


Introduction

David Klinger
Into the Kill Zone

 **E**dward Randolph was twenty-six years old when I killed him. I was twenty-three.

I first laid eyes on him less than a minute before I shot him, so I didn't know his name, how old he was, or anything else about him before I ended his life. I didn't even get a good look at his face before I pulled the trigger, and he died a few minutes after that. I was about fifteen feet away when his heart stopped, watching the paramedics tending to the wounds that I had inflicted moments before. They had all come from a single bullet that slammed into his left side just below his armpit, bored a hole through his left lung, nicked his aorta, and tunneled through his right lung before coming to a stop just under the flesh on the right side of his chest. He died on his back, naked, the paramedics having cut off his clothes to check his body for additional wounds. There were a few scrapes and contusions that he had suffered as my partner, four other officers, and I wrestled from him the butcher's knife that he frantically grasped in his right hand, rolled him onto his stomach, and handcuffed him. And there were a few more that he got when two of the other officers dragged him from the sidewalk where I had shot him to the shadow of a car that was parked

nearby. But his only serious injuries came from the bullet that I had pumped into his chest. As I watched the paramedics fighting a losing battle to save him from these wounds, his bladder released its acrid contents, sending an arc of urine toward his head. I knew that people often void their bladders upon death, so when I saw the stream tail off a few seconds later, I knew that Edward Randolph was dead. And that I had killed him.

When I first saw the man I was about to kill, he was standing across the street from me, by himself, seventy-five feet or so away. It was a few minutes after 10:30 P.M. on July 25, 1981, just four months after I had graduated from the Los Angeles Police Academy. My partner, Dennis Azevedo, and I were on the north side of Vernon Avenue, crouched behind a parked car, our pistols trained on a house where just minutes earlier an armed burglar had shot at the home owner.

That was where we'd deployed after responding to a call for assistance from the officers who'd been assigned the call. We'd been directed to meet a sergeant one block west of the house in question, and when we screeched to a halt there, he told us that the shooter was still inside, that other officers had already taken up positions on the east side of the house, and that we needed to secure its west side to keep the gunman from escaping into the night. He also told us that we needed to clear the south side of Vernon Avenue of the dozens of citizens who had gathered to watch yet another midsummer's night drama involving the cops and the crooks on the mean streets of South Central Los Angeles. As Dennis and I ran toward the house along the north side of Vernon, we shouted and motioned for the throng on the south side to clear the area, lest they get shot by the gunman whose escape we sought to prevent. As we ran east, the crowd ran west, and when they hit the first corner, they took a quick left out of the danger zone—all but the man who was about to die, that is. He never took a step.

As soon as the citizens started running, I turned my attention to the house that contained the gunman—I just assumed that all the spectators would flee once they understood the danger in the house across from them—so I didn't notice that one of them hadn't budged as Dennis and I moved along. We stopped in front of the house next to the one that contained the gunman, ducking down on the safe side of a white Cadillac that was parked in the driveway. After a few seconds, I caught a glimpse of a lone figure across the street in the corner of my right eye. I quickly glanced over my right shoulder. That's when I first

saw him—just standing there, staring in our direction, with a gym bag hanging from his left shoulder. I yelled for him to leave the area. Then Dennis did. Then we both yelled some more. But the man didn't budge. He just stood there, staring at us.

We didn't know who he was or why he was standing there. Maybe he didn't speak English, I thought, so he couldn't understand what we wanted him to do. Maybe he couldn't hear what we were saying over the din of the police helicopter orbiting overhead. Or maybe he was deaf. All we knew for sure was that whoever he was, he was in grave danger, standing in the open directly across the street from a house that contained a man who had already tried to kill one citizen. Because the man was in danger, Dennis told me he was going to run across the street, get the guy out of there, then come back to join me. He holstered his weapon and took off.

I refocused my attention on the house, fully expecting the gunman to start shooting at Dennis, and getting ready to shoot back. Then, suddenly, about fifteen seconds after Dennis left my side, I heard an angry voice scream over the racket of the orbiting helicopter, "Get your fucking hands off me! Don't tell me what to do!" I immediately peeled my eyes from the house and looked over my right shoulder. There, across the street, stood Dennis and the as-yet-unidentified citizen, no more than two feet apart, facing each other on the sidewalk. Dennis faced west, the citizen east. Their lips were moving, but I couldn't hear what they were saying. A few seconds later, the man turned away and took a couple of steps west down the sidewalk. I thought Dennis had convinced him to get out of harm's way.

But I was wrong.

With Dennis trailing a step behind, the man reached across his chest with his right hand, pulled a large butcher's knife from the bag slung over his left shoulder, and in one fluid motion pivoted back to his right, brought his left hand up to form a two-handed grip on the handle of the knife, and furiously plunged the blade into Dennis's chest.

I simply could not believe what I had seen—and neither could Dennis. He stared at his assailant as the man released his left hand from his right, drew the knife back to chest level, and for a split second stared back at Dennis. As I began to get up from my crouch to run to my partner's aid, the man attacked again.

This time, he drew the knife over his head, and like Anthony Perkins in the shower scene in *Psycho*, he brought it down with blinding

speed. As the knife flashed toward him, Dennis stepped back and threw his hands in front of his face, desperately trying to fend off the blow. Somehow he succeeded and took another step back. The assailant took another step toward him, again drew the knife above his own head, and took another hack at Dennis. Dennis somehow managed to block the blow and retreated another step. The madman continued to press his attack as I moved away from the cover of the Cadillac. He hacked at Dennis again and again. And again and again, Dennis threw his hands up to parry the blows as he backpedaled down the sidewalk. Then Dennis tripped and fell flat on his back on the grass strip separating the sidewalk from the street, and the madman immediately moved in to finish him off.

He leaped on top of Dennis, landing with his knees astride my partner's hips, drew the knife above his head with both hands, and brought it crashing down toward Dennis's throat. Miraculously, Dennis managed to reach up and grab both of his attacker's wrists as the blade plunged toward him, stopping it just short of its mark. When I got to my partner's side a moment later, he was locked in a life-or-death struggle, still lying on his back, the assailant still straddling him on his knees, and the knife flickering between them, inches from Dennis's throat.

I immediately dropped to one knee and grabbed the assailant's left wrist with all my might, intending to twist his arm behind him, push him onto his back, and together with Dennis wrest the knife from him. But it didn't work. More quickly and easily than I ever could have imagined was possible, he jerked his arms away from me and effortlessly broke my desperate grip while maintaining his own on the knife. I then heard Dennis shout, "Shoot him!" So I did. Still close enough to reach out and touch him, I picked a spot on the left side of the madman's chest, brought my gun up, and pulled the trigger. As the sound of the gunshot passed into the night, the assailant—in a voice indicating that he realized the jig was up—said, "Oh, shit!" Dennis pushed his arms up, and I reached back in with my left hand and grabbed the madman's right wrist. With Dennis pushing and me pulling, we forced the assailant onto his side, and then to his back. As we did this, the attacker released his left hand from the knife, but he still held it firmly in his right. To increase my leverage, I dropped to my right knee and slammed the attacker's wrist to the turf with my left hand, then pinned it to the ground with my left foot. The assailant continued to fight us, but with my firm grip and full body weight on his wrist, we had the knife under control.

A few seconds later, four of the officers who had been on the east side of the perimeter came charging down the sidewalk toward us. Together, the six of us forced the knife out of the still struggling assailant's right hand, rolled him onto his stomach, and handcuffed him behind his back. Aware of the danger posed by the gunman in the house across the street, two of the other officers grabbed the suspect and quickly dragged him out of the line of fire to a spot behind a car that was parked on the lawn of the house in front of which the shooting went down. Dennis and I, along with a sergeant who had rushed to the scene moments after we cuffed the suspect, ran up onto the porch of the house in front of which the suspect lay, crouched down behind its rock-and-mortar railing, and again trained our guns on the house across the street. Two paramedics appeared and began to work on the man I had just shot, who was now lying no more than twenty feet from me. For the next few minutes, I focused on the house across the street, still expecting the gunman inside to shoot, but intermittently glanced down at the medical drama that was being played out on the grass nearby. It was during the last of these peeks that I saw the urine flow, and I knew that I had just killed a man.

At some point while we were on the porch, I realized that Dennis wasn't bleeding at all. This struck me as odd, inasmuch as I'd seen the blade of a large knife slam into his chest and had watched helplessly as the assailant pressed his follow-up attack while I was running across the street. But Dennis was wearing body armor under his uniform shirt that night, and it saved his life. The blade had torn most of the way through the vest on the initial thrust, but the last few layers of Kevlar stopped it just short of its mark. That Dennis had suffered no cuts as he retreated from his attacker could be chalked up only to Providence, because it was truly miraculous that his hands and arms had not been slashed to ribbons.


The sergeant used a phone in the house on whose porch we were crouched to notify headquarters of the situation, then told us to meet another sergeant who was waiting at our patrol car to escort us back to the police station. We ran to our car, met the other sergeant, and caravanned the four miles back to the station, where the watch commander directed the three of us to the captain's office to wait for the detectives from Robbery-Homicide Division. When they arrived, they interviewed Dennis first, then me. At some point, we learned that SWAT had been called out to deal with the gunman in the house back on Vernon and, consequently, that we would have to wait awhile before we could return to the scene to walk the detectives through

what had happened. While we waited, someone informed me that the man I had shot had indeed died, confirming what I had seen from my perch on the porch.

At about 2:30 A.M., after repeated attempts to contact the gunman had yielded no response, the SWAT team entered the house to find it empty. No one ever figured out if the gunman had escaped before Dennis and I arrived on scene or whether he had slipped away during the confusion caused by my shooting, but he was never found.

After SWAT had cleared the house, Dennis and I returned to the scene, reenacted the entire scenario for the investigators, and then returned to the station for more interviews. At some point during this process, one of the detectives told me the name of the man I had killed. I found out later that he was an ex-con from Texas, who had told associates in L.A. that he was tired of being "harassed" by the police and that he would kill the next cop who "bothered" him. The detectives from the shooting team finished up and let me go home at about 10:30 A.M. on July 26, 1981, almost exactly twelve hours after I had killed Edward Randolph.

Holding Fire

 **T**he federal laws, state statutes, and shooting policies that officers work under are quite broad, providing only general directions about firearms use. For the simple reason that no two encounters between cops and citizens are exactly alike, it is not possible for judges, legislators, and police administrators to develop laws and policies that provide specific details about whether officers should shoot in any particular case. Because legal and administrative deadly force standards are so broad and general, young officers must somehow make sense of them as they pass through their apprenticeship and head toward their unsupervised time on the street. As young officers do this, they develop their own personal set of standards about when they will use their firearms—in essence, their own shooting policies.

In developing their personal shooting policies, many officers choose standards for pulling the trigger that are more restrictive than those set forth in law and administrative directives. This is so because the written rules do not mandate that officers shoot whenever they are chasing a violent felon or each time someone's life is in jeopardy. Rather, legal and departmental standards say only that officers may use deadly force when such circumstances arise. Consequently, officers are free to decide that they will hold their fire in cases in which pulling the trigger would be justified by law and policy. And many officers do just that. Some, for example, will decide that they will not shoot fleeing suspects—the position I took during my academy training. Others will

conclude that they will not shoot a gunman unless he points his weapon directly at them or someone else. And so on.¹

Largely because the bounds that many officers set in their personal shooting policies are more narrow than those established by legal and administrative directives, the history of American policing is chock-full of cases in which officers did not shoot when they had legal cause to do so. Indeed police insiders have long known that officers hold their fire in the lion's share of instances in which their life or the life of another is in danger. Police hesitancy to fire even when life is in jeopardy was first formally reported outside of law enforcement circles in the early 1980s, when a study of police shootings in four major cities disclosed that officers in these departments shot in just a fraction of the cases that law and policy would allow.² This finding has received very little play around the nation in the last two decades, however, so the fact that officers exhibit substantial restraint in the face of deadly threat is not widely known.

I had been in several potential shooting situations during my brief tenure in Los Angeles—all face-to-face confrontations with gun-toting citizens—and I wanted to get some sense of the experiences that other officers who had shot people had in this regard. The first step I took to garner information about police forbearance in shooting situations was to ask the officers I interviewed if they had ever held their fire when they had legal cause to shoot. A dozen of the officers told me that the only situations they'd been in where they believed the use of deadly force would have been justified were the cases in which they fired. Among the other sixty-eight, most reported that they had been involved in fewer than a handful of cases in which they didn't shoot when they could have, about twenty reported that they held their fire in five to ten cases, and thirteen reported that they'd been in more than ten such situations (including a few who'd been in thirty or more). In total, then, the officers I interviewed held their fire in several hundred interactions in which they had legal cause to pull the trigger.

I asked those officers who had been in at least one situation in which they held their fire to tell me about them (or in the case of those who had been in more than three, to tell me about some of them). I asked them to describe the circumstances of the cases, why they held their fire, and how they felt about their decision afterward. In this way, I was able to gather information about more than 150 cases in which officers held their fire when they could have shot, which allowed me to develop a picture of the sorts of things officers consider during close calls, how they discern the difference between shooting and nonshooting situations, and what they think and feel after situations in which they hold their fire.

The following stories afford the reader a robust look at that picture, the most compelling facet of which is arguably the stark image of police officers showing remarkable restraint in the face of substantial danger. The unveiling begins with stories from the place where most policing is done, where most of the danger lurks, and where most of the near shootings occur: patrol work.

On Patrol

Patrol is the backbone of American policing, the place where nearly all young officers cut their police teeth, the place where the largest number of officers work, and the place where the vast majority of the contacts between the police and the public occur. It is therefore not surprising that patrol officers are involved in more near shootings than are officers assigned to other policing tasks: there are simply more of them, and they are involved in more interactions with people. The following stories offer a glimpse of the sorts of close calls experienced by the officers I interviewed during their time in patrol. From unarmed people who simulate that they are carrying weapons, to knife-wielding madmen apparently bent on their own destruction, to gunmen whose foolish behavior nearly gets them killed, these stories show how patrol officers manage to avoid shooting people during a variety of very tense situations.

We got a call one night out in the Tritopolis area about a suicidal guy with a knife backed up against a fence threatening to kill himself. He was holding the knife against his stomach when we got there. I stayed about twelve to fourteen feet away, just trying to keep some distance between us, and explained to him that cutting himself in the stomach was not gonna kill him, that it was just gonna hurt. He came at me with the knife in front of him about three or four times before we got enough officers there to contain him. He told us, "Shoot me. Kill me. I want to die. Shoot me. Kill me." I had my gun on him at all times, and each time he came at me, I probably could've shot him, but each time I chose to retreat instead. Each time I backed up, he turned around and acted like he was gonna stab himself in the stomach. The last time he actually did stab himself, decided it hurt too bad, and dropped the knife. He was yelling and screaming about the pain. I walked up to him and said, "Told you it was gonna hurt." It was sheer stupidity on his part.

I didn't shoot him because I felt pretty comfortable with my gun already out. I know twenty feet is the distance you want to keep from someone with a knife, but I felt I had a comfortable space between us at twelve to fourteen feet. As long as I kept that space, I felt the situation really wasn't that bad. We'd move back and forth. If he'd have run at me, I probably would've shot him, but he would only walk.

I've had a few situations where I almost shot someone over the years. One that sticks out in my mind happened when a call dropped about

a guy inside this store who was harassing customers and the cashier. They said that he had something in his waistband that might be a weapon. When I pulled up, they had the guy locked out of the store. So he was standing there in front with his T-shirt hanging out, untucked in the front. Sure enough, I could see a bulge up under his T-shirt, so I stopped about twenty-five feet away from the guy, got out, drew my gun, and stood by the side of my car so the engine was between us. I kept my gun at my side and told the guy to put his hands up on the wall. Well, he looked at me and took a couple of steps toward me. I raised my pistol and told him to stop, to get his hands up on the wall. He got this angry look on his face and said, "What are you gonna do? You gonna shoot me with your pistol?" I said, "Yeah, if I have to." Then he said, "Well, what if I pull out my pistol?" At that point, I remember seeing all the other customers who were inside the store, all these Oriental people lying on the floor, waiting for the shots to go off. Then the guy reached down toward the bulge in his waistband. At that point, things went into slow motion, and I said to myself, "If he reaches under the shirt, I'm gonna shoot him."

Well, he brought his hand down, stuck it under the shirt, and then, real quick, pulled it up with the first finger extended toward me. When I saw that, I was doing everything I could do to keep from squeezing the trigger, because I had already started to shoot. Fortunately, the gun didn't go off. I don't know how it didn't go off, but it didn't. I mean, I had already made the decision to shoot, because from my training I knew that the best I could hope for with reaction time once his hand went under the shirt was to tie him, to get a shot off at the same time as he did. So I was trying to at least tie this guy. Then, when I realized he hadn't come up with a gun, it took everything I had to not squeeze all the way down.

After that, the guy got really verbally belligerent but didn't come any closer. I just stayed in my barricaded position behind the car with my gun on the guy until another unit arrived because I still didn't know what was under his shirt. When the other unit got there, we got him to put his hands on the car, and the other officer went up to take the guy into custody. Turns out the bulge was a damn *Green Sheet* newspaper, but it looked like a weapon when it was tucked in there.

That really pissed me off because I was gonna shoot this guy. It angered me that he did something stupid like that, trying to make me shoot him. It would have hit the news media as "Unarmed Suspect Gunned Down" and all that. So I was pissed, but we started talking to

the guy, and he told us that he'd just come in from a B-52 flight and all this other shit. So we realized he was just psycho. Stuff like that happens, and you just have to deal with it.

I've worked some real highly active assignments over the years, so I've been in maybe thirty or more situations where I came close to shooting people but didn't. One of the ones that sticks out in my mind happened at dusk one day, when my partner and I spotted three gang members walking down the sidewalk, facing away from us. As we rolled up in the black and white, the subjects' heads start turning all over the place; it was evident they were looking for a place to run. The two guys on the ends split; one guy ran across the front of the car, and the other one jumped some fences to our right. The guy in the middle didn't know which way to go, and he just froze there in front of us. We were right on top of him when we stopped—maybe ten feet away. As I was getting out of the passenger door of the car, he started digging in his waistband with his right hand. Then I could see that he was reaching into his crotch area, then that he was trying to reach toward his left thigh area, as if he was trying to grab something that was falling down his pants leg.

He was starting to turn around toward me as he was fishing around in his pants. He was looking right at me and I was telling him not to move: "Stop! Don't move! Don't move! Don't move!" My partner was yelling at him too: "Stop! Stop! Stop!" As I was giving him commands, I drew my revolver. When I got about five feet from the guy, he came up with a chrome .25 auto. Then, as soon as his hand reached his center stomach area, he dropped the gun right on the sidewalk. We took him into custody, and that was that.

I think the only reason I didn't shoot him was his age. He was fourteen, looked like he was nine. If he was an adult, I think I probably would have shot him. I sure perceived the threat of that gun. I could see it clearly, that it was chrome and that it had pearl grips on it. But I knew that I had the drop on him, and I wanted to give him just a little more benefit of a doubt because he was so young looking. I think the fact that I was an experienced officer had a lot to do with my decision. I could see a lot of fear in his face, which I also perceived in other situations, and that led me to believe that if I would just give him just a little bit more time that he might give me an option to not shoot him. The bottom line was that I was looking at him, looking at what

was coming out of his pants leg, identifying it as a gun, seeing where that muzzle was gonna go when it came up. If his hand would've come out a little higher from his waistband, if the gun had just cleared his stomach area a little bit more, to where I would have seen that muzzle walk my way, it would've been over with. But the barrel never came up, and something in my mind just told me I didn't have to shoot yet.

Some people do some incredibly stupid stuff that almost gets themselves shot. The first time I ran into one of these deals, I'd been on the street about two, two-and-a-half years. I got a call one afternoon that some guy was walking around the neighborhood pointing weapons at the kids who were playing outside. When I get in the area, I spotted this transient pushing a shopping cart up ahead of me a ways. He turned back to look at me, and when he did, I saw a chrome revolver in his waistband. So I got on the radio, let dispatch know where I was at, that I got a guy with a gun. I stopped about thirty yards behind him, opened the door, got a barricade behind it, and started shouting at him to put his hands up. He did that. Then I told him to turn around and face me. When he turned around, I saw that he had two more guns in his waistband. He was saying something to me, like he was trying to explain something to me. But he kept lowering his hands as he was talking. I couldn't hear what he had to say because I was too busy yelling at him to keep his hands up. All I could tell is that he was trying to tell me something, like, "Don't worry." I was screaming at him to keep his hands up, but he reached down toward the guns. When he grabbed the first one, he just grabbed the grip with his fingertips. Because he didn't have his finger near the trigger, I figured I still had time to react, so I held my fire. Then he pulled the gun out and dropped it on the ground. He did this four more times. Each time one of 'em hit the ground, it went with a sort of hollow "clink, clink, clink," and I realized they were all plastic. So he ended up having five guns, plastic guns, on him. Apparently, he found them in a dumpster next to a toy store. I got real angry at him for being so stupid, for almost getting killed over some toy guns. I let him know just how pissed I was.

I had a real similar situation a year or so later. I pulled some kids over, and when I walked up on the car, I spotted a gun on the center console. I told the guys to get out of the car. The driver realized that I

had spotted the gun, looked at me, and he said, "But officer, this isn't a real gun." Then he reached down for it, I guess to show me it wasn't real. But I wasn't going to let him grab it because it looked real to me. I was close to the car, so I just grabbed him by the neck and pulled him out before he could reach to the gun. It turned out to be a toy gun. I could've shot him, but I figured that I could yank him out of there before he got to it. A lot of guys would have shot in that situation. Again, I got real angry at this kid, and I told him so, because he didn't realize how close he came to getting shot for doing something stupid.

I had another idiot I ran into when I was working patrol. I was off duty, heading into work in my uniform, driving a Honda Accord. This guy was next to me pulling a trailer, and he was trying to get in my lane. I honked at him, but then I slowed down and he eventually made it over. We went about another two blocks up and stopped at a traffic light. The guy opened his door up, leaned out, and pointed a revolver at me. I couldn't go left because the door was right there, so I dove to my right below the dashboard. It took me a couple of seconds to get my gun out because I was sort of lying on my holster. By the time I came up with my gun, he was driving off. Apparently, he saw the uniform. I didn't have a radio or anything, so there was no way I could call anybody for help. So I followed this guy. We had a little bit of a chase; of course he was pulling this great big trailer, so he wasn't getting away. He finally got caught up in traffic. I bailed out with my gun, and I called him out of the car. He came out with his hands up, left the gun in the truck. Come to find it was a real gun, but it wasn't loaded. He claimed to me that he just points it at people when people piss him off; it scares them away. I told him he was lucky to be alive. Again, one of the stupidity things.

My first close call came when I was fresh out of FTO—I don't think I'd been on the street but maybe a week or two on my own. I was on second shift, which would start at five o'clock in the evening. I'd just left headquarters when dispatch toned out a man with a gun that had threatened some people and fired off some shots about four blocks from where I was. I made a right turn, went four blocks, and was at the intersection where the call came from. As I drove up, this group of people standing in front of this old beat-up hotel started pointing down the street. I parked, looked down the street, and saw this guy

walking down the street carrying a long gun. He was about a block to my east on the north sidewalk, walking away from me. He had the gun over his shoulder like Elmer Fudd going hunting for the wabbit. That's what I thought when I saw him, that he looked like Elmer Fudd in a cartoon walking with this gun over his shoulder.

He was oblivious to me, so I moved my patrol car down the street to get closer to him. I stopped about thirty yards from the guy, using my patrol car to block traffic and to provide me with some cover next to another vehicle that was parked on the north curb. Then I got out and challenged him: "Police, drop the gun! Police, freeze! Police, don't move!" Something like that. He just kept walking, so I challenged him again. He stopped for a second or two, like, "What was that?" then started walking away from me again. I challenged him again, then he kind of stopped again, like he could hear something but he wasn't really sure what he was hearing.

Once I got his attention, I kept challenging him. After I'd told him to drop the gun a couple of times, he took it off his shoulder and started to turn toward me, right shoulder first. As he was turning, he was holding the gun at port arms with his right hand behind the trigger guard and his left hand on the fore-grip. I could see that his index finger was not on the trigger, or even in a ready position. It was just behind the trigger guard. I was thinking that if he even starts to move that barrel toward my direction that I was going to shoot regardless of where his finger was. He kept moving the gun in my direction. Then he stopped, looked at me for a split second, and pitched his gun straight into some bushes next to where he was standing. I tried to order him into a handcuffing position, but he had a hard time following my directions because he was really drunk. So I just covered him until some other officers got there, and we took him into custody.

I didn't shoot him before he turned because I didn't perceive a big threat. The biggest thing was his reaction to my challenges. He didn't seem like he was really comprehending what was going on. I perceived him to be highly intoxicated, and I thought that that was the reason for his inability to follow my directions. I just didn't perceive him as being aggressive at that point in time. Then, when he turned around, I thought that I could beat him if he tried to point the gun at me. I got some training after the incident on reaction time where I learned that that was a false assumption, so I know better now. But at the time, I had a false belief that I could react quicker than he could, so I held my fire.

Things Ain't Always What They Seem

Because patrol officers are on the front lines of police work, they often find themselves thrust into situations with only the barest idea of what it is they are getting involved in. When the situation includes people armed with guns or other deadly weapons, patrol officers have to make split-second life-and-death decisions about whether to shoot. But sometimes on patrol, things aren't what they appear to be, and people who appear to be threatening are not. Sometimes what appears to be a bad guy is a crime victim—or another police officer. Officers know this and have to factor in the possibility that the person in front of them doing something that is about to get them shot means them no harm. The next three stories show just how close officers sometimes come to making a tragic error and how little things can prevent horrible accidents.

The first time I almost shot someone was when I was still on probation. It was early in the morning on a Sunday, and we got a call that there was an auto burglar outside of a McDonald's restaurant. We got a description of the guy over the radio. A male Hispanic; I don't remember the height, weight, or clothing info, but when we got about a half a block away from the McDonald's, we saw a fellow matching the suspect's description, so we pulled over about fifty feet away to talk to him. As he walked toward our car, I could see that he had a .45 auto in his right hand. He was holding it down at about a forty-five-degree angle. The hammer was back. It was cocked and ready to go. I shouted, "Gun!" to let my partner know what was up, bailed out of the car, and drew down on the guy. I told him two or three times in both English and Spanish to drop the gun. He wouldn't drop the gun, and I was getting ready to cap him because he kept walking toward us with the gun in his hand. I was ready to rock-and-roll, but I decided to give one more set of commands before I dropped him because something wasn't adding up. It just made no sense for a car burglar holding a gun at low-ready to walk right at two cops. Plus his demeanor wasn't at all aggressive or threatening. Anyway, when I shouted at him for the last time, he was about twelve to fifteen feet away. I couldn't let him get any closer. But just as I was about to shoot, he stopped and dropped the gun.

We cuffed him up and asked him what was going on. He told us that he spotted someone taking his radio out of his car, so he got his gun to chase the guy off. Turns out some other citizen spotted him with the gun and put in the call that we got. That's why he fit the

description so well. He was so distraught and pissed off at this guy who had just burglarized his car that he wasn't thinking clearly when he walked up on us. He knew he was in the right, so he didn't see us as a threat, even though we were pointing guns and screaming at him. I clearly could have shot him long before he got to within fifteen feet of us and been within my legal and moral rights. But something just told me not to do it, so I didn't.

Boy, was I glad I held my fire. Had a sense of relief you wouldn't believe. We never caught the burglar, but I was just absolutely relieved the whole rest of the day that I hadn't shot that poor bastard who had had his car stereo stolen.

I was working with my regular partner, another female, and we were just driving down the street when all of a sudden we heard a shot ring out. We looked over to our right, where we thought the sound came from, and saw a guy waving a gun. It looked like he was robbing this other guy. We notified dispatch, opened our doors, and drew down on the guy. By this time, the guy with the gun had wrestled this other guy to the ground and was pointing the gun right at him. We could have shot the guy right then. I mean, he had this gun out, threatening this other guy with it, and we'd already heard one round go off. But from my angle, I saw something shiny on the belt of the guy with the gun. I didn't quite see what it was, but I know that sometimes cops carry their badge on their belt off duty, so I thought that maybe he was a policeman or a security guard, something like that. So I didn't shoot. I held back to try to get a better view. My partner on the other side of the car couldn't see whatever it was on his belt because of the angle she had. I heard her gun go that first click that happens when you start to squeeze the trigger, so I knew she was about to cap this guy. As soon as I realized what was happening, I shouted, "Wait, don't. Don't. He's a cop, he's a cop."

Turns out I was right. The guy with the gun was an off-duty transit cop, and the other guy had tried to rob him with a fake gun. They fought over it, and the transit cop pulled his gun and fired off a round that missed the other guy. No one got hurt, and we took the bad guy into custody, but I remember thinking how close we came to shooting the good guy. We sure could have. He was pointing the gun at this other guy, but something just wasn't right—that object on his belt. Because of that, I wanted to give it an extra second before shooting.


You know, he could have shot the other guy, and I'd have been wrong, but sometimes you just have to go with your instincts. And that's what I did.

I had my brother-in-law on a ride-along with me when a broadcast came out that a narco buy-bust had gone bad with one of the street teams. They put out the description of the car and then said the suspects had fired at detectives and that the detectives were chasing the car. I happened to be coming off the freeway at 405 and Spring when I saw the car heading northbound on Spring. I got in behind it—aired that I was behind it—and all of a sudden, a Ford Mustang occupied by two Hispanic males flanked me to the left and passed the car I was chasing. One of the Hispanic males leaned out of the car and started shooting back at the suspect vehicle, back toward us.

So I yelled at my brother-in-law, "Shit, get down on the floorboard!" I was just concerned for him. I wasn't even thinking that a round could've deflected off the car and nailed me right in the forehead. I wouldn't have even known it. I was just concerned with getting him down on the ground. So he ducked down, the Hispanic male continued to fire, and the suspects' car came to a stop. All I could see in the car was two suspects like jumping beans inside, like they were trying to hide underneath the seat. So I got out of the car and went into a typical hot stop and then looked over to the Mustang. The Hispanic males were exiting their car, both firing into the suspects' car. I turned to engage them. I started to pull on the trigger and almost pulled a round off when I looked at the first guy—who was yelling toward the suspects' car—and I saw braces on his teeth. I said to myself, "Fuck, that guy was a cop at Central when I was a trainee," so I went off him and back onto the suspect vehicle. I was looking, looking, looking, but I didn't see a threat. I was thinking, "Why are they still shooting? I don't see a threat. Am I missing something? Fuck."

Next thing you know, a bunch of plainclothes guys came up and yanked these two guys out of the suspects' car. As they were pulling them out, a third kid that I hadn't seen popped up into the driver's seat and the car took off. So I holstered up and went from a near shooting to chasing a car down the road that's full of bullets. After we got that kid into custody, I told the officer with the braces, "Goddamn, I almost shot you. Scared the shit out of me. I almost dropped you."

Pulling the Trigger

 **T**he line separating close calls from shootings is razor thin. As we saw in the last chapter, police officers hold their fire in the face of all sorts of threatening actions, including gunfire directed at them. So when officers do shoot, it is because something—the way armed individuals stand, the way they hold their weapons, the way they move, the words they speak, the look on their faces, some cue—tells them that this moment is different, that it is for keeps, that they can't hesitate, that they have to fire. The last chapter illustrated the sorts of things that officers consider as they contemplate pulling the trigger but stop short of the act. This one completes the shooting picture by showing how and why officers cross the line, and what happens when they send police bullets plowing through citizens' flesh and bone.

In some instances, the decision to shoot is the end point of a deliberative process. In others, it is a split-second reaction that involves no conscious thought at all. Sometimes a shooting is the culmination of a protracted encounter during which officers had plenty of time to consider the possibility that they might need to shoot. Other times, officers are thrown into dangerous situations without warning and fire right away. And shootings happen in any sort of situation: burglary investigations; disputes between family members, friends, or neighbors; traffic stops; noise complaints; and even when officers are minding their own business off duty. Because shootings can (and do) unfold in a variety of ways, during situations of every conceivable stripe, there is no such thing as a typical shooting scenario.

The same is true about the people officers shoot: there is no such thing as a typical police opponent. Although some of the people the police shoot are hardened criminals, many are folks who were not in serious trouble with the law before the incident that brought them to the attention of the police. Some souls are enraged about some real or imagined affront they have suffered, some are high on alcohol or other drugs (or both), some suffer from some type of long-standing emotional or mental problem, and some are suicidal. Indeed the most thorough research to date indicates that some 10 percent of the people struck by police gunfire in recent years were suicides who goaded officers into shooting them. This unorthodox form of self-destruction, commonly called *suicide-by-cop* in law enforcement circles, is sometimes chosen by troubled individuals (such as the disturbed man who stabbed himself in the stomach from the previous chapter) who wish to end their lives but can't do it by their own hand.¹

Whatever the circumstances that bring officer and assailant together, and whatever the assailant's motive for the behavior that prompts police gunfire, all shootings boil down to the same point: police officers decide that the person they face will do them or another innocent person grave harm if they don't shoot.

The stories in this chapter show what happens when officers reach that critical point. Readers will meet young officers thrown into violent shoot-outs while they were still wet behind the ears, veteran officers who kill knife-wielding madmen, and officers and shootings of every sort and stripe in between. More than a dozen of the officers I interviewed were injured during their shootings. We will hear from a few of them. Although—as detailed in the Introduction—most officers never shoot anyone, a small number are involved in two or more shootings. Several of the officers I interviewed fall into the multiple-shooter category, and we will hear from two of them here. Finally, I was occasionally able to interview two or more officers who fired their weapons in the same incident. To provide the reader an idea of how different officers experience the same shooting, I have included a handful of stories that deal with a single incident.

As was the case in the first three chapters, the stories are presented in a series of groups, starting with two of the more dramatic shootings, both of which happened when the involved officers were mere novices.

Baptism by Fire

One of the reasons police agencies put newly minted academy graduates through a probationary period that includes substantial time riding with senior officers is to allow young officers the opportunity to break into the rigors of police work slowly. Fate is no respecter of time on the job, however, and some officers find themselves in deadly straits before they have learned the ropes. We saw in previous chapters that this can include witnessing fellow officers struck down in the line of duty, watching other officers shoot citizens, and nearly shooting people themselves. This section completes the

picture of rookies' exposure to deadly violence with a pair of stories from young officers who shot people long before they had a chance to get their police legs under them; in the case of the first officer we hear from, just ten days after he hit the streets.

My first training officer was a fairly young guy, who spent a lot of time talking with me about deadly force. At the time I showed up at the station, he had been in two shootings in less than two years. So he was one of those guys that was just always in the middle of whatever action was going on in the division. Because of that, he put a major emphasis on deadly force in training.

When he told me about those shootings, I figured that couldn't happen to me. I was just getting out on the street. I was like, "Well, yeah, I know it happens, but it's probably not going to happen to me." I mean, I knew that something like that could happen, but in my mind I thought it wouldn't, at least not early on in my career. Then, on my tenth day in the field, it happened.

It was a Monday and we were working day shift. We were very busy because of this gas station across the street from a housing project that was a real crime magnet. The gang-bangers who lived in the projects would run across the street, rob the patrons at the gas station, and then run back into the projects. As a trainee, I had to write all the crime reports for our car, and I was getting report after report after report of robberies at that gas station. My training officer wanted to make sure he got off duty on time that day—I can't remember why—so he said, "Let's park our car near the gas station and sit and write your reports there. Maybe we can keep them from robbing it, so we can go home on time." So that's what we did. We parked in a visible area to the rear of this little tiny hot dog stand that was right next to the gas station.

So we were parked there in a marked black-and-white radio car writing our reports when both me and my partner saw this guy walk up to a customer who was putting gas in his car about thirty to forty feet away from us. The guy didn't look at us. He just reached into the back of his waistband, pulled out an automatic, jacked a round into the gun, and stuck it into the customer's stomach. The guy then took the customer's wallet and started going through his pockets.

My training officer grabbed the radio and put out the emergency traffic that we had an armed robbery in progress and where we were. I don't even remember drawing my gun, but by the time my training

officer got off the air, I had my gun out and I was ready to go. He told me, "OK, wait till he gets away from the victim," because the crook still had the gun in the guy's stomach.

After a little while, the suspect finally looked over and saw us sitting there. My training officer said, "We're going to let him walk away, and then we're going to pull forward." And that's exactly what happened. The guy pretended like maybe we didn't see this whole thing in front of us, put the gun down by his side, and started to walk away. As we started to pull forward in the car, the guy started to run. When he got to the curb, he slowed down, then ran out into the street. It's a major street—four lanes across—and when he got to the middle of it, he turned around and started firing at us.

I was still sitting in the radio car with the door open, one foot on the ground. I knew the guy was shooting at us because I saw him shooting, but I didn't really hear the rounds going off. The audible start-up and "BANG!" that usually happens when you pull the trigger wasn't there. It was just a soft "pop, pop, pop." He fired nine rounds at us—all misses. My partner fired four, and I fired two. At the time, I didn't know my partner fired because I didn't hear his shots. In fact, when it was over, I asked him, "Did you shoot, or was it just me?"

When the shooting started, there was this Housing Authority police unit right there, almost between us. When they saw what was happening, they just left. I remember them watching us in this gunfight, looking at us, and putting it in reverse. I remember their tires screeching as they left. I couldn't believe it.

Another thing I remember is that when the guy turned and started firing, I got tunnel vision on him. I also remember that I had a sight picture on him as I was firing, because I remember seeing my front sights as I was shooting and wondering why he wasn't falling. I remember actually thinking, "Why isn't he falling?" Then I wondered, "Why is he still running?" because after he fired his rounds, he took off running again. It turns out that we hit him four times, but we didn't know it because he just ran into the projects.

As soon as the guy disappeared into the projects, everything got loud. My partner said to me, "We're not going to chase him. We got to get the victim and make sure he's OK." Not chasing the guy was a judgment call on his part, and it turned out to be a sound decision, because all the witnesses said that the guy went around the first corner and waited there to ambush us. He waited there for us for quite a while. It wasn't until the first assisting unit got there that he got up

from his ambush position. The witnesses said that when that first unit arrived, the guy took off running a little ways, then fell in some bushes and died. And that was probably a good minute to two minutes after we shot him.

Now we didn't know any of that at the time. In fact, after he disappeared, I thought he was gone. I thought our rounds missed him, and I didn't think we were going to find him because, traditionally, once suspects disappear in the projects, they're gone. So I thought the incident was over. I noticed at that point that I was breathing real heavy, like I had just run a hundred yards, when I hadn't moved even ten feet. Because I thought it was over, I started to calm down for a couple of minutes. Then the world started to fall apart again.

When the other units got there, we started to set up a crime scene, and some other guys went into the projects to try to find this guy. Well, when they located him, a miniriot broke out. Four to five hundred people came out of the projects, and our units started taking bottles and rocks. They were upset that we'd shot one of their people. We had to get the help from all the sheriff's stations in the region, and then the city sent us one-hundred-plus officers right away. When the city units started showing up, a lot of the anger turned on them because some of the gangsters were telling people that some city officers had simply walked up to the guy where he lay and shot him for no reason. So the city units started taking bottles and rocks. It went from a real quick incident—a matter of seconds—with the shooting, then it melted for a couple of minutes, and then it turned into a major civil disturbance. I mean, we were standing there in the middle of hundreds of radio cars, hundreds of cops, two helicopters, and sirens everywhere. It was quite a production.

We were trying to maintain a crime scene where the shooting occurred. Other deputies were looking for where his rounds hit, for his expended shell casings, all that kind of stuff. City units were trying to maintain the scene where the guy fell. There were hundreds of angry people, and there were bottles and rocks flying in the projects. After about half an hour, they pulled my partner and me out of there and took us back to the station while the riot continued. About another half hour after that, the city units started taking people to jail, and things slowly started to calm down.

I had been a little bit worried about things when we were still back at the scene, but my training officer was real reassuring. He told me that I had done a good job and that I shouldn't second-guess myself,

because it was so cut-and-dried: armed robbery right there. Crook started shooting at us. That's as clean a shooting as you can get. When he told me that, it was a big load off my mind, because I knew that if it wasn't that way that he'd have told me so.

I tell you, that was one crazy baptism by fire.

I got out of the academy in the springtime, completed my FTO program in the summer, and was patrolling by myself in the early fall when the shooting went down. It was a Friday, my first day back at work after my normal two days off. There was another guy on my shift, named Mike Mural, that I had gone to the academy with, so we were still full of excitement for our jobs, glad to be back at work on our Monday. It was a beautiful fall day. It was cool and the sun was out. There wasn't a cloud in the sky. In fact, I remember telling Mike what a beautiful day it was.

We took some calls that morning. We ate breakfast. We took a few more calls, then met to talk and write our reports that we were catching up on. When we finished up, he went off to his beat, and I went the other way to mine. Shortly after that, a burglary-in-progress call came out. Dispatch told us that there were two men trying to get into the sliding glass door of an apartment and that the complainant was inside the house with a small child.

Mike said he was en route, and I heard another unit say they were en route too. I was pretty far away, but I responded anyway because it was a felony in progress—one of those calls where more than just two people should go. Before I arrived, Mike broadcast that he was going to go out on two guys walking out of the complex that matched the description of the burglars. Then, a few seconds after that, he advised that he was in foot pursuit, and I heard the sound of the foot pursuit on the radio. He was gasping for breath, giving out directions, giving out descriptions of the suspects, and then the radio was quiet. Then the dispatcher prompted him, asked him to advise. No response. Prompted him again. No response. Some other units arrived on the scene. Then I got there, and we started to set up a perimeter on this large wooded area that was just adjacent to the apartment complex, because that was the direction the foot pursuit had been traveling before Mike's radio went dead.

Soon thereafter, one of the officers on the scene broadcast that a citizen had advised him that he had seen a police officer being led into

the woods at gunpoint. I was thinking, "Man, this is not good." But instead of staying where I should and manning the perimeter, I said to myself, "This is my buddy. I got to go in and find him." So I just trudged off into the woods looking for my buddy. I didn't put out a broadcast of what I was doing; I just took off looking for Mike.

I had my gun out. I was walking slowly. Being careful. Being real deliberate. Looking around, trying not to stumble upon them and make whatever the situation was worse. There was a lot of commotion on the radio as I was walking. Other units were checking out an equipment shed at a baseball diamond on the other side of the woods, thinking they might have made it that far. Someone called for the SWAT team, and a supervisor called for an ambulance to respond to the scene. The radio was abuzz with all sorts of chatter. There were sirens wailing all over the place. I couldn't believe what was happening. I couldn't believe someone had taken Mike hostage. I couldn't believe I was walking through the woods looking for my buddy who had disappeared.

Then I came to a small clearing and saw something worse than the worst nightmare I ever had. Just on the other side of the clearing, I saw Mike standing there with his hands up and some guy standing right in front of him holding a gun to his head. I could see that Mike's holster was empty, so I figured the guy had disarmed Mike and was holding his own gun to his head. Mike's back was facing toward me, so the guy could look past Mike and see me. Then the guy said, "You better get out of here or I'm going to blow his fucking head off!" I was in the open, so I took about three or four quick steps to the right through a bunch of thorns and tried to get behind a nearby tree. As I did that, the guy kind of shifted so he could use Mike as a shield. Now I really couldn't believe what was happening. I just couldn't believe that I was looking at this guy pointing a gun at Mike.

I tried to get on the radio to advise the other units, but I couldn't get through, so I just put my radio away and we had a standoff. I remember thinking at that point that I was in a no-win situation. The guy kept telling me to get away, to get back, but I wasn't going to leave. I came there, I found him, and I was not going to back off. I was not going to give ground. We stood there for about a minute or two. Then I told myself that something bad was going to happen sometime soon if I didn't do something. The guy was looking back and forth. He would look at me, then he would look at Mike. Me, then Mike, back and forth, with the gun pointed at Mike's head the whole time.

The guy wasn't moving his head, just his eyes. He was trying to keep Mike like a shield between us, staying where he could make eye contact with me and see where I was at. At one point, when the guy shifted his eyes toward me, Mike reached up and grabbed the gun. When he grabbed it, he grabbed it around the cylinder. It wasn't cocked, so that made it real hard for the guy to pull the trigger.

As soon as Mike grabbed the gun, I tore out of the bushes like a rhino. I put my gun in front of me, thinking that I had to shoot this guy as soon as I could. As I was running up, I could see that the guy wasn't trying to shoot Mike. He was struggling with Mike to get the gun pointed at me, and he was trying to pull the trigger. I didn't know it at the time, but the cylinder was half rotated. The guy had pulled the trigger far enough to start the cylinder rotating, but Mike had a grip on the cylinder that was keeping it from moving a round into the firing position. So the guy was trying with all his might to shoot me as I ran up, but Mike's grip kept him from doing that.

When I got there, I stuck my gun into what I thought was the center of his stomach and pulled the trigger. It was almost like an instantaneous reaction. I ran there so fast that we had a collision. Boom, I got there, my gun went off, and we all fell to the ground like a bunch of bowling pins.

When we fell to the ground, the guy dropped the gun and Mike said, "Get the gun, get the gun!" So I reached over and just kind of swept it to the side, put my gun away, and then we commenced to pummeling the shit out of the guy. He was resisting at first, then he quit fighting, and we got the handcuffs on him. Once we got the cuffs on, it dawned on me that the guy was still alive. I could see a big powder burn on his shirt, so I raised it up. He was an obese guy, and I could see two holes on his big belly, an entry wound and an exit wound. There was a little bit of blood coming out of the holes, but I really couldn't tell how bad he was hurt. It turns out that the gunshot wasn't that bad at all. The round had gone in at an angle on one side of his belly, traveled between the dermis of the skin and the peritoneum, and went out the other side. It never entered his abdominal cavity, so it was basically just a superficial wound. Now I didn't know any of this at the time. All I knew is that he was still alive and that sort of shocked me, given the fact that I'd just put a contact shot into his gut.

A few minutes later, some other officers arrived and one of them took the guy away. Then I remember saying something that was just totally stupid and irrelevant. I'd left the headlights on my car on from

running code over to the scene, so I asked the other officers if they could send someone over to turn the headlights off. I don't know why that thought even entered my mind. Why would I remember leaving my headlights on? I hadn't even remembered leaving them on up to that point. I'd just been involved in a hostage situation and in a shooting, and I'm worried about the battery running dead on my car? Who knows?

But I was still pretty juiced up from what had happened. When I first spotted them in the clearing, I could feel these chemicals running through my body, like I'd just seen a lion or some other dangerous animal running loose. It felt like my body had just been charged with something, and it was very powerful. It wasn't fear. I never felt any fear in the situation. That was pretty amazing because, like I said, what happened was worse than my worst nightmare, but I wasn't afraid. It was like fear was not an option, like there was no room for the emotion of fear at the time.

I was so juiced up that I didn't even realize that I was cut up pretty bad from running through the patch of briars to get behind that tree when I first spotted Mike and the guy. I had on a short-sleeved shirt, and some of the thorns tore my arm up, just scratched and lacerated the hell out of my right arm. It looked like shit, but during the situation, I hadn't even realized I was injured, that I was bleeding. When I first spotted the cuts, I didn't know where they came from. I said to myself, "How in the hell did this happen?" Then I looked around where I was at and figured out what happened.

After that, a supervisor came up to me and asked me to give him my gun. I was expecting that because we'd been told in the academy that it was department policy to hold the guns from officers who get involved in shootings as evidence. They told us that the gun would be taken away at the scene and that the officer would be given another gun right away, and that's what happened that day. The supervisor took my gun and gave me another one to put in my holster.

Then my sergeant showed up, we walked back to his car, and we drove to Homicide to talk to the detectives.

More from Patrol

Both of the preceding shootings have unusual features besides the fact that the officers involved were so short in experience when they occurred. For example, although citizens attack police officers on a regular basis, one thing that crooks hardly ever do

to officers is kidnap them. So when the officer in the second story found himself in the middle of the woods living something worse than his worst nightmare, he was involved in an event that occurs only once in a blue moon. It is therefore no wonder that he experienced such a strong sense of incredulity.

The first shooting included two unusual features. First, for obvious reasons, robbers rarely stick up victims who are standing only a few yards from a marked police car with two officers in it. The second unusual feature of this shooting concerns what happened after the smoke had cleared. Even though police gunfire has sparked many a riot in the last few decades, the vast majority of police shootings do not prompt any sort of civil unrest. So when a brand-new rookie witnesses a robbery that leads to a shooting that leads to a riot, he has indeed had quite a baptism by fire.

The lion's share of the five-dozen-plus other shootings that happened when the officers I interviewed were on patrol were, in comparison to these two rookies' shootings, ordinary events. But a few, in one way or another, were highly unusual. The stories in this section include shootings of both sorts, providing a more complete sense of the range of deadly circumstances that patrol officers can find themselves in, and highlighting some of the things that most police shootings have in common.

The first point of commonality across most shootings has to do with the distance between police officers and suspects. Although fictional portrayals of police shootings often place officers a substantial distance from the citizens with whom they do battle, the vast majority of real-life shootings involve a separation of a few yards or less, and in many cases less than an arm's length. So the two-lane distance separating the first rookie from the suspect he shot was near the outer range of what typifies police shootings, and the extremely close quarters in which the second rookie fired was not at all unusual. Similarly close distances are involved in most of the shootings in this section (and in most of the shootings that make up the rest of this chapter as well).

Another thing that is common to most shootings is that officers usually fire only a small number of rounds. Although patrol officers occasionally shoot gobs of bullets, they usually fire fewer than a handful, and a single shot is quite common. In a related vein, most shootings happen quite quickly. Quite obviously, the time spent shooting when firing a single shot is quite brief, but human beings can pull a trigger multiple times in a single second, so officers can—and usually do—fire all the rounds they shoot in just a second or two.² It is important to keep this in mind when considering the stories in this section (as well as the other stories in this chapter), because the pace of narratives is often much slower than the pace of the action as events unfolded in real time.

At this point, it is worthwhile to briefly revisit our second rookie's shooting, for there is one aspect of it that deserves some mention—the fact that the suspect took his kidnapped partner's gun from him. Although suspects almost never kidnap officers, they do try to disarm them on a fairly regular basis. A decent number of suspects

succeed, but when they do, they typically shoot the officer in short order. Indeed just under 10 percent of officers murdered with firearms in the decade ending in the year 2000 were slain with their own guns, usually within moments of being disarmed.³ Because officers know that they are liable to be killed if they are disarmed, they often shoot suspects who try to take their weapons. Because suspects attempt to disarm officers on a regular basis, a sizable minority of police shootings occur in situations in which suspects try to take officers' guns from them. In order to provide some sense of what a more typical disarming case looks like, this section includes a shooting in which the officer in question shot the suspect before he could complete his potentially lethal theft.

This chapter also talks about mistakes. The rules that govern officers' use of deadly force do not require that an actual deadly threat be present before officers fire, only that officers have a *reasonable belief* that this is the case. The standard of reasonable belief allows officers to make what the law calls *good faith mistakes* in their use of deadly force. One sort of good faith mistake that officers sometimes make is shooting people who wield objects that appear to be deadly weapons, such as toy guns. Another sort of good faith mistake officers sometimes make is shooting unarmed individuals whose actions immediately prior to being shot led the officers to form the reasonable belief that they were in fact armed with a deadly weapon with which they were about to harm the officer or others.

Incidents in which officers mistakenly use deadly force against nonthreatening people are quite different from those exceptionally rare cases in which a brutal officer purposely shoots someone without cause, and readers should be careful to note the difference. This may be difficult, however, as many people have a hard time understanding shootings in which the person shot posed no actual deadly threat to anyone—particularly those cases in which the person was unarmed—because they believe officers should be able to easily discern real threats from innocuous action. But in many cases, it is not in fact easy for officers to determine whether an individual confronting them is armed or whether what an armed individual is carrying is a deadly weapon or some less harmful object. The nature of the problems that officers must deal with often is unclear: lighting often is poor, circumstances often are evolving (or devolving) rapidly, and officers often have to make decisions about whether to shoot in split seconds, before they have a chance to obtain all relevant information. So officers sometimes shoot when the facts established in the aftermath of incidents indicate that they really didn't need to.⁴

The stories in this section shed light on this matter by relating two shootings in which officers came to believe they were in imminent peril when the people they shot, in fact, posed no deadly threat. Together, they illustrate how officers' interpretations of citizens' actions during tense, fast-moving, uncertain circumstances can lead them to believe that they must shoot to protect themselves or others from deadly threats that do not really exist.

But in the vast majority of cases in which officers fire, they do so to defeat real threats. In fact, only three of the officers I interviewed shot unarmed individuals, and fewer than a handful of others were involved in cases in which they mistook objects such as toy guns for deadly weapons. Consequently, most of the stories in this section (as well as the vast majority of those in the rest of the chapter) deal with shootings in which officers' opponents in fact had deadly weapons, including one in which the suspect was armed with arguably the most unusual deadly weapon officers ever faced in the history of American law enforcement: a stolen army tank.

I was working a ten-hour shift that started at 9:00 on Halloween night when I got in my first shooting. I had taken my kids trick-or-treating, dropped them off back home, grabbed my gear, kissed the wife and kids good-bye, and went into work. I was working with my regular partner, and we figured it would be a busy shift, but it was cold out, and that really put a crimp on the trick-or-treaters. We had some calls at first, but after about 11:00 it was just dead. We couldn't find anything—nobody walking around, nothing at all. Then, about 3:00 or so in the morning, we spotted something. I was driving. We had the heat on, but the windows open. I was going eastbound down this four-lane road real slow, five or ten miles an hour, just kind of daydreaming, looking around. We were coming up on some apartments when I noticed an open door on a car facing us on the other side of the street. I kind of gave my partner a shot in the shoulder 'cause he was fading in and out and said, "Hey Dave, there's an open car door. Let's check it out."

As I was making a U-turn to come up behind the car, our headlights went across the open door. I saw two guys there, one in the seat of the car with a screwdriver, working on the steering column, and the other one squatting down next to him. The second guy was holding something I couldn't make out in one hand and a lighter in the other that he was using to light up the interior of the car. The guy squatting was kind of tall and thin. The guy behind the steering wheel was really big, a real muscular-looking guy—I could tell by the size of his jacket. There wasn't enough room to complete the U-turn, so we actually ended up facing the side of the other car at a slight angle, like a K minus the bottom leg, with our spotlights and headlights shining on the side of the car.

The guy who was squatting stood up real quick. We were both expecting these guys to beat feet out of there, so we were ready for a

foot chase. Dave went to run around to the rear of the car to pin them in, and I was going to pin them the other way so that we could catch them before they ran. The thin guy, who had his back to me, dropped the stuff he was holding. I shouted for him to stop, and he kind of put his hands out to his side.

The other guy started to get out of the car, and I could see that he was wearing jeans, but no shirt under his big, black, 1950s Fonzie-style leather jacket. As he turned, I could see that he was a big, muscular, weight-lifter-type guy. As soon as I saw his build, I said to myself, "This guy is a parolee." The other guy I wasn't so sure about, but I was certain the big guy had done some time. I was thinking, "He doesn't want to go back to the pen," so I figured we had a fight on our hands.

I started to move around my open door to grab the thin guy 'cause I was pretty close to him. As I was doing this, the big guy took two quick steps toward the back of the car—where Dave was heading to cut him off—and he reached back to the rear of his right side, which was facing me. This movement caught my eye, and I saw the outline of his hand going onto the grip of a pistol—some type of semiautomatic—that was tucked in the waistband of his jeans. I start yelling, "GUN!!" to let Dave know what was going on. As I was yelling, I started to draw my gun, and the big guy started to pull his gun out. I could see that it had a long slide on it, and I thought, "Holy shit! This guy's got a .45!"

Everything started to slow down at that point. I was really worried that he was going to shoot Dave, and I wanted to shoot him before he did, but I couldn't seem to make my body move fast enough. He seemed to be moving slowly, too; his gun was coming out slow. I fired a round as soon as I got my gun out of my holster. I saw the muzzle flash and some smoke. The shot sounded real muffled, not like a regular gunshot. Then I heard my casing hit the windshield of my squad car, slide down, and hit the windshield wiper. I brought my gun up to eye level to take a second shot, but before I could pull the trigger, Dave ran into the guy at full speed. He grabbed the gun as it was coming up, pushed it down, and tackled the guy into the trunk of the car that they were trying to steal.

Dave and the big guy fell off the trunk and onto the ground. As they were fighting, I heard the gun hit the ground and slide on the cement. The other suspect then started to turn and face toward me. I had closed the ground between the two of us as I was shooting, so I grabbed him by the scruff of the neck and shirt and slammed him

onto the hood of the car. I put my gun in the back of his neck and told him not to move or I was going to shoot him. At that point, time started to return to normal. The slow-motion stuff stopped. Then I got on the radio and called for help.

It turns out the round I fired went through the big guy's right forearm, into his stomach, traveled around his hip bone, went into his colon, and ended up somewhere near his scrotum. He was injured pretty bad, but at the time I wasn't sure I'd hit him because he was still fighting with Dave. They were on the ground. The suspect was on his stomach, and Dave had him from behind in a choke hold. He was holding on for dear life. Just riding him, basically. He had one arm around the suspect's neck, and he was trying to pin the guy's arm down with his other one. He had his legs wrapped around the suspect's waist and thighs, and they were sort of rolling around. I looked at Dave and asked him if he was OK. I thought maybe I shot him by mistake because he was so close when I fired.

He said, "I don't think I'm hit," and started to look at his legs as he was fighting the guy.

I kept asking, "Are you OK? Are you OK?" He said he was OK, so I asked him where the gun was. He told me he thought the guy had fallen on top of it, and I thought, "Oh, my God, he's still got the gun!"

I leaned down and put my gun into the suspect's side to put a couple of contact shots into his ribs. I'd seen a training tape during lineup one night about doing contact shots to the head and the ribs. It explained how you can be pretty sure that when you press the barrel against the bone that the bullets will go right in where you press, so in close quarters you don't have to worry about bullets flying around. So that's what I was thinking—put my gun in this guy's ribs and put a couple of shots into him sideways so no rounds would come through and hit my partner.

Just as I was about to pull the trigger, Dave spun the guy over and the suspect's arms came free. There was no gun in his hands, so I held my fire. I could see that the suspect was bleeding from his arm and stomach. There was blood all over the place. That's when I realized I'd hit him with my first shot. The guy was still fighting with Dave, but Dave was holding his own. I just held onto the thin guy until the rest of our squad arrived about a minute later. They took the thin guy from me, cuffed him, and helped Dave cuff the guy I shot. He kept fighting, even after they got the cuffs on him. He didn't even know he'd been shot until one of the other officers told him, "Quit fighting. You've

been shot!" Then he looked down, realized that he had been shot, and gave up.

After the guy finally gave up, my attention turned to finding the gun. I looked everywhere around where he and Dave had fought, but I couldn't find it. I was really, really afraid because I knew I saw a gun, but I was worried that maybe I saw something that wasn't there. I was thinking, "The media is going to love that," and worrying about how I was going to explain my actions to the detectives. As I was thinking this stuff, one of the other officers found the gun on the other side of the car the suspects were trying to steal. It was on the street by the sidewalk. It had gone across the trunk and landed on the other side when Dave tackled him. When I saw that gun, I had a sense of relief like you wouldn't believe.

My emotions changed pretty quickly, though, because it turned out the gun was a Crossman air pistol. Damn replica of Colt .45. It even says "Replica .45" on it. You can go to K-Mart and buy them. I thought, "Why did this idiot pull a BB gun?" After it was all over, Dave and I discussed what he was planning on doing with the gun. We were thinking maybe he was going to try to bluff us and escape. Maybe he was going to try to throw it because he was on parole and didn't want to get caught with it. Who knows? Whatever he was thinking, he's obviously not the brightest guy in the world.

Thirty days later, Dave killed an ex-con who attacked him, and seven months after that we got in another shooting. We were working day watch when a call came out on a disturbance at a house that we knew. Dave and I had been there numerous times. We had arrested a guy there who was a crystal meth user. He was an asshole, always doing something to get us called out there. He lived in a camper on the bed of a pickup in the driveway of his uncle's house, a beautiful home. The house is in the area we usually work, but we weren't working that beat that day. The call went out to some other units, but we decided to respond because we knew the guy. So Dave drove like a maniac. I mean, he broke a thousand vehicle code sections. The guy can drive. He went ninety-some miles an hour. He was flying. The dispatch said the suspect was armed with a screwdriver that he was using to pry the bars off the window to get into the house. It gave his description, said he was wearing a red shirt and blue jeans. We knew who it was.

We worked out a plan so that when we got there, Dave would drop me off in front, then take the car around back in the alley. That way, if the guy took off when he saw me, we'd have him trapped. We'd take

him to jail and put an end to these repeat calls for a while. Unbeknownst to us, a few days prior he'd threatened some other cops with a knife. They had to mace him. He spent a couple of days in custody, talked to some mental health people and such, then they released him. Since getting out, he'd been talking about how he was going to kill the next cop he came in contact with. All this stuff had gone on the last couple of nights, but nobody put anything in the books about it or anything, so we didn't know about it.

When we got there, we saw that one of our K-9 guys, Dan Franklin, was already there. Dave let me off by Dan's patrol car, which still had the dog in it, and he took off to get to the alley. When I started walking up the driveway, I saw Dan fighting with the guy in the backyard of the house. He had him by the neck from behind like he was trying to put a carotid on him or just hold him, and they were banging against the side of the house. There was no easy way for me to get to him because there were some fences between us. The people who let Dan in weren't there anymore, so I took off running along the side of another fence that went back to where they were fighting. There were actually two fences—a six-foot wooden fence and a three-foot chain-link fence—that were up against each other.

I pulled my pepper spray so that when I got to where they were fighting, I could hop the fences and help Dan get the guy into custody. I was running full speed through the yard—I couldn't see how the fight was going because of the six-foot wood fence—and as I got parallel to the camper, I heard, "BOOM," a gunshot, loud as can be, right in the area where they were fighting. I figured Dan had shot the guy because he pulled the screwdriver and tried to stab him. I jumped up on the chain-link fence to look over the wood fence to see what was going on. I dropped my mace as I was coming up and drew my gun 'cause I figured Dan might need me to cover down on the guy while he cuffed him up.

When I looked over, I saw a whole different scenario from the one I was expecting. The suspect was sitting upright on his butt, legs spread. Dan was sitting between his legs in front of him. The suspect had Dan from behind. He had Dan in a headlock with his left arm, and he had Dan's Smith & Wesson 5903 in his right hand. He was trying to turn it toward Dan's head. Dan had grabbed the gun with his left hand and was trying to push it away from his head. With his right hand, Dan was reaching down, trying to pull his backup gun from his ankle holster. Because one round had already been fired, I was thinking

that Dan had already been shot once. I was about twelve feet away, standing on the chain-link fence, looking right at them. They were facing right at me. I saw the whole picture in detail. I saw Dan reaching for his backup gun. I saw that it was a Walther PPK, just by the handle of it. I saw Dan's 5903. I saw the suspect's hands. I saw the three fingers and thumb of his right hand around the pistol grip, and I saw his finger on the trigger. I saw that it was Dan's left hand on his 5903, and I saw fear in his eyes. Dan's head was centered on the suspect's chest, so all I could see of the suspect was his head and his gun arm.

He looked up, saw me, and said, "Oh, shit." Not like, "Oh, shit, I'm scared." But like, "Oh, shit, now here's somebody else I gotta kill"—real aggressive and mean. Instead of continuing to push the gun at Dan's head, he started to try to bring it around on me. This all happened real fast—in milliseconds—and at the same time, I was bringing my gun up. Dan was still fighting with him, and the only thought that came through my mind was, "Oh, dear God, don't let me hit Dan." I fired five rounds. My vision changed as soon as I started to shoot. It went from seeing the whole picture to just the suspect's head. Everything else just disappeared. I didn't see Dan anymore, didn't see anything else. All I could see was the suspect's head.

I saw four of my five rounds hit. The first one hit him on his left eyebrow. It opened up a hole, and the guy's head snapped back, and he said, "Ooh," like, "Ooh, you got me." He still continued to turn the gun toward me, and I fired my second round. I saw a red dot right below the base of his left eye, and his head kind of turned sideways. I fired another round. It hit on the outside of his left eye, and his eye exploded, just ruptured and came out. My fourth round hit just in front of his left ear. The third round had moved his head even further sideways to me, and when the fourth round hit, I saw a red dot open on the side of his head, then close up. I didn't see where my last round went. Then I heard the guy fall backwards and hit the ground. He was still holding Dan's gun in his right hand when he hit. A second later, Dan jumped up, holding his backup, reached down and took his Smith & Wesson back from the suspect.

I got on the air, put out a broadcast that we'd had a shooting, and hopped the fence. The guy was obviously dead. I asked Dan if the suspect had fired his gun, and he said, "Yeah, he tried to shoot me." I said, "OK, let's inspect you." So as we were waiting for people to show up, we looked at his arms, looked at his legs, making sure he hadn't been shot. As we were inspecting Dan, Dave came running up. He'd had the

windows rolled up and air conditioner on, so he hadn't heard any of the shots. All he'd heard was my "shots fired" broadcast. He looked over at me and asked, "Was this you?"

I said, "Yeah."

He said, "Go ahead out front. The sergeant will be here in a couple of minutes."

I hopped the fence, then Dan hopped the fence, and we just went out and sat on the curb while Dave stood over the body. Then my boss came, same sergeant who had been at the other two shootings. He separated us, and after a few minutes we went down to headquarters to talk to the detectives one more time.