers did not form a tactical plan; (2) did not have a TASER on their person; (3) Officer D should not have deployed to a place where he became trapped.
20150430 ¹⁷	033-15	TUD	Hwd	Tactics UD	<u>Tactics</u> : Detective A authored an incomplete Tactical Plan for service of the search warrant. (2) Detective A did not go Code 6 when arriving at the search warrant location. (3) Officer disengaged the safety on his shotgun during a tactical search. (4) Detective A did not don his body armor. (5) Officer A was not monitored after the unintentional discharge. (5) The suspects were kept in a kneeling position for an extended period of time. Lieutenant A was also Administratively Disapproved. <u>UD</u> : Officer A took the safety off and the unintentional discharge was negligent operator error.
20150501 ¹⁸	034-15	LERI	Hwd	Tactics	(1) The officers should not have entered the apartment until they had requested further resources. There was no exigency to enter the premises. (2) They should have waited for the arrival of additional resources and devised a tactical plan. (3) The third punch by Officer A was unreasonable because the suspect was handcuffed and he and Officer B should have been able to control him without a punch.
20150505 ¹⁹	037-15	OIS	Nwtn	Tactics	(1) The officers initiated a foot pursuit on an armed suspect rather than immediately going into containment mode and establishing a perimeter. (2) The officers separated, one in a vehicle and one on foot. (3) Officer A did not have cover on top of the dumpster.

20150505 ²⁰	038-15	OIS	Pac	Tactics D&E U of F	<u>Tactics:</u> (1) did not discuss tactics prior to making contact; (2) crossfire; (3) did not handcuff and search suspect. <u>D & E:</u> (1) video did not show suspect's hand near Officer B's holster, no reasonable belief that situation would escalate to point where deadly force may be justified. <u>U of F:</u> (1) video did not show subject's hand near Officer B's holster and Officer B did not feel jerky movements on holster nor did Officer B make any statements or actions suggesting suspect was trying to take away his pistol.
20150506 ²¹	039-15	TUD	Fthl	Tactics UD	<u>Tactics:</u> (1) failure to communicate observations and intentions; (2) incomplete and inadequate operations plan; (3) failure to cover rear leaving Sgt A alone to deal with possible armed suspect; (4) breached the door without requesting additional resources; (5) no request for a backup when suspect fled towards rear; (6) failure to contact SWAT for possibly armed barricaded suspect; <u>UD:</u> (1) finger on trigger when kicking door.
20150526 ²²	044-15	OIS	Ramp	Tactics	(1) the officers did not go Code 6. (2) The officers did not request a backup as they made their approach to 2 possibly armed suspects. (3) the officers did not communicate with each other before deploying from their vehicle. (4) Officer B separated from Officer A to pursue Subject 1. Also considered: (a) Officer B had his pistol drawn when he pursued Subject 1. (b) Officer A and B were not equipped with TASERS or Hobble Restraint Devices on their person. (c) Officer A broadcast a "shots fired" but did not broadcast a "help" call. (d) the Digital In-Car Video System was not activated.
20150507 ²³	052-15	HDSTK	Msn	Tactics U of F	<u>Tactics:</u> (1) Officers A and B did not advise communications of their location. (2) Officer A and B made contact with a suspect they believed could have a gun without waiting for additional resources to provide cover. (3) Officers A and B did not communicate or prepare a written operation plan for their surveillance operation. (4) The possibility of the suspect having a gun was not communicated to the other officers. (5) Officers A and B exited their vehicles to make contact with the suspects who were believed to be armed without utilizing cover. (6) Detective A and Officers A, B and C were not wearing body armor or raid jackets. (6) Officer B held his pistol in the direction of Detective A creating a possible crossfire. (7) Officer A approached Subject 1 with a firearm in one hand and a badge in the other which limits tactical options. (8) Officers A and B did not understand their roles, one time saying they were working in plainclothes capacity and another time saying they were working in an undercover capacity. <u>U of F:</u> Subject 1's action of ingesting narcotics does not present an imminent threat of death or serious bodily injury to Officer A therefore the lethal force of striking him on the head was unreasonable and appeared intentional in the video.
20150629 ²⁴	054-15	OIS	Ramp	U of F	Split Decision 3-2. (1) a trajectory analysis showed that the police vehicle was moving at the time the shots were fired (2) target acquisition was highly improbable at 108 feet from a moving vehicle. (3) it appeared Officer A was simply laying down cover fire without clear target acquisition. (4) background consisted of other people in the way. (5) Officer A was not the most proficient shooter, he failed to qualify once in 2013.
20150709 ²⁵	056-15	ICD	Harb	Tactics	(1) did not update their location when looking for the suspect; (2) did not request an RA in a timely manner; (3) additionally considered (a) suspect told to place hands on hood to be in front of In-car-camera, hoods can be hot; (b) did not activate rear seat camera prior to trying to get suspect in vehicle; (c) did not have hobble restraint device on their person; (d) stepped on suspects foot for control, could lose balance.
20150709 ²⁶	057-15	OIS	Wils	Tactics U of F	<u>Tactics:</u> (1) did not wait for additional resources before making contact with the suspect; (2) failed to properly maintain control of the TASER; (3) additional considerations: (a) unnecessary spark test; (b) rib cage and back TASER application not best, should be arm, thigh, or calf; (3) no hobble or baton on person. <u>U of F:</u> it was not reasonable to believe that the suspect's actions presented a threat of imminent death or serious bodily injury.
20150715 ²⁷	059-15	LERI	Cent	Tactics	(1) Detectives A, B, and C did not ensure that the officers location (Code 6) and operation (Code 5) was broadcast. (2) A written operational plan was not completed. (3) Officer C did not wear body armor or a raid jacket. Additional considerations (a) Detective C and Officer A made contact with the subject without waiting for additional resources to provide them with cover. (b) Digital In-Car Video System was not activated.
20150730 ²⁸	063-15	LERI	Msn	Tactics	(1) Officer A and C left two handcuffed suspects unattended as they attempted to control Subject. (2) Officer A was an experienced narcotics expert who should have recognized Subject was in agitated delirium, yet he directed Officer B to handcuff Subject while he handcuffed the other two suspects. Officer A (a) did not have a tactical plan for dealing with the subject. (b) did not consider the tactical "4-Cs" of Control, Communicate, Coordinate, and Control. (c) did not consider using the TASER until after backup officers arrived. (d) did not request a backup prior to attempting to handcuff the subject. € Officer A directed his attention to the other two suspects when Officer B was trying to handcuff Subject. (f) did not have an ambulance standing by prior to attempting to handcuff Subject. (3) an ambulance was not requested for 7 minutes after the contact.
20150806 ²⁹	065-15	OIS	SE	Tactics	(1) did not go C-6; (2) allowed Officer A to drive into alley looking for armed suspect; (3) approved tactical plan without designated roles and responsibilities; (4) lack of sufficient supervisory oversight in the field [3 and 4 for both Detective A and Detective B]
20150808 ³⁰	066-15	TUD	Wils	Tactics UD	<u>Tactics:</u> (1) Officer E did not communicate his intentions of searching underneath the bed to Officer F. (2) Officer E did not wait for assistance before attempting to search underneath the bed. <u>UD:</u> operator error.
20150812 ³¹	067-15	OIS	SW	Tactics	(1) the officers did not go Code 6 prior to trying to stop the subject. (2) officers initiated contact while still inside the police vehicle. (3) the officers did not discuss tactics at the start of watch and did not effectively communicate during the incident. Additionally: (a) Digital In-Car Video System was not activated. (b) Officer G ran with his pistol drawn. (c) the officers gave simultaneous commands to the subject. (d) Officer F ran with a TASER in one hand and a baton in the other. € the Officer G kicked the knife away from Subject, should have left evidence undisturbed.
20150810 ³²	069-15	LERI	77 th	Tactics	(1) Officer B did not communicate the bulge he saw to Officer A. (2) Officer B moved from the cover of his vehicle's door to detain Subject. (3) Officer B did not communicate his intention to approach Subject.
20150819 ³³	070-15	ICD	Ramp	Tactics	(1) Officer A did not wait for his partner to exit the police vehicle before making contact with Subject 1. (2) Officers A and B did not follow the Department's Narcotics Ingestion Protocol after they observed Subject 2 ingest narcotics. Protocol requires requesting an ambulance. Additional: (a) Officers A and B did not collect pieces of the plastic baggie that Subject 2 spit out. (b) Officers A and B did not have a hobble at the time of the incident.
20150827 ³⁴	075-15	OIS	VnNys	Tactics	(1) Officers A and B did not communicate with each other before entering the residence and pursuing the subject. (2) there were no exigent circumstances to enter the building and the officers should have waited for additional resources. (3) Deployment of OC in a close space resulted in

					secondary exposure concerns. (4) Officer A and B pursued the Subject into an unsearched residence without a tactical plan or sufficient personnel. Additional: (a) punches to bony areas could result in self-injury. (b) the officers left their TASERs in the police vehicle.
20150905 ³⁵	078-15	LERI	Fthl	Tactics	(1) Officers A and B approached and attempted to take the subject into custody when they believed he was possibly armed.
20150910 ³⁶	080-15	OIS	Msn	Tactics	(1) Neither detective was wearing body armor. (2) no Code 6 when they exited their vehicle. Detective B initially broadcast an incorrect location, corrected shortly thereafter. (3) Detective A did not advise his partner of his intention to turn into a residential driveway and park their vehicle.
20150915 ³⁷	081-15	OIS	Msn	Tactics	(1) Officers did not broadcast their location after they were flagged down. (2) Officers A and B did not discuss a tactical plan before proceeding to look for the armed suspect. (3) Sergeant A did not demonstrate the appropriate level of supervision because (a) he did not ensure the officers status and location after being flagged down by citizens reporting a man with a gun. (b) he allowed the officers to proceed after an armed suspect without discussing a tactical plan. (c) he did not broadcast his observations when he observed the suspect armed with a handgun. (d) he did not immediately separate the officers after the OIS. € he did not secure the scene after the OIS resulting in the manipulation of the suspect's weapon by Officer A.
20150927 ³⁸	083-15	OIS	Nwtn	Tactics U of F (Hayes)	<u>Tactics</u> : (1) Officers did not discuss tactics for suspects armed with a knife (although they did discuss the approach) (2) Officer C did not re-deploy as the subject advanced on him. <u>U of F</u> : (1) out of policy because Officer C's tactics left him in a vulnerable position along with the lack of considering a less lethal option such as the bean bag shotgun.
20151003 ³⁹	084-15	OIS	VnNys	U of F	Split 4-1. AD on first 4 rounds fired by Officer A. Unanimous on rounds 5-13. Unanimous on all rounds fired by Officer B. (1) evidence does not support that there was an objectively reasonable basis for the officers to identify the Subject as presenting an imminent threat of death or serious bodily injury.
20151018 ⁴⁰	085-15	LERI	NE	Tactics U of F	<u>Tactics</u> : AD but no specific reason given under than deviated from training. <u>U of F</u> : Although the Use of Force Board split 4-1 that the TASER use was in policy, the Board adopted the minority opinion that there was no immediate danger to the officer or others because the suspect was in flight, the TASER use was therefore out of policy.
20151027 ⁴¹	087-15	OIS	SW	Tactics	(1) parking 5 feet behind the stolen vehicle was too close. (2) officers decided to make contact without waiting for additional resources. (3) Officers did not discuss a tactical plan before making contact. (4) no Code 6 before exiting their vehicle. (5) Officer A approached the suspect without benefit of a cover officer. Additional considerations: (a) TASER left in vehicle. (b) Officer A had no hobble device on his person.
20151104 ⁴²	089-15	TUD	Msn	UD	(1) negligent.
20151109 ⁴³	090-15	OIS	WVly	Tactics	(1) Officer A did not effectively communicate with Officer B (a probationer). (2) officers did not request backup before approaching Subject.
20151209 ⁴⁴	094-15	NTUD	Pac	UD	(1) the firing of the real pistol was negligent.
20151219 ⁴⁵	097-15	NCKREST	Harbor	Tactics U of F	<u>Training</u> (1) Officer A and B did not formulate a tactical plan and did not communicate with one another prior to approaching the Subject. (2) the watch commander did not send a supervisor to the hospital with the transporting officers to provide oversight and monitor the Subject after the Subject had already attempted to disarm Officer A. Additionally: (a) both officers left their batons in the police vehicle. (b) the TASER cartridge was removed before activation when it is more effective is the cartridge remains attached. (c) the subject was reported as possibly suffering from mental illness. <u>U of F</u> : (1) Officer A unseated the magazine from his service pistol so the Subject would not be able to fire the weapon in the event he was able to gain control of his service pistol. Officer A would not reasonably believe that the Subject's actions presented an imminent threat of death or serious bodily injury at the time Officer A applied the carotid, therefore it was not objectively reasonable.
20151220 ⁴⁶	099-15	NTUD	WVly	UD	(1) the discharge was negligent.

¹ **SHORT STORY**: Officers responded to an ADW in progress three suspects in possession of handguns. As they arrived, they received word that one of the suspects had run into a market. The officers surrounded the market. Officer E removed the shotgun from its rack and chambered a round. He loaded a round into the shotgun from the butt-cuff. He took the safety off and placed his finger along the frame because he felt that the armed suspect may come out of the building shooting (a rear door was open). While re-positioning himself, he slipped. As he attempted to regain his balance, his finger wrapped around the trigger and he had an unintentional discharge into the ground. **BOPC FINDING: AD on Unintentional Discharge**: Operator error. Violation of Department's Basic Firearm Safety Rules.

² **SHORT STORY**: A victim reported that he had been kidnapped by a suspect armed with a gun. He had escaped and the suspect was still inside an abandoned building. Officers surrounded the building and requested SWAT and an air unit. SWAT arrived and swapped out the patrol officers from the perimeter. In the meantime, the air unit had found the suspect's car. Sergeant B was monitoring the car. Upon being relieved by SWAT, Officers A and B joined Sergeant B in monitoring the car. Sergeant B informed them that a witness had noticed a gate open on some abandoned property next to the suspect location. Sergeant B instructed Officers A and B to check that out in case the suspect had escaped the SWAT perimeter. No one notified the command post of this because Sergeant B felt it was beyond the area that the suspect was supposed to be in. The officers observed a shed and opened the door to check it out. The suspect was viewed pointing a gun at the shed door. The officers advised communications. SWAT responded and utilized gas. SWAT Officer N fired 3 rounds at the suspect. The suspect eventually surrendered. **BOPC FINDING: AD on Tactics**: 1) Sergeant B and Officers A and B did not notify SWAT or the Command Post that they were going to check out the adjacent property. 2) Officer B, after viewing suspect with a weapon began giving orders to the suspect, exposing himself instead of redeploying. 3) Sergeant B violated command and control by allowing officers to search the adjacent property without sufficient resources, helmets, or notification to SWAT of the Command Post.

³ **SHORT STORY**: The officers received a radio call from the Fire Department that they were responding to a call where a male had locked himself in the bathroom with a knife, threatening suicide. The suspect's brother briefed the Fire Department captain. The captain knocked on the bathroom door. The suspect opened it and the captain noted that the suspect was naked and had dried blood on his body. The suspect inquired if the Fire Department had a gun so they could shoot him, then closed the door. Officers and Sergeant A arrived and deployed around the door and covered the rear window. Sergeant A heard a noise in the bathroom, but the suspect did not respond. Sergeant A did not know if this failure was willful, or if the suspect was down and bleeding out. He decided that exigent circumstances existed and decided to breach the door. Sergeant A

deployed officers around the door, one equipped with a TASER. Officer F kicked the bathroom door. The suspect was holding a knife, screaming, and covered with blood. Officer D ordered the suspect to drop his knife. The suspect replied, "you are going to have to shoot me!" Several officers repeatedly told the suspect to drop the knife. Officer C observed the knife fall to the floor and announced, "the knife is down." The suspect began to exit the bathroom in the direction of the officers. Sergeant A yelled "TASER him." Officer B activated the TASER. Officer F observed the suspect cross the threshold of the bathroom in the direction of the officers and, still believing he had the knife, fired one shot as the TASER was fired. The suspect went down. He got up and continued advancing. He was TASERED two more times before the officers were able to handcuff him. **BOPC FINDING: Tactic and U of F:** 1) Sergeant A did not effectively communicate with the officers assigned to the team about their specific roles. He gave them multiple conflicting responsibilities. 2) Sergeant A had a barricaded suspect and did not request additional resources. 3) Sergeant A did not conduct a thorough assessment of the situation and decided to breach the door. He did not contact the Mental Evaluation Unit nor SWAT for advice. 4) It was not reasonable for Officer F to believe there was an imminent threat of death without seeing the knife.

⁴ **SHORT STORY:** Officers on patrol in a black and white. They see S1 in intersection blocking traffic. S1 gets into a vehicle with S2. Citizens yell that S1 has a gun and threatened them with it. Officers put on red lights and the vehicle pulled over then sped off. Eventually, the suspect vehicle loses control and crashes. S2 runs clutching his waistband. Officer A chases after him. S1 then exits the vehicle, pauses and runs. S3 and S4 exit the vehicle and prone out. Officer B chases S1. S3 and S4 then leave the scene. Meanwhile, S2 being pursued by Officer A, points a pistol at him. Officer A fired multiple rounds at S2. Officer B, hearing the shots, abandoned S1 and went to Officer A's position. The officers set up a perimeter. **BOPC FINDING: AD on tactics.** Officers: (1) did not discuss tactics at start of watch; (2) did not communicate during the incident; (3) engaged in vehicle pursuit without any discussion to post pursuit tactics; (4) did not broadcast sufficient information about fleeing suspects; (5) separation; (6) passing occupied vehicle; (7) left cover; (8) failed to utilize cover when chasing armed suspect; (9) passing unsearched suspects; (10) didn't carry TASER; (11) didn't carry hobble.

⁵ **SHORT STORY:** Detective A, at home, heard screaming outside her house. She went out to investigate and heard a female screaming "Don't touch me. Leave me alone. Stop grabbing me." Detective A called the sheriffs to respond. Detective B also heard the screaming and it was getting louder. The female was screaming "He's killing me." Detective B went outside and observed suspect straddling the victim and appeared to be choking her. She went silent and the detective thought she had gone unconscious. Detective B fired one round at the suspect. The round missed, but the suspect stopped. Detective A and B had suspect get in the felony prone position. It was determined that this was a family dispute between a father and daughter. **BOPC FINDING: AD U of F:** (1) should have taken more time to determine what was occurring.

⁶ **SHORT STORY:** A suspect climbed onto the roof of his residence and a family member called the police. Officers responded and saw the suspect on the roof and took cover behind the doors of their vehicle awaiting the arrival of the helicopter they had requested. The officers gave the suspect commands to come off the roof. He was unresponsive and continued pacing back and forth. The airship arrived and officers were placed in a containment position. The suspect had a box cutter in his hands and would pick up a cinder block and then a large piece of wood, pacing and behaving erratically. A sergeant formed an arrest team consisting of four officers equipped with less lethal devices. Sergeant A ordered the suspect to come down over the police vehicles public address system. There was no response. The Fire Department arrived with a ladder. Sergeant B formed a cover team of officers that would monitor the suspect from the ground while the arrest team ascended the ladder. The suspect picked up a piece of plywood. Officer K on the ground saw this and when the suspect started moving towards the officers on the ladder with the plywood raised over his head, he fired one bean bag round at the suspect. Unfortunately, the suspect crouched down and was hit in the face. He went down and the arrest team reached the roof and took him into custody. The Fire Department transported the suspect to the hospital where he was admitted for his injury. The subject later admitted to being high on methamphetamine. **BOPC FINDING: AD on Tactics:** 1) Sergeant A and B did not recognize a barricaded suspect situation and did not call SWAT. 2) Their decision to have officers climb the ladder compromised the safety of the officers. 3) The building was not evacuated.

⁷ **SHORT STORY:** Officers were in an unmarked vehicle. Officer A looked down an alley and saw S1 pointing a handgun at V1. S2 and S3 were standing next to S1. Believing he was witnessing a robbery or a murder, Officer A alerted Officer B who stopped the police vehicle and both exited. Officer A entered the alley and observed S1 aiming the gun at the head of V1. Officer A identified himself and ordered S1 to drop the gun. S1 turned toward the Officer A and Officer A fired 3 rounds. Officer B heard the rounds as he entered the alley. All 3 suspects were pruned. The pistol was an air soft replica. S2 was hit in the arm. Investigation revealed that it was not a robbery. **BOPC FINDINGS: AD on Tactics:** (1) failure to communicate effectively with partner; (2) separation; (3) no Code 6; (4) did not utilize cover; (5) broadcast for back-up not help.

⁸ **SHORT STORY:** Suspect 1 shot a victim in the neck. Suspect 1 and 2 then fled in Suspect 1's vehicle. Detective A requested Officer A's assistance in checking out Suspect 1's residence. Officer A, in doing so, observed Suspect 3, a relative of Suspect 1, exit the residence and appear to look for surveillance activities. On a later date, Detective B observed Suspect 1's vehicle at his residence. He notified Detective A and Officer A. In the meantime, Suspect 1 exited the residence and stood by his vehicle. Then Suspect 3 entered her vehicle and drove slowly past Detective B's vehicle, looked at him, did a U-turn and returned to the driveway and talked to Suspect 1. Suspect 1 got in his vehicle and drove toward Detective B. Detective B reclined his seat in an effort to lower his profile and lost sight of Suspect 1. Suspect 1 stopped his vehicle next to Detective B's vehicle and Detective B observed Suspect 1 pointing a gun at him. Suspect 1 fired shots at Detective B. Detective B returned fire. Suspect 1 drove away at a high speed. Detective B put out a help call. Suspect 1 drove to a neighbor's house and went in. Suspect 3 called 911 and requested an ambulance. Officers arrived and took Suspect 1 and 3 into custody. **BOPC FINDING: AD on Tactics:** 1) The officers did not go Code 6 or broadcast a Code 5. 2) No written operational plan on the operation and on different frequencies. 3) The officers did not have on body armor.

⁹ **SHORT STORY:** Officer A and B were conducting a narcotics investigation in plain clothes and in a plain vehicle. They observed a narcotics transaction and the suspects left, one on a bicycle. They notified uniform officers who arrested one suspect, but the suspect on the bicycle went out of sight. The officers drove around and saw a bicycle they believed was the one the suspect rode away on near a porch with several persons standing there. Lighting conditions were poor so they could not tell if the suspect was on the porch. They drove by again to get a better look. As they passed the location, a male stepped out into the street and began firing a handgun at them. Officer A stopped the police vehicle and turned around returning fire. Officer B opened the passenger door and also returned fire. The officer's car started rolling forward and Officer A put on the break, turned and re-engaged the suspect who was firing rounds at them, but hit his own cars window. They put out a help call and retrieved their vests and shotgun from the trunk and took cover behind their vehicle. An air unit and backup units arrived. A search team was formed and a rifle and pistol were recovered from the house. **BOPC FINDING: AD on Tactics:** 1) Officers were not wearing their body armor. 2) Officer B had an unsecured firearm in his vehicle that he left unattended.

¹⁰ **SHORT STORY:** S1 and V1 (both homeless) got into an argument over the use of a cell phone. S1 battered V1 and chased and hit him with a bat. V1 called 911. An RA arrived first and directed Sergeant A to a tent that S1 was in. Sergeant B and Officers A, B, C, and D arrived. S2 approached the officers and began demanding to be taken to jail. The officers attempted to calm S1 and S2 down. S1 suddenly jumped into the tent that had

not been searched. S1 had an object in his hand and was TASED. He dropped the object (cell phone) but was not affected by the TASER. S1 charged Officer B swinging his arms. Officer B dropped his baton and holstered his weapon unsuccessfully to defend himself. The officers all attempted to control the suspect using leverage and body weight. Meanwhile S2 had picked up the baton and was holding it like a bat. S2 was taken down to the ground. Officer A at that point felt S1 grabbing his gun. The pistol was coming out of his holster. Officer B yelled "He's got my gun." (BWV showed S1's hand on the pistol and that it was partially removed from the holster) Officer A, D, and Sergeant A fired shots. **BOPC FINDINGS: AD Tactics:** 3/2 split: (1) Officer B failed to maintain control of his baton and pistol.

¹¹ **SHORT STORY:** While waiting for the coroner to come to a scene, officers observed a white van drive up, stop, and fire rounds in the air. The officers attempted to follow the van, but lost it. The next day a suspect exited from a white van and started firing at a group of people on a porch. One was hit and .45 casings were recovered from the scene. Two days later, Officers C and D spotted a white van in the same area. They began following and eventually ended up going in pursuit. The van slowed down in an alley and Suspect 2 and 3 exited it and started running. Suspect 1 drove off in the van. Suspect 2 ran holding his waistband. Officer C and D followed Suspect 2 and 3 and Officer C exited the vehicle. Suspect 3 jumped over a fence and Suspect 2 crouched by the fence, turned and pointed a gun at the officers. Officer C fired 8 rounds and Suspect 2 went down hit in the leg. Suspect 2 threw his gun over the fence that Suspect 3 had jumped over. A shots fired help call was broadcast and an ambulance requested. Officers C and D, fearful that Suspect 3 was now in position of the weapon thrown over the fence, dragged Suspect 2 away from the fence and covered the yard on the other side of the fence. In the meantime, Officer G and H heard the gunshots and then observed Suspect 3 running through the backyards. Officer G cut him off and took him into custody. The gun was recovered in the backyard. Sergeant C arrived and declared himself the incident commander. As this was going on, other officers and the air unit were in pursuit of Suspect 1 in the white van. (a gun was later recovered on the pursuit route indicating that Suspect 1 had been armed and threw it from the vehicle). Suspect 1 eventually jumped out of the van leaving it in drive where it continued into a crash with a parked vehicle. Suspect 1 ran and Officers I, M, and N engaged in a foot pursuit. Officers J, K, and L cleared the van and then joined in the foot pursuit. Suspect 1 jumped over a total of 4 fences during the foot pursuit. While going over one fence, Officer M managed to grab the collar of Suspect 1's shirt, but the suspect wriggled out of the shirt and continued running. Officer M eventually caught up to the suspect and pushed him causing him to fall. Officers A, Q, R, and S joined with Officer M and they took the suspect into custody after a short struggle. Thereafter, Lieutenant A and Sergeant A arrived at the scene. Officer U, who was responding to help with Suspect 1, observed Suspect 4 exit a house and begin running towards where Suspect 1 was being taken into custody. Thinking that he was going to interfere with the arrest, Officer U grabbed Suspect 4 on the shoulder and asked him what he was doing. Suspect 4 ran towards an apartment building. Officer U recognized Suspect 4 as an associate of the same gang that Suspect 2 and 3 belonged to. Officer U pursued Suspect 4 and managed to slam an iron door at the entrance to the building preventing Suspect 4 from entering. Suspect 4 then cooperated with the detention. Officer U heard noises in the hallway on the other side of the door and feared that other gang members may be there and may also be armed. Sergeant A arrived and Officer U gave custody of Suspect 4, who had been removed from the area of the door, to Sergeant A. Lieutenant A observed that Sergeant A appeared to be having trouble controlling Suspect 4 and dispatched officers from the Suspect 1 arrest to help Sergeant A. Sergeant A had taken Suspect 4 to the ground because he was resisting being handcuffed. Suspect 4 was taken into custody; Officer U was addressing the sounds that he had heard from the hallway. Sergeant A organized a search team to go into the apartment building to determine if there were additional suspects. The search team entered and forced entry into two apartments. No further suspects were discovered. **BOPC FINDING: AD on Tactics:** 1) Lieutenant A and Sergeant A did not demonstrate command and control. 2) Sergeant A involved himself in an incident (handcuffing and takedown of Suspect 4) instead of supervising. 3) Sergeant A did not accompany search team. 4) Lieutenant A not aware of different actions being conducted and therefore did not set the objectives, plan the strategy, and direct the tactical response.

¹² **SHORT STORY:** Officers on patrol observed a vehicle traveling at a high rate of speed in a residential zone. They activated their red lights and the vehicle pulled over. As the officers approached the vehicle sped off. It had paper plates and the officers suspected that the vehicle was stolen. The pursuit continued at a high speed. Suddenly, the vehicle swerved and came to a stop. The driver opened the door and braced it with his feet. The officers thought 'ambush' and attempted to stop to the rear of the suspect's vehicle, but because of the sudden stop and their speed ended up swerving to the side of the vehicle to prevent crashing into it. The vehicles were side to side and the suspect opened the door of his vehicle which prevented the passenger door of the police vehicle from opening, trapping the passenger officer in the vehicle. The suspect exited, holding the door against the officer's door, and had his hands down at his waist band. Fearing he was about to be shot, Officer B fired six rounds from inside the vehicle at the suspect. Officer A had exited the vehicle. Suspect ran. Officers C and D arrived and the officers went in foot pursuit. The suspect went down with his arms under his body and his arms were eventually forced out. No gun was recovered. **BOPC FINDING: AD tactics and AD use of force: TACTICS** (1) no Code 6; (2) did not discuss tactics at start of watch; (3) insufficient communication during incident; (4) failure to broadcast a help call; (5) pursued a possibly armed suspect; (5) should have used high risk vehicle stop; (6) initiating physical contact while holding pistol. **U.O.F.F.:** (1) not reasonable to believe in imminent danger.

¹³ **SHORT STORY:** Vice Officer A observed Suspect, who he recognized as a prostitute from previous contacts, attempting to wave down vehicles with lone occupants. Officer A approached the suspect and she solicited him for an act of prostitution. Officer A signaled Officer B and C who followed Officer A and Suspect to a parking lot and placed Suspect under arrest for prostitution without incident. Suspect was handcuffed and Officer B requested a female officer for a search, but that request was not recorded on the Foothill frequency. Officer B asked Suspect if she had any weapons or narcotics. She replied 'no.' Officer B noted that Suspect was wearing tight clothes and did not appear to have any weapon on her person. Officers B and C placed her in the front seat of the plain car and drove Suspect to Foothill station where she was searched by Officer D. Suspect was placed in a holding cell. The Watch Commander interviewed the suspect. There was no indication that she would hurt herself. Suspect went to an area that was not covered by the security camera and attached a shirt to a handcuff ring and around her neck and hung herself. A passing officer glanced in and observed the suspect's stomach as if she were on the bench pushing it out. Walking by again, the officer noticed that the suspect was in the same position. This caused him to take a closer look and he could see that her face was discolored. He summoned a sergeant and they entered the holding cell, cut the shirt, and administered CPR. They called an ambulance and used defibrillator paddles to try to resuscitate Suspect. The ambulance arrived and took her to the hospital. Several days later, she died. **BOPC FINDING: AD on Tactics:** 1) Officer B and C were not wearing their body armor. 2) The officers did not search the suspect. 3) The officers transported the suspect in the front seat, rather than the back, placing them at a tactical disadvantage.

¹⁴ **SHORT STORY:** Officers A, B, and C were riding in an unmarked vehicle. They observed several males and females in a yard and on the sidewalk. A suspect began paralleling their vehicle, pointing at them, and saying something to the others. Several of the persons flashed gang signs. Two vehicles pulled up in the street and Officer A was forced to stop his vehicle. The officers heard two gunshots and the rear window of their vehicle shattered. Officer C ducked and observed a male with his right hand extended in front of him and believed he was being shot at. Officer C reached over the backseat and fired numerous rounds at the suspect. Officer C had a malfunction with his pistol. He cleared it and heard gunshots and fired additional rounds through the rear window in the direction of his previous shots. Simultaneously, Officer A heard a gunshot and felt a burning sensation to his right arm. The cars had cleared and Officer A drove further east on the street, stopped and placed his vehicle in park. Officer C did a tactical reload and exited the vehicle. He observed numerous people running and continued to hear gunfire. Officer B saw several males running in different directions and moved to get cover behind a parked vehicle. Officer B saw a suspect running with his arm extended back toward them and saw two muzzle flashes from the suspect's gun. Officer B fired at the suspect. Officer A also observed a suspect between a cinder block wall and a van. The Suspect had a handgun and was firing at the officers. Officer A moved across the street and fired multiple rounds at the suspect. Officer A put out a broadcast requesting assistance. Officer A removed his shotgun from the trunk of the vehicle. Officer C also retrieved his shotgun. The officers could hear gunfire. Officer B observed the suspect by the block wall appear over the wall and fire shots at them. Officer C observed a suspect stick his hand outside the door of a nearby residence and fire

shots at them. Officer B fired a shotgun round at this suspect and he went back into the house. Officer A also retrieved his shotgun and moved to the side of the street. He heard a gunshot and saw a suspect running toward the front door of a nearby residence while pointing a gun with his left hand. Officer A fired multiple rounds at the suspect. Officer C heard children crying in a vehicle across the street. Officer B provided cover and Officer B ran over and pulled the children out of the vehicle. He turned them over to officers in a responding black and white. Officer C then went back to his trunk and donned his tactical vest. A perimeter was established and SWAT responded. The suspects were not apprehended. A revolver wrapped in a shirt was recovered. **BOPC FINDING: AD on Tactics:** 1) Officers A, B, and C did not wear their body armor. 2) Officer A stopped the vehicle after driving 103 feet. He should have continued to drive out of the kill zone. 3) The officers were conducting activities outside their assigned area and had not notified the watch commander. 4) There was no communication among the officers of stopping the police vehicle or exiting the police vehicle. 5) There was no communication among the officers as to their knowledge that this was a gang area and that a gang feud was in progress. 6) Officer A had an unsecured pistol in the vehicle between the seat and the center console. When the officers exited the vehicle, it was readily accessible to suspects.

¹⁵ **SHORT STORY:** Off duty officer driving personal vehicle with a friend was cut off in traffic in another jurisdiction by suspect vehicle and exchanged angry words. The suspect vehicle did a U-turn and passed the officer's vehicle at a stop sign firing 2 rounds at the officer as he went by. Officer followed suspect vehicle to obtain a license plate number. He initially lost the vehicle in a cul de sac, then saw the vehicle backing out and coming toward him. The officer exited his vehicle. The suspect pointed a gun out of the vehicle (denied) and accelerated toward officer in an attempt to hit him (admitted). The officer redeployed and fired 5 shots at the suspect from behind another car. The suspect sideswiped the officer's car and escaped. He was later captured. No gun was found, but he had gunshot residue on his hands and neck. **BOPC FINDINGS: AD Tactics and AD U of F: Tactics:** (1) followed an armed suspect rather than notifying local jurisdiction; (2) did not notify jurisdiction until after OIS; (3) lack of reverence for life because he followed an armed suspect with another civilian in the officer's vehicle as a passenger; (4) left cover when he exited his vehicle; **U of F:** (1) round one was in policy since it was in response to suspect pointing a gun at officer, but rounds 2-4 were out of policy because the vehicle was moving away from the officer and violated the prohibition against shooting at moving vehicles; (2) when the vehicle was moving away from the officer, there was no longer an imminent threat of danger.

¹⁶ **SHORT STORY:** Officers received a radio call that a man had stabbed himself with a knife and was despondent. On arriving they saw a man in a wheel chair bleeding from the stomach. Officer A approached the man to render aid. Suspect pulled a knife from under his thigh. The officers repositioned themselves to the doorway and repeatedly ordered the suspect to drop the knife. The suspect rose from the wheelchair and began walking back and forth. He stabbed himself in the chest with the knife. He then started walking towards the officers. They backed out of the apartment into the hallway. Officer D stepped backwards 7-8 feet and found himself blocked in by a wall and a railing. Suspect walked rapidly towards him with his arm extended and the blade of the knife pointed at the officer. Officers B, C, and D fired simultaneously. Suspect went down, and then pushed himself out and lunged toward Officer D within 2 feet. Officer D fired another round. **BOPC FINDINGS: AD Tactics.** (1) officers did not form a tactical plan; (2) did not have a TASER on their person; (3) Officer D should not have deployed to a place where he became trapped.

¹⁷ **SHORT STORY:** Officers were tasked with serving a search warrant on a kidnapping narcotics case. A team was assembled from various specialized units. Lieutenant A and Officer A, Detective A and B were assigned and attended a briefing prior to the search warrant service. At the search warrant service, Officer A was on point with a semi-automatic shotgun. The first door was knocked on and there was no answer. The door was forced and Officer A was confronted with 3 suspects. He took the safe off his shotgun and ordered them to the floor. They complied and Officer A searched several other locations, forgetting that he had placed the shotgun safety in the off position. When he had to search a small closet area, he allowed his shotgun to be lowered on its sling and drew his pistol because of the limited space. He brushed against some clothes and the shotgun went off hitting his shoe. **BOPC FINDINGS: AD on Tactics and UD: Tactics:** Detective A authored an incomplete Tactical Plan for service of the search warrant. 2) Detective A did not go Code 6 when arriving at the search warrant location. 3) Officer disengaged the safety on his shotgun during a tactical search. 4) Detective A did not don his body armor. 5) Officer A was not monitored after the unintentional discharge. 5) The suspects were kept in a kneeling position for an extended period of time. Lieutenant A was also Administratively Disapproved. **UD:** Officer A took the safety off and the unintentional discharge was negligent operator error.

¹⁸ **SHORT STORY:** Witness A discovered her ex-boyfriend in her apartment with a knife. She had a restraining order against him and ran outside and called the police. He followed, punched her in the face and dragged her back into the apartment. Officer A and B received the request for assistance and were advised that the suspect had a knife. The officers approached the apartment and looked in the window. Witness A was sitting on the couch and the suspect was pacing back and forth. They were not arguing and the officers could see that he did not have anything in his hands. Officer A knocked on the door and Witness A was observed to get up to answer it while the suspect retreated further into the apartment. Witness A opened the door and ran out of the apartment crying and appearing frightened. She pointed back inside and said, "that's him." The suspect walked towards the door and stopped just inside the threshold. He was holding a can of beer. The officers ordered him outside. He refused and cursed at the officers. Believing that he could still be armed with the knife and wishing to handcuff him for their safety while they conducted the investigation into domestic violence, the officers entered the apartment and each grabbed one of the suspect's arms. The suspect resisted and they all went down on top of a bed. A call for backup was broadcast. The suspect tucked his left arm underneath his body in the area of his waistband. Believing that the suspect might be arming himself with the knife, Officer A struck the suspect in the face with his fist. The suspect's resistance softened and the officers were able to gain control of his arm and pull it behind his back. All went down to the floor as the suspect continued struggling, but eventually the officers forced the suspect into handcuffs. A broadcast was made to responding units that the suspect was in custody. The officers began walking the suspect to their police vehicle. The suspect became like deadweight, looked back at Officer A and violently threw his head back in an attempt to head butt Officer A. Officer moved to his left to avoid being struck and to redirect the motion of the suspect's head struck him in the face with his left fist. The motions cause the suspect and Officer B to fall to the ground. The suspect went down face first landing on the sidewalk. Officer A and B picked the suspect up, who continued to threaten the officer, and called an ambulance. The suspect was admitted to the hospital for further observation. **BOPC FINDINGS: AD on Tactics:** 1) The officers should not have entered the apartment until they had requested further resources. There was no exigency to enter the premises. 2) They should have waited for the arrival of additional resources and devised a tactical plan. 3) The third punch by Officer A was unreasonable because the suspect was handcuffed and he and Officer B should have been able to control him without a punch.

¹⁹ **SHORT STORY:** Officers A and B observed a subject walking on the side of a roadway. He looked at the police vehicle and had a surprised look on his face. He turned and walked away from the officers holding his waistband with his right hand. Officer B saw a bulge in the subject's waistband as he turned away. The subject began running. The subject approached a closed gate and looked back at the officers with a panicked look on his face still holding his waistband with his right hand. The subject jumped over the gate and ran down the driveway. The officers believed that the subject was possibly armed. Officer B stopped the police vehicle and Officer A exited and followed the subject over the gate. Officer B exited the vehicle and looked through the closed gate and observed the subject grab his waistband and run in the yard. Officer B broadcast that officers were in foot pursuit and requested a backup. Officer B got back in his vehicle and drove to a point where he observed the silhouette of someone jumping over a wall. Officer B parked his vehicle. In the interim, Officer A ran after the subject and observed him holding his waistband. The subject jumped over a wall that was topped with razor wire and Officer A lost sight of him. Officer A went into containment mode and climbed on top of a dumpster for a better view. He saw the subject come out from behind a vehicle with a semiautomatic pistol in his right hand. The subject raised the weapon towards Officer A, who yelled for him to drop the gun. The subject didn't and Officer A fired one round. The subject ran behind a vehicle then out again with the gun pointed at Officer A, who fired another two rounds as the subject went in and out behind vehicles. Officer B heard

the shots and put out an officer needs help broadcast. He could also see Officer A on top of the dumpster, who stated that he was not injured. A perimeter was set up by responding units. An air unit arrived. Sergeant A arrived and took a public safety statement. Officer A believed he had hit the subject. A K9 unit arrived. A search plan was developed and a K9 warning was broadcast. A firearm was recovered. The K9 located the subject, who surrendered. He was bleeding and first aid was administered and an ambulance requested. **BOPC FINDING: Ad on Tactics:** (1) The officers initiated a foot pursuit on an armed suspect rather than immediately going into containment mode and establishing a perimeter. (2) The officers separated, one in a vehicle and one on foot. (3) Officer A did not have cover on top of the dumpster.

²⁰ **SHORT STORY:** Officers received a radio call about a person and his dog causing a disturbance. Officer A and B responded. Officer B activated his body camera. Suspect and other persons with him showed signs of intoxication. Officers told the persons they would have to leave. Suspect yelled a racial slur at Officer A and left. Suspect walked to another open business, loitered out front and yelled racial epithets at people walking into the business. Officer A requested an additional unit. Suspect became involved in a minor scuffle with a witness. The witness pushed the suspect to the ground. Officers told the witness that they would deal with the suspect. Officers told the suspect to place his hands behind his back. Suspect yelled expletives and did not comply. Officers struggled with suspect and took him to the ground. Officer A believed that the suspect was trying to take possession of his partner's gun and fired 2 rounds into the suspect. **BOPC FINDINGS: AD on Tactics; AD on D & E; AD on U of F:** **Tactics:** (1) did not discuss tactics prior to making contact; (2) crossfire; (3) did not handcuff and search suspect. **D & E:** (1) video did not show suspect's hand near Officer B's holster, no reasonable belief that situation would escalate to point where deadly force may be justified. **U of F:** (1) video did not show subject's hand near Officer B's holster and Officer B did not feel jerky movements on holster nor did Officer B make any statements or actions suggesting suspect was trying to take away his pistol.

²¹ **SHORT STORY:** Parole Compliance Unit officers went to a residence to arrest a parolee with desertion status. The officers formed up in a stick. An officer knocked on the door. He could see the suspect through the window running inside a rear bedroom. The officer's forced the door and entered. Sergeant A went to the rear of the residence to watch the back window. When Officer A kicked the bedroom door, he had his pistol out and his finger slipped onto the trigger and he had an unintentional discharge. **BOPC FINDING: AD Tactics and AD on UD:** **Tactics:** (1) failure to communicate observations and intentions; (2) incomplete and inadequate operations plan; (3) failure to cover rear leaving Sergeant A alone to deal with possible armed suspect; (4) breached the door without requesting additional resources; (5) no request for a backup when suspect fled towards rear; (6) failure to contact SWAT for possibly armed barricaded suspect; **UD:** (1) finger on trigger when kicking door.

²² **SHORT STORY:** Subject 1 and 2 attempted to remove a laundry cart from a laundromat. Witness A and B confronted them and told them they could not do so. Witness A took the cart back in. When he came out, Subject 2 threatened Witness A with violence and threatened to take his car. Subject 1 produced a handgun and pointed it at Witness A's head. At this moment, Witness A observed a black and white at the intersection and began yelling and waving his arms to get help. Officers A and B heard the yelling. Officer B turned on the vehicles spotlight and illuminated the group. Officers did not see a gun, but formed the opinion that Witness A and B appeared to be scared and intimidated by Subjects 1 and 2, who turned and were rapidly walking away. Officers drove down the street towards Subjects 1 and 2 and as they drove by Witness A and B heard them yelling that the subjects had a gun. Officer B drove past the subjects to cut them off. Both officers yelled to the subjects to stop and put their hands up. They were ignored. Officer B stopped the police vehicle angled towards the subjects and both officers exited. Commands were continued, but they were ignored. Subject 2 stepped behind a parked vehicle and Officer A momentarily lost sight of him. Using his vehicle as cover, Officer A moved behind and was able to see Subject 2 on the sidewalk facing him. Officer A directed Subject 2 to put his hands up and turn around, but was ignored. Officer A observed a slight bulge in Subject 2's right front waistband area. Subject 2 then crouched forward and placed both of his hands to his right front waistband. Subject 2 took two to three steps toward Officer A with his hands underneath his clothing around his right waistband area. Officer A could not see his hands and ordered him again to put his hands up and turn around. Subject 2 ignored the commands and took another step toward Officer A. Officer A fired one round striking Subject 2 in the lower abdomen. Subject 2 fell forward onto his stomach on the sidewalk. Officer A approached and handcuffed Subject 2. Officer A recovered a large cylinder-shaped Bluetooth speaker from Subject 2's waistband area. Simultaneously, Officer B paralleled Subject 1 with vehicles parked on the curb between them. Officer B pointed his pistol at Subject 1 and repeatedly yelled for him to stop and show him his hands. Subject 1 ignored those commands. Subject 1 was hunched over, holding his waistband, as he attempted to conceal himself behind the parked cars. Subject 1 removed a handgun from his right front pocket and tossed it under a parked vehicle. The gun discharged. Officer B yelled at Subject 1 to get down on the ground with his hands behind his back. Subject 1 complied. He was handcuffed and a folding knife was recovered from his pocket. Officer B could see Officer A standing on the sidewalk and walked Subject 1 towards him. Assistance was requested and an ambulance requested. The gun was recovered under the vehicle. **BOPC FINDINGS: AD on Tactics:** (1) the officers did not go Code 6. (2) The officers did not request a backup as they made their approach to 2 possibly armed suspects. (3) the officers did not communicate with each other before deploying from their vehicle. (4) Officer B separated from Officer A to pursue Subject 1. Also considered: (a) Officer B had his pistol drawn when he pursued Subject 1. (b) Officer A and B were not equipped with TASERs or Hobble Restraint Devices on their person. © Officer A broadcast a "shots fired" but did not broadcast a "help" call. (d) the Digital In-Car Video System was not activated.

²³ **SHORT STORY:** Officers A and B were in plain clothes and a plain vehicle monitoring narcotics activity. They had information that Subject 1 was selling narcotics at a motel and had been provided a vehicle description. Subject 1 had recently bragged about obtaining a small handgun. The described car was located at the motel. The car belonged to Subject 1's girlfriend, Subject 2. They maintained a view of the vehicle. Officer B entered the motel office and obtained the room registered to Subject 1. Officer A contacted Detective A and Officer C and requested their assistance. Initially, the plan was to follow the subjects, but due to traffic conditions, Officer A decided to detain them in the parking lot. The other officers were so advised. Officer A drove in behind Subject 1's vehicle and exited displaying his badge. Subject 1 was standing outside of his vehicle and looked surprised. Officer B observed Subject 2 moving inside the vehicle and feared that she was arming herself or concealing narcotics. He approached her and focused his attention on her. Subject 1 removed a plastic bag, placed it in his mouth, and walked away from Officer A. Subject 1 took a drink out of a soda can that he was holding. Officer A ordered him to spit it out and pushed the back of his head down on his chin, as he had been trained. Since he had drawn his gun when Subject 1 went into his pocket, fearing that the gun was being drawn, Officer A had his gun in his hand when he did this and the pistol butt struck Subject 1 on the head. (a motel video showed a more deliberate motion) Officer A turned Subject 1 clockwise and pushed him to the ground. The other officers arrived and Subject 1 was taken into custody and an ambulance was requested for a gash on his head. **BOPC FINDING: AD on Tactics:** **Tactics:** (1) Officers A and B did not advise communications of their location. (2) Officer A and B made contact with a suspect they believed could have a gun without waiting for additional resources to provide cover. (3) Officers A and B did not communicate or prepare a written operation plan for their surveillance operation. (4) The possibility of the suspect having a gun was not communicated to the other officers. (5) Officers A and B exited their vehicles to make contact with the suspects who were believed to be armed without utilizing cover. (6) Detective A and Officers A, B and C were not wearing body armor or raid jackets. (6) Officer B held his pistol in the direction of Detective A creating a possible crossfire. (7) Officer A approached Subject 1 with a firearm in one hand and a badge in the other which limits tactical options. (8) Officers A and B did not understand their roles, one time saying they were working in plainclothes capacity and another time saying they were working in an undercover capacity. **U of F:** Subject 1's action of ingesting narcotics does not present an imminent threat of death or serious bodily injury to Officer A therefore the lethal force of striking him on the head was unreasonable and appeared intentional in the video.

²⁴ **SHORT STORY:** An anonymous person reported she heard shots fired and a vehicle speeding away. Several officers and sergeants responded. Officers A and B had responded Code 3 (which activates the Digital In-Car Video System) and heard units going Code 6 on the location and heard them request more information, which caused them to believe that there was no evidence of shots fired and a Code 4 would soon come out. They shut down the DICVS. When they arrived in the area, they cruised slowly with their windows down listening for any further shooting. As they approached a street, they heard shots. They saw a male figure on the sidewalk. As they continued into the intersection, they heard more shots. Officer B stopped the police vehicle. Officer A observed a subject in a white shirt holding an object in his right hand with his arm extended and pointing toward the other man that he had seen on the sidewalk. There was also a group of four to five individuals standing north of them on the street. Officers A and B heard gunshots and observed muzzle flashes and realized the subject was holding a handgun. The subject turned in their direction pointing the gun at them. Officer A extended his hand out of his passenger door window and fired 7 rounds at the suspect at a distance of 108 feet. The subject ran and was never identified. **BOPC FINDING: AD on U of F:** Split Decision 3-2. (1) a trajectory analysis showed that the police vehicle was moving at the time the shots were fired. (2) target acquisition was highly improbable at 108 feet from a moving vehicle. (3) it appeared Officer A was simply laying down cover fire without clear target acquisition. (4) background consisted of other people in the way. (5) Officer A was not the most proficient shooter, he failed to qualify once in 2013.

²⁵ **SHORT STORY:** Suspect exited a truck, yelled "help me, help me" and wandered aimlessly in an intersection. He then got back in the truck and drove off until he fell out. The truck continued and crashed into a fence. Suspect stood up and walked into traffic. Then took off his shirt and began walking with a gallon of water in his hands. Witnesses called the police. Meanwhile the subject tried to get in the passenger side of a Port Police vehicle. He was prevented by the officer who thought he appeared to be a mad man. Suspect walked on the road and would throw objects at vehicles. Officers arrived and requested a backup. Officers sat the suspect down and handcuffed him using two pairs of handcuffs because of his large size. Officers attempted to get the suspect in the police vehicle but he would not put his legs in and began kicking. He used his weight to push himself out of the vehicle and the officers guided him to the ground. Suspect began saying "heart attack-heart attack." Officers used body weight to hold the suspect down as he was kicking and moving from side to side. Officers put a hobble restraint device on the suspect's legs and placed him on his left side. A Rescue Ambulance was requested. Officers noted that the suspect did not appear to be breathing. They placed the suspect in the seated position, but still no pulse. CPR was begun. A breathing mask was also brought into use. A heartbeat was felt, but then again stopped. The RA arrived and took the suspect to the hospital, but he did not survive. **BOPC FINDINGS: AD Tactics (1)** did not update their location when looking for the suspect; (2) did not request an RA in a timely manner; (3) additionally considered (a) suspect told to place hands on hood to be in front of In-car-camera, hoods can be hot; (b) did not activate rear seat camera prior to trying to get suspect in vehicle; ©did not have hobble restraint device on their person; (d) stepped on suspects foot for control, could lose balance.

²⁶ **SHORT STORY:** Officers responded to a radio call about a man breaking windows with a skateboard. Officers saw the broken window and observed the suspect walking and saw him swing the skateboard at a store window. Officers exited their vehicle and ordered the suspect to get on the ground. The suspect mounted his skateboard and skated away. The officers returned to their vehicle and followed the suspect. He would periodically fall off his skateboard, then get back on and continue down the street. When the suspect fell, Officer A, believing they had an opportunity to seize the skateboard, stopped the vehicle and told Officer B to grab it. Officer B exited the vehicle and ran toward the skateboard. So did the suspect. Officer A saw that Officer B was going to lose the race and feared the suspect would use the skateboard against his partner. He exited the vehicle and ran towards them. Officer B drew his p and ordered the suspect not to pick up the skateboard. Officer A arrived from the rear and grabbed suspect in a bear hug before he could be up the skateboard. Officer B holstered. Suspects hands were under his body and the officers struggled with him to get his hands out and in cuffs. The officers eventually used blows to no effect. Officer A told Officer B to use the TASER. Officer B did so several times with no result. Officer A broadcast a help call. Officer A was exhausted. Officer B, seeing that the TASER was having no success decided to grab the suspects legs. He could not holster the TASER because the holster was on his side that was on the ground. He placed the TASER up on a step and grabbed the suspect's legs with his legs to try and control his kicking and tried to control one of the suspects arms. The suspect managed to get control of the TASER and started TASERing Officer B. Officer A heard Officer B screaming and shaking as well as hearing the TASER fire. Officer A felt his partner was incapacitated and being seriously injured along with the possibility that the suspect would be able to get Officer B's gun because he could not see the suspect's hands. Officer A drew his weapon, ordered the suspect to drop the TASER, and when he did not fired one round into the suspect's back. The suspect ceased struggling. **BOPC FINDINGS: AD on Tactics and AD on U of F:** **Tactics:** (1) did not wait for additional resources before making contact with the suspect; (2) failed to properly maintain control of the TASER; (3) additional considerations: (a) unnecessary spark test; (b) rib cage and back TASER application not best, should be arm, thigh, or calf; (3) no hobble or baton on person. **U of F:** it was not reasonable to believe that the suspect's actions presented a threat of imminent death or serious bodily injury.

²⁷ **SHORT STORY:** A specialized unit was conducting plainclothes narcotics enforcement in a designated area. The operation was utilized on a nearly daily basis. It consisted of an observation post with chase teams stationed out of sight. The observation post would observe narcotics activity and call in arrest teams. The observation post observed a sale go down and the units were called in. As the officers were exiting their vehicle, the subject appeared to look at them and took a bindle and placed it in his mouth. Officer A ordered him to spit it out and grabbed his left arm. Officer C heard Officer A yelling spit it out and grabbed the subject's three fingers on his right hand. Officer C had intended to grab the hand, but only got three fingers which he used to get the arm in position for handcuffing. Due to the ingestion of narcotics and complaints about the finger, an ambulance was requested and he was taken to the hospital. The incident was initially handled as a Non-Categorical Use of Force. Several days later, the hospital notified the Department that the subject was being admitted due to the injury he sustained to his right middle finger. **BOPC FINDING: AD on Tactics:** (1) Detectives A, B, and C did not ensure that the officers location (Code 6) and operation (Code 5) was broadcast. (2) A written operational plan was not completed. (3) Officer C did not wear body armor or a raid jacket. Additional considerations (a) Detective C and Officer A made contact with the subject without waiting for additional resources to provide them with cover. (b) Digital In-Car Video System was not activated.

²⁸ **SHORT STORY:** Officers were detailed to monitor a strip mall for narcotics and prostitution activity. Officer B observed individuals along the side of the parking lot in possession of a hypodermic needle. Officer A, who was a qualified narcotics expert, noticed that the subject exhibited symptoms of being under the influence of a combination of methamphetamine and heroin. Subject was in the company of Witness A and B, who were also in the area of the dumpsters. All were detained for investigation of narcotics activity and trespassing. All three were handcuffed. Officer B attempted to get Subject into the police vehicle. Subject became rigid and refused to get in the car. Officer A put Witness A and B in a position where he could see them and assisted Officer B. Subject thrashed around and became violent and he was taken to the ground. Another unit arrived. Officer A got assistance to stand Suspect up because he was concerned that he was overdosing. When standing, Suspect became aggressive again, violently thrashing around. He was taken back to the ground. Body weight and eventually a hobble was attempted to be applied to control the subject. Subject continued thrashing and kicking with his legs. Officer C applied the TASER in contact mode which restored some control and allowed the hobble to be put in place. The TASER had to be used again to allow the officers to tie the knot in the hobble. Sergeant A arrived and assisted in guarding Witness A and B. Other officers arrived and they got Subject in the back seat of the police vehicle where he began kicking and spitting. A spit hood was placed over his head. Sergeant A started to conduct a Non-Categorical use of force investigation and attempted to interview Subject. Sergeant A noted Subject had a blank stare and was breathing heavily. He feared that Subject may be suffering from an overdose and requested an ambulance. The Fire Department ambulance arrived and attempted unsuccessfully to communicate with him. They requested that he be placed on a gurney. When he was extracted from the police vehicle, he began to resist again and lunged at an officer. The TASER was

used more times and eventually Suspect was placed on the gurney. At the hospital, he was treated and the next day released for booking. He was transported to a Department facility. During booking, he began complaining of chest pain. An ambulance was summoned and he was transported to an emergency room. The doctor opined that he was admitted due to substance abuse and the effects of the TASER. **BOPC FINDING: AD on Tactics:** (1) Officer A and C left two handcuffed suspects unattended as they attempted to control Subject. (2) Officer A was an experienced narcotics expert who should have recognized Subject was in agitated delirium, yet he directed Officer B to handcuff Subject while he handcuffed the other two suspects. Officer A (a) did not have a tactical plan for dealing with the subject. (b) did not consider the tactical "4-Cs" of Control, Communicate, Coordinate, and Control. © did not consider using the TASER until after backup officers arrived. (d) did not request a backup prior to attempting to handcuff the subject. € Officer A directed his attention to the other two suspects when Officer B was trying to handcuff Subject. (f) did not have an ambulance standing by prior to attempting to handcuff Subject. (3) an ambulance was not requested for 7 minutes after the contact.

²⁹ **SHORT STORY:** Detectives A, Officers A and B observed a suspect holding a pistol out in an extended hand pointing in a westerly direction. The pistol moved backward twice as if being fired. Suspect ran and officers put out a backup on a shooting suspect and gave location and description. The detectives drove into an alley following the suspect at a distance of 15-20 yards. They momentarily lost sight of him and slowed their vehicle down. Suspect had scaled a fence and on the other side got stuck when his clothing got hung up in the fence. As Officer A brought the vehicle to a stop, he advised Detective A and Officer B that the suspect had gone over the fence. He looked out his window and saw the suspects hand and a gun come over the fence and point at him. Officer A drew and fired twice through his passenger window, shattering it. Detective A exited the vehicle and ordered suspect to drop his gun. When he did not, Detective A fired 3 rounds and then saw the gun drop. Officer B put out a help call and the suspect was taken down from the fence and handcuffed. **BOPC FINDING: AD Tactics:** 1. Code Six. Detectives A and B did not advise Communications Division (CD) of their Code Six location. The purpose of going Code Six is to advise CD and officers in the area of their location and the nature of the field investigation, should the incident escalate and necessitate the response of additional personnel. The BOPC determined that Detective A and B's failure to ensure their personnel went Code Six was a substantial deviation without justification from approved Department tactical training. 2. Back Up / Help Call Detective A and Officers A and B requested Back-Up for a suspect that they knew was armed with a handgun and had likely just fired the weapon. Although officers are given discretion regarding the appropriate time to broadcast a request for additional resources based on the ongoing tactical situation, it would have been tactically advantageous for Officer B to broadcast a Help Call when he observed the suspect armed with a handgun in order to alert responding personnel of the seriousness of the incident. Based on the totality of the circumstances, the BOPC determined that Officer B's actions did not substantially deviate from approved Department tactical training. 3. Pursuing Armed Suspects Detective A and Officers A and B pursued Subject 1, whom they knew was armed with a handgun. Containment of an armed suspect demands optimal situational awareness. The ability to maintain the tactical advantage rests on the ability of the officers to effectively communicate, thus ensuring a coordinated effort and successful resolution. In this case, Detective A and Officers A and B were in plainclothes in an unmarked vehicle when they observed Subject 1 armed with a handgun and began to follow him as he fled from the area. Although Officer B indicated that they were approximately 15 to 20 yards away from Subject 1 and that the officers indicated they were only tracking the suspect until they could establish a perimeter, in this circumstance it would have been more tactically prudent for the officers to hold their position and go into containment mode. It is the BOPC's expectation that officers are decisive in their actions during a rapidly unfolding, life-threatening situation while taking into consideration police work is inherently dangerous. In this case, the officers were attempting to minimize the continued threat to the public while dealing with a fleeing armed suspect. Based on the totality of the circumstances, the BOPC determined, that the actions of Detective A and Officers A and B were reasonable and not a substantial deviation from approved Department tactical training 4. Tactical Vehicle Deployment Officer A stopped their police vehicle next to where he believed Subject 1 had climbed over the fence. Operational success is based on the ability of the officers to effectively plan and approach each incident in a safe manner, keeping officer safety in mind at all times. Officers when faced with an ongoing tactical situation must remain alert to improve their overall safety, by their ability to recognize an unsafe situation and work collectively to ensure a successful resolution. Officer A stopped the police vehicle where he last observed Subject 1 climbing over a fence with the intent of establishing a perimeter in order to contain the suspect. However, unbeknownst to Officer A, Subject 1's pants had become caught on the top of fence thus preventing him from being able to touch the ground or get down off the fence. The BOPC was particularly critical of Detective A, the supervising officer, who was in the vehicle with Officer A. The BOPC concluded that Detective A had a responsibility to prevent Officer A from continuing to follow the armed suspect further into the alley. In this incident, it would have been tactically prudent for Officer A to stop the vehicle, further away from Subject 1's last known whereabouts in order to prevent placing himself or his partners at a tactical disadvantage. ¶ The BOPC additionally considered the following: 1. Target Selection – According to Officer A, as he engaged Subject 1 with his service pistol he fired his weapon at the gun Subject 1 was holding in his hand, instead of aiming at the largest target, as officers are trained. 2. Holding Service Pistol in Right Hand and Hand-Held Radio in Left Hand – Officer B drew his service pistol in his right hand while holding his hand-held radio in his left hand. Officers are reminded the tactical disadvantage of having a service pistol in one hand and an additional piece of equipment in the other hand. 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 that the tactics be evaluated based on the totality of the circumstances. In conducting an objective assessment of this incident, the BOPC found that the approval of a tactical plan without designated roles and responsibilities, coupled with the lack of sufficient supervisory oversight in the field by Detectives A and B as the incident unfolded was a substantial deviation without justification from approved Department tactical training, thus requiring a finding of Administrative Disapproval. Additionally, the BOPC found that Officers A and B's tactics did not substantially deviate from deviate from approved Department tactical training.

³⁰ **SHORT STORY:** Officers responded to a radio call of a male threatening to kill himself or others at a residence. Witness C was called out of the residence and told the officers that he didn't believe anyone was in the residence and that he had guns in the residence. Officers decided to check the residence for the suspect and formed a team to go in. They entered and located the suspect in a bedroom. The officers continued the search. Officer E had his pistol out and when he lifted a mattress to look under the bed, he accidentally put his finger on the trigger and discharged his pistol into the floor. **BOPC FINDING: AD on Tactics and UD: Tactics:** (1) Officer E did not communicate his intentions of searching underneath the bed to Officer F. (2) Officer E did not wait for assistance before attempting to search underneath the bed. **UD:** operator error.

³¹ **SHORT STORY:** Subject entered a business, placed a note down that said, "I have a gun" and pulled out a knife telling the clerk not to push any buttons. The clerk put the money in a brown paper bag and gave it to the subject. Communication Division received the 911 call from the employee and broadcast a description of the subject. Officer B responded and put out a crime broadcast with the subject's description and the fact that she was armed with a knife. Officers G and H observed Suspect walking down the sidewalk with an unknown male. The male and Subject parted and Subject continued toward an alley. Officer G ordered Subject to stop, but she continued toward the alley. Officers G and H exited their vehicle and broadcast that they were Code 6 in the alley with the suspect. Subject immediately drew a knife and began running away from the officers. Officer G broadcast that "She's got a knife in hand, she's running." Officers G and H began chasing the Subject while continually ordering her to stop and drop the knife. Officer E and F arrived and joined the foot pursuit. The subject stopped abruptly and doubled back towards the officers. She raised the knife in her right hand. Officer G began backpedaling in an attempt to create more distance between himself and the Subject. Subject continued to advance and Officer G fired five rounds from a decreasing distance of 10 to 6 feet. Officer F simultaneously fired his TASER, but missed. The foot pursuit covered 240 feet and lasted 19 seconds. The officers provided first aid and requested an ambulance. **BOPC FINDING: AD on Tactics:** (1) the officers did not go Code 6 prior to trying to stop the subject. (2) officers initiated contact while still inside the police vehicle. (3) the

officers did not discuss tactics at the start of watch and did not effectively communicate during the incident. Additionally: (a) Digital In-Car Video System was not activated. (b) Officer G ran with his pistol drawn. © the officers gave simultaneous commands to the subject. (d) Officer F ran with a TASER in one hand and a baton in the other. € the Officer G kicked the knife away from Subject, should have left evidence undisturbed.

³² **SHORT STORY:** Witness A was driving to work. As she drove, she observed a male wearing a red shirt, red pants, and a red bandana covering the lower half of his face. The male held a pistol in his left hand and a spray paint can in his right. Witness A called the police. A "man with a gun" radio call was broadcast. Officer A and B were assigned. The searched the area and observed Subject who fit the description. Officer B broadcast their location, but at the wrong intersection. Officer A parked the vehicle toward Subject to keep him in front of the vehicle. Subject, however, continued to walk and stopped a few feet past the right front bumper of the police vehicle. Officer B noticed a bulge in Subject's right pocket. The officers began to approach and Subject ran. Officer B was running about 15 feet behind Subject when Subject reached into his pocket. Officer B feared it was a gun and pulled his TASER and fired it into Subject's back. Subject went down to the ground. Officer A was 15 feet to Officer A's right side and broadcast that they were in a foot pursuit. Subject was handcuffed without further incident. He had a small contusion on his head. A hairbrush was found in the suspect's right pocket. Officer A broadcast that the suspect was in custody, requested a supervisor and an ambulance. Subject's mother approached the officers and said he was mentally ill, had been hiding in the bushes, and stated that he wanted to kill himself. Subject was uncooperative and combative as he was placed in the ambulance. Sergeant C did a Non-Categorical use of force report. Three days later, the Department received information that Subject had been admitted for a skull fracture. **BOPC FINDING: AD on Tactics:** (1) Officer B did not communicate the bulge he saw to Officer A. (2) Officer B moved from the cover of his vehicle's door to detain Subject. (3) Officer B did not communicate his intention to approach Subject.

³³ **SHORT STORY:** Officers A and B were assigned to monitor quality of life issues at a park. Officers observe a female, Subject 1, and a male, Subject 2, seated on a mattress by the restroom facility. Subject 1 appeared to be smoking meth with a glass pipe. Officer A exited the police vehicle as Officer B placed the vehicle in park. Officer A placed Subject 1 in handcuffs and recovered the glass pipe. Simultaneously, Officer B approached Subject 2 who picked up a plastic baggie and put it in his mouth. Officer B ordered Subject 2 to spit it out, but Subject 2 refused and kept chewing. Officer A did not consider requesting an ambulance because Subject 2 did not appear to be in medical distress. Subject 1 was yelling and screaming. Officer B requested an additional unit. Officer C and D arrived. Officer D escorted Subject 2 to his vehicle. Officer C and D noticed that Subject 2 was having difficulty breathing and he was sweating. Officer D requested an ambulance. The ambulance transported Subject 2 to the hospital where cardiac life support protocols were initiated without success. **BOPC FINDING: AD on Tactics:** (1) Officer A did not wait for his partner to exit the police vehicle before making contact with Subject 1. (2) Officers A and B did not follow the Department's Narcotics Ingestion Protocol after they observed Subject 2 ingest narcotics. Protocol requires requesting an ambulance. Additional: (a) Officers A and B did not collect pieces of the plastic baggie that Subject 2 spit out. (b) Officers A and B did not have a hobbler at the time of the incident.

³⁴ **SHORT STORY:** Officers received a radio call that someone was stealing her water. Officer A and B responded. They observed a hose running from the victim's house to a vacant house next door. The officers went next door and shined their lights inside and didn't see anything. They decided to return to the victim and pull her hose back. As they walked through the rear yard, a door in the rear of the vacant house opened. Officer A illuminated the area with his flashlight and observed Subject standing in the doorway. Officer A ordered him to exit the residence. Subject seemed hesitant to comply. He was given more commands and Subject's hand went to his waistband. His hands went up then back down and Officer A believed that Subject was only tightening his pants. Subject attempted to close the door, but Officer A grabbed the Subject's arm and attempted to pull him outside. Subject managed to pull away. Officer A then delivered a one second burst of his OC, but it made contact with the Subject's upper shoulder area and back of the head. Officer B requested a backup. Officer A followed Subject into the hallway and did another burst of OC. This time it connected to Subject's face. Subject ignored orders and attempted to flee through the front door, but it was locked. The officers took him to the ground, but he resisted and punched Officer A in the chest and attempted to elbow Officer B. Officer A punched Subject in the face twice. Officer B felt the suspect pulling on his belt and Subject made a reaching motion and retrieved a long narrow object from the floor. Officer A felt a violent strike twice on the top of his head. Subject then swung at Officer B's head hitting him along the side of his face. Officer A pushed himself away from the subject who rose to a crouched position and got into a swinging stance. Officer A fired his pistol at the suspect who fell to the floor. **BOPC FINDING: AD on Tactics:** (1) Officers A and B did not communicate with each other before entering the residence and pursuing the subject. (2) there were no exigent circumstances to enter the building and the officers should have waited for additional resources. (3) Deployment of OC in a close space resulted in secondary exposure concerns. (4) Officer A and B pursued the Subject into an unsearched residence without a tactical plan or sufficient personnel. Additional: (a) punches to bony areas could result in self-injury. (b) the officers left their TASERS in the police vehicle.

³⁵ **SHORT STORY:** Subject was behaving erratically. Witness C called the police and told them that Subject was mentally ill and under the influence of narcotics and was tearing up the front yard. Officer A and B answered the call. Officer A approached and observed Suspect holding a pit bull by its collar. Officers went Code 6 and exited their vehicle. Officer A told Subject to secure the dog and step outside the property. Subject refused to comply. After 5 minutes, Officer A requested another unit. Officer A observed a cylindrical bulge in Subject's pocket and ordered him to put his hands up. He complied. Officer B sprayed the dog with OC. The dog became disoriented. Fearing that Subject might gain control of the dog, or go into the house where 84-year-old Witness D resided, Officer A entered the property and grabbed Subject on the shoulder while Officer B stood to Officer A's rear. Subject swatted Officer A's hands away and stepped back. Officer A sprayed Subject's face with OC. It was ineffective. Subject obtained control of the dog and advanced on the officers. The dog was growling so the officers retreated behind a gate. Officer C and D arrived and the officers formed a plan to enter the yard, detain Subject, and hold the dog off with a fire extinguisher. Officers A and D attempted to place the Subject's hands behind his back. The Subject directed the dog to "Get em." The dog charged and Officer C sprayed the fire extinguisher into the dog's face with little effect. In backing away from the dog, Officers A, B, D, and Subject tripped and fell onto two mattresses prior to exiting the front yard. The dog continued advancing and the officers and Subject fell into the gate and dragged Subject outside of the front yard onto the sidewalk. Subject struggled with the officers and called the dog to "sic em." The dog's teeth made contact with Officer A's right knee at which time Officer A fired 3 shots striking the dog. The dog fell. Subject broke free and ran. Officer D pursued the Subject. The subject's resistance caused him and all the officers to collapse and fall on the gate. He grabbed the gate, then put his hands under his body. Fearing that the bulge might be a gun, Officer D sprayed Subject with OC. Sergeant A arrived at the scene and observed the officers struggling with Subject. Sergeant A told the officers to back up and directed Officer A to use the TASER. After the TASER warning, Officer A fired and activated the probes. Subject did not comply. Officer A activated the TASER again. The officers attempted to put handcuffs on Subject but he continued to resist. Sergeant A directed that he be hobbled. A spray can was recovered from the subject's pocket. Sergeant A requested an ambulance. Subject continued resisting and had to be strapped to the gurney. Subject was transported to the hospital and admitted. **BOPC FINDING: AD on Tactics:** (1) Officers A and B approached and attempted to take the subject into custody when they believed he was possibly armed.

³⁶ **SHORT STORY:** Subject was involved in a dispute and fired a pistol round into the ground. Later he returned, and from his vehicle, pointed his pistol at the residence and fired shots at the victims. They phoned 911 and reported this and stated that the subject had a terminal illness. A broadcast went out with this information and a description of the subject. Detective A and B, in a plain vehicle, saw the subject's vehicle. They followed and began a broadcast to request other units. Subject suddenly pulled to the curb and stopped his vehicle. Detective A pulled to the curb. Subject pulled away and the detectives followed. The Subject made a quick U-turn and headed back towards the detectives. They believed that Subject had identified them as officers. Detective A did a quick turn into a driveway and both detectives exited their vehicle for cover. Detective B made it

to some trash cans and observed Subject stopped with his arm extended towards Detective A. Detective B could not see what Subject had in his hand because of windshield reflections, but believed Subject was about to fire on his partner. Detective B fired four rounds at Subject. Subject accelerated away and out of sight. The subject was later apprehended by responding units. A gun was recovered on the street. Subject denied pointing it at Detective A. **BOPC FINDING: AD on Tactics:** (1) Neither detective was wearing body armor. (2) no Code 6 when they exited their vehicle. Detective B initially broadcast an incorrect location, corrected shortly thereafter. (3) Detective A did not advise his partner of his intention to turn into a residential driveway and park their vehicle.

³⁷ **SHORT STORY:** Witness A, working for a courier service, was approached by Subject and offered \$5 to use his phone. Witness A saw a silver handgun tucked into the subject's waistband and declined. Subject followed Witness A and asked where he could find a payphone. Witness A stated that he did not know. Subject walked away. Witness A called 911 and relayed what he saw. A broadcast was made and numerous units responded, but the Subject was not located. Later, Witness A saw the subject standing with other males and phoned it in to 911. Officer A and B were driving down the street when Witnesses A and B waived them down. They pointed out the man with a gun. Officer B broadcast the information. Sergeant A and Officers C and D were in the area. Officer A and B continued driving and observed Subject standing on the sidewalk. Officer A told Officer B to stop the car and he slightly opened his passenger door. Subject looked in their direction and began to walk at a fast pace away from them. Officer B kept the subject approximately 30 feet in front of him as he drove. The officers observed that Subject had a beer can in his left rear pants pocket. Subject drew a gun and began to run alongside a vehicle out of the officer's view. Officer A told Officer B to stop the car, "he has a gun." Officers exited their vehicle and drew their weapons. Officer A pried the vehicle to attempt to observe the subject. He could see the subject's feet under the vehicle moving back and forth. When Officer A observed the subject, Subject moved the slide of his pistol to the rear to rack the action. Officer A yelled to Officer B that Subject had a gun. Subject pointed his gun at Officer B and Officer A heard a pop. Officer A fired two rounds at Subject. Simultaneously, Officer B fired two rounds when he saw the gun being pointed at him. Subject fell to the ground. **BOPC FINDING: AD on Tactics:** (1) Officers did not broadcast their location after they were flagged down. (2) Officers A and B did not discuss a tactical plan before proceeding to look for the armed suspect. (3) Sergeant A did not demonstrate the appropriate level of supervision because (a) he did not ensure the officers status and location after being flagged down by citizens reporting a man with a gun. (b) he allowed the officers to proceed after an armed suspect without discussing a tactical plan. © he did not broadcast his observations when he observed the suspect armed with a handgun. (d) he did not immediately separate the officers after the OIS. € he did not secure the scene after the OIS resulting in the manipulation of the suspect's weapon by Officer A.

³⁸ **SHORT STORY:** Witness A phoned 911 and reported that a female subject was holding a knife and screaming at him in front of his place of business. A broadcast was put out with a description and that the subject threatened PR thru window and that the same thing occurred last week with the same suspect. This was a general unassigned broadcast. After about 5 minutes, the call was assigned to Officers A and B. Approximately 10 minutes after the original broadcast, Officers C and D volunteered to respond to the call. Both officers were assigned TASERS. Officer A's TASER was in the rear of the police vehicle while Officer D's was worn on his belt. Officer D arrived at the location and parked in the number 2 lane adjacent to the parking lane which contained parked vehicles. Upon seeing the officers, Subject walked with a quick pace towards them with the knife clenched in her right fist and held at waist level. As Officer C exited the vehicle, he warned Officer D by stating "She's got a knife!" Officer A took cover behind a parked vehicle, drew his pistol and with his radio in his other hand requested a backup. He holstered his radio and yelled 6 times for the Subject to stop and drop the knife. Subject continued advancing at a fast pace yelling unintelligible things, one of which contained the words "shoot me." When the subject was 4 to 5 feet from Officer A, he fired one round and she went down. Simultaneously, Officer D was walking around the rear of the police vehicle when he observed the subject coming at his partner with a knife, he drew and fired two rounds at about the same time that Officer C fired. Officer C requested an ambulance and Officer D handcuffed the subject. Subject was pronounced dead at the hospital. The investigation determined that the subject, upon seeing the police vehicle, walked 70 feet in 11 seconds. **BOPC FINDINGS: AD on Tactics and U of F: Tactics:** (1) Officers did not discuss tactics for suspects armed with a knife (although they did discuss the approach) (2) Officer C did not re-deploy as the subject advanced on him. **U of F:** (1) out of policy because Officer C's tactics left him in a vulnerable position along with the lack of considering a less lethal option such as the bean bag shotgun.

³⁹ **SHORT STORY:** The Department issued a Safety Notification Bulletin that informed officers of a videotape depicting an individual who was parked behind a LAPD officer. The video panned down to reveal a silver revolver in his lap. Later that day, Officers A and B were returning to the police station and awaiting a red light at an intersection. Witness A saw Subject walk in the direction of the officer's vehicle from the rear. He appeared upset and was cursing. He walked up to the rear of the vehicle and threw a beer bottle at the officer's rear window shattering it. Officer A and B believed that they had been shot at and looked back to see a 12-inch hole in their rear window. The officers believed they were being ambushed from behind. Both officers partially exited the vehicle and observed Subject standing in the road with an object in his hand. Officer A believed it to be a black handgun. Officer B believed it was a black object. The subject was advancing. Both officers believed they had just been shot at and the subject would shoot again. Officer A fired 2-4 rounds at the Subject. At the same time, Officer B fired 3 rounds. Subject walked toward the sidewalk. As he walked, he pivoted his body toward the officers with the black object in his hand. Officer A fired an additional 6-8 rounds at the subject. Officer B fired 2 more rounds. Officer A broadcast a help call and responding officers handcuffed Subject and requested an ambulance. He expired at the scene. Nothing was recovered to explain the black object observed by the officers. **BOPC FINDING: AD on U of F: Split 4-1. AD on first 4 rounds fired by Officer A. Unanimous on rounds 5-13. Unanimous on all rounds fired by Officer B.** (1) evidence does not support that there was an objectively reasonable basis for the officers to identify the Subject as presenting an imminent threat of death or serious bodily injury.

⁴⁰ **SHORT STORY:** Auto detectives received a stolen vehicle report. The vehicle was equipped with an automated vehicle locator device. The detectives received an approximate location for the vehicle. Officers A and B met with the detectives. While still at the station, a broadcast was heard that a citizen was reporting that a male was seen removing license plates from a vehicle in the area. Officer A and B left the station en route to the location, they observed Subject driving the described stolen vehicle. The officers followed and requested an air unit, backup, and supervisor. Subject made many turns and finally drove out on a bicycle path along the Los Angeles River. At this point, officers initiated a pursuit. Sergeant A joined the pursuit and the air unit was above. Subject went on a dirt road and weaved around concrete columns until arriving at a temporary light stand that blocked his path. He stopped, exited the vehicle, and ran. The officers arrived and went into foot pursuit. Officers E and F joined the pursuit when the subject ran across their path ignoring their commands to stop. Officer F shouted a warning that he was going to use a TASER. Subject kept running. Subject climbed over another rail and Officer F fired the TASER as Subject reached the top of the rail. The darts went in and Subject went over the corner edge of the rail and fell 15 feet onto the dirt below. Officer F did not know that there was a drop off on the other side of the rail. The air unit requested an ambulance. Subject was handcuffed by officers. He was conscious and breathing. Subject had a fractured pelvis and remained in the hospital for 4 days. He told investigators that he had recently been released from jail and did not want to return as the reason for fleeing. **BOPC FINDING: AD Tactics and U of F: Tactics:** AD but no specific reason given under than deviated from training. **U of F:** Although the Use of Force Board split 4-1 that the TASER use was in policy, the Board adopted the minority opinion that there was no immediate danger to the officer or others because the suspect was in flight, the TASER use was therefore out of policy.

⁴¹ **SHORT STORY:** Officer A and B, on patrol, ran the license plate of a double-parked vehicle as they drove by it. It came back as a stolen. They did a U-turn as the vehicle pulled in to the mouth of a driveway. Officer B stopped the police vehicle in the street behind the stolen vehicle. Subject exited the vehicle by the driver's door. Subject had his hand in his right pocket. Officer A ordered him to not remove his hand and stop. Subject did not comply and continued to back away. Officer A moved forward and reached out to control the Subject's hand when Subject turned and attempted to run away. Officer A grabbed both of Subject's upper forearms

from behind. Subject spun around with a knife in his right hand. Subject swung at Officer A with the knife. Officer A grabbed Subject's right arm and the two began to fight. Officer A yelled "partner, he has a knife." Officer B grabbed Subject's right arm so he could not stab Officer A. They all fell to the ground. Officer A fell under them and hit his head on the concrete. They continued to struggle. Subject freed his left arm and punched Officer A on the left side of his mouth. Officer B was holding the right arm with the knife. Officer A felt a tug on his holster and the retainer strap came down. He capped the weapon to keep it from being removed from his holster. At this point, Officer A heard Officer B say "partner, I'm cut." Officer A tried to knee Subject in the groin, but was unsuccessful. Officer A feared that he had to end this fight, his partner might be bleeding to death. He removed his pistol and fired one round into the subject. Subject dropped the knife and the officers handcuffed Subject and called an ambulance. He was treated and transported to the hospital. Officer B had only minor cuts. **BOPC FINDING: AD on Tactics:** (1) parking 5 feet behind the stolen vehicle was too close. (2) officers decided to make contact without waiting for additional resources. (3) Officers did not discuss a tactical plan before making contact. (4) no Code 6 before exiting their vehicle. (5) Officer A approached the suspect without benefit of a cover officer. Additional considerations: (a) TASER left in vehicle. (b) Officer A had no hobble device on his person.

⁴² **SHORT STORY:** Officer A was in the police station garage preparing to go to the firing range. He removed his magazine and then, thinking that he had also removed the chambered round, conducted a dry press on the pistol's trigger. He had not removed the chambered round and the pistol discharged into the floor boards. **BOPC FINDING: AD on UD:** (1) negligent.

⁴³ **SHORT STORY:** An anonymous male called 911 and reported a male in the middle of the street causing vehicle traffic to swerve to avoid hitting him. A broadcast was put out and Officer A and B reported that they would handle it. While checking the area, they were flagged down and a citizen advised that the man was bleeding, mumbled something unintelligible, and walked behind a house. The officers and the air unit proceeded to the house. Officer A retrieved a bean bag shotgun from his trunk. As he was doing so, the officers observed Subject standing in the middle of the street. Officer A slung the shotgun. Subject then waved both hands with clenched fists above his head in an aggressive fighting stance while shouting and screaming something unintelligible. Officers shouted at him to get on the ground, but were ignored. Subject then darted to the sidewalk and lay down on his back and rolled back and forth. As the officers approached, Subject jumped to his feet and moved in their direction at a fast walk. Subject had blood on his upper left arm. As Subject moved towards the officers, he placed his hand to his waistband area. Subject then removed his hand from the waistband and simulated pointing a weapon at them with an extended two had grip. Officer A unslung his bean bag shotgun. Officer A fired one round with no warning because there was no time. Subject lurched forward. Officer A began back peddling to give himself more distance, but the subject was approaching faster than Officer A was back peddling. Officer A fired two more bean bag rounds. Officer B fired his TASER and struck Subject. Subject was right on top of Officer A and Officer A struck him with the barrel of his shotgun on the shoulder. Officer A lost his balance and fell backwards onto his buttocks and dropped the beanbag shotgun to his right. Officer C put out a help call. Subject immediately bent over and picked up the beanbag shotgun. He attempted to manipulate the slide then raised it over his head, as if to use it to strike Officer A. Officer B drew his weapon. Officer A began to scoot back and drew his weapon. Officer A fired one round. Simultaneously, Subject fired a beanbag round at Officer A, missing him. Subject began walking backward and continued to manipulate the slide handle of the beanbag shotgun. When the Subject reached the sidewalk, he bent down and pointed the beanbag shotgun at Officer A. Officer A stood up and fired 5 rounds at the subject. Officer B fired 3 rounds. Officers awaited backup and the subject was handcuffed. An ambulance was requested and they declared Subject deceased. **BOPC FINDING: AD on Tactics:** (1) Officer A did not effectively communicate with Officer B (a probationer). (2) officers did not request backup before approaching Subject.

⁴⁴ **SHORT STORY:** Training Division was conducting in-service training at a Department facility. They were doing scenario training in which infrared pistols and infrared vests were used. No live weapons were supposed to be allowed in anyone's possession. Officer C was a designated Safety/Security Roving officer and was carrying his weapon. Officer C elected to carry two extra infrared pistols on his person in anticipation of faulty equipment so that he could supply officers in scenarios in a more efficient manner. Officer A and B were role players in the scenarios. Officer C and B were friends. Officer C saw Officer A and B between scenarios. Officer B was wearing an infrared vest. Officer C and B were joking with each other and Officer B simulated punching Officer C. Officer C decided to pull an infrared pistol and shoot Officer C in the infrared vest (it causes a mild shock). Unknown to him, he drew his real pistol, pointed it at Officer C and fired. Fortunately, he missed. **BOPC FINDING: AD on UD:** (1) the firing of the real pistol was negligent.

⁴⁵ **SHORT STORY:** Officers A and B were assigned a radio call on a vandalism suspect. Victims described the suspect who had been throwing bottles over their wall damaging windows and vehicles and stated that he might have mental problems. Officers observed the suspect on the other side of the wall and decided to interview him. Officers drove around the block to where the subject was on the sidewalk. They parked and approached him. Officer A advised by radio that they were on a follow-up to the radio call. As they approached, Subject jumped up and let out a roar-like yell, while clenching his fists. Officer B ordered the Subject to walk toward him. Subject did not comply. He continually stated 'why.' Officer B ordered the Subject to place his hands behind his back. He did not comply. Officer B requested a backup. Officer A removed his TASER and told the subject "Don't make us do this. We just want to talk to you. Relax." He told Subject to face the wall and put his hands on his head. Subject looked like he was going to comply. Then Subject lunged at Officer A with clenched fists. Subject kicked the TASER out of Officer A's hand, kicked Officer A in the chest, doubling him over, and then kicked him in the chin. Officer A had a wrestling background and decided to wrestle the subject to the ground. He covered his head and went in, absorbing three to four punches to the face as he closed the distance. They went to the ground. Officer A began working on obtaining top control. Officer B moved to control the subject's legs. Officer B was kicked and administered three punches to Subject's ribs. Subject grabbed Officer A's gun. Officer A pushed the Subject's hand away and yelled "He's got my gun." Officer B put out a help broadcast. Subject had a grip on Officer A's pistol. Officer B upholstered his TASER and conducted several contact stuns to Subject. Subject unsnapped Officer A's thumb clasp and was attempting to pull the gun out of the holster. Officer A capped the Subject's hand and made the decision to unseat the pistol's magazine, which would cause it not to fire. Officer A was able to gain control of Subject's right wrist and placed his right arm in position around Subject's neck. Subject bit Officer A's right index finger. Officer A freed his finger and again attempted to put his arm under the Subject's chin. Subject bit Officer A's bicep. Officer A freed his bicep and was then able to position his arm under the Subject's chin. He applied pressure and with his other hand was able to complete the carotid restraint hold. Subject eventually became unconscious. Officer A released the hold and pulled Subject's left hand behind his back. Officer B was attempting to control Subject's legs. Officer C arrived at the location. Subject had regained consciousness. Officer C assisted with controlling his legs. Subject grabbed a grip on the fence with his right hand so it could not be pulled behind him. Officer A used an elbow strike on his ear and he released the gate and Officer B forced the Subject's right hand back and completed the handcuffing. Officer B and C got the hobble in place around Subject's legs. The subject was placed in the seated position and offered water. **BOPC FINDING: AD on Tactics and U of F: Training** (1) Officer A and B did not formulate a tactical plan and did not communicate with one another prior to approaching the Subject. (2) the watch commander did not send a supervisor to the hospital with the transporting officers to provide oversight and monitor the Subject after the Subject had already attempted to disarm Officer A. Additionally: (a) both officers left their batons in the police vehicle. (b) the TASER cartridge was removed before activation when it is more effective if the cartridge remains attached. © the subject was reported as possibly suffering from mental illness. **U of F:** (1) Officer A unseated the magazine from his service pistol so the Subject would not be able to fire the weapon in the event he was able to gain control of his service pistol. Officer A would not reasonably believe that the Subject's actions presented an imminent threat of death or serious bodily injury at the time Officer A applied the carotid, therefore it was not objectively reasonable.

⁴⁶ **SHORT STORY**: Officer A received a pair of gloves from his supervisor and was attempting to determine if he could manipulate his firearm while wearing the gloves. He unloaded the firearm and practiced manipulating the slide and dry firing. Then he wanted to see if the gloves interfered with manipulating the magazines and magazine release. During this test he dry fired, not realizing that he had loaded the firearm. The round went in to a wall. **BOPC FINDING: UD**: (1) the discharge was negligent.