

INTRADEPARTMENTAL CORRESPONDENCE

June 12, 1998
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TO: Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: OIS #18-97

Honorable Members:

I have reviewed and adopted the Use of Force Review Board Report for this incident. I hereby submit my findings in accordance with Police Commission policy.

SUMMARY

On Friday, February 28, 1997, at approximately 0917 hours, Officers L. Farrell #15517 and M. Perello #31923, North Hollywood Patrol Division, were on patrol travelling southbound on Laurel Canyon Boulevard. The officers had just crossed the intersection of Laurel Canyon Boulevard and Archwood Street when they observed two suspects wearing ski masks, dark clothing, and armed with assault rifles, walking south along a walkway toward the front doors of the Bank of America at 6600 Laurel Canyon Boulevard. The two suspects, subsequently identified as L. Phillips, male, 26 years of age, and E. Matasareanu, male, 30 years of age, were walking in single file and appeared to be forcing a citizen, later identified as A. Iskandaryan, male, 32 years of age, toward the front doors of the bank. The suspects and Iskandaryan entered the bank, and Officers Farrell and Perello believed an armed robbery was occurring. As the officers drove to the intersection of Laurel Canyon Boulevard and Kittridge Street, they heard the sound of automatic weapon fire from inside the bank. The officers positioned their police car in the crosswalk at the east curb of Laurel Canyon Boulevard and Kittridge Street. Officer Farrell requested assistance for a possible robbery in progress and broadcast that shots were fired.

Upon entering the bank, the suspects brandished their weapons in a threatening manner. Matasareanu yelled an obscenity and stated, "This is a hold-up. Everybody get down on the floor. Close your eyes and don't look." Matasareanu walked through the lobby and repeatedly yelled, "Keep your heads down! If you move, I'll kill you!" Matasareanu approached M. Nolte, female, 79 years of age, and struck her on the head with his hand, knocking her on the floor. Matasareanu repeated his death threats and began firing his fully automatic rifle randomly around the lobby. Matasareanu confronted a bank security guard, F. Figueroa, male, 32 years of age, who was lying prone on the floor. Matasareanu stepped on Figueroa's neck, placed the muzzle of his rifle to the guard's neck and cursing, told him not to move, and when directed, to move people into the vault.

Matasareanu moved to the merchant vault and forced employees into the lobby where they were ordered to lie on the floor.

Simultaneously, Phillips attempted to breach the vault and teller access doors by firing his automatic rifle into them. Phillips confronted the bank manager, J. Villagrana, male, 26 years of age. Phillips struck Villagrana on the head with the butt of his rifle and demanded that he open the vault. Villagrana obtained keys from another employee and Phillips again struck him in the head with the rifle butt. Phillips forced Villagrana to the vault and gave the manager a large nylon equipment bag and ordered Villagrana to put the money in the bag. Villagrana opened various money boxes and placed currency into the bag. Phillips noted the boxes contained small denominations. Phillips fired rounds into the boxes and yelled, "You have millions. Where's the ATM money?" After placing more money in the bag, Phillips ordered Villagrana to the ATM vault. Matasareanu joined them at the ATM vault. The suspects ordered Villagrana to open the machines and threatened to shoot him if he did not comply. Villagrana informed the suspects that bank employees could not open the machines. Phillips fired a burst of rounds into the machines in an unsuccessful attempt to breach them. Villagrana sustained wounds from ricocheting bullets.

Phillips ordered Villagrana into the main vault area as Matasareanu yelled for the security guard. Security Guard Figueroa then began directing employees and customers toward the bank vault as instructed by the suspects. Matasareanu turned his attention to the employees behind the plexiglass barrier east of the main vault area. Matasareanu fired a burst of rounds into the plexiglass barrier's lock mechanism in an attempt to break it. The barrier held; however, employee M. Toledo, male, 22 years of age, was struck in the face and wrist by bullet fragments. The suspects then forced the remaining customers and employees into the main vault area.

Officers Farrell and Perello heard the repeated bursts of the suspects' gunfire and at approximately 0918 hours, they advised Communications Division that shots were still being fired and broadcast a request for help. Responding units were instructed to approach from the north and establish a perimeter around the bank building. Uniformed and plain-clothes units monitored the initial radio broadcasts by Officers Farrell and Perello and deployed around the bank. Marked police cars were positioned around the bank to stop vehicular traffic from driving past the front of the bank.

At approximately 0921 hours, Sergeant L. Haynes #22767, North Hollywood Patrol Division, arrived and deployed at the southwest corner of Laurel Canyon Boulevard and Archwood Street. Two witnesses, M. Horen, male, 35 years of age; and B. Golding, male, 36 years of age, approached Sergeant Haynes and advised him that two or three suspects dressed in black, armed with AK-47 assault rifles entered the bank.

A third witness, T. Fisher, female, 28 years of age, approached and advised she had telephonically called the police and that the suspects were wearing ski masks. The three witnesses stated they had not seen any suspects exit the bank. The suspect information was broadcast by Communications Division, along with information from a person inside a drug store that six male suspects had entered the bank.

Officer M. Whitfield #27011, Van Nuys Patrol Division, stopped his vehicle to the rear of Sergeant Haynes' vehicle. Officer Whitfield exited and deployed adjacent to the driver's side of his police car. Lieutenant N. Zingo #21312, along with Sergeant S. Layton #16356, North Hollywood Patrol Division, responded to the location and arrived in the south parking lot of the bank, north of Kittridge Street. The personnel deploying on the perimeter continued to hear sporadic bursts of gunfire emanate from inside the bank.

NOTE: It was determined that the suspects fired approximately 50 rounds of rifle fire while inside the bank.

Sergeant Layton broadcast for units to block northbound traffic at Victory Boulevard and further requested that a Fire Department Rescue Ambulance be staged at the intersection of Victory and Laurel Canyon Boulevards.

At approximately 0924 hours, an air unit arrived at the scene. Lieutenant Zingo instructed the air unit to maintain a high altitude so as not to impede the officers' hearing and act as an observation post. Lieutenant Zingo requested that Communications Division dispatch Metropolitan Division's Special Weapons and Tactics Team (SWAT).

The suspects continued their assault inside the bank as additional Department personnel arrived. Detectives T. Angeles #27797 and W. Krulac #16152, North Hollywood Division, arrived in the shopping center parking lot on the west side of Laurel Canyon Boulevard, across from the bank. The detectives exited their vehicle and deployed along the side of a small lock and key shop near the east boundary of the lot. Officers S. Guy #27211 and J. Zboravan #33094, North Hollywood Patrol Division, drove into the lot and joined the detectives at the key shop. Officer Zboravan was armed with a Department-issued shotgun and deployed at the northwest corner of the key shop. Detective Angeles deployed just south of Officer Zboravan as Detective Krulac and Officer Guy deployed near the southwest corner of the key shop.

The following personnel deployed at the intersection of Laurel Canyon Boulevard and Kittridge Street and utilized parked police and civilian cars for cover: Detective J. Coffey #17293, and Officer E. Guzman #23490, North Hollywood Division; and Officers A. Hollands #31820 and R. Harrison #30951, Van Nuys Patrol Division.

The following personnel deployed near the northeast corner of the parking lot of the bank adjacent to Archwood Street: Officers D. Delgado #27678, N. Serfas #31935, E. Brentlinger #20602, E. Dominguez #31215, Detectives J. Armenta #17225 and T. Culotta #21607, North Hollywood Division, utilized a concrete block wall for cover. Officer C. Torrez #27257, North Hollywood Patrol Division, deployed behind his vehicle in the roadway of Archwood Street, east of the north parking lot of the bank.

The following personnel deployed in and around the south parking lot of the bank. Detectives B. Johnson #17472, S. Metz #20973, G. Hagge #21618, K. Crawford #23659, L. Burns #23751, A. Soloman #26802, R. Sherwood #25068, O. Caraballo #15954, Lieutenant M. Moss #23896, N. Heesselgrave #25883, W. Blandin #23748, P. Makarenko #26055, J. Hays #22768, S. Bishop #21942, F. Estrada #26642; Officers J. Miranda #33053, R. Kehr #27858, J. Caparelli #23753, and M. Eck #25477, North Hollywood Division. The officers and detectives utilized parked vehicles and a concrete wall that extended along the east border of the bank parking lot for cover.

The following personnel deployed in the rear yard of the residence at 6641 Agnes Avenue: Lieutenant M. Ranshaw #17355, Detectives K. Harley #17176, E. Valladares #16848, and V. Bancroft #27564, North Hollywood Division. The lieutenant and detectives deployed along a concrete wall that extended along the east boundary of the bank property. This location afforded a view of the rear east side of the bank building and north parking lot.

At approximately 0925 hours, Phillips emerged from the north doors of the bank into the entrance alcove. Phillips was armed with an assault rifle as he stepped to the northwest corner of the alcove. Phillips looked around the corner in a northwest direction and began firing his fully automatic rifle toward officers at the intersection of Archwood Street and Laurel Canyon Boulevard. In defense of the lives of the officers who were deployed north of the bank, Officer Zboravan fired two rounds from his shotgun at Phillips.

Phillips stepped back to the center of the alcove and began spraying rounds to the parking lot along the west side of Laurel Canyon Boulevard. After several seconds, Phillips again directed automatic gunfire in a northwest direction. In defense of his and the lives of other Department personnel, Officer Guy fired five rounds from his pistol at Phillips.

Matasareanu exited the bank onto the south alcove and began firing bursts of automatic gunfire north, south, and west. Over a period of several minutes, Matasareanu re-entered and exited the bank approximately three times. Each time Matasareanu exited, he sprayed the areas north, south, and west along Laurel Canyon Boulevard with automatic rifle fire.

Phillips ceased firing and re-entered the bank. During the initial barrage of gunfire, Officers Guy and Zboravan laid atop Detectives Krulac and Angeles because the officers were wearing body armor and the detectives were not. Officer Zboravan sustained a gunshot wound to his buttocks and lower back. Officer Zboravan informed his partners that he was wounded, but that he was able to move. The officers and detectives stood and moved west through the parking lot using parked vehicles for cover.

After approximately two seconds, Phillips re-emerged from the bank and directed gunfire to the parking lot along the west side of Laurel Canyon Boulevard. The rounds struck the key shop, the asphalt, and numerous vehicles parked in the lot. Officer Zboravan and Detective Krulac stopped for cover at a parked van. Phillips continued firing, and Detective Krulac was struck and wounded in his lower right leg. Nearly simultaneously, Officer Guy redeployed behind a mini-van. Officer Guy then sustained a severe gunshot wound to his right thigh and fell to the ground. Officer Guy then sustained another wound to his right forearm. Officer Guy broadcast to Communications Division that he had been wounded and was down in the parking lot northwest of Kittridge Street and Laurel Canyon Boulevard.

Detective Angeles moved to a position south of Officer Guy, heard him advise that he was hit, and observed the officer bleeding profusely. Detective Angeles moved in a low position along the parked vehicles in an attempt to reach Officer Guy. Detective Angeles then sustained a gunshot wound to her buttocks but was able to deploy to a vehicle adjacent to Officer Guy's position. Officer Zboravan and Detective Krulac were able to continue to an office adjacent to the supermarket on the west side of the parking lot at 6631 Laurel Canyon Boulevard.

Phillips remained in the north entrance and stood at the southwest corner of the alcove. Phillips again directed gunfire to the southwest corner of Archwood Street and Laurel Canyon Boulevard. Sergeant Haynes and Officer Whitfield were under direct attack as they crouched behind their police vehicles. Rounds struck the police cars, shattering the windows and flattening the tires. For approximately one minute, Phillips continuously fired automatic gunfire toward the intersection and in a westerly direction. During this assault, Sergeant Haynes sustained a gunshot wound to his left shoulder. Officer Whitfield sustained gunshot wounds to his left buttock, hand, and arm. Sergeant Haynes broadcast that he and Officer Whitfield had been wounded and were pinned down at the corner of Archwood Street and Laurel Canyon Boulevard.

During this time period, Lieutenant Zingo was attempting to establish a command post at a restaurant located at 6545 Laurel Canyon Boulevard. Lieutenant Zingo directed Communications Division to broadcast for any available supervisor to form an officer rescue team. At approximately 0928 hours, Phillips re-entered the bank. Personnel from the

Los Angeles Fire Department arrived and began to set up an emergency care area on Victory Boulevard west of Laurel Canyon Boulevard. Requests were also made to dispatch Metropolitan Division's rescue vehicle.

Matasareanu exited the bank dragging a large nylon bag containing U.S. currency. Matasareanu stepped to the northwest corner of the alcove and began firing his automatic rifle in a northwesterly direction. After approximately one minute, Matasareanu went back into the bank. Approximately 30 seconds later, both suspects emerged from the bank. Matasareanu held the nylon bag with his left hand and controlled his rifle with his right hand. Phillips stood near the bank doors with his rifle in a port-arms position as Matasareanu started to move across the alcove.

During this time period, Officers D. Schram #25197 and W. Lantz #33251, Foothill Patrol Division, arrived and parked their police vehicle at the southeast corner of Laurel Canyon Boulevard and Archwood Street. The officers used the police car doors for cover but due to the heavy gunfire, they redeployed to a parked vehicle in the mini-mall north of their location.

At approximately 0931 hours, Phillips stepped to the east sidewalk of Laurel Canyon Boulevard followed by Matasareanu. The suspects panned the area with gunfire and repeatedly struck the police cars in the intersection of Laurel Canyon Boulevard and Archwood Street. The businesses and civilian vehicles parked in the west side shopping center were also being struck. Officers positioned north of the bank broadcast that the suspects were wearing body armor.

Sergeant Haynes and Officer Whitfield's police cars were repeatedly struck by the suspects' rifle fire, causing large amounts of flying debris and shrapnel. Sergeant Haynes realized that he and Officer Whitfield needed to redeploy to better cover and shift the gunfire away from citizens who were huddled behind his police car for protection. The citizens were ordered to stay down. During a break in the gunfire, Sergeant Haynes and Officer Whitfield moved across Archwood Street to the west sidewalk of Laurel Canyon Boulevard with the intent of using the trees along the sidewalk for cover. Phillips began firing in their direction, and Sergeant Haynes sustained a gunshot wound to his left leg. Officer Whitfield was struck in the right thigh and his femur shattered. Severely wounded, Officer Whitfield collapsed on the sidewalk as rounds continued to ricochet around him. Sergeant Haynes deployed behind a tree approximately 20 yards south of Officer Whitfield. The suspects continued north and fired in a north, northwest, and westerly direction. One citizen, subsequently identified as M. Horen, received gunshot wounds to his left arm, left leg, stomach, and groin areas. Another citizen, subsequently identified as T. Fisher, received a gunshot wound to her left foot.

NOTE: It was subsequently determined that the suspects fired approximately 416 rounds from the alcoves and west sidewalk directly in front of the bank.

Upon reaching the northwest corner of the bank, the suspects moved into the north parking lot and stopped near a white sedan. The suspects continued to fire at officers deployed around the intersection of Laurel Canyon Boulevard and Archwood Street. Officer Lantz attempted to redeploy and received a gunshot wound to his right knee. Officer Lantz was able to continue and obtained cover behind a parked vehicle.

Lieutenant J. Rezzo #20810, Valley Traffic Division, arrived and deployed on a fork lift tractor in the parking lot west of the bank. In addition, Officers A. Owens #21773 and B. Smith #32707, Devonshire Patrol Division, arrived and deployed behind parked vehicles in the parking lot. Officers J. Phillips #22496, W. Tatum #25450, and M. Jimenez #22363, Foothill Patrol Division, arrived and deployed on the roof of the supermarket on the west side of the parking lot. Lieutenant Rezzo observed the suspects near the northwest corner of the bank, firing their weapons at the officers and civilians positioned around the intersection of Laurel Canyon Boulevard and Archwood Street. In defense of the officers' lives, Lieutenant Rezzo fired a total of five rounds at the suspects. Officer Owens observed the suspects at the northwest corner of the bank. In defense of the officers' lives who were deployed north of the bank, Officer Owens fired two rounds at the suspects.

Almost simultaneously, Officer R. Zielinski #20182, Valley Traffic Division, arrived and deployed at the front west wall of a fast food restaurant adjacent to the northeast corner of Archwood Street and Laurel Canyon Boulevard. Detective T. Shaw #25588, North Hollywood Division, arrived and deployed on the roof of a tire store southeast of the intersection of Laurel Canyon Boulevard and Kittridge Street.

Beginning at approximately 0933 hours and continuing over a period of 17 minutes, the following personnel engaged the suspects in the north parking lot of the bank, firing controlled series of rounds with their service pistols.

From his position behind a tree on the west sidewalk of Laurel Canyon Boulevard northwest of the parking lot, Sergeant Haynes fired a total of 15 rounds.

From his position behind a tree on the west sidewalk of Laurel Canyon Boulevard northwest of the parking lot, Officer Whitfield fired a total of 16 rounds.

From his position behind parked vehicles in a parking lot on the northeast corner of Archwood Street and Laurel Canyon Boulevard, north of the bank lot, Officer Schram fired a total of 61 rounds.

From his position adjacent to the fast food restaurant on the east side of Laurel Canyon Boulevard, north of Archwood Street, Officer Zielinski fired a total of 86 rounds.

From their positions behind a block concrete wall along the northeast corner of the north bank lot, Officer Brentlinger fired a total of 24 rounds, and Detective Culotta fired a total of 4 rounds at Phillips. Phillips turned and fired directly at Officer Brentlinger who received fragment wounds to the left side of his face and left arm.

From his position behind a police car parked on Archwood Street adjacent to the northeast corner of the north bank lot, Officer Torrez fired a total of eight rounds at Phillips. In the later exchange of gunfire, Officer Torrez received a grazing gunshot wound to his neck.

The confrontation continued along the north side of the bank. On several occasions, Phillips stepped past the northeast corner of the bank building to fire directly east toward the personnel deployed in the yard east of the bank. In defense of officers' lives, Detective Shaw fired a total of 22 rounds at Phillips from his position on the tire store on the east side of Laurel Canyon Boulevard.

From their positions in the yard of a residence which adjoined the east boundary of the bank, Detective Bancroft fired 22 rounds and Detective Harley fired 20 rounds at Phillips.

The air unit observed the suspects' attire and broadcast the suspects were wearing body armor. Phillips moved east using parked vehicles for cover and continued to fire at the personnel deployed north, northwest, and northeast of the bank. At approximately 0935 hours, Matasareanu, apparently wounded, began to limp and abandoned the nylon bag. Matasareanu entered the front seat of the white sedan where he remained. Phillips continued to engage officers from the northeast corner of the bank.

Department personnel continued to respond and deploy. Detectives D. Tomilin #25200, K. Keesling #24661, along with Officers R. Wicks #15744 and R. Troncone #14747, North Hollywood Division, deployed behind a concrete wall on the northwest corner of Vantage Avenue and Archwood Street. Detective Tomilin observed Phillips fire at the officers positioned north and northwest of the bank. In defense of the officers' lives, Detective Tomilin fired a total of 15 rounds at Phillips.

The following personnel arrived and deployed at the intersection of Vanowen Street and Laurel Canyon Boulevard: Officers C. Dempsey #30036, A. Kukla #33249, S. Weidenhaupt #24903, J. Roccaforte #33187, D. Muniz #26752, N. Butcher #31210, C. Brazzill #27100, A. Barkman #31154; and Sergeants P. Weinhold #13172, L. McKinley #20000, and J. Flores #21806,

Foothill Patrol Division. Officer T. Taylor #2964 of the Santa Monica Police Department also responded.

At approximately 0936 hours, officers north of the bank observed a gray vehicle leave from the north parking lot of the bank. The vehicle was driven by a lone male, later identified as M. Alejandro, 35 years of age. Unidentified officers broadcast the movement of the car and indicated the driver was possibly a suspect attempting to flee. The air unit observed the gray vehicle exit the north parking lot of the bank and proceed northbound on Laurel Canyon Boulevard. Simultaneously, Phillips fired rounds in a northerly direction. Officer Dempsey, deployed at the intersection of Vanowen Street and Laurel Canyon Boulevard, observed the gray vehicle approach. Based on the radio broadcasts and his observations, Officer Dempsey believed Alejandro was a heavily armed, fleeing suspect that was going to fire rounds at the officers deployed around the intersection. In defense of the officers' lives, Officer Dempsey fired five rounds at Alejandro. Uninjured, Alejandro completed a right turn and drove east on Vanowen Street. Follow-up investigation revealed that Alejandro was an innocent bystander who had no connection with Phillips and Matasareanu.

Officers T. Schmitz #32902 and A. Cabunic #25170, Van Nuys Patrol Division, arrived. Officers Schmitz and Cabunic along with Detective Angeles, performed an officer rescue of Officer Guy. Officer Guy and Detective Angeles were transported to the Fire Department triage area for treatment.

At approximately 0938 hours, due to the overwhelming firepower of the suspects, Lieutenant Zingo broadcast for any available unit to respond to the gun store located at 12521 Oxnard Street and obtain effective weapons. Weapons were obtained from the store but were never fired during the incident.

Phillips continued his assault at the north side of the bank. Phillips exchanged his rifle for another rifle from the rear of the white sedan and walked back eastbound as he continued to fire in a northerly direction. Upon reaching the northeast corner of the bank building, Phillips directed gunfire east at the personnel deployed in the rear yard of 6641 Agnes Avenue. During this exchange, Detective Valladares received a grazing gunshot wound to his forehead.

Phillips remained near the northeast corner and continued to fire his rifle at officers north and northwest of him. Phillips then began firing rounds at the air unit and news helicopters that were orbiting the location.

Radio broadcasts for assistance from injured officers continued. Officers A. Hollands #31820 and R. Harrison #30951, Van Nuys Patrol Division, utilized an armored bank transport truck and drove to the intersection of Kittridge Street and Laurel Canyon Boulevard. The armored truck

Officers deployed in the area around the intersection of Archwood and Agnes Streets. Over the next four minute period as the suspects exited the bank parking lot, the following officers fired at the suspects.

From his position at the wall of a residence on the northwest corner of Archwood and Agnes Streets, Officer Torrez fired a total of 37 rounds at the suspects as they moved east.

From his position on the sidewalk at the intersection of Archwood and Agnes Streets, Officer Caparelli fired a total 23 rounds at Phillips.

From his position at a parked car in front of 6658 Agnes Avenue, Officer Flores fired a total of 16 rounds at Phillips.

From his position behind a tree on the southeast corner of the intersection of Archwood and Agnes Streets, Officer Eck fired a total of eight rounds at Phillips.

From his position at a parked car in front of 6658 Agnes Avenue, Officer Resnick fired a total of four rounds at Phillips.

From his position at a parked van on Agnes Avenue, south of Archwood Street, Officer Brentlinger fired three rounds at Phillips.

From his position at a parked car on Agnes Avenue, south of Archwood Street, Detective Culotta fired a total of two rounds at Phillips.

From his position at a parked vehicle in the driveway of 6659 Ben Avenue, Officer Dominguez fired four rounds at Phillips. Officer Dominguez redeployed to the rear yard and fired two rounds at Matasareanu who was approaching in the white sedan. Officer Dominguez again redeployed to a parked truck and fired one additional round at Matasareanu.

Detective Bancroft was deployed behind his police car on Agnes Avenue, south of Archwood Street. Detective Bancroft was armed with a Department-issued shotgun and fired a total of four shotgun rounds at Matasareanu.

Lieutenant Ranshaw redeployed to a van parked in front of 6641 Agnes Avenue and fired a total of 12 rounds at Phillips as the suspect moved along the south sidewalk of Archwood Street.

Phillips exited the north parking lot and moved quickly east along the parkway on Archwood Street. As he walked, Phillips fired rifle rounds in an easterly direction at the officers deployed at the intersection of Archwood Street and Agnes Avenue. Phillips crouched behind a tractor

driver, H. Quevado, and guard, D. Campbell, each agreed to remain and operate the armored truck for the officers. At approximately 0945 hours, Lieutenant M. Albanese #17111; and Officers P. Weireter #21837, D. Anderson #13328, R. Massa #16712, and S. Gomez #21953, Metropolitan Division SWAT, arrived at the Command Post (CP). The CP had been moved for safety reasons to a furniture store on Victory Boulevard, west of Laurel Canyon Boulevard. The SWAT personnel were directed to the south parking lot of the bank to assess the tactical situation and form teams to effect the rescue of wounded officers and civilians.

The gun battle with Phillips continued in the north parking lot of the bank. Matasareanu backed the white sedan from its stall then stopped the sedan facing east. Phillips approached the sedan, and fired automatic gunfire in a north and northwest direction. Phillips went to the trunk of the sedan and retrieved additional rifle magazines. After several more bursts of gunfire Phillips discarded his rifle and armed himself with another assault rifle. It was later determined that the rifle Phillips discarded had sustained a bullet impact and was rendered inoperative.

SWAT personnel joined the officers who had control of the armored truck. Officer Weireter entered the armored truck armed with a Department-issued assault rifle. Officers Massa, Gomez, and Anderson, also armed with Department-issued assault rifles, entered a hybrid police car to follow the armored truck to provide support during rescue operations and information to the CP.

After re-arming himself, Phillips moved to the right side of the white sedan as Matasareanu drove the sedan forward in an easterly direction. Detectives Culotta and Armenta, along with Officers Brentlinger and Torrez, redeployed from the block wall at the northeast corner of the bank to seek better positions as the suspects moved toward their direction. Based on the broadcasts of the suspects' movements, personnel who had been deployed along Agnes Avenue southeast of the bank began moving north to intercept the suspects and cut off their escape.

As Matasareanu drove the white sedan, Phillips walked parallel to the passenger side. Halfway across the bank parking lot, Matasareanu stopped the sedan and Phillips leaned over the roof and fired a burst of rounds in a northwest direction. Phillips moved quickly east across the lot and crouched down as he reloaded his weapon.

Phillips stood and moved quickly toward the northeast exit of the parking lot. Phillips reached the sidewalk of Archwood Street and fired his rifle in a northwest, north, and then westerly direction.

NOTE: It was determined that during the 17 minute gun battle in the north parking lot, the suspects fired at least 424 rounds at Department personnel.

trailer truck and manipulated his rifle as if clearing a malfunction. Within seconds, Phillips stood, discarded his rifle, and walked along the side of the tractor trailer.

At approximately 0953 hours, the rescue squad in the armored truck proceeded north on Laurel Canyon Boulevard and were directed to Officer Whitfield's position. With the assistance of personnel in the area, Officer Whitfield was placed in the armored truck.

Phillips continued walking east on the south parkway of Archwood Street toward Agnes Avenue. Phillips fired rounds from a handgun in an easterly direction at officers in the intersection. During this confrontation, Phillips dropped his pistol. Phillips leaned down, grasped the pistol, then stood and placed the barrel of the weapon under his chin. Phillips fired one round into his head. Simultaneously, Phillips was struck in the upper shoulder-neck area by rounds from officers east of him. Phillips was mortally wounded, fell to the ground, and was taken into custody without further incident.

At approximately 0955 hours, the rescue squad arrived at the intersection of Laurel Canyon Boulevard and Archwood Street where three citizens M. Horen, T. Fisher, and B. Golding were assisted into the armored truck. Officer Lantz was also assisted into the armored truck. Officer Weireter informed the CP that they were returning with the four victims to the triage area. Nearly simultaneously, Matasareanu had slowly driven east on Archwood Street while periodically swerving his sedan toward motorists in an attempt to commandeer their vehicles. Detectives Bancroft and Harley entered their vehicle and followed Matasareanu. The suspect stopped his sedan in the roadway east of Ben Avenue and fired rounds through his rear windshield at the detectives. Matasareanu continued east on Archwood Street and stopped his sedan mid-block between Gentry and Radford Avenues. The suspect exited the right front door and fired rounds at a red car that was making a U-turn east of him. Matasareanu was walking with a noticeable limp as he made his way to the driver's door of his sedan, entered and drove again slowly eastbound.

Officers broadcast Matasareanu's movements and location. In an effort to prevent the suspect from escaping, the following personnel moved east along Archwood Street in pursuit of Matasareanu. Officers Torrez and Dominguez, and Detective Armenta proceeded on foot. Detectives J. Vojtecky #15809 and M. Houchen #16195, Foothill Division, responded in their vehicle, as Detectives S. Fisk #12861 and R. Moore #24478, Van Nuys Division, followed in their vehicle northbound on Ben Avenue. The officers on foot entered Detective Vojtecky's vehicle and continued on Archwood Street. Sergeant I. Medina #23370, West Los Angeles Division, responded in his vehicle and drove east on Archwood Street.

At the intersection of Archwood and Hinds Street, Matasareanu drove into the side of an unidentified blue car that was travelling west on Archwood Street. Matasareanu opened his door

in preparation to exit but the blue car drove off. The suspect continued slowly eastbound and at approximately 0955 hours, Matasareanu stopped and fired a burst of gunfire at a brown pick-up truck that was stopped facing westbound in the roadway. The driver of the truck, subsequently identified as W. Marr, male, 51 years of age, was struck by bullet or glass fragments in the forehead. Marr abandoned the truck and ran to a residence for refuge. Officers observed the suspects' actions and began deploying along the roadway utilizing parked vehicles for cover.

SWAT Officers Massa, Anderson, and Gomez had driven to the intersection of Laurel Canyon Boulevard and Archwood Street in their hybrid police car in support of the armored truck rescue squad. The SWAT officers observed officers on the sidewalk with Phillips. The officers on the sidewalk frantically pointed east. Believing the suspect was moving east and that additional officers or citizens required assistance, the SWAT officers drove eastbound on Archwood Street.

During the interim, Matasareanu stopped his sedan and began transferring weapons and ammunition from his sedan into the truck. Matasareanu looked west and fired a burst of gunfire at the officers deploying around him.

The SWAT officers approached the truck and saw that it had sustained heavy bullet damage. The officers believed that an officer or citizen was down and drove forward. The SWAT officers observed an individual, later determined to be Matasareanu, in the driver's seat of the truck. Matasareanu exited the truck with his assault rifle. The three SWAT officers now realized that they had encountered one of the suspects. Matasareanu crouched down in front of his white sedan and began firing rounds through his own vehicle at the SWAT officers.

Officer Anderson drove directly at the suspect to limit his field of fire, as Officer Gomez leaned out the open passenger window and fired his Department-issued rifle at Matasareanu. Officer Anderson stopped the police car adjacent to the truck in an attempt to gain cover and allow them to exit from the police car. All three officers exited from the left side of the police car, maintaining low positions. Officer Gomez deployed along the left side, Officer Massa deployed near the center, and Officer Anderson deployed along the left rear side of the police car. Over the next approximate two minute period, all three SWAT officers engaged Matasareanu in an intense gun battle. Officer Massa fired approximately 20 to 28 rounds; Officer Anderson fired approximately 19 to 26 rounds; and Officer Gomez fired approximately 13 to 18 rounds at Matasareanu.

In support of the SWAT officers, Sergeant Medina deployed behind a parked truck on the south curb of Archwood Street and fired two rounds at Matasareanu. Sergeant Medina redeployed forward and fired an additional 38 rounds at the suspect.

Detectives Houchen and Vojtecky deployed at a truck parked at the residence of 11818 Archwood Street. From this position, Detective Vojtecky fired two rounds and Detective Houchen fired three rounds at the suspect.

Detective Armenta, along with Officers Torrez and Dominguez, deployed behind a truck parked at the south curb, southwest of the suspect. Detective Armenta fired 6 rounds; Officer Torrez fired 8 to 12 rounds; and Officer Dominguez fired 1 round at Matasareanu. During the exchange of gunfire, Matasareanu, apparently disoriented, also fired in a northeasterly direction which was void of officers and struck the curb.

At approximately 0958 hours, after firing approximately 80 rounds during this confrontation, severely wounded, Matasareanu dropped his rifle. Officers Gomez, Massa, and Anderson cautiously approached the suspect and took him into custody without further incident. Fire Department personnel responded and pronounced Matasareanu dead at 1110 hours.

Rescue ambulances were requested for Matasareanu and Victim Marr. Communications Division was broadcasting information to the CP regarding citizen calls of possible additional armed suspects in the area. Based on the continuing reports of additional armed suspects in the area, a one square mile perimeter was established around the bank. At approximately 1000 hours, SWAT teams were deployed into tactical positions around the bank. Telephonic communication was established with the bank manager who informed personnel that only two suspects had entered the bank and that the suspects had exited. The bank was subsequently searched, and it was determined that there were no additional suspects inside. The employees and customers were moved to safety.

At approximately 1030 hours, citizens notified Communications Division that a possible third suspect was hiding in a shed in the rear yard of 6464 Radford Avenue. Due to the extremely violent nature of the suspects and their weaponry, Metropolitan Division officers drove the V-100 Rescue Vehicle into the shed. No suspects were located inside.

At approximately 1400 hours, due to the possibility of explosive devices having been deployed by the suspects, Scientific Investigation Division, Explosives Section, bomb technicians were dispatched to the scene. No explosive devices were found in the bank; however, two incendiary devices were located from inside the suspects' white sedan.

Due to the continuing reports of additional suspects in the area, Metropolitan Division personnel including canine teams, along with Los Angeles County Sheriff's Department Special Enforcement Bureau personnel were organized into search teams. From approximately 1600 hours until 2345 hours, an extensive search was conducted. No additional suspects were located.

FINDINGS

After my personal review of the facts of this case and the Use of Force Review Board's Report for this incident, my findings are as follows:

Tactics - No action, all officers.

Drawing/Exhibiting/Holstering Weapon - In policy, no action all officers.

Use of Force - In policy, no action, all officers.

TACTICS

Confronted by heavily armed suspects with superior fire power, I commend the involved officers for their heroism and perseverance. The officers relied upon their training and utilized resources that were immediately available to them. Numerous officers engaged the suspects at their own peril to save other officers and citizens. Although numerous rounds were fired, the officers utilized controlled fire. As a result, the suspects, who were attired in body armor, were distracted and their escape attempt was obstructed.

It is apparent that the officers' actions prevented further injury and death to citizens and ultimately stopped the suspects' deadly threat. Based on the totality of circumstances, I have determined the officers' tactics were appropriate and require no action.

DRAWING WEAPON

Policy: "An officer's decision to draw or exhibit a firearm should be based on the tactical situation and the officer's reasonable belief there is a substantial risk that the situation may escalate to the point where deadly force may be justified." (1/556.80)

The officers drew and exhibited their respective firearms to confront two heavily armed bank robbery suspects who were firing at them and citizens with fully automatic weapons. I have determined that the officers had sufficient information to believe the situation had escalated to the point where deadly force had become necessary.

I find the involved officers' drawing and exhibiting in policy, no action.

USE OF FORCE

Policy: "An officer is authorized the use of deadly force when it reasonably appears necessary to protect himself or others from an immediate threat of death or serious bodily injury." (1/556.40)

The officers were confronted by two heavily armed robbery suspects who fired in excess of 1000 rounds from fully automatic weapons at them, wounding 10 police officers and 4 citizens. In immediate defense of their lives, and the lives of other officers and citizens, the involved officers fired at the suspects. The suspects' violent actions demonstrated a clear disregard for human life that presented the officers with extraordinary circumstances.

Consequently, I find the officers' firing from extended distances and at a moving vehicle an exception in this instance. I have determined that the involved officers reasonably believed that the suspects presented an immediate threat of death or serious bodily injury.

I find the involved officers' use of force in policy, no action.

ADDITIONAL CONSIDERATIONS

As a result of Phillips and Matasareanu's gunfire, the following officers were injured. Officer Zboravan received a gunshot wound to his left buttocks and lower back. Officer Zboravan was subsequently transported to Northridge Hospital where he was admitted and treated for his wounds.

Officer Guy received gunshot wounds to his right thigh and right forearm and was subsequently transported to Holy Cross Medical Center for medical treatment. Officer Guy underwent emergency surgery and was admitted to the hospital.

Detective Angeles received a graze gunshot wound to her buttocks and abdomen and was subsequently transported to the Tarzana Regional Medical Center where she was treated for her gunshot wounds and additional abrasions to her knees and released.

Detective Krulac received a gunshot wound to his right lower leg. Detective Krulac received emergency medical treatment and was ultimately transported by paramedics to Valley Presbyterian Hospital for further treatment. The detective was released following treatment.

Sergeant Haynes received a gunshot wound to his left shoulder and a gunshot wound to his left leg. Sergeant Haynes received emergency medical treatment and was subsequently transported by paramedics to Northridge Hospital where he received further medical treatment and was released.

Officer Whitfield received multiple gunshot wounds. The officer was struck on the left forearm, buttocks, abdomen, and right leg. Paramedics administered emergency medical treatment to the officer who was ultimately transported from the scene by helicopter to Northridge Hospital.

Officer Whitfield received emergency treatment for the gunshot wounds as well as a fractured right femur and was admitted to the hospital.

Officer Brentlinger received a graze gunshot wound to his left cheek and left forearm. Officer Brentlinger administered self-treatment to his injuries, cleansing and dressing the wounds. Officer Torrez received a graze gunshot wound to the right side of his neck. Paramedics administered treatment to Torrez, and Torrez was advised to seek further treatment as necessary.

Detective Valladares received a graze gunshot wound to the right side of his head and transported by Detective Toledo to North Hollywood Medical Center. Detective Valladares' wound was sutured and he was released.

Officer Lantz received a laceration/gunshot wound to his right knee. Paramedics administered emergency treatment to Officer Lantz and transported the officer to North Hollywood Hospital. Officer Lantz' wound was sutured and Officer Lantz was released.

As a result of Phillips and Matasareanu gunfire the following civilians were injured. T. Fisher received a gunshot wound to her left foot and was ultimately transported by police car to North Hollywood Hospital where she was treated and released.

M. Horen received multiple gunshot wounds to his left arm, left leg, stomach, and buttocks. He was ultimately transported by police car to North Hollywood Medical Center Hospital where he was treated and admitted to the hospital.

W. Marr received injuries to his face as a result of bullet or glass fragments caused when Matasareanu fired through the windshield of Marr's vehicle. Marr received emergency medical treatment at the scene and was transported by Fire Department personnel to Pacifica of the Valley Hospital for further treatment. Marr was admitted to the hospital.

M. Toledo received injuries to his left eye as a result of bullet fragments caused when Matasareanu fired a burst of rounds inside the bank. Toledo was transported from the scene to the Command Post triage area where paramedics administered emergency treatment. The paramedics transported Toledo to the Northridge Hospital Medical Center, Sherman Way Campus, where he received further treatment and was released.

Phillips sustained multiple gunshot wounds to the torso and a self-inflicted gunshot wound to the head. Officers Flores and Eck ultimately handcuffed Phillips. Officer Flores, who had prior emergency medical technician (EMT) training, removed a full face ski mask from Phillips' head and noted that Phillips had sustained a gunshot wound to the top of his head. Officer Flores

checked Phillips for vital signs and noted that he was not breathing, and his pupils were fixed and dilated.

Additionally, Phillips' skin was pale, and Officer Flores noted that Phillips was bleeding profusely. Based on these objective symptoms, Officer Flores determined death at approximately 1000 hours. Officer Flores requested a rescue ambulance. At 1001 hours, Communications Division acknowledged Officer Flores' request and advised that a rescue ambulance would respond to Archwood Street and Agnes Avenue.

NOTE: During the interim, due to the evolving dangerous situation with the possibility of additional armed suspects in the area, the Los Angeles City Fire Department (LAFD) Command Post ceased dispatching rescue ambulances into the scenes and directed all rescue ambulances to respond to the Command Post.

A rescue ambulance was dispatched to Archwood Street and Agnes Avenue, arriving at approximately 1120 hours. Upon their arrival, paramedics examined Phillips and pronounced him dead at 1126 hours.

Matasareanu sustained multiple gunshot wounds. In response for a request for rescue ambulances for victim Marr and Matasareanu, the LAFD Communications Center dispatched a rescue ambulance at 1001 hours to the 11800 block of Archwood Street. During the rescue ambulance's response, the LAFD Command Post ceased dispatching ambulances and directed all ambulances to return to the Fire Department Command Post until the shooting scenes had been declared secure by the Police Department. When Rescue Ambulance 875 received the order from their Command Post to cease their response, they had just arrived on Archwood Street. The firefighters-EMTs were frantically hailed by police officers at the location and the firefighters-EMTs elected to continue into the scene.

Upon arrival at 11818 Archwood Street at approximately 1008 hours, the firefighter-EMTs assessed the severity of the situation and determined that they had multiple injuries at the location and implemented a "triage mode" of emergency medical treatment. Operating in their emergency "triage" mode, the firefighter-EMTs made an assessment of Matasareanu's condition. An EMT had approached to within approximately two feet of Matasareanu and was advised by an unidentified police officer to leave the area, as the location had not been secured and there was an imminent threat of additional armed suspects in the immediate vicinity.

Confronted with extremely dangerous situation, the EMT made a visual assessment of Matasareanu, who he believed had sustained multiple gunshot wounds. The EMT noted Matasareanu's skin was extremely pale, and his respiration was rapid and shallow. The EMT believed that while operating in the emergency "triage" mode, the critical emergency procedure

for Matasareanu was to maintain an open respiratory airway which he believed had been accomplished.

The EMTs now directed their attention to other injured persons at the location. The EMTs examined a citizen, J. Hernandez, then treated Officer Torrez and Victim Marr for gunshot wounds. The EMTs then transported Victim Marr from the scene and to Pacifica Hospital. Upon leaving the scene, the firefighter-EMT requested the LAFD Command Post to dispatch a paramedic rescue ambulance to tend to Matasareanu. At approximately 1100 hours, LAFD Rescue Ambulance 60 was dispatched to Archwood Street for Matasareanu. The ambulance arrived at 1105 hours, and upon examining Matasareanu, they pronounced him dead at 1110 hours.

On March 3, 1997, the Coroner's Office performed post mortem examinations on Phillips and Matasareanu's bodies. The Coroner's Office ascribed the cause of death for both suspects as multiple gunshot wounds. Phillips sustained 11 gunshot wounds. The autopsy revealed that the contact wound underneath Phillips' chin was consistent with a self-inflicted gunshot wound. Matasareanu sustained a total of 29 gunshot wounds of which the combined effect resulted in his death.

The Coroner's Office, Forensic Toxicology Laboratory completed a toxicological analysis on the remains of Phillips and Matasareanu. The analysis determined that concentrations of 7.80 micrograms per milliliter of phenobarbital (barbiturates) and 1.60 micrograms per milliliter of ephedrine along with the presence of phenylpropanolamine were present in Phillips' blood, urine, and stomach contents. The toxicological analysis of Matasareanu's blood and urine revealed 4.80 micrograms per milliliter of dilantin and 9.80 micrograms per milliliter of phenobarbital.

The Coroner's Office collected gunshot residue lift samples from Phillips' and Matasareanu's hands. The analyses detected numerous particles consistent with gunshot residue on both of Phillips' hands, and many particles consistent with gunshot residue on both of Matasareanu's hands.

At the time of the shooting incident, Matasareanu was attired in a white American Body Armor full size ballistic vest. Phillips was attired in a body armor vest, and had custom fit pieces of ballistic material sewn into cloth carriers covering his arms and legs. Phillips was also wearing a ten-pouch ammunition vest, one equipment belt with four canteen pouches, and one shoulder holster.

Training Division, Tactics Training Unit, Firearms Section, Officer R. Bennett #23970, conducted an examination of the ballistic vest worn by Phillips to determine its style, manufacturer, and physical structure. The ballistic panel contained an armor plate which would

defeat .12 gauge shotgun slugs, armor piercing handgun ammunition, and .30 caliber carbine rounds. Phillips legs, thighs, and arms were covered by an unknown threat level ballistic vest material.

At the time of their death, Phillips had over 400 rounds of live ammunition in magazines and ammunition drums on his body; Matasareanu had 240 rounds of ammunition in magazines and ammunition drums on his body.

During an examination of the suspects' sedan, Officer R. Morten #22135 and Detective J. Joy #22120, Explosives Section, Bomb Technicians, SID observed an incendiary device on the rear floorboard. The homemade device was constructed of two plastic containers full of gasoline with bundled matches attached as an ignitor. The device was removed from the vehicle and secured.

As a result of the suspects' actions during this incident, a Preliminary Investigation Report alleging Armed Robbery of the Bank of America and Attempt Murder of 64 Police Officers and 18 civilians was completed.

Phillips was armed with a Norinco, 7.62 X 39mm, blue-steel, Model 56S-1, semiautomatic assault rifle, Serial Number #502477, equipped with wood pistol grips. The weapon was recovered by Criminalist R. Maruoka, #G9100, Scientific Investigation Division (SID), Firearms Section. An examination of the weapon determined that the rifle was originally a semiautomatic rifle which had been altered (converted) to a configured selective fire, semiautomatic/fully automatic assault rifle. At the time of recovery, the rifle contained one 7.62 X 39mm cartridge casing "stove piped" (lodged) in the chamber ejection port and 67 rounds of the same ammunition in the drum-type magazine.

In addition, Phillips was armed with a Beretta, 9mm, stainless-steel, Model 92FS, semiautomatic pistol. Criminalist Marouka recovered the weapon. At the time of the recovery, the weapon was loaded with one round of Hirtenberger, 9mm Luger ammunition in the chamber and thirteen rounds of the same ammunition in the fifteen-round magazine. Criminalist D. Rubin #G9077, SID, Firearms Section, recovered a Heckler and Koch, .308 caliber, blue-steel, Model 91, shoulder weapon, semiautomatic assault rifle from the trunk of the suspects' vehicle at Archwood Street and Hinds Avenue. The rifle was equipped with an empty magazine box, and one round of PMC .308 caliber, Winchester ammunition loaded in the chamber. Phillips used this rifle for a time while he was firing at officers from the north parking lot of the Bank of America. The rifle had sustained a penetrating ballistic impact to the receiver which rendered it inoperable.

Matasareanu was armed with a Bushmaster, .223 caliber, blue-steel, select fire, assault rifle. The weapon was equipped with a twin drum magazine. Upon examination, it was determined that the 100 round capacity, twin drum magazine was void of ammunition. The chamber of the assault rifle was also void of ammunition. The weapon, originally manufactured as a semiautomatic rifle, had been converted to a configured select fire, semiautomatic/fully automatic assault rifle. In addition, the weapon had two primary impacts on the pistol grip of the stock.

A Norinco, 7.62 X 39mm, blue-steel, Model 56S, select fire, semiautomatic/fully automatic assault rifle, Serial #407940, was also recovered from the trunk of the suspects' vehicle by SID. The weapon, originally a semiautomatic assault rifle, had been converted to a configured select fire, semiautomatic/fully automatic assault rifle equipped with a drum magazine loaded with ninety-nine rounds of 7.62 X 39mm ammunition.

A Norinco 7.62 X 39mm, blue-steel, Model 56S, select fire, semiautomatic/fully automatic assault rifle, Serial #406221, was recovered from the front passenger seat of a pick-up truck Matasareanu had entered during his escape attempt.

* Officer Zboravan was armed with a Department-issued shotgun, loaded with four rounds of authorized ammunition. Officer Zboravan fired a total of two shotgun rounds in rapid succession at Phillips from a distance of approximately 115 feet.

Officer Guy was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Officer Guy fired five rounds in rapid succession at Phillips from a distance of approximately 115 feet.

Sergeant Haynes was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Sergeant Haynes fired a total of 13 rounds at Phillips.

Sergeant Haynes fired the rounds in segments of two rounds in rapid succession, followed by a single round, then ten rounds in rapid succession, all from a distance of approximately 350 feet.

Officer Whitfield was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Officer Whitfield fired a total of 16 rounds at Phillips. Officer Whitfield fired the rounds in a series of controlled pairs from a distance of approximately 350 feet.

Lieutenant Rezzo was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Lieutenant Rezzo fired one round at Phillips from a distance of approximately 313 feet. The lieutenant then fired an additional four rounds in rapid succession at Phillips from a distance of approximately 313 feet.

Officer Dempsey was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Officer Dempsey fired a total of five rounds at the driver of a gray sedan (Alejandro), who was later determined to have no connection to the robbery. Officer Dempsey fired two rounds in rapid succession from a distance of 242 feet, and an additional two rounds from a distance of 132 feet. A fifth expended 9mm casing collected at the scene indicated that Officer Dempsey fired five rounds; however, Officer Dempsey does not recall firing a fifth round.

Detective Tomilin was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Detective Tomilin fired a total of 15 rounds at Phillips from a distance of approximately 397 feet. The detective fired his rounds in increments of two rounds each, assessing after each pair.

Officer Zielinski was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Officer Zielinski fired a total of 86 rounds at Phillips. From his first shooting position, Officer Zielinski fired three rounds in rapid succession at Phillips from a distance of approximately 351 feet. Officer Zielinski then fired an additional four increments of three rounds in rapid succession at Phillips from the same location from a distance of approximately 351 feet, reloaded and fired an additional five increments of three rounds in rapid succession at approximately 351 feet. Officer Zielinski reloaded his pistol, and returned to his motorcycle and reloaded his two empty magazines with additional ammunition. Officer Zielinski then fired five increments of three rounds at Phillips again at approximately 351 feet. Officer Zielinski redeployed and fired five increments of three rounds in rapid succession at Phillips from a distance of 327 feet. Officer Zielinski redeployed, obtained ammunition from Officer Lantz, and again reloaded his pistol. Officer Zielinski, again deployed in his first firing position, and fired three rounds in rapid succession at Phillips. Officer Zielinski then engaged Phillips three more times, firing 18 rounds. These rounds were fired in two increments of three rounds each in rapid succession. Officer Zielinski then fired his final increment of five rounds in rapid succession at Phillips. Officer Zielinski fired these rounds at a distance of approximately 351 feet.

Officer Brentlinger was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Officer Brentlinger fired a total of 27 rounds from two locations. From his first position, Officer Brentlinger fired 24 rounds at Phillips from a distance of approximately 175 feet. Officer Brentlinger fired these rounds in three increments of eight rounds each in rapid succession. Officer Brentlinger later redeployed and fired three additional rounds in rapid succession at Phillips from a distance of approximately 84 feet.

Officer Culotta was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Officer Culotta fired a total of ten rounds from two locations. From his first position, Officer Culotta fired eight rounds in two increments of four rounds each at Phillips from a distance of approximately 183 feet. Officer Culotta redeployed and fired two rounds in rapid succession at Phillips from a distance of approximately 88 feet.

Officer Torrez was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Officer Torrez fired a total of approximately 50 to 62 rounds in six series at four locations. From his first location, Officer Torrez fired six to eight rounds at Phillips from a distance of approximately 206 feet.

Officer Torrez redeployed and fired six to eight rounds at Matasareanu from a distance starting at approximately 83 feet and terminating at approximately 50 feet. Officer Torrez then fired six to eight rounds at Phillips from a distance of 61 feet.

Phillips continued to walk east, and Officer Torrez moved slightly to the east and fired a controlled series of approximately 13 rounds at Phillips from a distance of approximately 50 feet.

Officer Torrez redeployed and fired four to six rounds at Matasareanu from a distance of approximately 111 feet. Officer Torrez redeployed and fired four to six rounds in controlled pairs, then five rounds in rapid succession at Matasareanu from a distance of 108 feet.

Officer Schram was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Officer Schram fired a total of 61 rounds at Phillips and Matasareanu from two locations. Officer Schram fired 25 rounds in three-round rapid succession bursts at Phillips, then six additional rounds in two, three-round bursts in rapid succession at Matasareanu. The officer then fired 15 rounds in five, three-round rapid succession bursts at Phillips. Officer Schram fired the rounds from a distance of approximately 233 feet. Officer Schram then redeployed north and fired an additional nine rounds in three-round rapid succession bursts at Matasareanu. Officer Schram then fired an additional volley of six rounds in two, three-round bursts directed at Phillips from a distance of approximately 241 feet.

Detective Shaw was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Detective Shaw fired a total of 22 rounds at Phillips from a distance of approximately 528 feet. Detective Shaw fired sixteen rounds, reloaded his service pistol, and fired six additional rounds in succession at Phillips.

Detective Harley was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Detective Harley fired approximately 15 to 24 rounds at

Phillips from a distance of approximately 55 feet. Detective Harley fired his rounds in consisting of two to five rounds in rapid succession.

Detective Bancroft was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. In addition, Detective Bancroft armed himself a Department-issued shotgun, loaded with four rounds of ammunition in the magazine. Detective Bancroft fired a total of 17 rounds from his service pistol at Phillips. Detective Bancroft fired in volleys of two rounds in rapid succession and concluded with four rounds fired in rapid succession. All of the rounds were fired from a distance of approximately 55 feet.

Detective Bancroft then armed himself with a Department-issued shotgun and redeployed. Detective Bancroft fired a total of four shotgun rounds at Matasareanu from a distance of approximately 26 feet.

Officer Caprarelli was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Officer Caprarelli fired a total of 23 rounds at Phillips from three shooting locations. Officer Caprarelli fired in rapid succession his first six rounds at Phillips from a distance of approximately 111 feet. Officer Caprarelli redeployed and fired a second volley of ten rounds at Phillips in rapid succession from a distance of 95 feet. Realizing his pistol was empty, Officer Caprarelli reloaded and redeployed. Officer Caprarelli fired his final seven rounds in rapid succession at Phillips from an approximate distance of 85 feet.

Officer Dominguez was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Officer Dominguez fired a total of seven rounds at both suspects from three shooting locations. Officer Dominguez fired four rounds in rapid succession at Phillips from a distance of approximately 326 feet. Officer Dominguez redeployed and fired two rounds in rapid succession at Matasareanu from a distance of approximately 23 feet. Officer Dominguez again redeployed and fired one more round at Matasareanu from a distance of approximately 131 feet.

Lieutenant Ranshaw was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Lieutenant Ranshaw fired a total of 12 rounds at Phillips from a distance of approximately 84 feet.

Officer Flores was armed with a Department-approved 9mm semiautomatic pistol, fully loaded with authorized ammunition. Officer Flores fired a total of 16 rounds at Phillips. Officer Flores fired 12 rounds in a slow deliberate sequence of fire at Phillips from a distance of approximately 95 feet. Officer Flores assessed and fired one round at Phillips, paused, and then fired three additional rounds at Phillips.

approximately four to five rounds in controlled bursts at the armed suspect in a southeasterly direction from a distance of approximately 31 feet.

Officer Massa was armed with a Department-issued .223 caliber semiautomatic shoulder weapon, fully loaded with authorized ammunition. Officer Massa fired a total of 20 to 28 rounds at Matasareanu. Officer Massa, utilizing controlled two-round bursts, fired approximately two to four rounds at Matasareanu. Officer Massa subsequently redeployed and utilizing controlled two-round bursts, again fired approximately two to four rounds at Matasareanu. Officer Massa redeployed and fired approximately eight to ten rounds in controlled two-round bursts at Matasareanu. Officer Massa subsequently obtained a fully loaded twenty round magazine, reloaded, and then fired approximately eight to ten rounds in controlled two-round bursts at Matasareanu. Officer Massa fired his rounds from distances which ranged between 32 and 36 feet.

Officer Anderson was armed with a Department-issued .223 caliber semiautomatic shoulder weapon, fully loaded with authorized ammunition. Upon exiting his vehicle, Officer Anderson fired approximately three to four rounds in rapid succession at Matasareanu. Officer Anderson subsequently fired two rounds at Matasareanu in a slow and deliberate manner. Officer Anderson then fired approximately 16 to 20 rounds, in two separate volleys, in a slow and deliberate manner at Matasareanu. Officer Anderson fired his rounds from distances which ranged between 32 and 36 feet.

The Commanding Officer, Operations-Valley Bureau (OVB), informed the Use of Force Review Board members that OVB is preparing a recommendation for awards to the Commendations Board as a result of numerous officers' actions during this incident.

In addition, the Department will continue ongoing training at Training Division and Continuing Education Division to ensure Department-wide preparedness for possible similar incidents. The Department is continually evaluating the effectiveness of its training. Subsequent to this incident, the Department has provided officers with the option to utilize .45 caliber semiautomatic pistols; AR-15 .223 caliber urban police rifles; .12 gauge shotgun slug rounds; and upgraded .45 and 9mm ammunitions. The Department will also include a proposal in the 1998/99 Budget to equip all hybrid and black and white police vehicles with ballistic door panels.

On June 8, 1998, the Use of Force Review Board reconvened to review information which clarified the post officer-involved shooting sequence of events. This information, dated May 13, 1998, was compiled by Robbery-Homicide Division detectives from the original investigation of OIS #18-97. The Board members unanimously concurred that the information did not effect the Board members' findings regarding this incident.