

GOVERNMENT OF THE DISTRICT OF COLUMBIA
METROPOLITAN POLICE DEPARTMENT

FINDINGS OF FACT IN USE OF FORCE INCIDENT

Force Type (s):	Discharge of a Firearm
Incident Date:	August 12, 2022
Publication Date:	November 30, 2022
Involved MPD Member(s): Rank, Division Assigned, Race/Gender:	Officer 1 Sixth District Asian/Male
Subject of the Force's Race/Gender and Age at time of the use of force incident:	Animal (Dog)
Use of Force Review Board Date:	November 22, 2022

SYNOPSIS OF USE OF FORCE

Officer 1(OFC1) discharged their MPD firearm at an animal. Consistent with MPD policy, this use of force incident was investigated by the involved member's chain of command. MPD's use of force investigative procedures are outlined in [GO-RAR-901.07 \(Use of Force\)](#). The final investigative report concluded on October 5, 2022, after all available evidence was collected and analyzed, and statements from the subject officer, police and civilian witness were reviewed. The material facts regarding this use of force incident are outlined below.

EVENTS THAT LED TO POLICE CONTACT

1. On Friday, August 12, 2022, OFC1 was in full MPD uniform and on-duty.
2. At approximately 3:44 PM, Officer 2(OFC2) was dispatched by the Office of Unified Communications (OUC) to 42nd and Clay Streets, NE, for the report of a pit bull running loose.
3. At approximately 3:50 PM, OFC2 arrived in the 4200 block of Clay Street, NE, and observed the dog running loose.
4. OFC1 responded to the 4200 block of Clay Street, NE, and met with OFC2 to provide assistance with OFC2's assignment.
5. OFC2 drove their MPD vehicle to the rear of the houses in the 4200 block of Clay Street, NE, while OFC1 stayed in front. OFC1 got out of his MPD vehicle and walked towards an unfenced yard. OFC1 entered the yard and attempted to get the attention of the dog.

EVENTS THAT LED TO THE USE OF FORCE

6. The dog came running at the OFC1 and attacked him biting at his legs. OFC1 tried to kick at the dog to prevent it from biting him.
7. OFC1 retrieved his firearm and retreated away from the dog. The dog bit OFC1's left leg and OFC1 again attempted to kick the dog away from him. The dog continued to attack OFC1.

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8. OFC1 discharged his firearm four times at the dog striking it two times.

ACTIONS AFTER THE USE OF FORCE

9. DC Fire and Emergency Medical Services Department (DC FEMS) arrived on the scene to evaluate OFC1's injuries he sustained from the dog attack. OFC1 complained of pain to his right shin and left knee. OFC1 sustained a puncture wound to his left knee. OFC1 was transported to a local hospital for the treatment of his injuries.

PROSECUTORIAL REVIEW BY THE US ATTORNEY'S OFFICE (USAO)

This incident involving the discharge of a firearm at an animal was not referred to the USAO for review. Consistent with MPD policy, [GO-RAR-901.07 \(Use of Force\)](#), only the following incidents are referred to the United States Attorney's Office for review: (1) serious uses of force, (2) deadly force, (3) uses of force indicating potential criminal conduct, (4) vehicle pursuits involving a fatality, and (5) in-custody deaths involving an MPD member.

FINDINGS OF THE CHAIN OF COMMAND ADMINISTRATIVE INVESTIGATION

On October 5, 2022, the chain of command final investigation made the following finding based on a preponderance of evidence regarding the use of force by OFC1:

- Use of Force-Discharge of Firearm (Animal) by OFC1-**JUSTIFIED**

FINDINGS OF THE USE OF FORCE REVIEW BOARD (UFRB)

On November 22, 2022, the UFRB convened to review the final investigative report prepared by the chain of command and the evidence regarding the use of force by OFC1. The UFRB ruled:

- Use of Force-Discharge of Firearm (Animal) by OFC1 was **JUSTIFIED**.