

2009



USE OF FORCE ANNUAL REPORT





PURPOSE OF THIS REPORT

This is the second annual report on the status of the Los Angeles Police Department's Categorical and Non-Categorical Use of Force incidents. The purpose of this report is to provide a meaningful statistical analysis of the lethal, less-lethal and non-lethal force used by LAPD officers; provide an overview of the investigation, review and adjudication processes involved in use of force incidents; and enhance transparency between the Department and its stakeholders in the City of Los Angeles.

MISSION STATEMENT

It is the mission of the Los Angeles Police Department to safeguard the lives and property of the people we serve, to reduce the incidence and fear of crime, and to enhance public safety while working with the diverse communities to improve their quality of life. Our mandate is to do so with honor and integrity, while at all times conducting ourselves with the highest ethical standards to maintain public confidence.

CORE VALUE

The six Core Values of the Los Angeles Police Department are intended to guide and inspire us. Making sure that our values become part of our day-to-day work life is our mandate, and they help to ensure that our personal and professional behavior can be a model for all to follow.

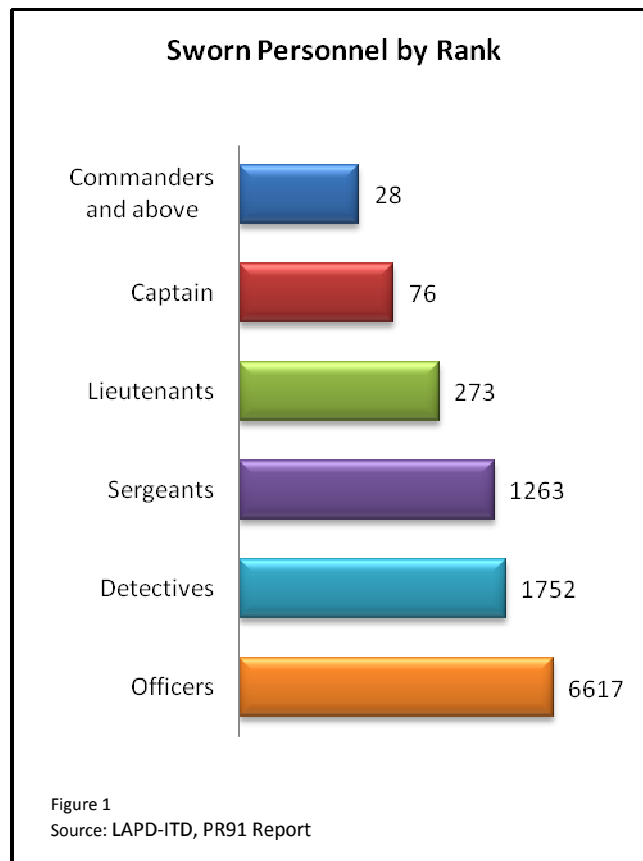
- Service to Our Communities
- Reverence for the Law
- Commitment to Leadership
- Integrity in All We Say and Do
- Respect for People
- Quality Through Continuous Improvement

Table of Content

City and Department Information.....	1
Acronyms and Initialisms.....	3
Definitions.....	4
Policies.....	7
Use of Force Standard.....	8
Categorical Use of Force Adjudication Policy.....	10
Categorical Use of Force Adjudication Process.....	12
Use of Force Review Board Process.....	13
Non-Categorical Use of Force Adjudication Process.....	13
2009 Use of Force Incident Statistics.....	15
2009 Categorical Use of Force Incident Comparisons.....	16
Adjudicated Categorical Use of Force Incident Statistics.....	17
Adjudicated CUOF Incident Summary.....	18
Officer Involved Shooting Incidents.....	19
Officer Involved Shooting—Officer Information.....	21
Officer Involved Shooting—Suspect Information.....	23
Animal Shooting Incidents.....	24
Carotid Restraint Control Hold Incidents.....	24
Head Strike Incidents.....	24
In-Custody Death Incidents.....	25
Law Enforcement Related Injury Incidents.....	26
Unintentional Discharge Incidents.....	27
K9 Contact with Hospitalization Incidents.....	28
CUOF Adjudicated Findings 2009 - 2005.....	29
Non-Categorical Use of Force Incidents.....	31
NCUOF Incident Summary.....	32
NCUOF Incident Occurrences.....	34
Suspect Activity or Conditions Associated with NCUOF.....	35
Control Tools and Options Used During NCUOF	37
Officers Involved in NCUOF.....	38
Injuries to Officers During NCUOF.....	39
Injuries to Subjects During NCUOF.....	39
Race of Subjects in a NCUOF.....	41
Adjudication of NCUOF Incidents.....	42
Use Of Force Review Division Information.....	43

CITY AND DEPARTMENT INFORMATION

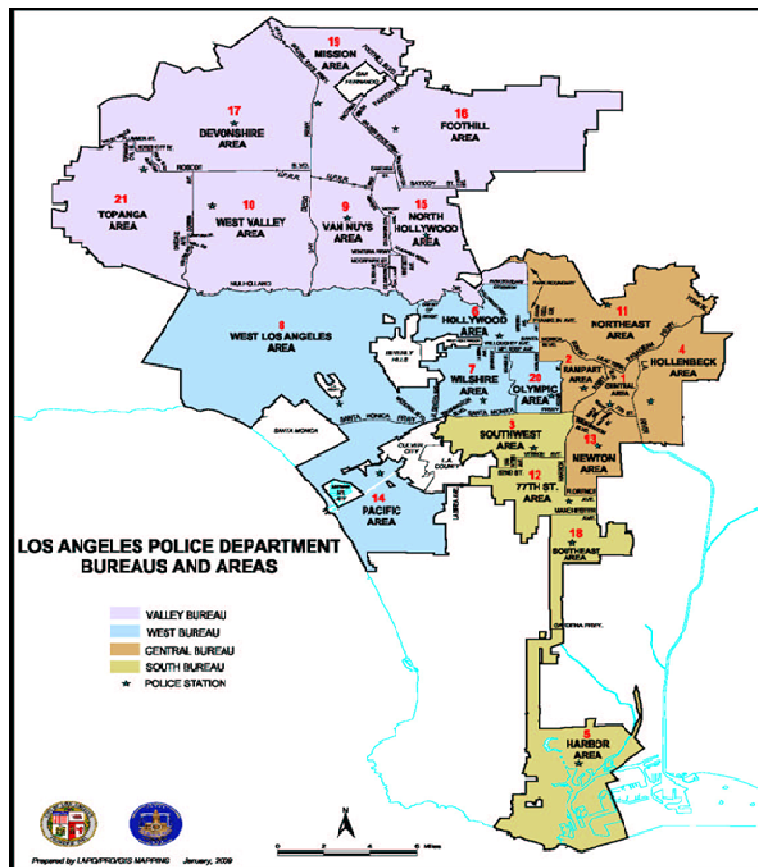
The Los Angeles Police Department was established in 1869 and was comprised of six sworn officers. At the end of 2009, LAPD employed 10,009 sworn employees making it the third largest department in the United States. LAPD provides police services to approximately four million people in the City of Los Angeles, which encompasses 468 square miles.



The Los Angeles Police Department is comprised of four Geographic Bureaus and 21 Community Police Stations (Geographic Areas) within the Office of Operations.

Bureau
Central
South
Valley
West

Station	
1. Central	12. 77 th Street
2. Rampart	13. Newton
3. Southwest	14. Pacific
4. Newton	15. North Hollywood
5. Harbor	16. Foothill
6. Hollywood	17. Devonshire
7. Wilshire	18. Southeast
8. West Los Angeles	19. Mission
9. Van Nuys	20. Olympic
10. West Valley	21. Topanga
11. Northeast	



ACRONYMS AND INITIALISMS

AD	Administrative Disapproval
BJS	Bureau of Justice Statistics
BOPC	Los Angeles Board of Police Commissioners
COP	Chief of Police
COS	Chief of Staff
CRCH	Carotid Restraint Control Hold
CUOF	Categorical Use of Force Incident
D/E	Drawing or Exhibiting
DT	Divisional Training
FID	Force Investigation Division
FT	Formal Training
GED	Gang Enforcement Detail
GIT	Gang Impact Team
GTU	General Training Update
HS	Head Strike
IACP	International Association of Chiefs of Police
ICD	In-Custody Death
ITD	Information Technology Division
LAPD	Los Angeles Police Department
LERI	Law Enforcement Related Injury
MEU	Mental Evaluation Unit
NCUOF	Non-Categorical Use of Force Incident
OCB	Operations Central Bureau
OIS	Officer Involved Shooting
OSB	Operations South Bureau
OVB	Operations Valley Bureau
OWB	Operations West Bureau
SOB	Special Operations Bureau
TEAMS II	Training Evaluation And Management System II
UD	Unintentional Discharge
UOF	Use of Force
UOFRB	Use of Force Review Board
UOFRD	Use of Force Review Division
WIC	Welfare Institution Code

DEFINITIONS

Administrative Disapproval - Out of Policy - Drawing and Exhibiting and/or Use of Force: Finding, supported by a preponderance of the evidence, that the actions of the employee relative to drawing and exhibiting a firearm or use of force were not within the Department's policies. (2009 LAPD Manual 3/792.05)

Administrative Disapproval - Negligent Discharge: Finding, where it was determined that the unintentional discharge of a firearm resulted from operator error, such as the violation of a firearm safety rule. (2009 LAPD Manual 3/792.05)

Administrative Disapproval - Tactics: A finding, supported by a preponderance of the evidence, that the tactics employed during a CUOF incident unjustifiably and substantially deviated from approved Department tactical training. (2009 LAPD Manual 3/792.05)

Carotid Restraint Control Holds: The Department has three approved carotid restraint control holds: the modified carotid, full carotid and the locked carotid control holds. Prior to 2006, Carotid Restraint Control Holds were formally known as Upper Body Control Holds. (2009 LAPD Manual 3/794.10)

Categorical Use Of Force Incident: All incidents involving the use of lethal force such as intentional Officer Involved Shootings; Unintended Discharges of a firearm; all uses of Carotid Restraint Control Holds; all uses of force resulting in an injury requiring hospitalization, commonly referred to as Law Enforcement Related Injuries; all Head strikes with an impact weapon; all other uses of force resulting in death; all deaths while the arrestee or detainee is in the custodial care of the LAPD referred to as an In-Custody Death; or a K-9 Contact which result in hospitalization. (2009 LAPD Manual 3/792.05)

Deadly Force: Deadly Force is defined as that force which creates a substantial risk of causing death or serious bodily injury. (2009 LAPD Manual 1/556.10)

Divisional Training: When an administrative review of an employee's performance results in a recommendation of Divisional/Area training, the employee's commanding officer shall ensure that members of his/her command are designated to provide the recommended training. The command's Training Coordinator records the training in the employee's TEAMS II. (2008 LAPD Manual 3/796.35)

Force Option: All Department-approved physical force techniques (i.e. firm grip, punch, takedown, etc.) or devices (i.e. OC spray, baton, TASER, etc.) available to an officer. Force Options fall into the following three categories: Lethal (Deadly Force), Less-Lethal (TASER, bean bag, other projectile devices), Non-Lethal (firm grip, takedown, etc.).

Formal Training: When an administrative review of an employee's performance results in a recommendation of formal training, the employee's commanding officer shall ensure that Training Division is advised of the specific training needs of the employee as identified through the administrative review; the employee receives the recommended training; and, the Area command's Training Coordinator records the recommended training in the employee's TEAMS II. (2008 LAPD Manual 3/796.35)

General Training Update: Standardized training provided by the employee's command or Training Division personnel, to personnel involved in a CUOF incident. The GTU is not an inquiry into the specific details of the CUOF. The intent of the GTU is to provide involved personnel with standardized training material in the tactical issues and actions readily identified in the CUOF incident as well as an update on the Use of Force Policy. Training shall be provided within 90 days of the incident or as soon as practical. (2009 LAPD Manual 3/792.05)

Head Strikes: When any suspect or subject is struck in the head by any solid object or device (e.g., flashlight, baton, etc.) during the use of force, whether intentionally or accidentally. Head Strikes are not presumed to be Lethal Force. Head Strikes were included in the LERI category prior to 2003. (2009 LAPD Manual 3/794.10)

Imminent: Black's Law Dictionary defines imminent as, "Near at hand; impending; on the point of happening." (2009 LAPD Manual 1/556.10)

Less Lethal Force: Force which describe weapons and ordnance that are not fundamentally designed to kill or cause serious injury and is associated with projectile munitions such as the Department's bean bag shotgun, Sage Launcher or TASER.

Lethal Force: Amount of force that is likely to cause either serious injury or death to another person.

In-Custody Deaths: On October 12, 2005, Special Order No. 34 deactivated the use of the term "Law Enforcement Activity Related Death" and provides for all incidents resulting in the death of an individual during an incident involving LAPD officers to be referred to as an In-Custody Death. Thus, for purposes of this report, all incidents previously referred to as a LEARD are included in the totals for ICD incidents. (2009 LAPD Manual 3/794.10)

Non-Categorical Use of Force: An incident in which any on duty Department employee or off duty employee whose occupation as a Department employee is a factor, uses a less-lethal control device or physical force to; compel a person to comply with the employee's direction; or, overcome resistance of a person during an arrest or a detention; or, defend any individual from an aggressive action by another person. (2009 LAPD Manual 4/245.05)

Non Lethal Force: Amount of force not likely to cause significant or serious injury.

Objectively Reasonable: The legal standard used to determine the lawfulness and appropriateness of a use of force is the Fourth Amendment to the United States Constitution. See *Graham versus Connor*, 490 U.S. 386 (1989). Graham states in part,

The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments - in circumstances that are tense, uncertain and rapidly evolving - about the amount of force that is necessary in a particular situation. The test of reasonableness is not capable of precise definition or mechanical application.

The force must be reasonable under the circumstances known to the officer at the time the force was used. Therefore, the Department examines all uses of force from an objective standard, rather than a subjective standard. (2009 LAPD Manual 1/556.10)

Substantially Involved Personnel: Employee(s) applying force or who had a significant tactical or decision making role in the incident. (2009 LAPD Manual 3/792.05)

Tactical Debrief: A formal debriefing of the CUOF incident for all substantially involved personnel. The Use of Force Review Board, Chief of Police and the Board of Police Commissioners may identify areas of conduct that should be included during the Tactical Debrief. During the Tactical Debrief, the fact pattern of the case is presented and all training, tactics, force and leadership issues applicable to the incident shall be discussed. The intent of a Tactical Debrief is to enhance future performance and is not to be considered punitive. The Tactical Debrief shall be completed within 90 days of the Board Of Police Commissioners' adjudication with limited exceptions. (2009 LAPD Manual 3/792.05-792.15)

Unintentional Discharge: Discharge of a firearm which would result in an ultimate finding of Negligent or Accidental Discharge. (2009 LAPD Manual 3/792.05)

Use of Force-Tactics Directive: A written directive from the Chief of Police, which contains procedure and/or insight into use of force issues. Use of Force *policy* will continue to be placed into the Department Manual and may be reiterated in a Use of Force-Tactics Directive.

Warning Shots: The intentional discharge of a firearm off target, not intended to hit a person, to warn others that deadly force is imminent. (2009 LAPD Manual 1/556.10)

POLICY

Drawing or Exhibiting Firearms: ... Officers shall not draw or exhibit a firearm unless the circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm in conformance with this policy on the use of firearms. (2009 LAPD Manual 1/556.80)

Shooting At or From Moving Vehicles: Firearms shall not be discharged at a moving vehicle unless a person in the vehicle is immediately threatening the officer or another person with deadly force by means other than the vehicle. The moving vehicle itself shall not presumptively constitute a threat that justifies an officer's use of deadly force. An officer threatened by an oncoming vehicle shall move out of its path instead of discharging a firearm at it or any of its occupants. Firearms shall not be discharged from a moving vehicle, except in exigent circumstances and in the immediate defense of life. (2009 LAPD Manual 1/556.10)

Note: It is understood that the policy in regards to discharging a firearm at or from a moving vehicle may not cover every situation that may arise. In all situations, Department members are expected to act with intelligence and exercise sound judgment, attending to the spirit of this policy. Any deviations from the provisions of this policy shall be examined rigorously on a case by case basis. The involved officer must be able to articulate clearly the reasons for the use of deadly force. Factors that may be considered include whether the officer's life or the lives of others were in immediate peril and there was no reasonable or apparent means of escape.

Use of Force—General: It is the policy of this Department that personnel may use only that force which is "objectively reasonable" to: Defend themselves; defend others; effect an arrest or detention; prevent escape; or, overcome resistance. (2009 LAPD Manual 1/556.10)

Use of Deadly Force: An officer is authorized the use of deadly force to : To protect himself or others from an immediate threat of death or serious bodily injury; or, to prevent a crime where the suspect's actions place persons in jeopardy of death or serious bodily injury ; or, to apprehend a fleeing felon for a crime involving serious bodily injury or the use of deadly force where there is a substantial risk that the person whose arrest is sought will cause death or serious bodily injury to others if apprehension is delayed. (2009 LAPD Manual 1/556.10)

USE OF FORCE STANDARD

Sworn Personnel have a range of force options available to them. The force options available to officers include:

Verbalization

Bodily Force: Body Weight, Take Downs, Wrist Locks, Twist Locks, Strikes, Kicks, Punches

Chemical Agents (OC Spray)

Electrical Control Devices (TASER)

Impact Devices: Batons, projectile weapons (beanbag shotgun)

Deadly: Firearms, CRCH

Department policy does not require that an officer consider or exhaust all available options before contemplating other options when a subject's behavior escalates.

The following figures illustrate the LAPD UOF Standard. Officers are required to articulate the level of force used, based on an objectively reasonable standard to overcome resistance, effect an arrest, or to prevent escape.

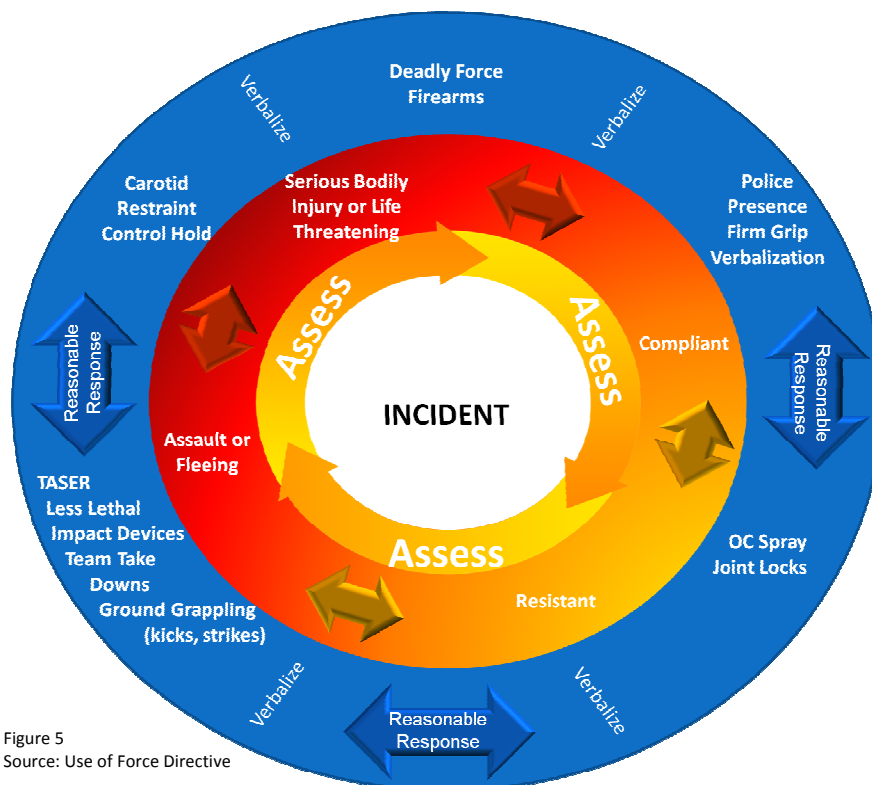


Figure 5
Source: Use of Force Directive

Los Angeles Police Department Use of Force Standard

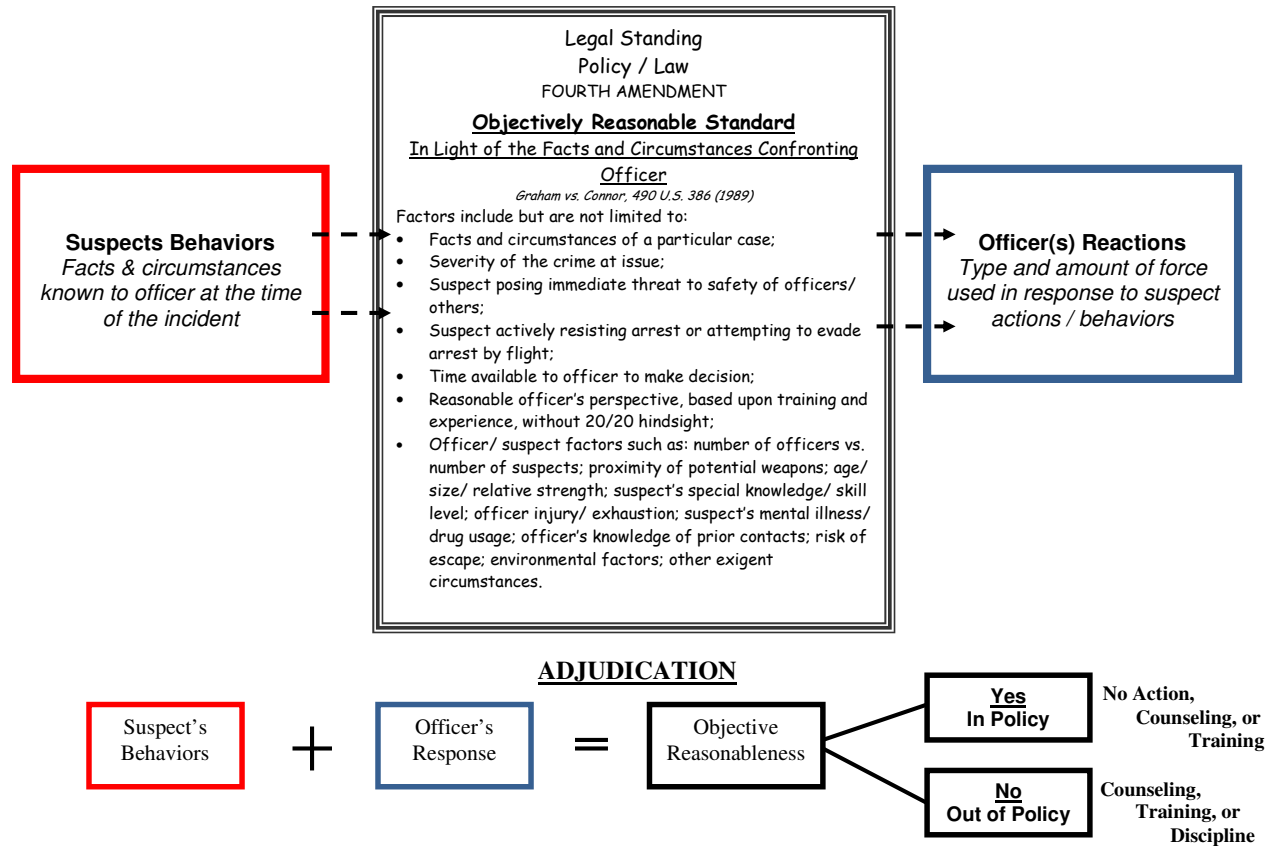


Figure 6
Source: Use of Force Directive

CATEGORICAL USE OF FORCE ADJUDICATION POLICY

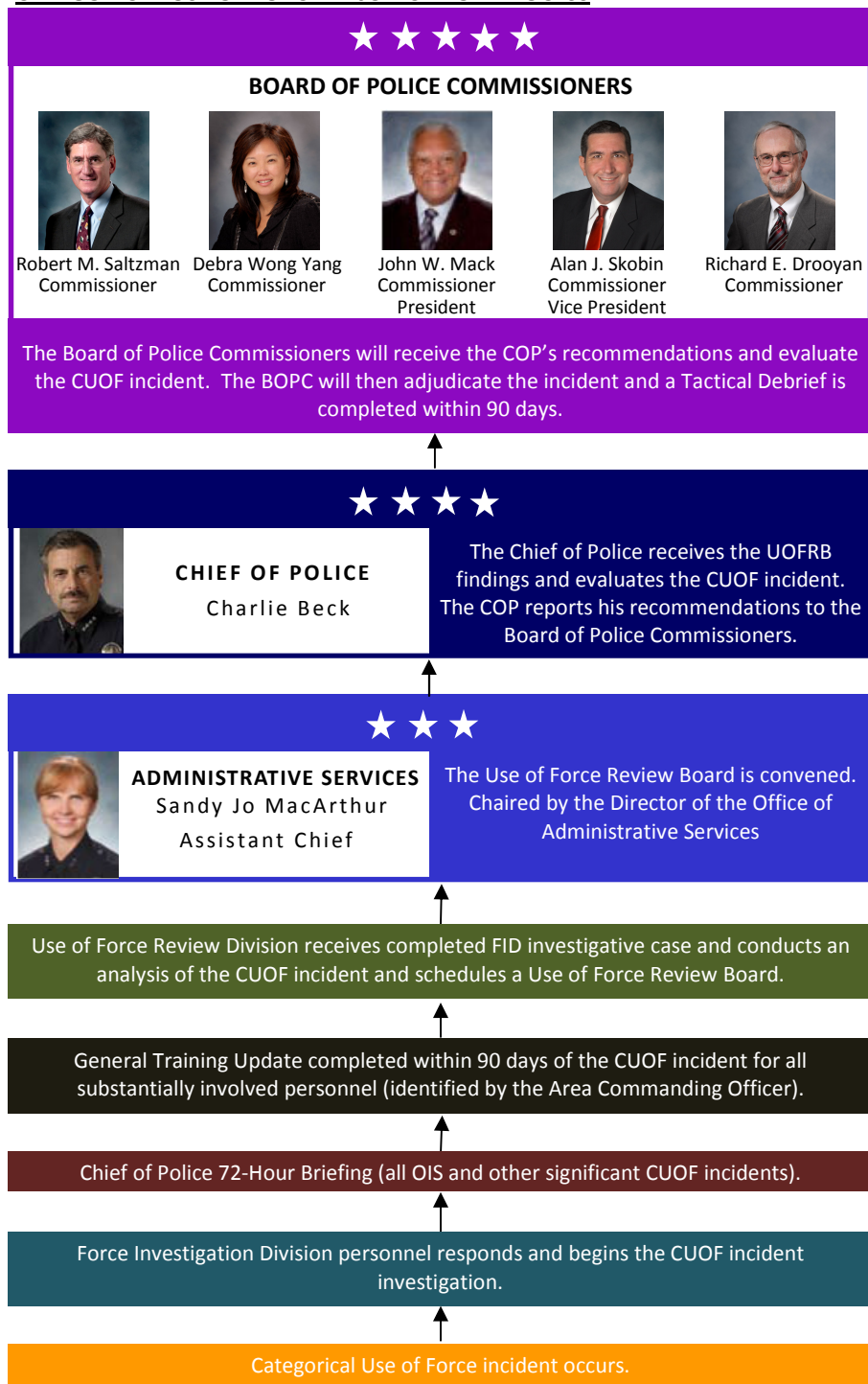
Reportable force is divided into two categories—Categorical Use of Force and Non-Categorical Use of Force incidents. The federal Consent Decree initiated in June 2001 between the Department of Justice and the City of Los Angeles defined *Categorical Use of Force* as those events where; (1) a Department member uses lethal force, (2) a subject is hospitalized as a result of a use of force, (3) a Department member delivers a head strike with an impact device or (4) a subject dies while in custody. Currently, Force Investigation Division, Professional Standards Bureau, investigates all CUOF incidents. The final adjudication of CUOF incidents is conducted by the Los Angeles Board of Police Commissioners.

On July 22, 2008, the BOPC approved a UOF Directive, changing the adjudication process for CUOF incidents. **Prior to July, 2008**, a formal finding of Out of Policy (Administrative Disapproval) resulted in a personnel complaint. The July 2008, Use of Force Directive changed the process and protocol for findings and outcome. The new process requires a Tactical Debrief for all employees substantially involved in any CUOF incident. The Tactical Debrief is coordinated and facilitated by Training Division. This process provides for a consistent and comprehensive overview and review of the entire incident with all involved personnel including a critical look at the role of each involved person. While a finding of Administrative Disapproval no longer results in a mandatory Personnel Complaint, the COP can direct an outcome of Extensive Retaining, Notice to Correct, and/or a Personnel Complaint.

After the initial CUOF incident, all employees substantially involved in a CUOF incident are required to complete a General Training Update session in specified areas.

Prior to July 22, 2008		
Area	Findings	Outcome
Tactics	(No Policy, only Outcomes)	<ul style="list-style-type: none"> •No Further Action or •Divisional Training or •Formal Training
	Administrative Disapproval	<ul style="list-style-type: none"> •Formal Training and •Personnel Complaint
D/E	In Policy	<ul style="list-style-type: none"> •No Further Action or •Divisional Training or •Formal Training
	Administrative Disapproval - Out of Policy	<ul style="list-style-type: none"> •Formal Training and •Personnel Complaint
UOF	In Policy	<ul style="list-style-type: none"> •No Further Action or •Divisional Training or •Formal Training
	Administrative Disapproval - Out of Policy	<ul style="list-style-type: none"> •Formal Training and •Personnel Complaint
Post July 22, 2008 (2009 LAPD Manual 3/792.10)		
Area	Findings	Outcome
Tactics	Tactical Debrief	Tactical Debrief
	Administrative Disapproval	Tactical Debrief plus (one or more): <ul style="list-style-type: none"> •Extensive Retraining •Notice to Correct •Personnel Complaint
D/E	In Policy – No Further Action	Tactical Debrief
	Administrative Disapproval - Out of Policy	Tactical Debrief plus (one or more): <ul style="list-style-type: none"> •Extensive Retraining •Notice to Correct •Personnel Complaint
UOF	In Policy – No Further Action	Tactical Debrief
	Administrative Disapproval - Out of Policy	Tactical Debrief plus (one or more): <ul style="list-style-type: none"> •Extensive Retraining •Notice to Correct •Personnel Complaint

CATEGORICAL USE OF FORCE ADJUDICATION PROCESS



CATEGORICAL USE OF FORCE REVIEW BOARD PROCESS

After UOFRD reviews the CUOF incident, the Use of Force Review Board is convened. The Board consists of a representative from the following: Office of Administrative Services (Chair), Office of Operations, Personnel and Training Bureau, Geographic Bureau, and a Peer (similar rank of the substantially involved personnel). The Office of The Inspector General is present at the Board in an oversight capacity.

The Board process:

- Force Investigation Division provides a detailed presentation of the CUOF incident.
- The Commanding Officer of the substantially involved personnel provides his/her assessment of the CUOF incident and submits recommended findings to the Board.
- The Board evaluates the CUOF incident and forwards their recommendations to the Chief of Police.

NON-CATEGORICAL USE OF FORCE PROCESS

The vast majority of use of force incidents within the LAPD are categorized as NCUOF incidents and investigated by Department supervisory personnel within the individual field commands. An event where an LAPD officer uses reportable, non-lethal force on a person (herein referred to as subject) is documented in a formal NCUOF Report.

For the purposes of conducting NCUOF investigations, incidents are initially classified by the investigating supervisor as either **Level I** or **Level II**. An incident would be investigated as a **Level I** when:

- An allegation of unauthorized force is made regarding the force used by a Department employee; or,
- The force used results in a serious injury, such as a broken bone, dislocation, an injury requiring sutures, etc., that does not rise to the level of a CUOF; or,
- The injuries to the subject upon whom force was used are inconsistent with the amount or type of force reported by the involved Department employee; or,
- Accounts of the incident provided by witnesses and/or the subject of the use of force substantially conflict with the involved employee's account.

Level I NCUOF investigations require additional investigative efforts including the completion of an Incident Overview and the tape-recording of the subject on whom the force was used and all other non Department employees.

All other reportable NCUOF incidents that do not meet **Level I** criteria are reported as **Level II** incidents.

The following are not reportable as NCUOF incidents:

- The use of a C-grip, firm grip, or joint lock to compel a person to comply with an employee's direction, which does not result in an injury or complained of injury;
- The use of force reasonable to overcome passive resistance due to physical disability, mental illness, intoxication, or muscle rigidity of a person;
- Under any circumstances, the discharge of a less-lethal projectile weapon that does not contact a person; or,
- Force used by an organized squad in a crowd control situation, or a riotous situation when the crowd exhibits hostile behavior and does not respond to verbal directions from Department employees.

All NCUOF incidents are reviewed by the officer's chain-of-command to ensure compliance with the law, the Department's use of force policy, as well as, adherence to tactical standards and training. All NCUOF incidents are reviewed by individual commanding officers where a finding for the force used and tactics employed by the officer are evaluated. Each officer who uses force during a NCUOF incident is given separate findings for the force and tactics. These findings are bifurcated to better evaluate the actions of the officer leading up to and during the incident (tactics) and the reasonableness of the actual force options used by that officer. The Chief of Staff, through the UOFRD is the final authority in reviewing and adjudicating NCUOF incidents.

The force used by an officer during a NCUOF incident is adjudicated as either: *In Policy/No Action*, *In Policy/Non-Disciplinary Action*, and *Out of Policy/Administrative Disapproval*. A NCUOF found *In Policy/No Action* indicates the force used by the officers was within policy and standards. The force used by an officer is considered *In Policy/Non-Disciplinary Action* when the force used was within policy, but the officer's future performance would benefit from some additional supervisory action such as training. A determination of *Out of Policy* indicates that the force used by the officer violated the Department's use of force policy.

2009 USE OF FORCE INCIDENT STATISTICS

According to LAPD field data statistics, LAPD Officers contacted an average of 887,401 pedestrians, drivers, and passengers while conducting field investigations in 2006-2008. In 2009 the Department investigated 1762 UOF incidents, comprising only 0.2 percent of public contacts.

While UOF incidents occur during the course of an arrest, few arrests involve a reportable use of force. Notably, the frequency of a UOF is declining. In 2006, use of force occurred in one of every hundred arrests (1.05 percent). In 2009, this rate had declined to 0.97 percent.

UOF	2009	2008	2007	2006
Categorical	86	104	106	101
NCOUF Level 1	113	148	180	197
NCUOF Level 2	1563	1409	1519	1495
TOTAL	1762	1661	1805	1793

Figure 7, Source: UOFRD System, TEAMS II

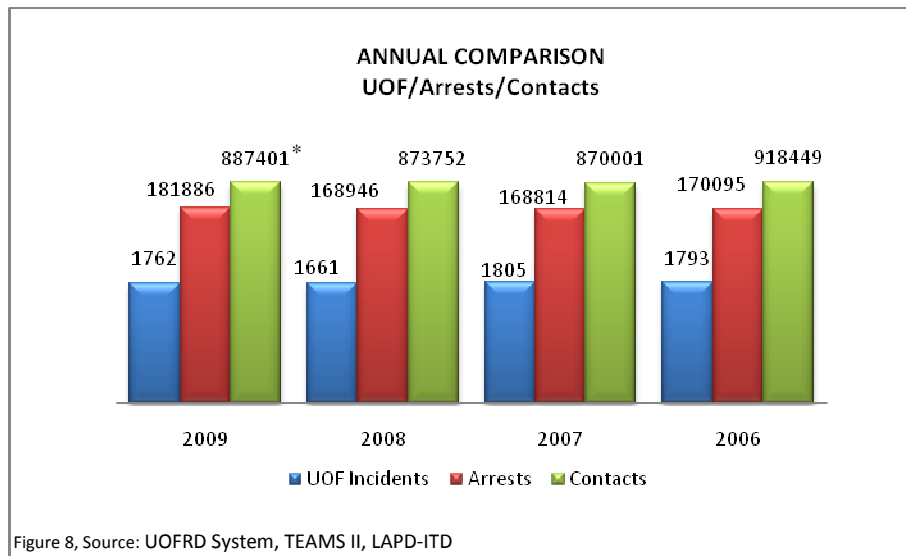


Figure 8, Source: UOFRD System, TEAMS II, LAPD-ITD

* 2009 Contact Statistic was not available at the time of publishing. 887,401 is the average of the prior 3 years.

2009 CATEGORICAL USE OF FORCE INCIDENTS COMPARISON

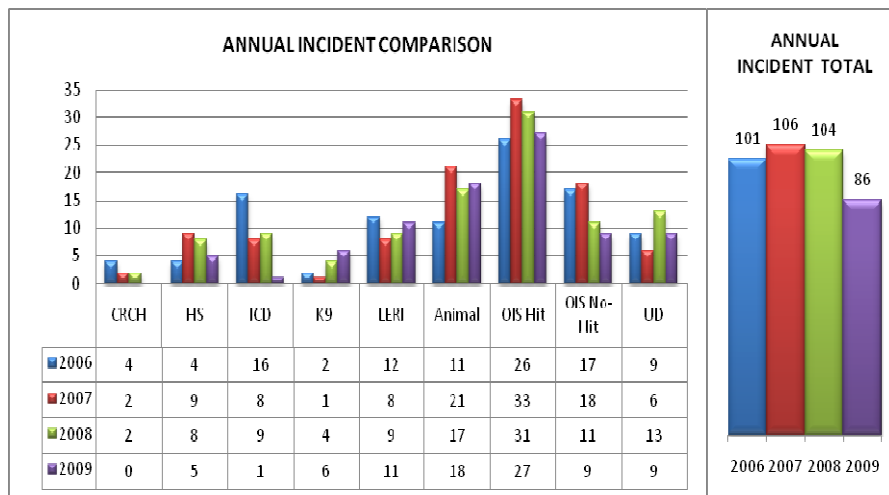


Figure 9, Source: UOFRD System

ANNUAL AVERAGE COMPARISON		
Categorical Use Of Force	2009	05-08 Avg
Hit	27	30
No-Hit	9	15
Animal Shooting	18	17
Unintentional Discharge	9	9
Total Officer Involved Shootings	63	70
Law Enforcement Related Injury	11	10
In Custody Death	1	10
Carotid Restraint Control Hold	0	3
Head Strike	5	8
K9 Contact	6	2
Total Others	23	33
TOTAL CUOF INCIDENTS	86	103

Figure 10, Source: UOFRD System

**CATEGORICAL USE OF FORCE
INCIDENTS ADJUDICATED IN 2009
STATISTICS**

ADJUDICATED CUOF INCIDENTS SUMMARY

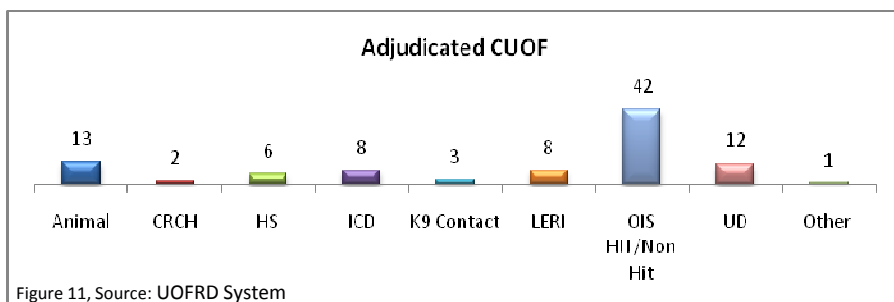


Figure 11, Source: UOFRD System

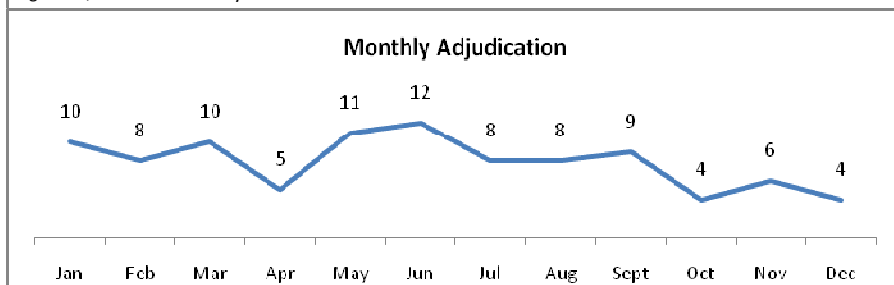


Figure 12, Source: UOFRD System

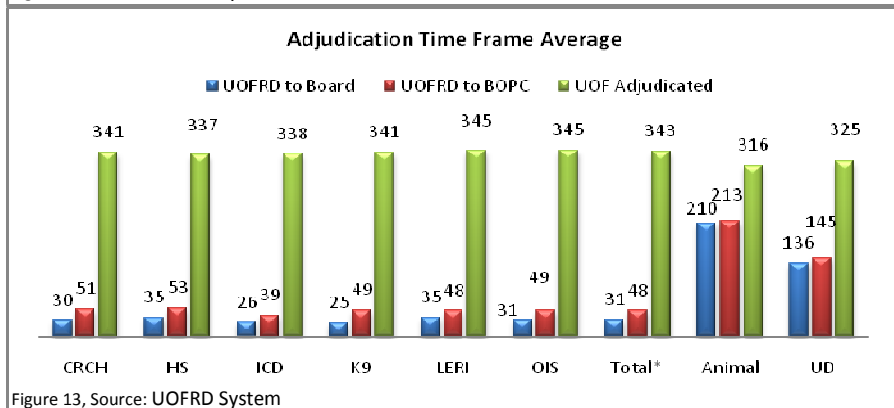


Figure 13, Source: UOFRD System

*Total excludes Animal and Unintentional Discharge. Beginning April, 2010 Animal and UD incidents are investigated by FID, rather than Area Detectives.

CUOF incidents are mandated to be investigated and adjudicated within one year of occurrence. In 2009, CUOF incidents were adjudicated on average in 343 days. Excluding Animal and Unintentional Discharge incidents, it took UOFRD 31 days to Board (UOFRB) the incident and an additional 17 days to forward the COP's review, analysis and findings to the BOPC.

OFFICER INVOLVED SHOOTING INCIDENTS

- In 2009 there were 42 officer involved shootings adjudicated, excluding animal shootings and unintentional discharges.
- There were 278 substantially involved officers in the 42 OIS incidents, during which 85 of the officers discharged their firearms.

Use of Force Review Division classified 41 of the OIS in the following Types, 1 OIS was not applicable to a Type:

Type	Description
I	Suspect verified with firearm – fired at officer or 3 rd party
II	Suspect verified with firearm – firearm in hand or position to fire, but did not fire
III	Perception shooting – firearm present but not drawn
IV	Perception shooting – no firearm found
V	Shooting of person armed with weapon other than firearm

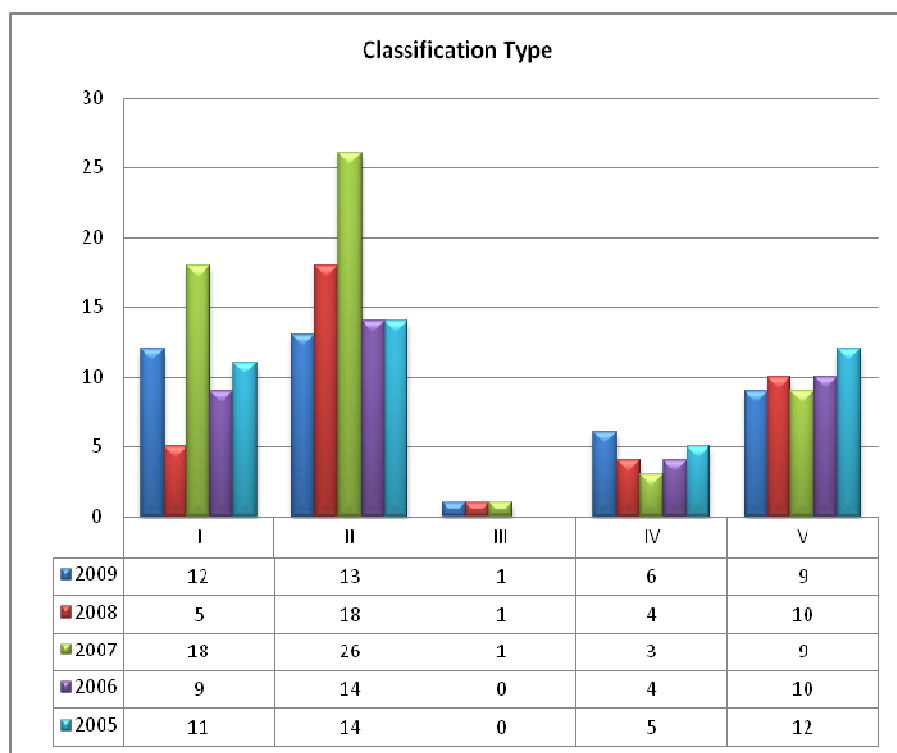
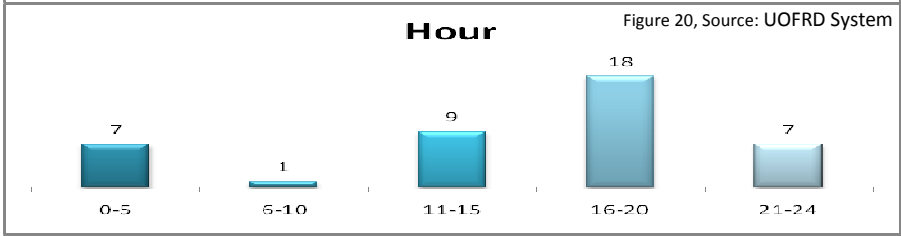
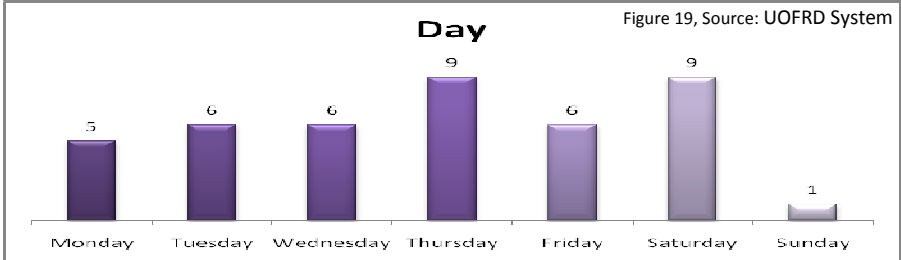
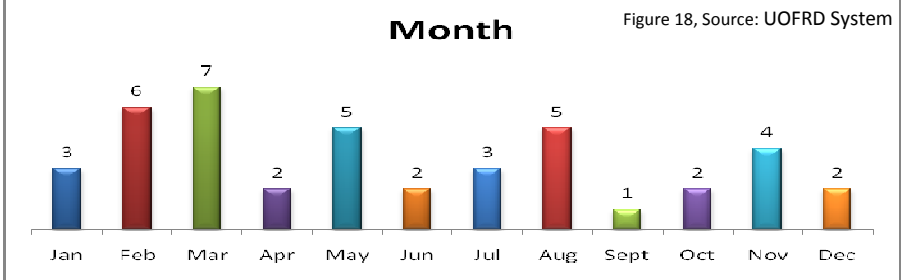
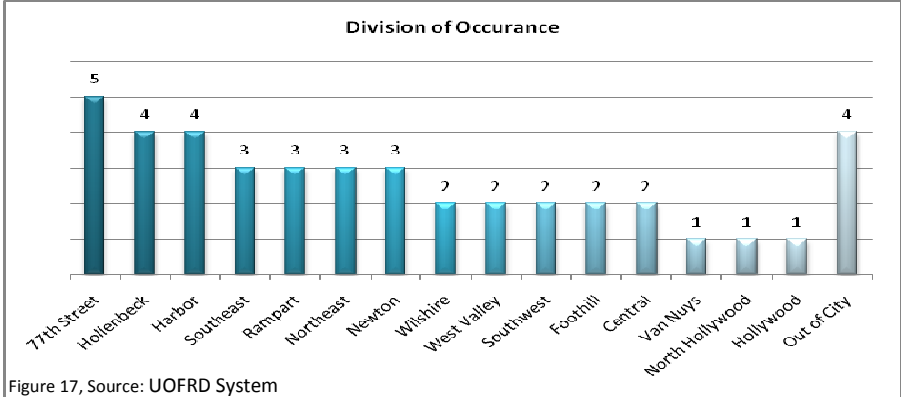
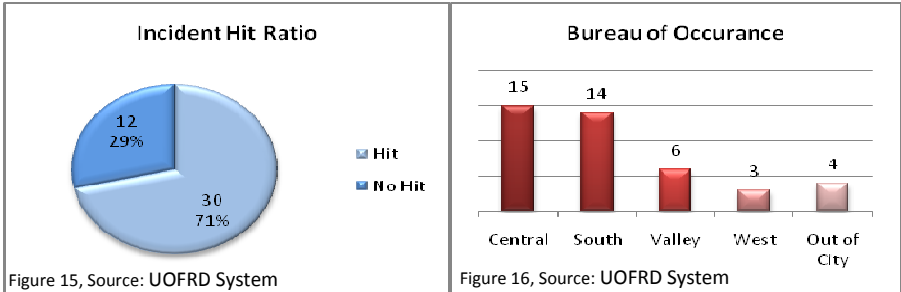
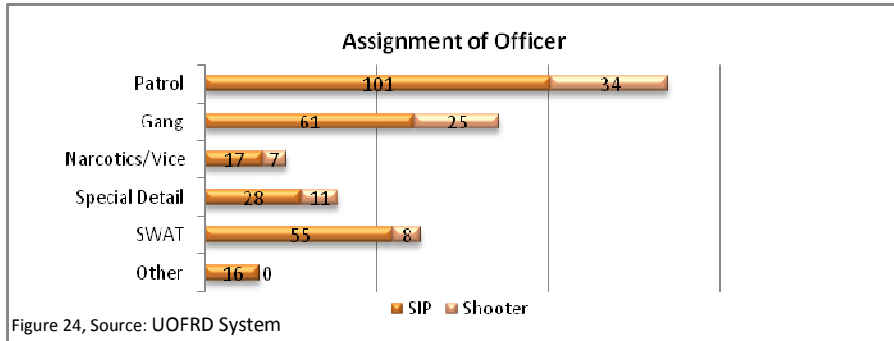
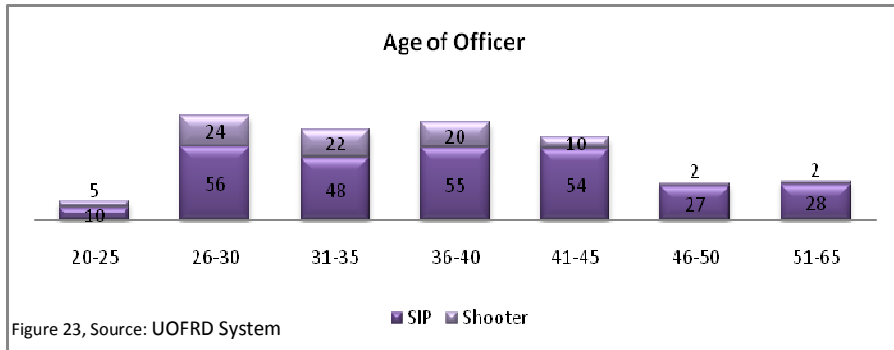
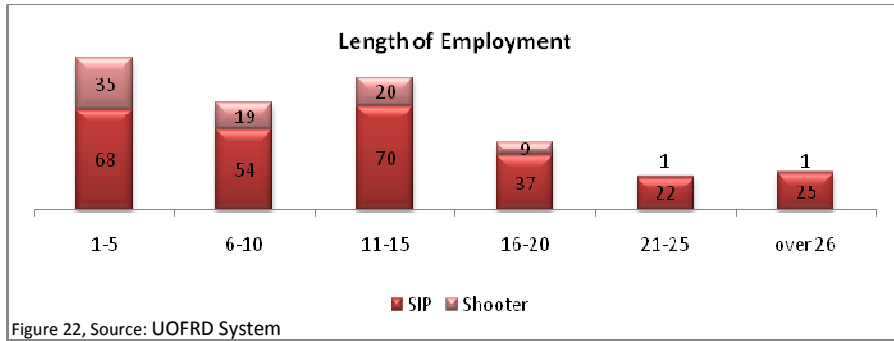
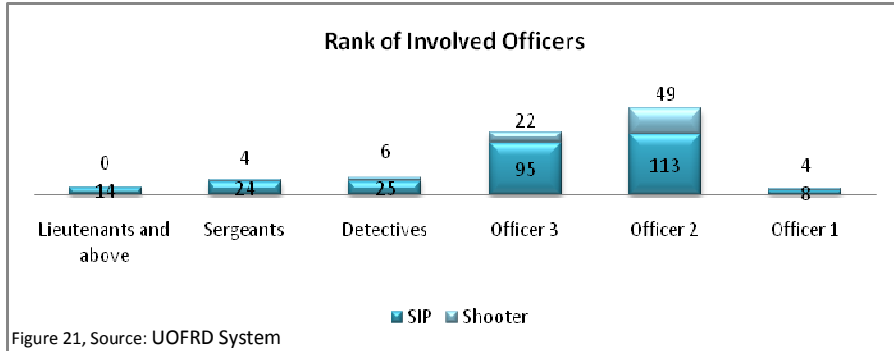
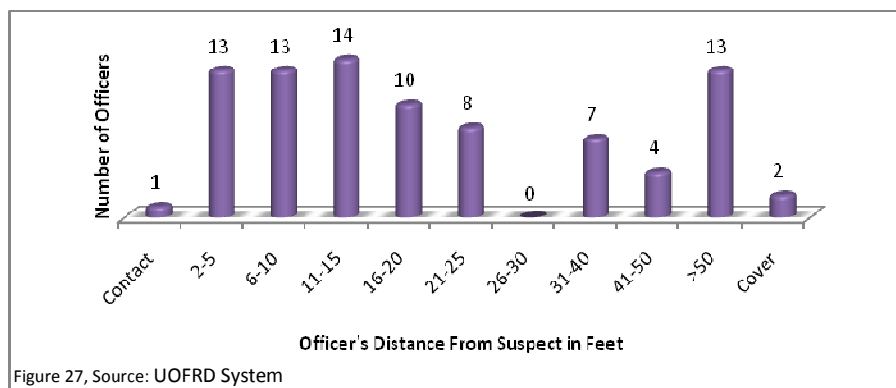
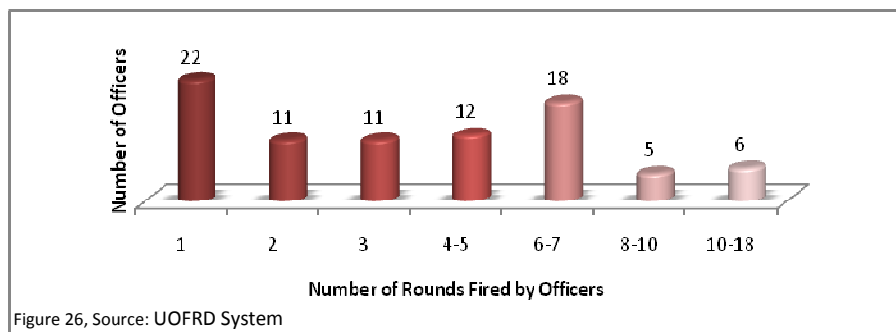
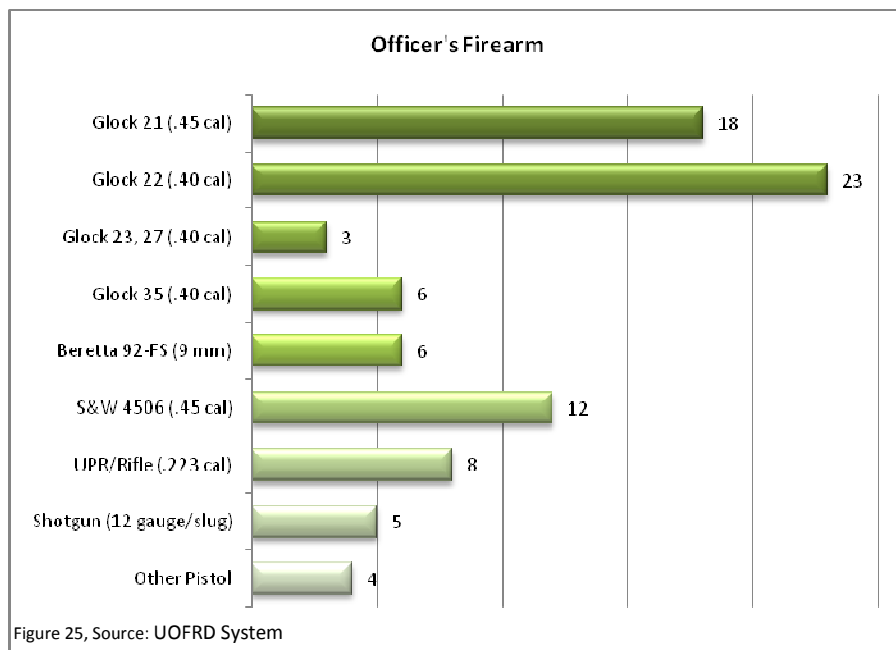


Figure 14, Source: UOFRD System

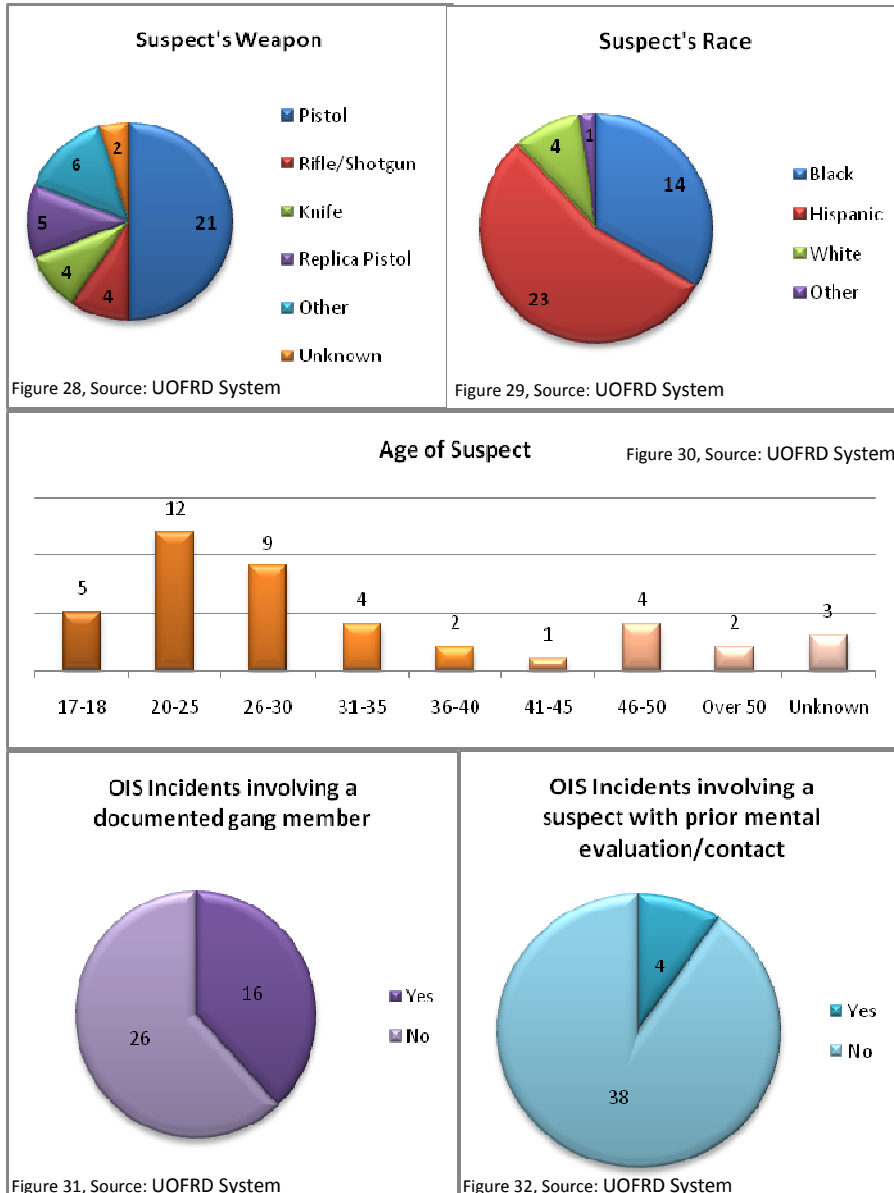


OFFICER INVOLVED SHOOTING-OFFICER INFORMATION



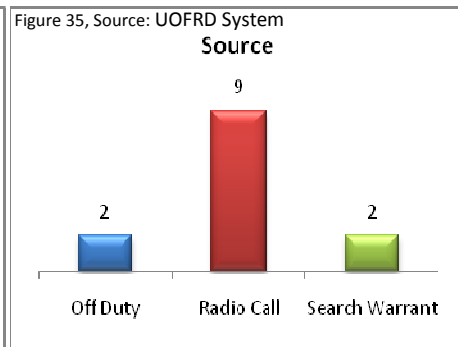
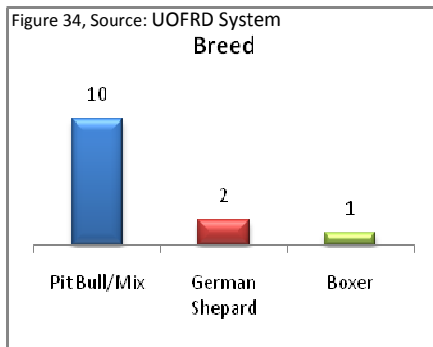
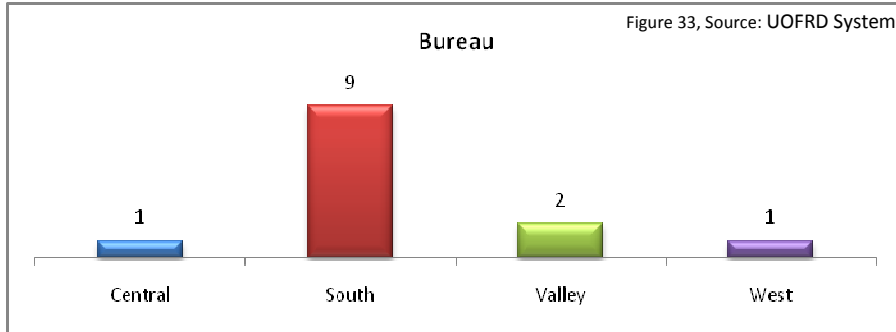


OFFICER INVOLVED SHOOTING-SUSPECT INFORMATION



Out of the 42 OIS, 30 resulted in a suspect being shot, 21 resulted in a suspect's death. Ten officers were injured and one officer was shot and killed by a suspect.

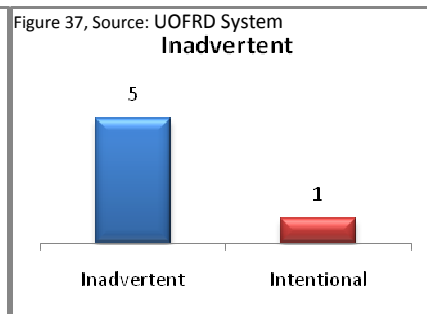
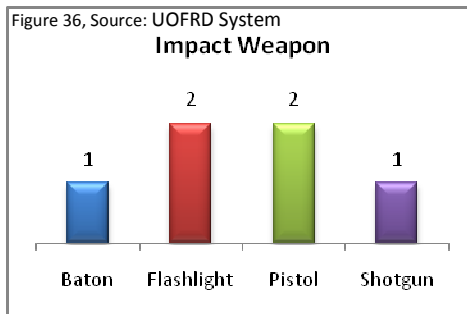
ANIMAL SHOOTING INCIDENTS



CAROTID RESTRAINT CONTROL HOLD INCIDENTS

There were two CRCH incidents adjudicated in 2009. In both incidents, the officers were attempting to handcuff a combative suspect. The CRCH was applied to prevent serious injury or death. Both suspects received minor injuries during the incidents.

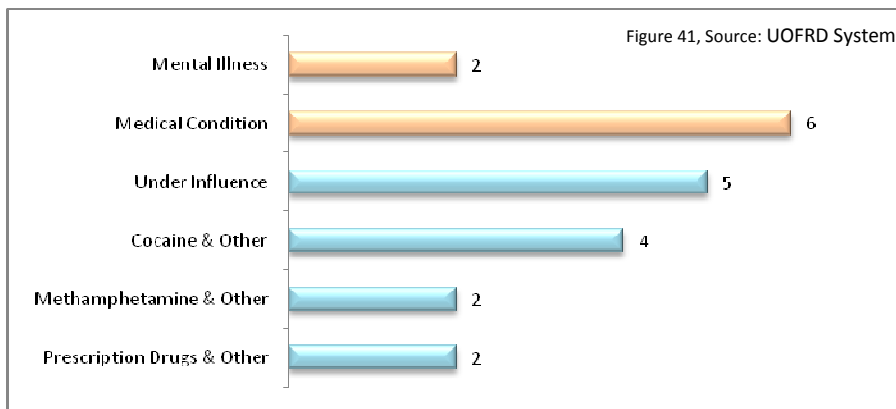
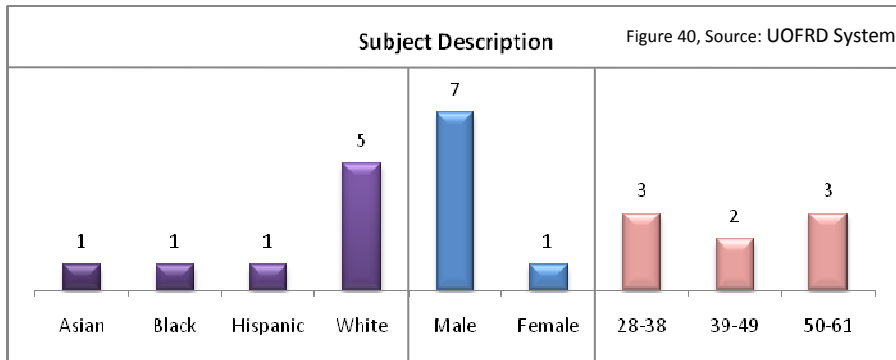
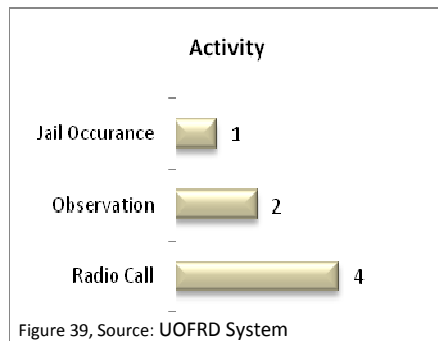
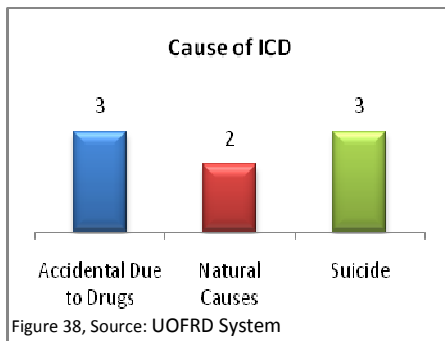
HEAD STRIKE INCIDENTS



IN-CUSTODY DEATH INCIDENTS

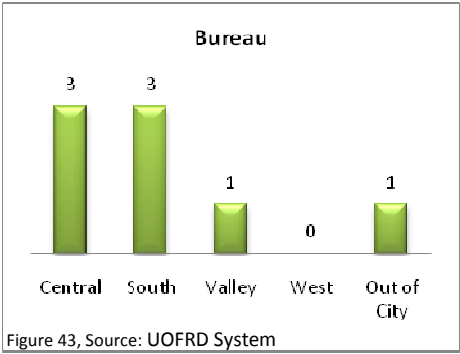
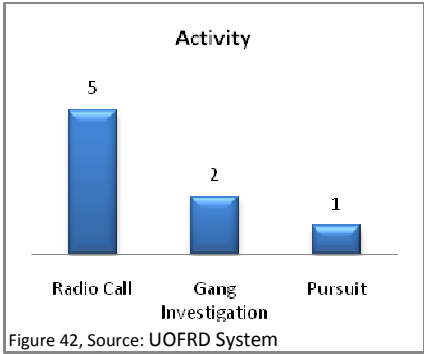
There were eight ICD incidents adjudicated in 2009.

- Three subjects died due to an accidental death caused by drugs. Two subjects were under the influence of cocaine and prescription drugs at the time of death.
- There were three subjects who committed suicide, two of whom were under the influence of Cocaine and other drugs at the time of death.

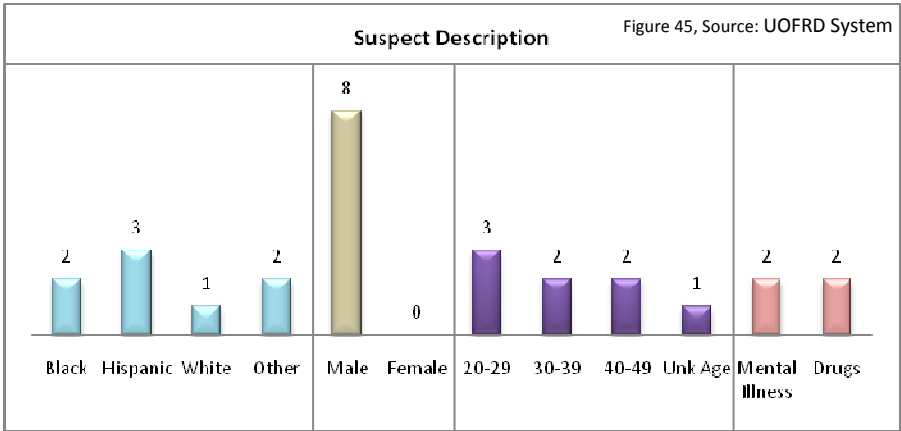
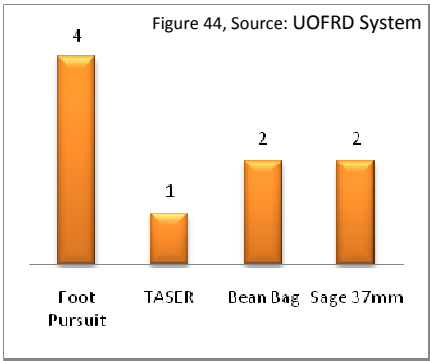


LAW ENFORCEMENT RELATED INJURY INCIDENTS

There were eight incidents adjudicated in 2009.



- Three incidents involved the suspect being armed (sword, knife, rifle).
- Three incidents involved unarmed suspects who resisted arrest and assaulted officers.
- In two of the four foot pursuits, the suspect lost their balance and fell resulting in injury.



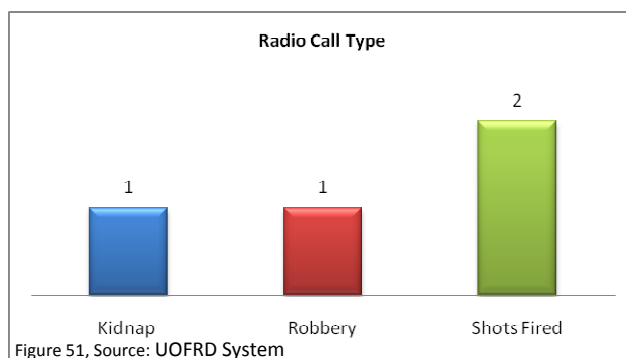
UNINTENTIONAL DISCHARGE INCIDENTS

There were 12 incidents adjudicated in 2009.



K9 CONTACTS WITH HOSPITALIZATION INCIDENTS

All four incidents involved male suspects between the age of 23-29. They all received hospitalization due to injuries to their arm.



K-9 incidents occurred within the years.

K9	2009	2008	% Change
Deployment	470	429	+10%
Find Ratio	61.4	53.8	+14%
Contact Ratio	20.4%	22.5%	-9.3%
Contact w/ Hospitalization	6	4	+33%

Figure 52, Source: Metro K-9 Stat Report, UOFRD System

Adjudicated K-9 incidents within the years.

K-9 CONTACTS W/ HOSPITALIZATION		2009	2008	2007	2006	2005
Incidents Adjudicated		4	1	1	1	1
Deployment	Consistent With Established Criteria	3	1	1	1	1
	Not Consistent With Established Criteria	1	0	0	0	0
Contact	Consistent With Established Criteria	4	1	1	1	1
	Not Consistent With Established Criteria	0	0	0	0	0
Post Contact	Consistent With Established Criteria	4	1	0	1	1
	Not Consistent With Established Criteria	0	0	1	0	0

Figure 53, Source: UOFRD System

2009 CUOF ADJUDICATED FINDINGS

In 2009, the BOPC adjudicated 95 CUOF incidents. Figure 54 lists the findings for the substantially involved officers.

CATEGORICAL USE OF FORCE INCIDENTS		2009
Substantially Involved Officers		
Tactics	No Further Action/ Tactical Debrief	377
	Administrative Disapproval	29
Drawing/ Exhibiting	In Policy	280
	Out of Policy	1
Lethal UOF	In Policy	113
	Out of Policy	14
Less Lethal UOF	In Policy	16
	Out of Policy	0
Non Lethal UOF	In Policy	70
	Out of Policy	1

Figure 54, Source: UOFRD System

January 1, 2008 to July 21, 2008		2008
Incidents Adjudicated		78
Tactics	No Further Action	86
	Divisional/Formal Training	194
	Admin Disapproval	12
Drawing/ Exhibiting	In Policy (No Further Action)	202
	In Policy (DT/FT)	0
	Out of Policy (AD)	0
Lethal UOF	In Policy (No Further Action)	80
	In Policy (DT/FT)	2
	Out of Policy (AD)	8
Less Lethal UOF	In Policy (No Further Action)	13
	In Policy (DT/FT)	3
	Out of Policy (AD)	0
Non Lethal UOF	In Policy (No Further Action)	85
	In Policy (DT/FT)	7
	Out of Policy (AD)	0

Figure 55, Source: UOFRD System

In July 2008 LAPD changed the adjudication process. Refer to page 10 for further detail.

July 22, 2008 to December 31, 2008		2008
Incidents Adjudicated		20
Tactics	Tactical Debrief	58
	Admin Disapproval	8
Drawing/ Exhibiting	In Policy	32
	Out of Policy	0
Lethal UOF	In Policy	15
	Out of Policy	1
Less Lethal UOF	In Policy	1
	Out of Policy	0
Non Lethal UOF	In Policy	10
	Out of Policy	0

Figure 56, Source: UOFRD System

2005-2007 CUOF ADJUDICATED FINDINGS

CATEGORICAL USE OF FORCE INCIDENTS		2007	2006	2005
Incidents Adjudicated		115	100	122
Tactics	No Further Action	169	144	140
	Divisional/Formal Training	229	265	335
	Admin Disapproval	30	55	45
Drawing/ Exhibiting	In Policy (No Further Action)	205	294	356
	In Policy (DT/FT)	0	4	5
	Out of Policy (AD)	3	2	1
Lethal UOF	In Policy (No Further Action)	107	109	111
	In Policy (DT/FT)	2	6	10
	Out of Policy (AD)	12	18	15
Less Lethal UOF	In Policy (No Further Action)	12	13	10
	In Policy (DT/FT)	2	4	0
	Out of Policy (AD)	1	3	0
Non Lethal UOF	In Policy (No Further Action)	147	91	142
	In Policy (DT/FT)	10	9	8
	Out of Policy (AD)	0	0	0

Figure 57, Source: UOFRD System

Non-Categorical Use of Force Incidents

NCUOF INCIDENT SUMMARY

Overall NCUOF incidents decreased one percent Department-wide between 2006 and 2009, with Level I incidents declining 42 percent.

YEAR	NCUOF INCIDENTS	LEVEL I / LEVEL II
2009	1676	113 / 1563
2008	1557	148 / 1409
2007	1699	180 / 1519
2006	1692	197 / 1495

Figure 58, Source: TEAMS II

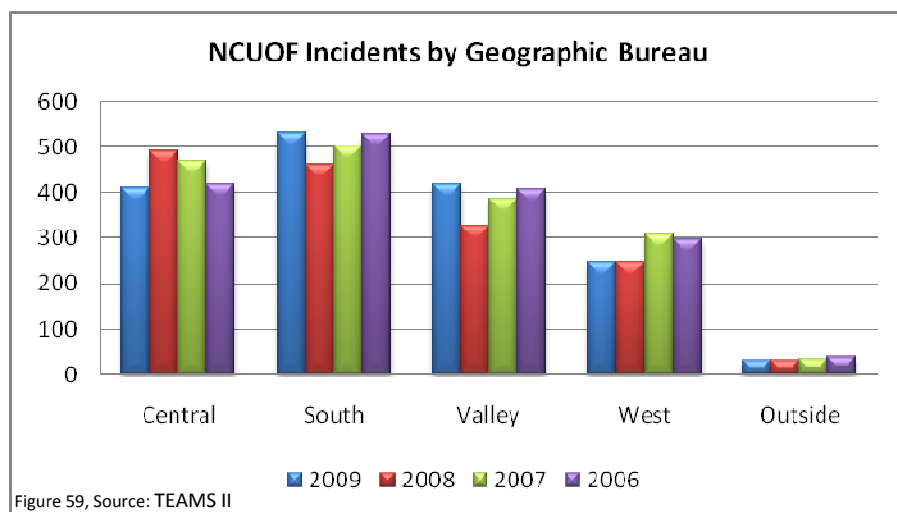
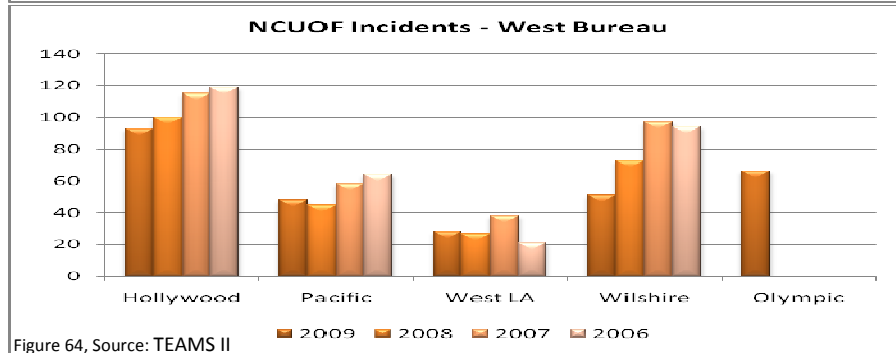
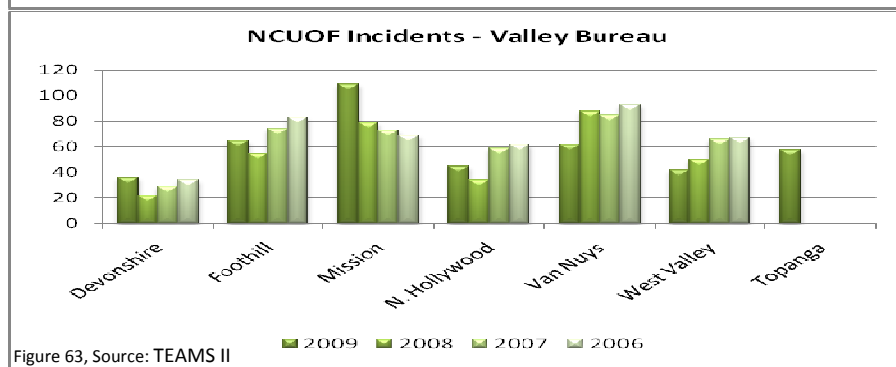
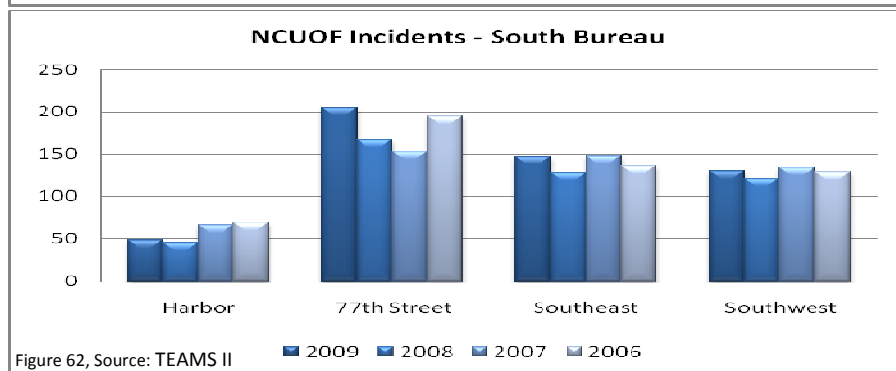
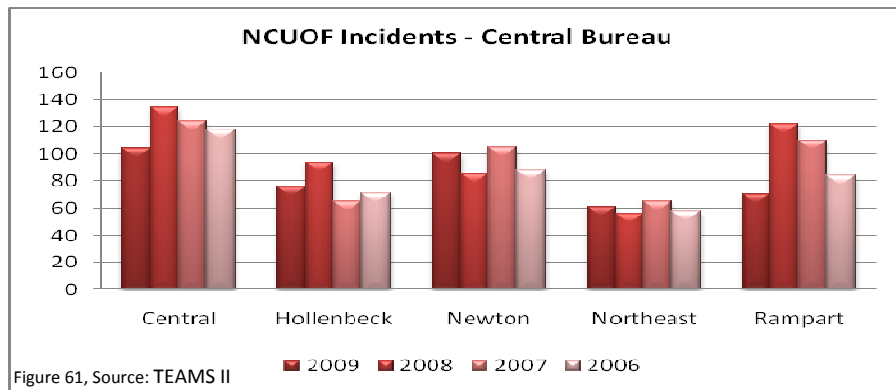


Figure 59, Source: TEAMS II

BUREAU	2009	2008	2007	2006
CENTRAL	411 (24.5%)	491 (31.5%)	469 (27.6%)	419 (24.7%)
SOUTH	530 (31.6%)	461 (29.6%)	502 (29.5%)	529 (31.3%)
VALLEY	417 (24.8%)	328 (21.1%)	386 (22.7%)	408 (24.1%)
WEST	286 (17.0%)	245 (15.7%)	308 (18.1%)	298 (17.6%)
OUTSIDE	32	32	34	38
TOTAL	1676	1557	1699	1692

Figure 60, Source: TEAMS II



NCUOF INCIDENT OCCURRENCES

In 2009, a NCUOF incident was mostly likely to have occurred on Friday, Saturday or Sunday between the hours of 6:00 PM and Midnight when officer(s) were either conducting self-initiated, observational activities or responding to a radio call. Less than one percent of involved officers were off-duty at the time of the NCUOF incident.

Figure 65, Source: TEAMS II

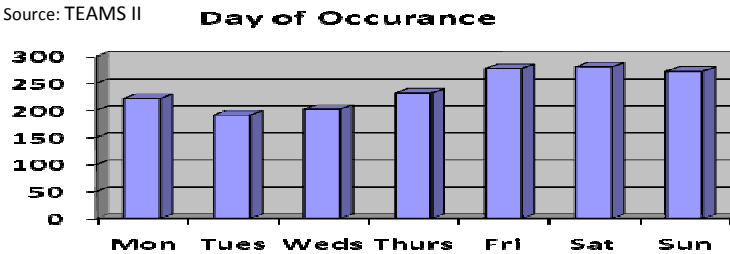


Figure 66, Source: TEAMS II

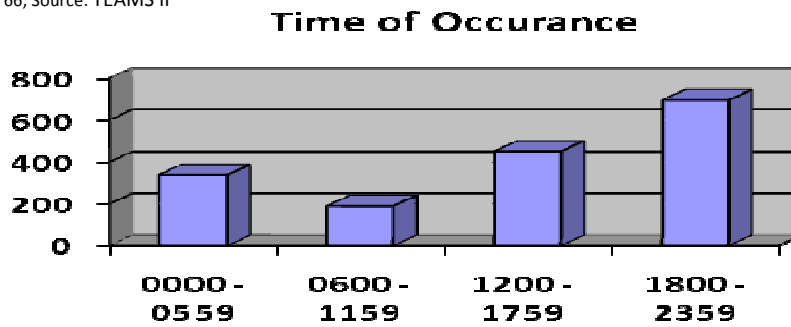
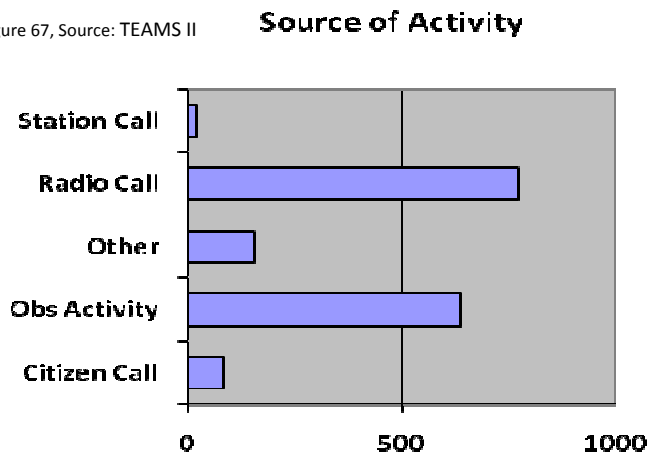


Figure 67, Source: TEAMS II



SUSPECT ACTIVITY OR CONDITIONS ASSOCIATED WITH NCUOF INCIDENTS

- In 2009, just under half of all NCUOF incidents (771 of 1676, or 46 percent) took place when police officers responded to a disturbance involving unruly or disorderly conduct.
- In 21.3 percent of the NCUOF incidents (357), an officer was physically assaulted.
- Subjects under the influence of alcohol (including vehicular DUI) were involved in 27 percent of incidents; some other drug usage was involved in 13.6 percent of incidents.
- A NCUOF occurred during or after 194 foot pursuits and at the conclusion of 37 vehicle pursuits.

Findings from the International Association of Chiefs of Police (IACP) report, *Police Use of Force in America 2001* and *Contacts between Police and the Public (2002)*, published by the Department of Justice, Bureau of Justice Statistics (BJS) studies consistently reported that disturbances by subjects are strongly associated with use of force incidents. The IACP study found that 21 percent of use of force incidents resulted from disturbances, while BJS findings documented that 24 percent of the persons involved in a use of force incident argued with, cursed at, or insulted the officer. The IACP also discovered that subject intoxication from drugs and/or alcohol was also a big predictor of use of force incidents. The conditions that are present prior to NCUOF incidents in the LAPD are similar to the ones reported by other law enforcement agencies.

The following figures depict the most common subject activities or conditions which were present prior to NCUOF incidents during 2008. There are a total of sixteen conditions that can be captured in Teams II. Again, for each incident there may have been more than one condition that existed. For example, officers may have responded to a family dispute involving a person with a mental illness, who had been consuming alcohol. Each condition would be reported separately and the cumulative number of conditions will be more than the number of NCUOF incidents.

CONDITION/ACTIVITY	NO. TIMES OBSERVED	PERCENTAGE OF ALL NCUOF INCIDENTS	
		2009	2008
Disturbance	771	46.0%	51.3%
Alcohol (incl. DUI)	454	27.0%	25.4%
Assault on Officer	357	21.3%	22.9%
Crime in Progress	232	13.8%	16.9%
PCP / Other Drugs	229	13.6%	15.8%
Mental Illness / Attempt Suicide	235	14.0%	14.5%
Gang Member	182	10.8%	13.7%
Family Dispute	189	11.2%	12.5%

Figure 68, Source: TEAMS II

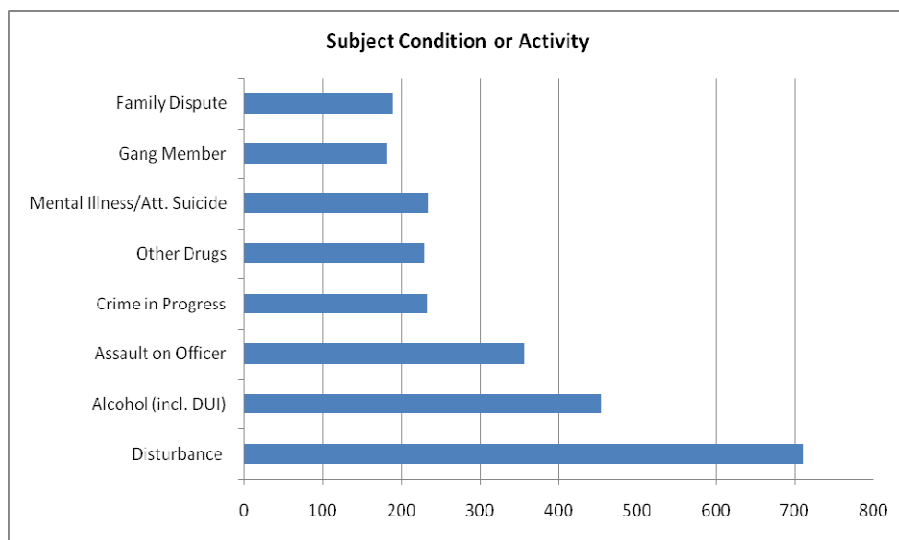
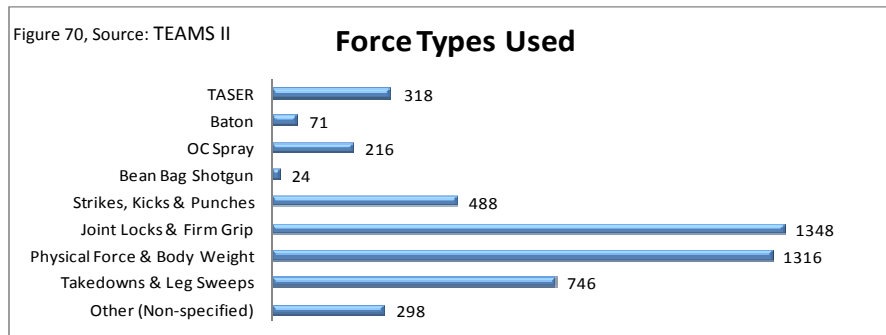


Figure 69, Source: TEAMS II

CONTROL TOOLS AND OPTIONS USED DURING NCUOF INCIDENTS

- In 2009, some type of physical force accounted for 86.8 percent of all control options used during NCUOF incidents, down from 88.3 percent in 2008.
- The most commonly used control device, a TASER, accounted for 6.5 percent of all control options used during NCUOF incidents in 2009, followed by OC Spray with 4.4 percent.
- Overall, when a control device was deployed, a TASER was used 50.5 percent of the time, followed by OC Spray (34.3 percent), Baton (11.2 percent) and Beanbag Shotgun (3.8 percent). This represents a 16 percent increase in the use of the TASER from 2008, compared to the use of all other devices which declined in 2009.
- A flashlight was used as an impact device in two NCUOF incidents during 2009.

The following chart lists the number of times a force option was used during 2009. In each of the 1676 NCUOF incidents, there may have been more than one type of control tool used. For example, in a single NCUOF incident, the involved officers may have used a chemical agent, a baton strike, and finally a takedown and physical force to control a subject. Each force option or tool used was counted separately and included in Figure 70.

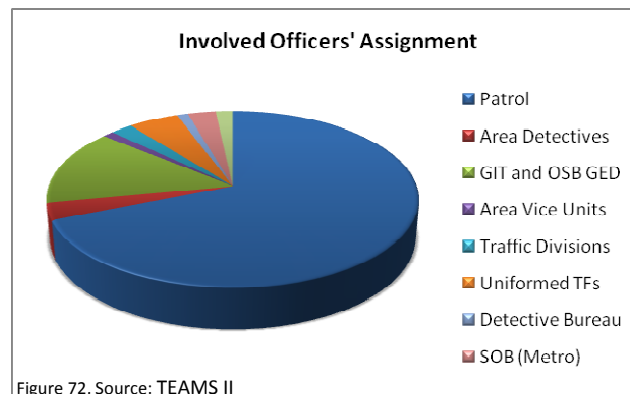
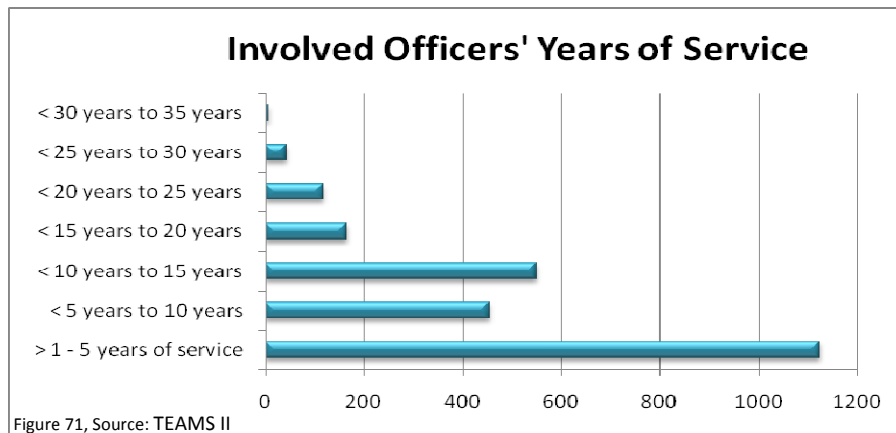


Los Angeles police officers' use of **physical force** options (versus other force types such as impact weapons or OC spray) was consistent with national research in this area. The National Institute of Justice (NIJ) report entitled, *Use of Force by Police – Overview of National and Local Data (1999)*, included a study of six urban law enforcement agencies that indicated approximately 80 percent of arrests in which force was used by officers involved only physical force. Furthermore, the NIJ found that a 'push' or a 'grab' was the most prevalent force type used by officers, accounting for 42 percent of the types of force used. This is relatively consistent with LAPD statistics from 2009 which indicated that "physical force", 'body weight' and 'firm grip' accounted for 48.1 percent of force types used by officers.

OFFICERS INVOLVED IN NCUOF INCIDENTS

45.7 percent of officers involved in a NCUOF incident had between one and five years of service with the Department, followed by 22.3 percent who had between ten and fifteen years of service.

- Male officers accounted for 88.4 percent of officers involved in a NCUOF incident in 2008, a slightly higher percentage than their overall representation in the Department (81.3 percent).
- 68.6 percent of officers involved in a NCUOF incident in 2009 were assigned to Patrol, followed by 14 percent assigned to Area Gang Impact Teams or bureau Gang Enforcement Details.
- 94 percent of officers involved in a NCUOF were in uniform whereas the remainders were in plain clothes or operating in an undercover capacity.
- Officers assigned to uniformed task force assignments (i.e. Safer City Initiative units in Central, Mission and Southwest Areas, OVB Task Force and Office of Operations' Crime Reduction and Enforcement of Warrants Task Force) accounted for five percent of NCUOF incidents in 2009.



INJURIES TO OFFICERS DURING NCUOF INCIDENTS

Visible injuries suffered by officers during NCUOF incidents were similar in type as those suffered by subjects (i.e. contusions and abrasions) but not in frequency. Figure 73 details the four categories used to capture injuries to officers during NCUOF incidents. Visible injuries include contusions and bruises, lacerations, punctures, and scratches and abrasions. Officers may have more than one visible injury (i.e. a contusion and an abrasion) which would each be counted separately in Teams II.

Figure 73, Source: TEAMS II	2009		2008		2007	
OFFICER INJURY	NUMBER	%	NUMBER	%	NUMBER	%
Visible Injury	786	27	575	17	587	17
No Injury	1882	66	2606	79	2694	79
Complained of Pain	167	6	116	3	116	3
Fractures/Dislocation	9	0.3	20	0.6	10	0.2
TOTALS	2857		3317		3407	

INJURIES TO SUBJECTS DURING NCUOF INCIDENTS

- Subjects did not suffer any injuries in 22 percent of NCUOF incidents.

Figure 74 details the four categories used to capture injuries to subjects during NCUOF incidents. Visible injuries include contusions and bruises, lacerations, punctures, and scratches and abrasions. Subjects may have more than one visible injury (i.e. a contusion and an abrasion) which would each be counted separately in Teams II. Injuries, such as dislocations or lacerations requiring sutures, which do not result in hospitalization but are treated prior to the subject being booked into jail are captured in this report under the ‘Visible Injury’ or ‘Fractures’ field and are investigated as Level I NCUOF incidents.

Findings from the NIJ survey found that the most common injuries suffered by a subject were bruises or abrasions which accounted for 48 percent of all injuries.

Figure 74, Source: TEAMS II	2009		2008		2007	
	NUMBER	%	NUMBER	%	NUMBER	%
Visible Injury	1567	62	1559	60	1695	67
No Injury	552	22	562	22	299	12
Complained of Pain	370	15	420	16	497	19
Fracture/Dislocation	22	1	40	2	42	2
TOTALS	2489		2581		2533	

That is consistent with LAPD findings which indicated that contusions or bruises and scratches or abrasions accounted for 62 percent of visible injuries suffered by subjects in 2009. Teams II data from 2006 through 2008 is also surprisingly consistent year to year with 65 percent, 67 percent and 60 percent, respectively. Although serious injuries requiring hospitalizations are not captured in this section, the injuries incurred during NCUOF incidents are relatively minor with the majority of subjects (83 percent) being treated and released for booking at a Jail dispensary or a contract hospital.

RACE OF SUBJECTS INVOLVED IN A NCUOF INCIDENTS

Figure 75 lists the descent of subjects involved in NCUOF incidents with LAPD officers during 2007 through 2009.

RACE OF SUBJECTS INVOLVED IN USE OF FORCE INCIDENTS

SUBJECTS	2009		2008		2007	
DESCENT	NUMBER	%	NUMBER	%	NUMBER	%
Asian	19	1	28	2	30	2
Black	612	36	564	36	670	40
Hispanic	738	44	725	47	714	42
White	222	13	212	14	241	14
Other	34	2	7	1	17	1
Unknown / Null*	69	4	22	1	24	1
TOTALS	1694		1558		1696	

Figure 75, Source: TEAMS II

* Data fields in TEAMS II were left blank.

ARREST STATISTICS BY THE LAPD

SUBJECTS	2009		2008		2007	
DESCENT	NUMBER	%	NUMBER	%	NUMBER	%
Black	48026	27	46443	27	50413	30
Hispanic	85026	47	80115	47	74640	44
White	28025	16	26057	15	25666	15
Unknown	10193	6	10429	6	12120	7
Other	8310	4	6293	4	5956	4
TOTALS	179580		169337		168795	

Figure 76, Source: TEAMS II

ADJUDICATION OF NCUOF INCIDENTS

- Less than one percent of NCUOF incidents in 2009 were found Out of Policy/ Administrative Disapproval for Tactics or Use of Force.
- Officers received findings of Non-Disciplinary Action in 21 percent of NCUOF incidents in 2009 for Tactics, and in 8.8 percent of incidents for the force used.

All NCUOF incidents are reviewed by the officer's chain-of-command to ensure compliance with the law and the Department's use of force policy, and adherence to tactical standards and training. All NCUOF incidents are reviewed by divisional commanding officers where a finding for the force used and tactics employed by the officer are evaluated. Each officer who uses force during a NCUOF incident is given separate findings for the force and tactics. These findings are bifurcated to better evaluate the actions of the officer leading up to and during the incident (tactics) and the actual control tools (force) used by that officer. The officer's Area commanding officer (where appropriate) and Bureau commanding officer also review the investigation and provide their own findings. The Chief of Staff is the final authority in adjudicating NCUOF incidents and delegates to the commanding officer, Use of Force Review Division, the responsibility of the final review and adjudication of NCUOF incidents.

The force used by an officer during a NCUOF incident is classified as one of three findings: In Policy/No Action, In Policy/Non-Disciplinary Action, and Out of Policy/ Administrative Disapproval. An NCUOF found In Policy/No Action indicates the force used by the officers was within policy and standards. The force used by an officer is considered In Policy/Non-Disciplinary Action when the force used was within policy, but the officer's future performance would benefit from some additional supervisory action such as counseling or training. A determination of Out of Policy indicates that the force used by the officer violated Department policy and was not objectively reasonable.

NON CATEGORICAL USE OF FORCE INCIDENTS		2009	2008	2007	2006
Total Officers Involved		1783	1778	1887	1840
Tactics	In Policy/No Action	1423	1427	1578	1556
	In Policy/Non-Disciplinary Action	353	348	300	277
	Out of Policy (AD)	7	3	9	7
Total Officers Involved		1723	1682	1816	1802
Force Used	In Policy/No Action	1561	1551	1719	1714
	In Policy/Non-Disciplinary Action	149	121	93	82
	Out of Policy (AD)	13	10	2	6

Figure 77, Source: TEAMS II



CONTACT INFORMATION

Sandy Jo MacArthur, Assistant Chief
Office of Administrative Services
100 West First Street, Suite 1030
Los Angeles, CA 90012
213-486-6790

Use of Force Review Division
100 West First Street, Suite 257D,
Los Angeles, CA 90012
213-486-5950

- Use of Force Review Division
Captain Scott Sargent
213-486-5950
- Administrative Section
Lieutenant Greg Yacoubian
Sergeant Susana Padilla
213-486-5950
- Categorical Review Section
Lieutenant Brian Pratt
213-486-5960
- Non-Categorical Review Section
Lieutenant Brian Gilman
213-486-5970
- Tactics Review Section
Sergeant Derek O'Donnell
213-486-5980

ABOUT THE DIVISION

Use of Force Review Division is comprised of the following sections: Administration Section, Categorical Review Section, Non-Categorical Review Section and Tactics Review Section. UOFRD reports directly to the Office of the Chief of Staff and is responsible for providing administrative support for the review and adjudication of all Categorical and Non-Categorical Use of Force incidents.

Use of Force Review Division coordinates and schedules the Use of Force Review Boards for Categorical Use of Force incidents and provides staff support to the Board members. Use of Force Review Division also coordinates and schedules K9 Contact Review Boards for incidents in which a member of the public is bitten by a Department canine and requires hospitalization.

Use of Force Review Division maintains and updates Categorical and Non-Categorical Use of Force databases and prepares statistical information pertaining to use of force incidents. Additionally, the Tactics Review Section provides Department-wide use of force training, oversees the Department's General Training Update and Tactical Debrief process, as well as, publishes the quarterly Tac Ops newsletter and maintains the UOFRD website (LAN).