THE STATE

LAPD Speeds Policy on Shots at Vehicles

Bratton vows to draw up new rules by next week. Protests continue following the fatal shooting of a 13-year-old driver in South L.A.

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A day after saying that a new policy to limit police shootings into moving vehicles would take up to 45 more days to complete, Police Chief William J. Bratton abruptly promised, amid growing protests Tuesday, to release the policy next week.

Bratton had first called for a policy change a year ago. His decision to move faster came as he, Mayor James K. Hahn and other city officials struggled to respond to protests over the fatal shooting of Devin Brown.

The 13-year-old African American boy was shot repeatedly by a Los Angeles Police Department officer around 4 a.m. Sunday after he led police on a short pursuit that ended, authorities say, when he tried to back into a police cruiser.

At an emotion-filled meeting of the Police Commission, a march and vigil near the scene of the shooting in South Los Angeles and a forum at a neighboring church, community activists, pastors and others decried the shooting as the latest example of what they called a pattern of LAPD abuse of black Angelenos.

"People are tired of our children being gunned down like dogs. They could have pointed a flashlight on him," said the Rev. Ozell Clifford Brazil, associate minister of Bethel AME Church, host of Tuesday night's forum.

Devin was killed less than a week after prosecutors decided not to file criminal charges against an LAPD officer who was captured on videotape last June as he hit a black man, Stanley Miller, with a heavy aluminum flashlight. That decision also was condemned by African American leaders, and the back-to-back incidents heightened tensions.

"The community, unlike police, view these incidents collectively. They view it that nothing has changed," Councilman Bernard C. Parks, the former police chief who is running against Hahn
for mayor, said at the vigil near the shooting scene.

"That's why you get the anger. At some point, it boils. And if you're not there right now, you're getting close," he said.

Parks spoke a few hours after Hahn called a news conference to demand that the LAPD change its shooting policy "immediately."

The statements by the two underscore how the shooting could emerge as a political issue with the election for mayor four weeks away.

Hahn is struggling to win support from black voters who backed his campaign heavily in 2001. Parks appears to have siphoned off much of that support. Early in his term as mayor, Hahn refused to support Parks' bid for a second term as police chief and then chose Bratton to replace him.

Bratton's apparent success in reducing crime rates, which have dropped 16% since Hahn's election, has been a centerpiece of Hahn's reelection effort.

For Hahn, the controversy over the shooting threatens not only to hurt him further among a key constituency but also to detract from the LAPD's improved image among most voters since Bratton became chief.

In a Times Poll released last week, before the shooting, 68% of registered voters citywide said they approved of the department. That was one of the highest approval ratings for the LAPD in recent years.

Black residents have been a major exception. In the poll, only 40% of black voters said they approved of the LAPD; more than half said they disapproved. The gap between the department's approval rate among black and non-black voters was the largest in more than a decade of polling.

According to police, Officer Steve Garcia and his partner were on routine patrol early Sunday morning near Gage and Grand avenues when they saw a maroon Toyota Camry run a red light.

The officers followed the car onto the Harbor Freeway and tried to pull the driver over.

A three-minute chase ended when the driver left the freeway, lost control of the Toyota and drove onto the sidewalk near Western Avenue. The officers then parked their patrol car behind the Toyota.

A passenger fled. Police said that Devin, who was driving, then backed into the right side of the officers' car, and Garcia fired 10 times, killing the boy.

Officers said they believed they were pursuing a drunk driver and didn't know the driver was 13. The other passenger, who is 14, was apprehended.

The district attorney's office is investigating the incident, as it does all officer-involved
Garcia's actions reopened the debate over the LAPD's policy on officers shooting at moving vehicles. A year ago, after police officers shot and killed a car-chase suspect in Santa Monica, Bratton said the department's rules were leading to too many shootings and needed to be tightened up.

But since then, no new policy has been issued. On Monday, Bratton said in an interview that he had tightened the rules governing when officers can initiate a pursuit.

He said officers are being trained to use spike strips that puncture tires and immobilize fleeing vehicles as well as being taught to use their vehicles to contact fleeing vehicles to make them spin to a halt.

He has also set up a new LAPD unit to investigate shootings. A policy governing officers' use of deadly force when suspects are in moving vehicles was the final piece of the puzzle, he said.

LAPD officers are now allowed to use deadly force to protect themselves or others from the immediate threat of death or serious bodily injury.

The public pressure on Bratton to move faster began early Tuesday at a meeting of the Police Commission, when Commissioner Rick Caruso urged the chief to complete the rules more quickly, even if that would require writing interim rules immediately.

After the meeting, however, Bratton warned that drafting the language was a complex task that would take some time to complete.

A few hours later, at 1:30 p.m., Hahn called a news conference at the 77th Division police station and said the LAPD should change the policy.

"I'm asking them to move more swiftly here," Hahn said. "We should have had this policy developed. I'm not going to accept any excuses on why we need to wait any longer…. We need to make sure this doesn't happen again."

By late afternoon, Bratton aides said the policy would be ready by the Police Commission's next scheduled meeting on Tuesday.

While not directly criticizing Garcia or his tactics, several police commissioners told community activists who spoke at Tuesday's meeting that they were deeply troubled by what happened.

"It's almost inconceivable to lose a child under these circumstances," said Caruso. "So, to the African American community and to all of Los Angeles, I apologize, and we need to do the right thing."

Caruso said also that the officer "never intended, obviously, to kill a child."

Commission President David Cunningham III said he visited the scene of the shooting Sunday.
"My pain is only tempered by my anger," he said.

Rev. Andrew Robinson Gaither of Faith United Methodist Church, one of several black ministers who spoke at the commission meeting, said he was "outraged that the Police Department does not value black life."

Later in the afternoon, similar sentiments could be heard at Western Avenue and 83rd Street, near the shooting site, where about 150 people filled the intersection, waving placards and lighting candles.

At 5:15, the crowd started marching north on Western toward Bethel AME church, chanting "Police stop killing our children" and waving signs reading "Stop the killing."

"This young man was an honor student," Gaither told the crowd. "The car he was driving was not reported as stolen."

But although some activists were highly critical of the LAPD, others offered a more ambivalent view.

Joe Hicks, a longtime civil rights activist, said the LAPD had made progress since the widely publicized beating of Rodney King in 1991. Hicks said he was concerned that some black leaders — he wouldn't say which ones — have been making rash statements, criticizing the Police Department before learning all of the facts.

"Are we actually, in 2005, looking at an LAPD that is virtually unchanged, despite … two black police chiefs and despite Bratton, who's been brought in and done back flips, almost, to try to be sensitive and on point on this? Are we really saying nothing has changed in all these years? That'd be hard to imagine."

Rev. Leonard B. Jackson, an associate minister at First AME Church, also said the LAPD has made some progress. But he said Sunday's shooting is the latest of several incidents that have chilled relations between African Americans and police. He cited the beating of Miller and the recent failure of prosecutors to win convictions against two Inglewood police officers accused of hitting a black teenager.

"It takes less momentum to turn that clock back," Jackson said. "It's the law of gravity, let's put it that way. Things go faster going downhill than they do going up. I mean, you work your butt off to make advances, but then again it takes one mistake, and you lose that momentum."

At the Tuesday meeting at Bethel AME Church, about 200 people stood, shouted and applauded as speakers said the LAPD viewed blacks differently from others. Some speakers suggested staging an economic boycott.

Audience member Deborah Anderson, 37, said she attended the meeting to "support the family of the boy who was murdered. I think it was a wrongful death by the Police Department…. Children tend to be mischievous, but they shouldn't have to die."
"Children do stuff like that all the time. The Police Department should have better strategies to deal with these incidents," she said.

Anderson's mother, Barbara Wheeler, 58, said she had never taken part in this type of community event, but "I think enough is enough."

She said that hearing the boy was only 13 "made it close to home." She has nine grandchildren, all around the boy's age, she said, adding, "I know the child had no business being out at that time, but as a child I was out at that time. He did not deserve to be shot up 10 times."

Before the meeting, Bob Baker, president of the Los Angeles Police Protective League, called the shooting of Devin "a tragedy."

But he said the community should not rush to judgment.

"Few people fully understand what it's like to have to make a split-second decision on which one's life — or someone else in the community — may depend when someone takes a hostile action against a police officer or suddenly points a weapon at you. This is a reality that police officers face every day," Baker said.

Times staff writers Monte Morin, Natasha Lee, Zeke Minaya, Michael Finnegan and Richard Fausset contributed to this report.

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