

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
"A Tradition of Service Since 1850"

DATE: October 6, 2020

FILE NO:

OFFICE CORRESPONDENCE

FROM: JOSEPH J. WILLIAMS, CAPTAIN **TO:** JACK W. EWELL, A/CHIEF
SPECIAL ENFORCEMENT BUREAU SPECIAL OPERATIONS DIVISION

SUBJECT: SUPERVISOR INQUIRY FOR SERGEANT DANIEL TOBIN # [REDACTED]

The purpose of this memorandum is to provide information on the inquiry regarding the death of a county canine, on September 29, 2020, which was assigned to Special Enforcement Bureau (SEB) Arson Explosives Detail (AED) Sergeant Daniel Tobin.

The canine assigned to Sergeant Daniel Tobin was an accelerant detection canine named Spike. It had worked in the unit for 2 years and 10 months and was approximately 6 years old. Spike was the only accelerant detection canine assigned to AED and was used to determine if an accelerant was present at a fire scene.

On September 29, 2020, Sergeant Daniel Tobin reported to work as scheduled with his canine partner at 0700 hours. When he arrived, he gave Spike a break and gave him water, prior to putting him back into his county vehicle which was parking in the employee parking lot. His county vehicle is a 2013 Chevy Tahoe (SH3658) and has approximately 142,000 miles on the odometer. Sergeant Tobin left the engine on secure idle with the air conditioner running and the vehicle's heat alarm activated. He stated that while driving into SEB that day, he had the air conditioner on and it was working appropriately. Sergeant Tobin added that the he regularly checked the heat alarm and that it had activated as recently as the week prior to the incident.

Sergeant Tobin went into the office to work on his cases and then returned to his vehicle at 0930. He checked on Spike, made sure he had water (a water bowl stayed in the vehicle with the canine) and was out by his county vehicle for approximately 30 minutes (1000 hours) before returning to the office. He said that Spike was acting normal and that the vehicle and its air conditioning were working appropriately.

At approximately 1245 hours, Sergeant Tobin returned to his vehicle to give Spike a break. When he opened the front door to his county vehicle to

retrieve his canine's leach, he noticed that the vehicle was warm in the passenger compartment. He looked back into the kennel and noticed that Spike was lying down and had not sat up when he opened the door. Sergeant Tobin immediately opened the rear door to the kennel portion of the vehicle and saw that Spike had vomited and was unconscious. He immediately wiped the vomit from Spike's mouth and tried to wake him but the canine was not responsive and had shallow respirations. Sergeant Tobin drove his canine over to an area of the parking lot where there is a garden hose and used the cool water in an attempt to arouse him. When the water had no effect on the canine, Sergeant Tobin immediately rushed him to a nearby veterinarian, East Los Angeles Dog and Cat Hospital (5655 Whittier Blvd., East Los Angeles). The canine was brought into the veterinarian office and the staff worked on him for approximately 15 minutes, trying to revive him, but eventually determined the canine deceased.

After the incident, Lieutenant Burakowski # [REDACTED] responded to meet Sergeant Tobin at the veterinarian clinic. He told her that his air conditioner in his vehicle was not functioning appropriately and was blowing warm air and that the heat alarm did go off, but not until he was driving to the veterinary clinic. Once at the veterinarian's clinic, the heat alarm went off again a second time. The temperature on the day that the incident occurred was in the mid-90's.

On September 30, 2020, Sergeant Tobin took his vehicle to a Penske mechanic at Pitchess Detection Center, which regularly services our county vehicles. The mechanic serviced the vehicle and determined that the air conditioner was low on freon. Once the freon was added, the air conditioner was working as expected.

On October 5, 2020, Lieutenant Burakowski interviewed Doctor Yolanda Cassidy from the East Los Angeles Dog and Cat Hospital. She stated that when Spike was brought in, they were informed by Sergeant Tobin what had occurred and immediately intubated the canine to assist with ventilations. They gave him some medications in an effort to revive him but after treating him for approximately 15 minutes, they pronounced the canine deceased. Dr. Cassidy said that a number of factors: heat, aspiration, and underlying medical conditions, could have caused the death and that she could not exactly determine. She stated that because the canine had vomited, there was a possibility that it could have aspirated on its vomit. In addition, Dr. Cassidy said the canine could have had an underlying medical condition, especially based off of the type of chemicals that he was regularly exposed

to (smelling and inhaling accelerants), and the heat may have exasperated the condition.

I spoke to Sheriff Station Clerk II, Veronica Lopez and Sergeant [REDACTED] both who were working at AED on the day of the incident. They both confirmed the timeline that Sergeant Tobin related about his activity between the office and checking on Spike. Ms. Lopez added that Sergeant Tobin is diligent about breaking his canine every couple of hours whenever he is at the office. The current protocol for canine handlers at AED is for the canine handlers is to park their county vehicle in close proximity to where they are working so that the heat sensor will transmit, keep the vehicle on with a secure idle and the air conditioner on (if appropriate for the time of year), leave water in the vehicle for the canine, and check on the canine every few hours (or sooner).

It is my conclusion, that Sergeant Tobin followed the protocols in place for all canine handlers at SEB regarding how they secure their canines in their vehicles. He had no indication that his vehicle was not working properly, nor that his canine was not in good health. After looking at all of the factors involved in this incident, it is my determination that Sergeant Tobin's canine did not die as a result of his negligence. A factor in the death of the canine is the county vehicle and its ability to function properly after seven years of service and 142,000 miles as a canine vehicle using the current protocol.

As a result of this inquiry, AED immediately looked at all of the county vehicles that are assigned to canine handlers and are ensuring that they are being swapped out with some of the newer vehicles in the AED fleet. Secondly, due to the fact that the canines at AED are more "social" canines, there have been four kennels put in the AED office so that handlers can put their canines in the office with them, especially on days when the outside temperatures are high.

Long term, the unit is working on adding a misting system to the outdoor kennels to keep the canines cool as well as a covered parking area, to provide shade for the canine vehicles to park under.

Should you have any questions, please contact me at ([REDACTED]).

JJW:SMB:smb

Attachments

