
From: John Lindsay-Poland <[REDACTED]>
Sent: Monday, October 14, 2024 2:24 PM
To: Police Commission
Subject: Comment on Item 4B - LAPD military equipment

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Commissioners:

I am writing to comment on Item 4B regarding LAPD's military equipment annual use report and use policy.

I co-direct the California Healing Justice program of the Quaker organization American Friends Service Committee. Since 2021, we have monitored implementation of state law AB481, which regulates militarized equipment acquired by law enforcement in California. We have surveyed the policies and reports of hundreds of California law enforcement agencies, and served as technical consultants on these issues with elected officials, oversight bodies, law enforcement agencies, impacted families, community organizations, and concerned residents. You can see some of our material on AB481 and military equipment used by law enforcement at afsc.org/ab481.

LAPD's military equipment report holds many disturbing data points and claims.(page numbers below refer to pages in the report pdf).

1. Assault rifles and submachine guns

The report offers this data: 2,215 assault rifles are privately owned by LAPD officers. (pp. 54-58) 224 of these were added in 2023. (p. 28) Up to 340 additional private purchases of assault rifles are proposed in 2024, and 355 additional department-owned assault rifles are proposed for 2024. (pp. 80-81) This is in addition to 1,387 department-owned assault and sniper rifles, 141 submachineguns, and 180 military-issue M16 rifles. (pp. 52-54) This does not include 706 military-issued M16s that were decommissioned in 2023. (p. 29)

We strongly encourage you to ask the following questions of Department representatives during Tuesday's hearing:

- We are now in October 2024, but "Requested equipment" is for 2024. Have some of these items already been acquired, expanding the inventory without approval by the Commission or City Council? (pp. 78-85)
- Why has LAPD encouraged private ownership of assault rifles by its officers? (pp. 28-29)
- Have officers acquired new rifles already in 2024, without approval of additional assault rifles to the inventory?
- Since ownership of assault rifles by private citizens is illegal under California law, what happens to these weapons when officers who own them leave the Department?

- Does the Department intend to increase the combined number of Department-owned and privately-owned assault rifles in its inventory? If so, why?
- Why is LAPD acquiring 2,000 additional rounds of submachine gun ammunition? (p. 81)

2. LAPD mischaracterizes “de-escalation” several times, by calling weaponry “de-escalation tools”. (pp. 20, 25, 29, 95). In one of the most perverse passages, LAPD policy states: “*De-escalation tools include but are not limited to: Electronic Control Devices (e.g., TASER), Impact Devices (e.g., Baton), Kinetic Energy Projectiles (e.g., Beanbag Shotgun, 40mm Less-Lethal Launcher, FN 303 Less-Lethal Launcher), certain Chemical Agents (e.g., Oleoresin Capsicum), Restraint Devices (e.g., Handcuffs, Hobble Restraint Device), and Department-approved firearms (e.g., Handgun, Shotgun, Patrol Rifle).*” (p. 95)

These weapons do *not* de-escalate conflict, though they may be tools for compliance and control – or simply for police violence. De-escalation includes listening, communicating, reducing conflict, using or increase time and distance to prevent violence, and other techniques. Use of force with military equipment is what occurs when de-escalation has been abandoned. LAPD’s definition is in complete opposition to state law AB48’s reference to attempting de-escalation in crowd control *before* using any of these weapons. The idea that weapons that harm, injure or even kill people are “de-escalation tools” is a way to legitimize violence and call it something else. **The Commission should oppose this policy definition of these weapons and how they are used.**

3. Multiple-projectile “Scattershot” munitions. These projectiles disperse from a grenade or a launcher and are thus impossible to target against anyone. [Physicians for Human Rights](#) and the [UN Special Rapporteur on Torture](#) have called for banning use of these weapons by law enforcement, because they are indiscriminate and dangerous. According to [a report](#) by Amnesty International and Omega Institute: “Munitions containing, or devices firing, multiple [kinetic impact projectiles] are inherently inaccurate, they cannot be targeted only to an individual engaged in violence and will cause unwarranted injury, and therefore have no legitimate law enforcement use and must be prohibited.”

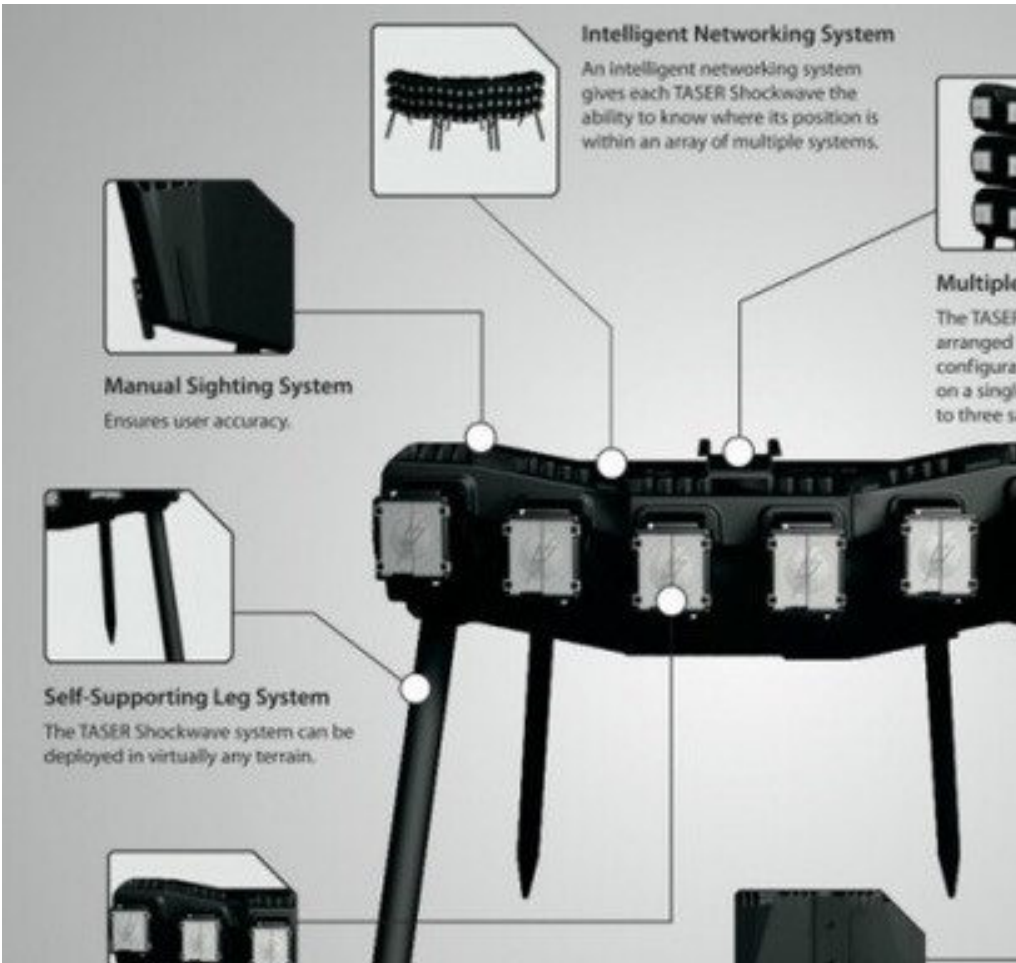
LAPD has more of these munitions, by far, than any other law enforcement agency in the state. LAPD has 11,459 multi-projectile cartridges ([CTS 3555](#), see pp. 61 and 64), as well as a smaller number (49) of grenades that release 80 rubber pellets and chemical agent when detonated (model ALSG101, see p. 62). LAPD already has more than 117,000 ‘less lethal’ single-shot projectiles. LAPD is requesting 30 more of the ALSG scattershot weapons (pp. 82-83). **All scattershot munitions should be eliminated from LAPD’s inventory.**

4. The “governing body” with decision-making authority for LAPD’s military equipment policy is identified incorrectly as the Board of Police Commissioners (pp. 19-20), instead of the City Council. AB481 defines the governing body as the “elected body that oversees a law enforcement agency or, if there is no elected body that directly oversees the law enforcement agency, the appointed body that oversees a law enforcement agency.” (Sect 7070(a)) The Board of Police Commissioners is not elected, but appointed by the mayor, while the City Council is both elected and has oversight authority for the LAPD. It is *good* that the Police Commission is reviewing the military equipment report and policy (especially since LAPD does not identify an independent oversight entity for military equipment use, as required by AB481), but the City Council is the governing body with the authority to amend the policy. The report and policy should make this correction.

Sincerely,
John Lindsay-Poland

American Friends Service Committee
California Healing Justice Program
Tel: [REDACTED]

Taser Shockwave illustrations:



From: Voices For LAPD <[REDACTED]>
Sent: Monday, October 14, 2024 3:53 PM
To: Police Commission
Subject: BPOC public comment 10/15/24

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear BOPC,

We The People, The Voices for LAPD are ready and willing to speak up and partner with incoming Chief Jim McDonnell to address lack of communication issues between the community and the LAPD. Information has to be presented to the public in a timely manner especially regarding community meetings and public safety crime issues. Effective community policing is the right of every community throughout our city. We, as the community, will do our part in communicating with and supporting the LAPD. We have great hope that the LAPD under the leadership of Chief McDonnell will communicate with us on our common goal of implementing community policing, crime prevention, and problem solving strategies.

LAPD has suffered a severe decline in its personnel strength which greatly impacts in a negative way the ability to Protect and Serve. We will do our part as the community to reverse this decline under the vision of Chief McDonnell to make the LAPD a tough, clean, transparent, and accountable department for the benefit of us all.

Respectfully,
Voices for LAPD

From: Carolina Goodman <[REDACTED]>
Sent: Monday, October 14, 2024 4:36 PM
To: Police Commission
Cc: LIZABETH RHODES; MARLA CIUFFETELLI
Subject: AB 481 Use of Military Equipment 2023 Annual Report

ATTENTION: This email originated outside of LAPD. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Cc: Chief Jim McDonnell (I do not have Chief McDonnell's email address. Please pass this letter along to him. Thank you.)

Dear Commissioners,

As you may know, the League of Women Voters of Greater Los Angeles has been interested in LAPD's use of military equipment. To that effect, LAPD's Office of Constitutional Policing and Policy has welcomed our input in the past. See the August 23, 2023, Interdepartmental Correspondence from Chief Moore to you, *"In preparation for the 2nd Annual Report, we received community feedback in the Board of Commissioners meetings regarding approval of the policy and first report. Additionally, we have had several meetings with the League of Women Voters and their thoughts on our policy and annual report. Several of their recommendations have been incorporated into this annual report including a clarification of the use of the 37mm Less Lethal Projectile Launcher and the addition of a link to file a complaint."*

Unfortunately, we were not given the opportunity to provide feedback on the 2023 Annual Report prior to the announcement on Friday, October 11, 2024, that the annual report is to be reviewed by the Commission on Tuesday morning, October 15. The League of Women Voters does not claim to be an expert on military equipment. However, we are representatives of the community who care about the safety and wellbeing of our peace officers as well as the people they serve. We come from the perspective that there may be safer alternatives to accomplish the same result. Three days is simply not enough time to review this important report of over 100 pages, and we respectfully request that you defer approval of the annual report until after the community meeting required by AB 481:

From the bill text section 7072 (b): Within 30 days of submitting and publicly releasing an annual military equipment report pursuant to this section, the law enforcement agency shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment.

You will want to consider public comments and questions before making your recommendation to the City Council regarding LAPD's AB 481 annual report.

Below my signature are some concerns that arose after a quick reading of the report.

Thank you,

Carolina Goodman, Chair
Committee on Criminal Justice Reform
League of Women Voters of Greater Los Angeles

Problematic equipment and use policies

Scattershot munitions. These projectiles disperse from a grenade and are thus impossible to target against anyone. [Physicians for Human Rights](#) and the [UN Special Rapporteur on Torture](#) have called for banning use of these weapons by law enforcement, because they are indiscriminate and dangerous. According to [a report](#) by Amnesty International and Omega Institute: “Munitions containing, or devices firing, multiple [kinetic impact projectiles] are inherently inaccurate, they cannot be targeted only to an individual engaged in violence and will cause unwarranted injury, and therefore have no legitimate law enforcement use and must be prohibited.” We recommend that all scattershot munitions be eliminated from LAPD’s inventory.

Taser Shockwave. This weapon fires an array of many tasers at people. Beyond “electronic control,” there is no definition of authorized uses for this weapon, as required by AB 481. We believe LAPD should not have this weapon.

Skip firing munitions. LAPD authorizes “skip firing” of projectiles at a crowd, meaning that projectiles are fired at the pavement, and they ricochet unpredictably. (pp. 61, 64, 83, 116) This makes it impossible to prevent hitting the face, neck, head or vital organs, and can lead to serious medical harm. We recommend that skip firing be eliminated as an authorized use for projectiles.

Another important point, there is the potential of millions of dollars in lawsuits by innocent civilians caught in the line of fire by scattershot, taser shockwave and skip firing munitions.

LAPD’s crowd control use of force policy does not incorporate the State’s current use of force law, thus authorizing illegal uses of force. In 2022, California reformed state law for use of force in crowd control situations (in AB 48, codified in Code 13652), significantly reducing the circumstances for lawful use of ‘less lethal’ projectiles and chemical agents for crowd controls. The LAPD crowd control policy, included as Addenda XI (pp. 111-117), was last revised in 2021, before the changes for lawful use of these weapons in crowd control, and neither the crowd control policy nor the policies for 40mm launchers or beanbag shotguns (pp. 96-110) incorporate these restrictions.

Specifically, AB 48 prohibits the use of these weapons solely in response to a verbal threat, noncompliance with a law enforcement order, or a curfew violation. It also specifically requires law enforcement to attempt de-escalation techniques, and those attempts must fail, before deploying these weapons. (LAPD defines “deployment” as the “public display” of the weapon. (p. 8) LAPD must incorporate the State law on use of force that limits the use of ‘less lethal’ projectiles and chemical agents into its policies.

LAPD’s report explicitly excludes required reporting on personnel costs for use of military equipment, despite AB 481’s direct requirement to report these costs (Section 7072), which are almost always much more expensive than weapons purchases alone. LAPD says “Costs related to personnel and routine training after being certified to use the equipment were excluded. Also excluded were personnel cost for equipment usage due to several factors involved in estimating cost.” (p. 20) This is a violation of AB 481 and should be corrected before the Commission or Council accept the report.