



LOS ANGELES POLICE DEPARTMENT USE OF FORCE-TACTICS DIRECTIVE

Directive No. 2.2

November 2017

HOBBLE RESTRAINT DEVICE

PURPOSE

Police officers are routinely confronted by violent or potentially violent suspects who must be restrained when taken into custody. The Hobble Restraint Device (HRD) can be a valuable tool in the control of such suspects. The Department-approved techniques for using the HRD are depicted in this Directive.



PROTOCOL

The HRD can be used to control the feet/legs of a violent or potentially violent arrestee, or hands/arms of a non-violent arrestee when normal handcuffs are impractical due to injury or other extenuating circumstances (i.e. size). Most importantly, the HRD **shall not** be used to bind the suspect's hands and feet together in any manner.

Note: The mere application of the HRD does not constitute a reportable use of force. However, if a reportable use of force occurs during the application of the HRD, it shall be investigated according to Department guidelines.

PROCEDURES

The HRD was designed to be used to secure the ankles, knees or elbows of an individual who is potentially violent or displaying violent behavior by kicking, fighting, biting, punching or thrashing about, or to secure a person's feet during transportation in a police vehicle. These techniques can be varied according to the circumstances an officer may encounter, but in each application care should be taken to minimize any injury to the arrestee.

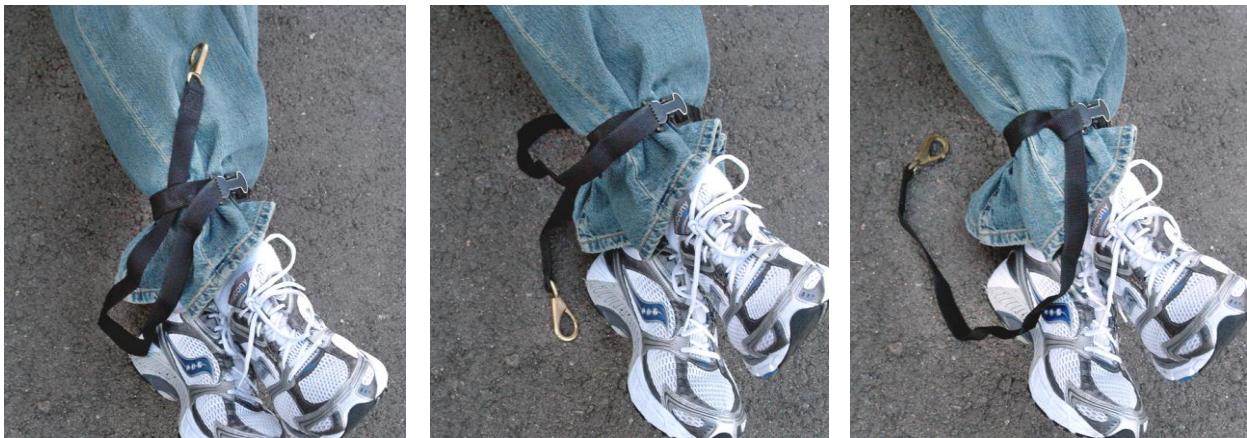
Once the HRD is secured, officers shall immediately search the waistband area and then immediately place the individual in an upright, seated position or on his or her left side (left lateral recumbent position). If this is not possible due to medical or tactical issues, then placing the individual on his/her right side is an acceptable substitute.

Securing the Ankles

This restraint device can be applied to a suspect's ankles when the suspect is in the seated, kneeling, or prone position. Officers must be cautious of the suspect's feet and knees and his/her ability to strike out at the officers.

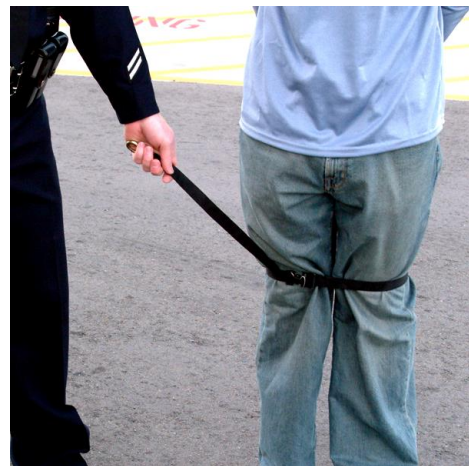
To apply, the HRD is held in the fully open position (the loop is opened as large as possible) with the friction-locking clip in the palm of the hand, teeth towards the officer's body. The suspect's ankles, preferably crossed, are placed inside the loop. The officer then grasps the strap just before the snap-hook and pulls sharply, tightening the loop and binding the suspect's feet together. To prevent accidental opening of the HRD, a half-hitch knot should be placed next to the friction-locking clip.

To tie the half-hitch knot, pass the snap-hook under the portion of the strap that encircles the suspect's ankles, then feed it through the loop that is formed and pull the snap-hook snug.



Securing the Knees

After a suspect has been restrained at the ankles, it may be to the officer's benefit to allow the suspect to walk in a controlled and restricted manner. To accomplish this, the officer loosens the HRD loop and slides it up the suspect's legs, stopping just above the knees. The officer then grasps the strap just before the snap-hook and pulls sharply, securing the suspect's knees together. The officer can easily guide the suspect in the desired direction by holding the strap of the HRD in one hand and maintaining a firm grip on the suspect's elbow with the other.



Officers should consider having additional officers to assist the suspect while walking, in order to minimize the possibility of the suspect falling and sustaining an injury. Considerations may include the suspect's size, mental or physical impairments, or being under the influence of alcohol and/or a controlled substance.

Securing the Elbows

This technique can be used to restrain the arms for removing handcuffs from a violent arrestee for fingerprinting, medical treatment, or placing the arrestee into a holding cell. While the arrestee is still handcuffed, the officer places the HRD loop just above the elbows. The loop is slowly tightened until it appears the arrestee cannot escape. The officer can now safely remove the cuffs for medical treatment or fingerprinting. Additionally, if the officer intends to place the arrestee into a cell, this method allows control of the arrestee at the elbows. The officer then directs the arrestee into the cell. As the arrestee moves forward into the cell, the officer releases the HRD and pulls it free from the arrestee's arms. Using the HRD to secure the elbows may also be used as an alternative to handcuffs on a non-violent arrestee with an arm injury or full arm cast.



Transportation Application

If there is no injury requiring immediate medical attention, officers can transport the person in a police vehicle with the HRD in place. The HRD is designed to allow officers to transport violent arrestees in an upright, seated position, while maintaining an acceptable level of restraint. Officers may use the HRD to secure a violent or potentially violent person transported in a police vehicle when:

- The person's hands are secured with handcuffs that are double-locked behind the person's back;
- The person is secured to the police vehicle's seat with the police vehicle's safety belt; and,
- The HRD strap is pulled out of the rear door, the loose end (snap-hook end) of the strap is placed on the front passenger floorboard, and both doors are closed to secure the strap.



No portion of the strap should be exposed outside of the vehicle.

Violent Suspects

If body weight is used to gain control of an individual, officers should only apply direct weight to the suspect's back for as long as reasonable to control and secure the individual. Once the HRD is secured, officers shall immediately search the waistband area and then immediately place the individual in an upright, seated position or on his or her left side (left lateral recumbent position). If this is not possible due to medical or tactical issues, then placing the individual on his/her right side is an acceptable substitute. This minimizes the time the suspect spends on his/her stomach after being restrained.



If the individual continues to act violently or aggressively towards the officers, one officer should use physical force to hold the person in the approved positions, described above, while the partner maintains control of the HRD's strap. The HRD **shall not** be used to bind the suspect's hands and feet together in any manner.

Medical Treatment: Officers should monitor the individual for signs of medical distress. Generally, the passenger/cover officer is responsible for monitoring the individual's condition and shall request a rescue ambulance if the individual shows signs of medical distress, such as unconsciousness or has difficulty breathing.

Transporting Violent Suspects: Officers shall request a rescue ambulance to transport a violent person only:

- If the person in the police vehicle would likely sustain a serious injury or cause vehicle damage and requires restraint to the extent that he or she must be transported in a recumbent position; or,
- If the person is injured or physically ill and in need of immediate medical attention.

When an arrestee is transported by ambulance, at least one officer shall accompany the arrestee in the ambulance.

DEFINITIONS

Hobble Restraint Device (HRD): a one-inch wide polypropylene-webbed strap with a bronze snap-hook at one end and a steel friction-locking clip at the other.

Left/Right-lateral recumbent position: refers to the lying of the suspect on his or her left/right side.

Prone position: lying in a face-down position.

Supine position: lying in a face-up position.

Points to Remember

- Only apply direct weight to the suspect's back for as long as reasonable to control and secure the individual
- Place a hobbled suspect in a seated position or on left side. If this is not possible, the right side is an acceptable substitute
- Monitor for signs of medical distress
- The hobble **shall not** be used to bind the suspect's hands and feet together in any manner

Important Reminder

Deviation from these basic concepts sometimes occurs due to the fluid and rapidly evolving nature of law enforcement encounters and the environment in which they occur. Deviations may range from minor, typically procedural or technical, to substantial deviations from Department tactical training. Any deviations are to be explained by the involved officer(s), and justification for substantial deviation from Department tactical training shall be articulated and must meet the objectively reasonable standard of the Department's UOF policy.

AMENDMENTS

This version replaces Use of Force-Tactics Directive No. 2.1, Hobble Restraint Device, March 2013.



CHARLIE BECK
Chief of Police

DISTRIBUTION "A"



LOS ANGELES POLICE DEPARTMENT USE OF FORCE-TACTICS DIRECTIVE

Directive No. 4.5

July 2018

ELECTRONIC CONTROL DEVICE TASER

PURPOSE

The purpose of this Directive is to familiarize officers with the use, nomenclature, and operation procedures of the TASER.



PROTOCOL

Whenever practicable, officers shall exercise de-escalation techniques to resolve potential use of force incidents and seek voluntary compliance from suspects/subjects. The courts have held that Less-Lethal force options are “capable of inflicting significant pain and may cause serious injury.” Therefore, consistent with the Department’s Use of Force Policy, Less-Lethal force options are only permissible when:

An officer reasonably believes the suspect or subject is violently resisting arrest or poses an immediate threat of violence or physical harm.

Less-Lethal force options shall not be used for a suspect or subject who is passively resisting or **merely failing to comply** with commands. Verbal threats of violence or **mere non-compliance** by a suspect do not alone justify the use of Less-Lethal force.

An officer may use the TASER as a reasonable force option to control a suspect when **the suspect poses an immediate threat to the safety of the officer or others.**

Officers shall also consider:

- The severity of the crime versus the governmental interest in the seizure; and
- Whether the suspect was actively resisting arrest or attempting to evade arrest.

The following **do not** alone justify the use of the TASER:

- Verbal threats of violence
- Mere non-compliance

Note: The TASER should not generally be used on a fleeing suspect. Officers should pursue and attempt to contain a fleeing suspect while continually assessing the situation and considering the most appropriate tactical plan.

The TASER may also be effective against aggressive animals to protect officers or others from serious injury.

If officers encounter a self-mutilating or suicidal individual, the use of the TASER may be a reasonable force option (based on the tactical scenario) to stop his or her actions. This will allow the individual to receive the needed emergency medical treatment.

Tactical Considerations

- Continually evaluate the situation
- Consider another force option if the TASER appears to be ineffective
- Avoid repeated TASER applications where practicable to avoid possible injury

Deployment Considerations

When practicable, officers should avoid using the TASER on individuals who:

- Are on an elevated or unstable surface which could cause a fall that could result in a significant impact injury
- Are operating or riding any mode of transportation
- Are located in water, mud, or a marsh, and the ability to move is restricted
- Are known to have a pacemaker, be pregnant, under 12 years of age, elderly or visibly frail
- Are near flammable or combustible fumes/liquids
- Are handcuffed, restrained, incapacitated, or immobilized, unless doing so is necessary to prevent them from causing serious bodily harm to themselves, or others, and if lesser attempts of control have been ineffective
- Are fleeing or running away, unless the suspect is an immediate threat to themselves or others (officers should continually assess the situation considering the most appropriate tactical plan)

Note: Officers should not intentionally activate more than one TASER at a time on the same suspect/subject.

Use of Force Warning

An officer shall, when feasible, give a verbal warning prior to using the TASER to control an individual. The warning is not required when an officer is attacked and must respond to the suspect's actions. Additionally, if a tactical plan requires the element of surprise to stabilize the situation, a warning is not required. Examples of this would be a hostage situation or a subject threatening suicide. However, officers are reminded that the surprise/tactical element must still be needed at the actual time the TASER is fired.

The verbal warning should include a command and a warning of potential consequences of the use of force. The command should be similar to "drop the weapon" or "stop what you are doing" followed by a warning similar to "or we may use the TASER, and that may cause you injury."

The use or non-use of the warning shall be documented. The Non-Categorical Use of Force Report, Form 01.67.05, Use of Force Summary heading shall include:

- The name of the officer giving the warning; and
- An explanation and appropriate justification for not using the warning.

Statements that the “element of surprise was needed” or “for officer safety reasons” will not justify non-use of the warning. The explanation for non-use must:

- Clearly articulate why the element of surprise was needed,
- Explain in detail any officer safety considerations; and,
- List all pertinent reasons that justify why the warning was not provided.

The use of the warning, or the reasons for non-use will be factors considered in the determination whether the use of force was objectively reasonable.

PROCEDURES

The TASER shall be carried in a Department approved holster on the support side of the duty belt in either a cross draw or support side draw position. A TASER or cartridge should not be placed in a clothing pocket as static electricity can deploy the cartridge.

The most effective way to use the TASER is in the “probe” mode. When the TASER is used in the probe mode it has the ability to cause “neuro-muscular incapacitation” (NMI), which is the stimulation of the motor nerves causing uncontrollable muscle contractions that inhibit a suspect’s ability to perform coordinated movement. When used in the “drive-stun” mode, the TASER causes localized pain to the suspect.

In close quarter situations, an effective technique is to apply a drive-stun with a live cartridge. This “three-point” drive-stun technique requires the officer to deploy the cartridge from a minimum of two inches from the suspect to allow the probes to deploy. This minimal deployment distance alone will not likely cause an NMI effect. With the deployed cartridge activated and left in place, the officer then applies the drive-stun away from the impact site of the probes. The spread between the probe impact site and the location of the applied drive-stun could have an effect similar to a probe deployment from a distance with a substantial probe spread, thus potentially causing NMI.

Note: When used in drive-stun mode only, the TASER causes localized pain to the suspect and does not cause NMI on the same scale as “probe-mode” or the “three-point” drive-stun technique, and should not be used on a suspect who is merely non-compliant.

The optimal range of the TASER is 7-15 feet from the suspect. The area of the suspect/subject’s back, just below the neck, remains the preferred target area when practical. For frontal applications, officers should attempt to target the navel area in an

effort to place one probe above the waist and one probe below the waist for optimal effectiveness. When an officer needs a TASER, the officer shall broadcast the unit designation, location, and "Code Tom."

Once activated on a suspect/subject, the TASER activation duration is 5 seconds. During this period of incapacitation that the suspect/subject experiences, the arrest team should take positions of advantage to immediately control the suspect/subject and take them into custody minimizing and mitigating the need to use additional force.

Because the Department recognizes that each tactical situation is unique and that officers must be given the flexibility to resolve tactical situations in the field, there is no pre-set limit on the number of times the TASER can be used in a particular situation; however, officers should generally **avoid** repeated or simultaneous activations to avoid potential injury to the suspect. The Department looks to the "objectively reasonable" standard and the totality of the circumstances in determining the reasonableness of the force used, which may include the number of times a particular force option was utilized. Thus, officers must **continually evaluate** the situation they are in and the apparent effectiveness of the force option they have selected. If the force option they have selected does not appear to be effective, officers should consider transitioning to another, and potentially more effective, objectively reasonable force option.

Medical Treatment

Whenever the TASER is used and the probes and/or electrodes make contact with the suspect's clothing or skin, the suspect shall be examined by medical personnel. If the suspect loses consciousness, officers shall immediately request an ambulance.

Note: Medical personnel shall include a doctor or a nurse at a contract hospital or jail dispensary.

Reporting

The use of a TASER is a reportable use of force when one or more of the probes and/or electrodes make contact with the suspect's clothing or skin. If no contact is made, the circumstances shall be documented in the appropriate report such as a crime, arrest or Employee's Report, Form 15.07.00. Supervisors shall photograph all visible as well as complained of injuries, even when evidence of injury is not present.

Data Downloads

Supervisors **shall** download the data from the TASER after a reportable non-categorical use of force incident. Supervisors are required to ensure the TASER data is printed, scanned, and attached electronically to the use of force report.

DEFINITIONS

Probe Mode: Utilizes the TASER cartridge while attached to the TASER unit. Firing the two probes attached to wires making contact with the suspect which could cause NMI. **This is the most effective way to use the TASER.**

Drive-Stun/Direct-Stun: Two contacts on the cartridge or the TASER unit that conduct energy to affect the suspect's sensory nerves causing localized pain. This feature may be used with or without a cartridge in place. If a cartridge is in place, the probes will fire when the trigger is pressed. This is **not** the most effective way to use the TASER. **The most effective way to use the TASER is in the probe mode.**

Three-Point Drive-Stun: A technique where a drive-stun is applied with a deployed live cartridge. After deploying a cartridge from a minimum of two inches from the suspect, the officer applies a drive-stun to an area of the body away from the probe impact site. The spread between the deployed probes and the area of the applied drive-stun could potentially cause an NMI effect.

Optimal Range: The optimal range for the TASER is 7-15 feet. This range gives the most effective spread of the probes to accomplish NMI.

Optimal Target Areas: Back or navel area for probes. Forearm, outside of thigh, calf muscle for drive-stun/direct-stun. Avoid using the stun feature on the head, face, throat, and groin.

Note: There are many factors that affect an officer's ability to hit the intended target area of a suspect. When a suspect is struck in a location outside the optimum target area, the officers should be prepared to explain the deviation.

Points to Remember

- Optimal range is 7-15 feet
- Most effective in probe mode
- Three-point drive-stun may be used in close quarters
- Consider another force option if the TASER appears to be ineffective
- Data downloaded following a reportable non-categorical use of force

Important Reminder

Deviation from these basic concepts sometimes occurs due to the fluid and rapidly evolving nature of law enforcement encounters and the environment in which they occur. Deviations may range from minor, typically procedural or technical, to substantial deviations from Department tactical training. Any deviations are to be explained by the involved officer(s), and justification for substantial deviation from Department tactical training shall be articulated and must meet the objectively reasonable standard of the Department's Use of Force Policy.

AMENDMENTS

This version replaces Use of Force-Tactics Directive No. 4.4, 2015, Electronic Control Device - TASER.



MICHEL R. MOORE
Chief of Police

DISTRIBUTION "A"

Attachment: TASER Key Points and Characteristics

| KEY POINTS | TASER CHARACTERISTICS |
|-------------------------------------|--|
| Current Model | <ul style="list-style-type: none"> Department issued: TASER International Model X26P (green) |
| Neuro-Muscular Incapacitation (NMI) | <ul style="list-style-type: none"> Occurs when a TASER causes involuntary stimulation of both the sensory and motor nerves It is not dependent on pain and can be effective on subjects with a high level of pain tolerance There are different levels of NMI ranging from limited area effects to significant body lockup The greater the spread of the probes, the higher likelihood of NMI The TASER may not achieve total NMI A subject may maintain muscle control, particularly in arms and legs (depending on many factors, including probe locations) Be prepared with other force options including a drive-stun follow up to spread NMI over a wider area if necessary and when reasonably appropriate Drive stun alone will not usually achieve NMI, only localized pain |
| Weapon Inspection | <ul style="list-style-type: none"> Spark tests should be conducted at the start of watch. The TASER should be spark tested for the full 5-second cycle Visually check to ensure there is not a cartridge in the chamber Point the TASER at a wall or other object away from other people Place the safety up, activating the laser sight, ensuring the laser sight is functioning properly (one dot representing the path of the top probe) Visually check the Central Information Display and the battery life indicator while the safety is up, to verify that a fault icon is not displayed above the battery life indicator Press the trigger and listen for rapid sparking (approximately 19-pulses per second) Place the safety in the safe (down) position, load the TASER with a cartridge, and holster Each time the spark check is conducted it should be recorded on the DFAR |
| Holster (Wearing) | <ul style="list-style-type: none"> Shall be worn on the support side of the duty belt in either a cross draw or support side draw position A TASER or cartridge should not be placed in a clothing pocket as static electricity can deploy the cartridge. In addition, a clothing pocket does not provide adequate security of the weapon |

| KEY POINTS | TASER CHARACTERISTICS |
|----------------------|---|
| Deployment | <ul style="list-style-type: none"> • The TASER should be deployed in the field with an additional cartridge either secured in a reload pouch attached to the holster or on the end of the eXtended Performance Power Magazine • The TASER is activated for 5-seconds by pressing and releasing the trigger • The 5-second cycle can be terminated by placing the safety down • Avoid repeated TASER applications when practical to reduce the risk of injury • Suspect can be touched while the TASER is activated except between or within 2-inches of the probes • Within close quarters of the suspect, the TASER with cartridge can be deployed with a minimal spread of the probes. The effectiveness can be improved by applying a drive stun with the expended cartridge in place to a different area of the body away from the deployed probes during the 5-second cycle • <u>Generally, officers should avoid using the TASER when the suspect:</u> <ul style="list-style-type: none"> • is on an elevated/unstable surface • could fall and suffer impact injury • could fall on a sharp object/surface • is less able to catch/protect self in a fall • is operating/riding any mode of transportation • is located in water/mud/marsh if the ability to move is restricted • is known to be pregnant or have pacemaker • is under twelve years of age • is near flammable or combustible fumes |
| Optimum Target Areas | <ul style="list-style-type: none"> • Optimal target areas are the back or navel area • If practicable, aim the TASER at the suspect's back where the clothes fit tighter and there is more muscle mass • Officers should target the navel area to place one probe above the waist and one probe below the waist for optimal effectiveness • Avoid targeting the head, face, throat, and groin |
| Stun Feature | <ul style="list-style-type: none"> • Not as effective as using probes, no NMI. Affects only the sensory nervous system • Drive stun can be used without a cartridge, with an expended cartridge or a live cartridge; however, with a live cartridge the probes will fire into the suspect • Drive stuns with a cartridge are preferable as officers can deploy the probes to one part of the body and apply a three-point drive stun with the expended cartridge to another part of the body away from the probes • When utilizing the drive stun without a cartridge, drive the TASER into the suspect's forearm, outside of thigh, or calf muscle for maximum effectiveness • Avoid using the drive stun on the head, face, throat, and groin |

| KEY POINTS | TASER CHARACTERISTICS |
|-----------------------------------|--|
| TASER Cartridges | <ul style="list-style-type: none"> • 5-year shelf life with expiration date listed on the rear in the left corner • Cartridges with yellow blast doors (training) shall not be deployed in the field • Cartridges with silver blast doors have 21-feet length of wire • Cartridges with green blast doors have 25-feet length of wire • Reversible loading • Do not use TASER cartridges when the front blast door is missing, cracked, or damaged • Anti-Felon Identification (AFID) Tags, marked with the cartridge serial number are released each time a new cartridge is fired |
| Batteries | <ul style="list-style-type: none"> • 3 x 3-volt lithium power cells, within the Automatic shut-down Performance Power Magazine (APPM), that do not require recharging • Provides up to 500 plus 5-second cycles • The APPM requires replacement when percentage of battery life is less than 20% • Continued use at 0% could damage the TASER • The eXtended Performance Power Magazine (XAPPM) allows an extra cartridge to be carried on the end. The XAPPM is authorized for field use • The APPM is designed to automatically stop the cycle after 5-seconds, even if the trigger is continuously pressed |
| Central Information Display (CID) | <ul style="list-style-type: none"> • Percentage of battery life remaining displayed when the safety is in the up position. Each bar represents 20% of battery • 1, 2, 3, 4, 5 count up when weapon is triggered. Illumination status of weapon when light selector button is activated • Displays system status through icons located above the battery icon. If no icon is present, the TASER is functioning properly. If a triangle or octagon icon appears above the battery icon, the TASER should be replaced |
| Illumination Selector | <ul style="list-style-type: none"> • Place the safety switch in the down position and unload the cartridge • Press and hold the illumination selector for approximately two seconds until the CID display illuminates • Press and release the illumination selector to toggle through the four available modes until the setting desired is displayed on the CID <p style="text-align: center;"> LO: Laser only will illuminate OF: Only light will illuminate LF: Laser and light illuminate OO: No laser or light; CID dims </p> <ul style="list-style-type: none"> • The selected mode will display on the CID for five seconds when activated |

| KEY POINTS | TASER CHARACTERISTICS |
|----------------------|--|
| Data Port | <ul style="list-style-type: none"> • Stores the date and time each time the TASER is armed (safety up), triggered, and made safe (safety down) • The TASER stores the duration of each trigger cycle and the total duration from when the TASER was armed to when it was made safe |
| Maintenance and Care | <ul style="list-style-type: none"> • Avoid dropping the TASER and cartridges • Store the TASER unloaded at the end of watch • Avoid exposing to excessive moisture • Occasionally wipe out cartridge firing bay with a dry cloth • Check expiration date of TASER cartridges • Synchronize the TASER internal clock every January and July |



LOS ANGELES POLICE DEPARTMENT USE OF FORCE-TACTICS DIRECTIVE

Directive No. 17

July 2018

40mm LESS-LETHAL LAUNCHER

PURPOSE

The purpose of this Directive is to familiarize officers with the use, nomenclature, and operation procedures of the 40mm Less-Lethal Launcher (40mm LLL).



PROTOCOL

Whenever practicable, officers shall exercise de-escalation techniques to resolve potential use of force incidents and seek voluntary compliance from suspects/subjects. The courts have held that Less-Lethal force options are “capable of inflicting significant pain and may cause serious injury.” Therefore, consistent with the Department’s Use of Force Policy, Less-Lethal force options are only permissible when:

An officer reasonably believes that a suspect or subject is violently resisting arrest or poses an immediate threat of violence or physical harm.

Less-Lethal force options shall not be used for a suspect or subject who is passively resisting or **merely failing to comply** with commands. Verbal threats of violence or **mere non-compliance** do not alone justify the use of Less-Lethal force.

An officer may use the 40mm LLL as a reasonable force option to control a suspect when **the suspect poses an immediate threat to the safety of the officer or others.**

Officers shall also consider:

- The severity of the crime versus the governmental interest in the seizure; and
- Whether the suspect was actively resisting arrest or attempting to evade arrest.

The following **do not** alone justify the use of the 40mm LLL:

- Verbal threats of violence
- Mere non-compliance

The 40mm LLL shall not be used to target the head, neck, face, eyes, or spine unless lethal force is authorized.

The 40mm Less-Lethal Launcher may be used in crowd control situations against a single subject/suspect as a target-specific less-lethal option.

Officers shall inspect the ammunition and the holder to ensure only 40mm eXact iMPact ammunition is utilized.



PROCEDURES

The minimum recommended deployment range for the 40mm LLL is five feet, while the effective deployment range is up to 110 feet. Officers should always consider weapon retention principles when deploying the 40mm LLL to prevent a subject/suspect from gaining control of the launcher. When officers realize the need for a 40mm LLL, they should broadcast, “Code Sam-40.”

If tactically and environmentally feasible, the 40mm LLL officer should deploy the launcher from a position of cover with a designated cover officer. The 40mm LLL officer alerts other officers when he/she is ready to fire by shouting or broadcasting, “40mm Ready!” The primary officer gives the clear to fire signal by shouting or broadcasting, “40mm, Standby!” This alerts the officers at the scene that the firing of the 40mm LLL is about to occur.

When firing the 40mm LLL, officers should assess the effectiveness of each round fired. The effectiveness of the 40mm eXact iMPact round is based on the energy at impact. Therefore, the round may have little or no effect on a subject/suspect who:

- Has a large body mass;
- Is wearing heavy clothing/body armor;
- Is under the influence of drugs; or
- Is in an altered state and cannot feel the impact of the sponge round.

If shots to the navel area or belt line do not appear to be effective, then a leg, arm or hand may be a viable alternative target.

Tactical Considerations

- Size of suspect versus size of officer
- Clothing
- Altered mental state (may not be effective)
- Any known history of mental illness
- Age and/or physical condition of the suspect
- Suspect’s access to weapons
- Suspect’s ability to retreat or escape
- Bystanders’ involvement
- Availability of back-up officers (Can suspect be distracted until other units arrive?)
- Background/Foreground (What is behind/in front of the suspect?)
- Officers should maintain distance from the suspect

If control is not achieved and/or it appears that the 40mm eXact iMPact round is not effective, even after changing target areas, the officers must assess the viability of an alternate force option. Additionally, officers should continue to assess the suspect’s actions and the effectiveness of each force option used.

If officers encounter a self-mutilating or suicidal individual, the use of the 40mm LLL may be a reasonable force option (based on the tactical scenario) to stop his/her actions and afford the individual the opportunity to receive the needed medical treatment.

Generally, officers should not deploy the 40mm LLL at a fleeing suspect. Officers should pursue and attempt to contain the suspect, while continually assessing the situation and considering the most appropriate tactical plan. Additionally, officers should avoid deploying the 40mm LLL on individuals who:

- Are on an elevated or unstable surface which could cause a fall that could result in a significant impact injury;
- Are operating or riding any mode of transportation; or
- Are known to be pregnant, under 12 years of age, elderly or visibly frail.

The 40mm LLL is not a substitute for deadly force. When conducting a building search for a suspect who may be armed, standard firearms must be deployed. Having a 40mm LLL along with other force options during the search, will provide officers with different options should the situation change.

Use of Force Warning

An officer shall, when feasible, give a verbal warning prior to using the 40mm LLL to control an individual. The warning is not required when an officer is attacked and must respond to the suspect's actions. Additionally, if a tactical plan requires the element of surprise to stabilize the situation, a warning is not required. Examples of this would be a hostage situation or a subject threatening suicide. However, officers are reminded that the surprise/tactical element must still be needed at the actual time the 40mm LLL is fired.

The verbal warning should include a command and a warning of potential consequences of the use of force. The command should be similar to "drop the weapon" or "stop what you are doing" followed by a warning similar to "or we may use the 40mm, and that may cause you injury."

The use or non-use of the warning shall be documented. The Non-Categorical Use of Force Report, Form 1.67.05, Use of Force Summary heading shall include:

- The name of the officer giving the warning; and
- An explanation and appropriate justification for not using the warning.

Statements that the "element of surprise was needed" or "for officer safety" reasons will not justify non-use of the warning. The explanation for non-use must:

- Clearly articulate why the element of surprise was needed;
- Explain in detail any officer safety considerations; and
- List all pertinent reasons that justify why the warning was not provided.

The use of the warning, or the reasons for non-use of the warning will be factors considered in the determination whether the use of force was objectively reasonable.

Tactical Discharges

Tactical discharges (disabling lights, breaking out windows, etc.) are allowed, but are not recommended, as they may cause secondary, unintended impacts. Before a tactical discharge is used to break a window, officers should consider that an individual may be behind the window and subject to impact by the 40mm round.

Tactical discharges **may** be an effective option in **limited** circumstances. Officers must assess the situation after each tactical discharge, and if the launcher is not producing the desired effect, discontinue its use. Officers must be prepared to give the rationale behind their decision to fire the 40mm LLL as a tactical discharge. The reporting procedure for a tactical discharge is the same as a discharge that does not strike a person (Employee's Report, Form 15.07.00).

In the event the 40mm LLL is used for a tactical discharge, it should be communicated to all officers at scene prior to its use, for their situational awareness.

Reporting

The use of a 40mm LLL for any reason other than an approved training exercise shall be documented according to established Department procedures on the Non-Categorical Use of Force Report; however, when a 40mm LLL is fired and the round does not strike a person, a use of force report is not necessary and an Employee's Report, Form 15.07.00, should be completed to document the incident. Supervisors shall obtain photographs of all visible and complained of injuries, even when evidence of injury is not present.

Medical Treatment

Any person struck with a 40mm eXact iMPact round shall be transported to a Department-approved facility for medical treatment prior to booking. The person should be carefully monitored for signs of distress. If a medical emergency exists, officers shall request a rescue ambulance to respond to their location.

DEFINITIONS

40mm Less-Lethal Launcher: A tactical single-shot launcher configured with a green stock and pistol grip, a rifled barrel, picatinny rail mounting system and Department-approved optics. The color green is used to signify that the 40mm launcher is for the 40mm eXact iMPact round only.

Code Sam-40: The radio code used to broadcast a request for a 40mm LLL.

40mm eXact iMPact Round: The 40mm round is a point-of-aim, point-of-impact, direct fire round consisting of a plastic body and a sponge nose that is spin stabilized via the incorporated rifling collar and the 40mm launcher's rifled barrel. It can be identified by its silver metal case and blue plastic nose. These sponge rounds are designed to be non-penetrating, and upon striking a target, distribute energy over a broad surface area. The sponge round utilizes smokeless powder as the propellant and has velocities that are extremely consistent.

Tactical Discharge: The purposeful discharge at an object to assist officers in a tactical situation, such as to disable lighting or break windows.

Target Areas: The primary target area is the navel area or belt line, but officers may target the suspect's arms, hands or legs when practicable. If the hand is the selected target, consider its location and what it is holding. Officers shall not target the head, neck, spine, chest, groin, or kidneys.

Points to Remember

- 5 feet is the minimum deployment range
- Deployment range is from 5 to 110 feet
- Assessment between rounds is critical
- **Do not target the head, neck, spine, chest, groin, or kidneys**
- Reportable use of force if a round strikes a person
- Have a backup plan in the event the 40mm round is ineffective
- 40mm LLL should not be deployed unless lethal force is available for cover
- Form 15.07.00 required when the Launcher is fired and the round does not strike a person, and for tactical discharge

Important Reminder

Deviation from these basic concepts sometimes occurs due to the fluid and rapidly evolving nature of law enforcement encounters and the environment in which they occur. Deviations may range from minor, typically procedural or technical, to substantial deviations from Department tactical training. Any deviations are to be explained by the involved officer(s), and justification for substantial deviation from Department tactical training shall be articulated and must meet the objectively reasonable standard of the Department's Use of Force Policy.



MICHEL R. MOORE
Chief of Police

DISTRIBUTION "A"



LOS ANGELES POLICE DEPARTMENT USE OF FORCE-TACTICS DIRECTIVE

Directive No. 8.2

August 2018

BATON

PURPOSE

The purpose of this Directive is to familiarize officers with the use, nomenclature, and operation procedures of the Baton.



PROTOCOL

Whenever practicable, officers shall exercise de-escalation techniques to resolve potential use of force incidents and seek voluntary compliance from suspects/subjects. The courts have held that Less-Lethal force options are “capable of inflicting significant pain and may cause serious injury.” Therefore, consistent with the Department’s Use of Force Policy, Less-Lethal force options are only permissible when:

An officer reasonably believes that a suspect or subject is violently resisting arrest or poses an immediate threat of violence or physical harm.

Less-Lethal force options shall not be used for a suspect or subject who is passively resisting or merely failing to comply with commands. Verbal threats of violence or mere non-compliance do not alone justify the use of Less-Lethal force.

An officer may use the Baton as a reasonable force option to control a suspect when **the suspect poses an immediate threat to the safety of the officer or others.**

Officers shall also consider:

- The severity of the crime versus the governmental interest in the seizure; and,
- Whether the suspect was actively resisting arrest or attempting to evade arrest.

The following **do not** alone justify the use of the Baton:

- Verbal threats of violence
- Mere non-compliance

PROCEDURES

If verbalization appears to be ineffective and/or an officer has a reasonable belief that the situation may escalate to a physical confrontation, the baton may be drawn as a show of force. Such action may de-escalate the situation.

However, the mere failure of verbalization to effect control of a suspect does not automatically warrant the use of a baton. As the suspect's actions vary, officers must constantly evaluate the situation and use objectively reasonable force.

If officers encounter a self-mutilating or suicidal individual, the use of the baton may be a reasonable force option (based on the tactical scenario) to stop his or her actions. This will allow the individual to receive the needed emergency medical treatment.

Crowd Control

During crowd control situations, police officers may be required to physically engage individuals who exhibit conduct ranging from uncooperative to violent behavior. In these situations, it may be reasonable for officers to utilize physical force to move crowd members who do not respond to verbal directions, control violent individuals, or effect an arrest.

There are no exceptions to the Department's Use of Force Policy for crowd control situations. Officers may use only that force which is objectively reasonable. Verbalization should be used throughout the operation in an attempt to gain compliance. In determining the appropriate force, officers shall evaluate each situation in light of the facts and circumstances of each particular case, including but not limited to the seriousness of the crime(s), the level of threat or resistance presented by the individual(s), and the danger to the community.

The baton may be used as a pushing tool to move individuals who do not respond to verbal commands or encroach upon officers on a skirmish line or who intentionally delay departure while officers attempt to disperse the crowd, whether or not a lawful dispersal order has been issued. When a crowd or an individual's behavior is threatening or violent in nature, the baton can be used as an impact device.

In determining the amount of force which is objectively reasonable, officers should also consider factors known to them that appear to be contributing to the crowd's conduct and actions. For example, if individuals are encroaching on a skirmish line, and officers reasonably believe that such conduct is the result of individuals in the rear of the crowd pushing forward, as opposed to intentional action by the persons at the front of the crowd, officers should factor such belief into their decision regarding the appropriate response and use of force.

Use of Force Warning

An officer shall, when feasible, give a verbal warning prior to using the Baton to control an individual. The warning is not required when an officer is attacked and must respond to the suspect's actions. Additionally, if a tactical plan requires the element of surprise to stabilize the situation, a warning is not required. Examples of this would be a hostage situation or a subject threatening suicide. However, officers are reminded that the surprise/tactical element must still be needed at the actual time the Baton is used.

The verbal warning should include a command and a warning of potential consequences of the use of force. The command should be similar to “drop the weapon” or “stop what you are doing” followed by a warning similar to “or we may use the Baton, and that may cause you injury.”

The use or non-use of the warning shall be documented. The Non-Categorical Use of Force Report, Form 01.67.05, Use of Force Summary heading shall include:

- The name of the officer giving the warning; and
- An explanation and appropriate justification for not using the warning.

Statements that the “element of surprise was needed” or “for officer safety” reasons will not justify non-use of the warning. The explanation for non-use must:

- Clearly articulate why the element of surprise was needed;
- Explain in detail any officer safety considerations; and,
- List all pertinent reasons that justify why the warning was not provided.

The use of the warning, or the reasons for non-use of the warning will be factors considered in the determination whether the use of force was objectively reasonable.

Reporting the Use of a Baton

The use of a baton is a reportable use of force when the baton strikes the suspect. Supervisors shall photograph all visible and complained of injuries, even when evidence is not present.

In a crowd control situation, a use of force report is not required when officers become involved in an incident where reasonable force is used against individuals who exhibit unlawful or hostile behavior and who do not respond to verbal directions by the police. The baton may be used to push individuals who do not respond to verbal commands and encroach upon officers on a skirmish line or who intentionally delay departure while officers attempt to disperse the crowd, whether or not a lawful dispersal order has been issued. When an individual’s behavior is threatening or violent in nature, the baton can be used as an impact device.

This procedure will apply only to officers working in organized squad and platoon sized units directly involved in a crowd control mission. Additionally, should force be utilized under these circumstances, officers shall notify their immediate supervisor of the use of force once the tactical situation has been resolved. The supervisor shall report the actions in a format as directed by the incident commander.

Note: When an officer(s) becomes involved in an isolated incident with an individual during a crowd control situation, which goes beyond the mission of the skirmish line, a use of force report is required.

Target Areas

When used as an impact device, baton contact should be directed to the areas of the body that will temporarily incapacitate the combatant and avoid contact to the body parts that could be potentially lethal. The primary baton striking or target areas are the bony areas of the body. The secondary striking or target areas are the chest and midsection.

While the fluid nature of a violent confrontation may cause some difficulty with regard to effectively striking the recommended areas, officers should still make an effort to avoid striking the head, neck, throat, spine, kidneys, and groin areas to decrease the likelihood of causing serious injury.

Primary Target Areas

- Arms
- Hands
- Wrists
- Elbows
- Legs
- Knees
- Shins

Medical Treatment

Any suspect struck with a baton during a reportable use of force shall be transported to a Department approved facility for medical treatment prior to booking. If a medical emergency exists, officers shall request a rescue ambulance to respond to the location.

DEFINITIONS

Collapsible Baton: An expandable impact and control device consisting of three sections.

Expandable Side Handle Baton: An expandable impact and control device with a Yawara handle.

Side Handle Baton: An impact and control device with a Yawara handle.

Straight Baton: An impact and control device used by Metropolitan Division in crowd control situations.

Important Reminder

Deviation from these basic concepts sometimes occurs due to the fluid and rapidly evolving nature of law enforcement encounters and the environment in which they occur. Deviations may range from minor, typically procedural or technical, to substantial deviations from Department tactical training. Any deviations are to be explained by the involved officer(s), and justification for substantial deviation from Department tactical training shall be articulated and must meet the objectively reasonable standard of the Department's Use of Force Policy.

AMENDMENTS

This version cancels Use of Force-Tactics Directive No.8.1, Baton, September 2013.

A handwritten signature in blue ink, consisting of a stylized 'M' followed by a large loop and a trailing flourish.

MICHEL R. MOORE
Chief of Police

DISTRIBUTION "A"



LOS ANGELES POLICE DEPARTMENT USE OF FORCE-TACTICS DIRECTIVE

Directive No. 5.2

July 2018

OLEORESIN CAPSICUM

PURPOSE

The purpose of this Directive is to familiarize officers with the use, nomenclature, and operation procedures of Oleoresin Capsicum (OC).

PROTOCOL

Whenever practicable, officers shall exercise de-escalation techniques to resolve potential use of force incidents and seek voluntary compliance from suspects/subjects. The courts have held that Less-Lethal force options are “capable of inflicting significant pain and may cause serious injury.” Therefore, consistent with the Department’s Use of Force Policy, Less-Lethal force options are only permissible when:

An officer reasonably believes that a suspect or subject is violently resisting arrest or poses an immediate threat of violence or physical harm.

Less-Lethal force options shall not be used for a suspect or subject who is passively resisting or **merely failing to comply** with commands. Verbal threats of violence or **mere non-compliance** do not alone justify the use of Less-Lethal force.

An officer may use OC Spray as a reasonable force option to control a suspect when **the suspect poses an immediate threat to the safety of the officer or others.**

Officers shall also consider:

- The severity of the crime versus the governmental interest in the seizure; and,
- Whether the suspect was actively resisting arrest or attempting to evade arrest.

The following **do not** alone justify the use of OC Spray:

- Verbal threats of violence
- Mere non-compliance

Oleoresin Capsicum may be used in crowd control situations:

- To control a specific suspect (target specific), or
- On a crowd (non-target specific) when approved by a commander or above.

LEGAL PARAMETERS

Young v. County of Los Angeles (2011) established the legal standards governing when officers can deploy OC. The Young case stated that the use of OC is an “Intermediate Force Option” because like the baton, it can inflict significant pain and cause serious injury. The use of an “Intermediate Force Option” is “unreasonable when an officer has detained a suspect for minor infractions and the suspect clearly poses no threat to the officer or public safety.”

In considering the use of OC, a suspect’s verbal refusal to comply or solely being non-compliant is not a sufficient cause to justify its use. In evaluating the government’s interest in using force, the court will evaluate the following criteria:

- The severity of the crime versus the governmental interests in the seizure
- Whether the suspect posed an immediate threat to the safety of the officer or others
- Whether the suspect was actively resisting arrest or attempting to evade arrest

In evaluating reasonableness, the court deemed the most important factor to be whether the individual posed **an immediate threat to the safety of the officers or others**.

PROCEDURES

The OC canister should be held in the support hand, leaving the primary hand free to draw the firearm should the situation escalate to lethal force. Prior to spraying OC, officers should consider the wind direction and the location of officers who might be impacted by the OC.

When the OC is sprayed, it should be aimed at **the suspect’s face and sprayed in a single burst of about one second**. The ideal range of OC is three to 12 feet.

Tactical Considerations

- Ideal range of OC is three to 12 feet
- Have a backup plan in case OC is ineffective
- Secondary exposure of OC in confined spaces
- Age/size/strength of suspect

After the initial burst, officers should, if feasible, wait momentarily for the OC to take effect and assess its effectiveness unless the suspect’s actions require the officer to take other actions. Once the OC takes effect, officers should carefully approach and control the suspect. The suspect should be handcuffed and monitored for signs of medical distress.

Generally, there will be a burning sensation as well as redness of the eyes. The mucous membranes may swell, and cause uncontrollable coughing, gagging or gasping. Exposed areas of the skin may become inflamed causing an intense burning sensation and redness.

If officers encounter a self-mutilating or suicidal individual, the use of OC spray may be a reasonable force option (based on the tactical scenario) to stop his or her actions. This will allow the individual to receive the needed emergency medical treatment.

Use of Force Warning

An officer shall, when feasible, give a verbal warning prior to using OC Spray to control an individual. The warning is not required when an officer is attacked and must respond to the suspect's actions. Additionally, if a tactical plan requires the element of surprise to stabilize the situation, a warning is not required. Examples of this would be a hostage situation or a subject threatening suicide. However, officers are reminded that the surprise/tactical element must still be needed at the actual time the OC is sprayed.

The verbal warning should include a command and a warning of potential consequences of the use of force. The command should be similar to "drop the weapon" or "stop what you are doing" followed by a warning similar to "or we may use OC Spray, and that may cause you injury."

The use or non-use of the warning shall be documented. The Non-Categorical Use of Force Report, Form 01.67.05, Use of Force Summary heading shall include:

- The name of the officer giving the warning; and
- An explanation and appropriate justification for not using the warning.

Statements that the "element of surprise was needed" or "for officer safety" reasons will not justify non-use of the warning. The explanation for non-use must:

- Clearly articulate why the element of surprise was needed;
- Explain in detail any officer safety considerations; and
- List all pertinent reasons that justify why the warning was not provided.

The use of the warning, or the reasons for non-use of the warning will be factors considered in the determination whether the use of force was objectively reasonable.

Transportation

While the symptoms of OC last approximately 45 minutes, sprayed areas are usually clear of OC within 15 minutes through normal ventilation. Police vehicles used to transport a suspect who was sprayed with OC can be put back into service without having to be decontaminated. Upon arrival at the station, officers should advise any personnel who may come into contact with the suspect that the individual was exposed to OC.

Medical Treatment

Generally, medical treatment is not required for suspects who have been sprayed with OC. If a suspect who has been sprayed with OC experiences continued difficulty in breathing and/or vision impairment for an extended period, officers shall immediately request medical treatment.

Reporting

The use of OC is a reportable use of force when the spray makes contact with the suspect's clothing or skin. The involved employee(s) shall:

- Notify a supervisor without unreasonable delay;
- Report details of the use of force incident in related Department arrest or crime report; and,
- Use Employee's Report, Form 15.07.00, to report details when crime or arrest report is not required.

When OC is deployed and does not make contact with the suspect's clothing or skin, or is used on an animal, officers shall document the circumstances on an Employee's Report, Form 15.07.00

CONCLUSION

Oleoresin capsicum can be effective and may give officers an advantage when controlling a suspect. However, there are some individuals who may not be affected by OC (i.e., PCP suspects and violent persons with a mental illness). Therefore, when officers face a tactical situation that may involve the use of OC, they should consider alternatives in case OC fails to stop the individual's actions.

Important Reminder

Deviation from these basic concepts sometimes occurs due to the fluid and rapidly evolving nature of law enforcement encounters and the environment in which they occur. Deviations may range from minor, typically procedural or technical, to substantial deviations from Department tactical training. Any deviations are to be explained by the involved officer(s), and justification for substantial deviation from Department tactical training shall be articulated and must meet the objectively reasonable standard of the Department's Use of Force Policy.

AMENDMENTS

This version replaces Use of Force-Tactics Directive No. 5.1, Oleoresin Capsicum, October 2013.



MICHEL R. MOORE
Chief of Police

DISTRIBUTION "A"



LOS ANGELES POLICE DEPARTMENT USE OF FORCE-TACTICS DIRECTIVE

Directive No. 6.3

July 2018

BEANBAG SHOTGUN

PURPOSE

The purpose of this Directive is to familiarize officers with the use, nomenclature, and operation procedures of the Beanbag Shotgun.



PROTOCOL

Whenever practicable, officers shall exercise de-escalation techniques to resolve potential use of force incidents and seek voluntary compliance from suspects/subjects. The courts have held that Less-Lethal force options are “capable of inflicting significant pain and may cause serious injury.” Therefore, consistent with the Department’s Use of Force Policy, Less-Lethal force options are only permissible when:

An officer reasonably believes that a suspect or subject is violently resisting arrest or poses an immediate threat of violence or physical harm.

Less-Lethal force options shall not be used for a suspect or subject who is passively resisting or **merely failing to comply** with commands. Verbal threats of violence or **mere non-compliance** do not alone justify the use of Less-Lethal force.

An officer may use the Beanbag Shotgun as a reasonable force option to control a suspect when **the suspect poses an immediate threat to the safety of the officer or others.**

Officers shall also consider:

- The severity of the crime versus the governmental interest in the seizure; and
- Whether the suspect was actively resisting arrest or attempting to evade arrest.

The following **do not** alone justify the use of the Beanbag Shotgun:

- Verbal threats of violence
- Mere non-compliance

The Beanbag Shotgun may be used in crowd control situations against a single subject/suspect as a target-specific less-lethal option.

Only sock round ammunition is to be used in the Beanbag Shotgun. Buckshot and shotgun slugs should not be used. Officers shall inspect the ammunition and the holder to ensure only sock round ammunition is available.



PROCEDURES

For tactical and weapon retention purposes, the recommended deployment range for the Beanbag Shotgun is five feet to 45 feet. When officers realize the need for a Beanbag Shotgun, they should request one by broadcasting a “Code Sam.”

Tactical Considerations

- Size of suspect versus size of officer
- Clothing
- Altered mental state
- Any known history of mental illness
- Age and/or physical condition of the suspect
- Suspect's access to weapons
- Suspect's ability to retreat or escape
- Bystanders' involvement
- Availability of back-up officers (Can suspect be distracted until other units arrive?)
- Background (What is behind the suspect?)
- Officers should maintain distance from the suspect

If tactically and environmentally feasible, the Beanbag Shotgun should be deployed from a position of cover with a designated cover officer. Officers need to be mindful of the distance to the suspect so that the suspect is not in a position to grab the barrel of the shotgun.

The Beanbag Shotgun officer alerts other officers when ready to fire by shouting or broadcasting, “Beanbag Ready!” The primary officer gives the clear to fire signal by shouting or broadcasting, “Beanbag, Standby!” This alerts the officers at the scene that the firing of the Beanbag Shotgun is imminent.

When firing the Beanbag Shotgun, the officer should assess the effectiveness of every round. The effectiveness of the sock round is based on the energy at impact. Therefore, the round may have little or no effect on a suspect who has a large body mass, is wearing heavy clothing or body armor, is under the influence of drugs, or is in a state of mind which prevents the suspect from feeling the impact of the round.

If shots to the navel area or belt line do not appear to be effective, possibly due to body armor or heavy clothing, then a leg, arm or hand may be a viable alternative target. **If control is not achieved and it appears that the sock round is not effective, even after changing target areas, the officers must assess the viability of an alternate force option.** Additionally, officers should continue to assess the suspect's actions and the effectiveness of each force option used.

If officers encounter a self-mutilating or suicidal individual, the use of the Beanbag Shotgun may be a reasonable force option (based on the tactical scenario) to stop his or her actions. This will allow the individual to receive the needed emergency medical treatment.

Generally, officers should not shoot the Beanbag Shotgun at a fleeing suspect. Officers should pursue and attempt to contain the suspect, while continually assessing the situation and considering the most appropriate tactical plan.

The Beanbag Shotgun is not a substitute for deadly force. When conducting a building search for a suspect who may be armed, standard firearms must be deployed. Having a Beanbag Shotgun available with the search team will allow additional force options if the situation changes.

Use of Force Warning

An officer shall, when feasible, give a verbal warning prior to using the Beanbag Shotgun to control an individual. The warning is not required when an officer is attacked and must respond to the suspect's actions. Additionally, if a tactical plan requires the element of surprise to stabilize the situation, a warning is not required. Examples of this would be a hostage situation or a subject threatening suicide. However, officers are reminded that the surprise/tactical element must still be needed at the actual time the Beanbag Shotgun is fired.

The verbal warning should include a command and a warning of potential consequences of the use of force. The command should be similar to "drop the weapon" or "stop what you are doing" followed by a warning similar to "or we may use the Beanbag Shotgun, and that may cause you injury."

The use or non-use of the warning shall be documented. The Non-Categorical Use of Force Report, Form 1.67.05, Use of Force Summary heading shall include:

- The name of the officer giving the warning; and
- An explanation and appropriate justification for not using the warning.

Statements that the "element of surprise was needed" or "for officer safety" reasons will not justify non-use of the warning. The explanation for non-use must:

- Clearly articulate why the element of surprise was needed;
- Explain in detail any officer safety considerations; and
- List all pertinent reasons that justify why the warning was not provided.

The use of the warning, or the reasons for non-use of the warning will be factors considered in the determination whether the use of force was objectively reasonable.

Tactical Discharges

Tactical discharges (disabling lights, breaking out windows, etc.) are allowed, but are not recommended due to the fact that they may cause secondary impacts. Before a tactical discharge is used to break a window, officers should consider that an individual may be behind the window. Tactical discharges may be an effective option in limited circumstances. The Beanbag Shotgun is generally not effective against tinted car

windows or streetlights. Officers must assess the situation after each tactical discharge, and if the weapon is not effective, consider other options. Officers must be prepared to give the rationale behind their decision to fire. The reporting procedure for a tactical discharge is the same as a discharge that does not strike a person.

In the event the Beanbag Shotgun will be used for a tactical discharge, it should be communicated to all officers at scene.

Reporting

The use of a Beanbag Shotgun for any reason other than an approved training exercise shall be documented according to established Department procedures on the Non-Categorical Use of Force Report; however, when a Beanbag Shotgun is fired and the round does not strike a person, a use of force report is not necessary and an Employee's Report, Form 15.07.00, should be completed to document the incident. Supervisors shall obtain photographs of all visible and complained of injuries, even when evidence of injury is not present.

Medical

Any person struck with a sock round shall be transported to a Department-approved facility for medical treatment prior to booking. The person should be carefully monitored for signs of distress. If a medical emergency situation exists, officers shall request a rescue ambulance to respond to their location.

DEFINITIONS

Beanbag Shotgun: A Remington 870 shotgun which has been configured with a green slide handle and stock, rifled barrel, and side saddle ammunition holder. The color green is used to signify that the shotgun is for the sock round only, not lethal munitions.

Code Sam: When officers realize the need for a Beanbag Shotgun, they should request one by broadcasting a "Code Sam." They should also request a supervisor to respond. Officers should consider carrying the Beanbag Shotgun with them on calls where it may be needed to eliminate the delay of having to return to their vehicle or waiting for another unit to respond.

Super-Sock Round (sock round): The Super-Sock round is a 12-gauge cartridge containing a shot-filled fabric bag. It can be identified by its clear plastic case containing a yellow fabric bag. These rounds are designed to be non-penetrating, and upon striking a target distribute energy over a broad surface area.

Tactical Discharge: The firing of a weapon at an object to assist officers in a tactical situation, such as to knock out lighting or break windows.

Target Areas: The primary target area is the navel area or belt line, but officers may target the suspect's arms, hands or legs when practicable. If the hand is the selected target, consider its location and what it is holding. However, officers should recognize that many circumstances might make it difficult to target such areas. The sock round may cause serious or fatal injuries if fired at the head, neck, spine, chest, groin, or kidneys.

Points to Remember

- No minimum range, but recommended deployment is from 5 feet to 45 feet
- Assessment between rounds is critical
- Generally, a warning prior to deployment is required
- Do not target the head, neck, spine, chest, groin, or kidneys
- Is a reportable use of force
- Have a back-up plan in the event the sock round is ineffective
- The Beanbag Shotgun should not be deployed unless lethal force is available for cover

Important Reminder

Deviation from these basic concepts sometimes occurs due to the fluid and rapidly evolving nature of law enforcement encounters and the environment in which they occur. Deviations may range from minor, typically procedural or technical, to substantial deviations from Department tactical training. Any deviations are to be explained by the involved officer(s), and justification for substantial deviation from Department tactical training shall be articulated and must meet the objectively reasonable standard of the Department's Use of Force Policy.

AMENDMENTS

This version replaces Use of Force-Tactics Directive No. 6.2, Beanbag Shotgun, March 2013.



MICHEL R. MOORE
Chief of Police

DISTRIBUTION "A"



TRAINING BULLETIN

Los Angeles Police Department

Charlie Beck, Chief of Police

Volume XLVI, Issue 3

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WEAPONS OTHER THAN FIREARMS

The purpose of this Training Bulletin is to provide officers with options to deal with a suspect armed with a weapon other than a firearm.

The Los Angeles Police Department is guided by the principle of Reverence for Human Life in all investigative, enforcement, and other contacts between officers and members of the public. Unfortunately, dangerous confrontations between suspects armed with weapons other than firearms can sometimes result in serious bodily injury or death. Weapons other than firearms pose a threat to the public and officers and generally fall into two categories: edged weapons and blunt weapons. Edged weapons include any object capable of cutting, slashing, or stabbing. A blunt weapon is any object that can be used to strike a person and inflict serious bodily injury or death.

When dealing with suspects armed with edged weapons, distance **is not** the only factor that must be considered. When confronting a suspect armed with a weapon other than a firearm, officers must determine the type of weapon and assess the suspect's ability to inflict serious bodily injury or death with that weapon. Resolving the situation safely using de-escalation techniques and proper planning should be primary objectives for officers dealing with suspects armed with weapons other than firearms. Officers should always attempt to resolve the situation with the least force possible; just because lethal force **may** be authorized, it does not have to be used if the situation can be resolved safely with other force options. The guiding principle is preservation and reverence for human life.

PROCEDURES

Communications Division personnel will proactively dispatch a field unit with a Beanbag Shotgun or other available less-lethal munitions and a supervisor to all calls involving any edged weapons. The goal is to pre-position resources so officers have a wide tactical choice of less lethal options when arriving on scene.

Planning

Officers should attempt to arrive at scene with a coordinated approach based upon initial information and any pre-existing knowledge of the suspect(s) or the involved parties. The dynamic nature of most incidents will require tactical plans to be flexible, and officers need to adapt their plan(s) as additional information or factors become known.

Assessment

INITIAL: There is no single solution and every situation will be handled differently based upon the totality of the circumstances. When feasible, officers should consider available options and discuss tactics prior to an encounter with a suspect armed with a weapon other than a firearm.

Some factors to consider:

- The type of radio call or activity that brings the officers into the situation (e.g., emotionally charged incidents such as domestic violence, a person showing signs of impaired judgment, or a crime in progress)
- Suspect's size, age, and physical condition
- Danger signs (e.g., persons talking to themselves or unprovoked agitation)
- The individual's state of mind (e.g., angry, confused, evasive, threatening)
- The availability of cover and concealment or barriers
- The need to increase the distance from an individual with a weapon
- Access to places where dangerous objects could be concealed such as bags, pockets or bulky clothing
- Remember to always observe the individual's hands

CONTINUOUS: Officers should continually assess the situation as circumstances change and new information is received. If a suspect is failing to comply with orders, officers should attempt to determine whether a suspect's lack of compliance is a deliberate attempt to resist or escape, or an inability to comprehend the situation due to environmental, physical, cognitive, or other conditions. If the suspect is unable to comprehend the situation, other tactical options may be more effective in resolving the situation safely.

Distance + Cover = Time

There is an equation that saves lives: Distance + Cover = Time. Time gives officers options. Time is an essential element of de-escalation as it allows officer the opportunity to communicate with the suspect, refine tactical plans, and, if necessary, call for additional resources.

Entering the suspect's space prematurely may force the suspect to take action, ultimately escalating the situation. Whenever possible, officers should place an object between themselves and the suspect as cover or a barrier. A barrier could be a chain link fence, wrought iron gate, or any similar object that prevents the assailant from reaching the officer.

Due to "lag time, the urgency for officers to create distance between themselves and a suspect armed with a weapon other than a firearm cannot be overstated. Lag time is the time it takes a person to react to an action. If officers close the distance too quickly before assessing the situation, lag time could put them in danger.

If the suspect is contained and does not pose an immediate threat to officers, the public, or himself/herself, time is our best tool. Time allows more opportunity to communicate with the suspect and calm the situation. A Systemwide Mental Evaluation Assessment Response Team (SMART) can be requested through the Mental Evaluation Unit (MEU) if officers' assessment indicates an individual is suspected of suffering from a mental illness or developmental disability. If the suspect is barricaded or suicidal, the Crisis Negotiation Team can be requested through Metropolitan Division.

Establishing Control

A situation is more likely to have a positive outcome if officers are able to establish control of the situation. The first concern is the safety of the public, which must be balanced with officer safety. Officers should obtain information about the suspect, including the type of weapon involved and anything that could help establish rapport, from family members, witnesses, or bystanders. These measures are crucial to ensure the safety of everyone at the scene.

Officers have several use of force options available if the suspect poses a direct threat to the public or officers. The force used must be appropriate for the actions displayed by the suspect. If a suspect armed with a weapon other than a firearm is contained and poses no immediate threat to himself/herself, the public, or police officers, officers should attempt to resolve the situation using tactical **de-escalation** techniques to gain voluntary compliance or mitigate the need to use a higher level of force while maintaining control of the situation.

Tactical De-Escalation Techniques

- Planning
- Assessment
- Time
- Redeployment and/or Containment
- Other Resources
- Lines of Communication

Note: Tactical **de-escalation** does not require that an officer compromise his or her safety or increase the risk of physical harm to the public. **De-escalation** techniques should only be used when it is safe and prudent to do so.

Redeployment and/or Containment

Redeployment and/or containment can afford officers the added benefit of time and distance while continuing to maintain control of the situation. The addition of time and distance may give officer an opportunity to re-assess, communicate, request additional resources, or deploy other tactics to reduce the likelihood of injury to both the public and officers while also mitigating any potential ongoing threats. Redeployment, however, should not enable a subject to gain a tactical advantage, arm himself/herself, or flee and pose a greater danger to the public or officers.

Other Resources

Less-Lethal Options: In concert with the Department's value and reverence for human life, officers and incident commanders shall consider the use of less-lethal force options whenever practical. Less-lethal options often offer the most reasonable force option to safely resolve the situation. Some less-lethal options include but are not limited to:

- 40mm Less-Lethal Launcher
- Beanbag Shotgun
- TASER
- OC Spray

In the case of a tense or potentially dangerous encounter, requesting additional resources can provide officers with specialized expertise, personnel and tools to help control and contain an incident.

Communications

Effective communication throughout the incident is vital when dealing with a suspect armed with a weapon other than a firearm. Officers must be flexible in their communication, using the suspect's reactions to determine if the particular line of communication is working. Officers may have to give clear direct orders using command presence, then switch to being a crisis negotiator, and then back to using command presence as the situation evolves. Officers should establish a rapport by treating the individual with respect and using a low, soothing tone of voice. The contact officer should introduce himself/herself by name and ask what is troubling the person. Open-ended questions should be used to get the person talking, such as "what happened today" or "why are you troubled" and "how can I help you?" Talking with a person may defuse the crisis or buy time, thus enabling a peaceful resolution.

Listening skills are essential to identify the individual's problem and provide a possible solution. Repeat the individual's problem back to them and attempt to solve the problem by discussing solutions. Give the person hope that the problem can be solved. Often using active listening skills, paraphrasing, and allowing the suspect to vent frustrations can have a positive impact on the situation.

When dealing with a person who is suspected of suffering from a mental illness and armed with a weapon other than a firearm, communication can be an officer's best tool in resolving the situation. Although communication efforts may seem to be slow and tedious, they frequently result in the de-escalation of the situation. Remember, when an armed individual is also a person with a mental illness, it is important to try to speak in a calm, firm voice. If possible, create a tranquil environment during the contact, speaking slowly can often help improve communications. Individuals who are suspected of suffering from a mental illness may be easily overwhelmed or distressed by too many demands. When communicating, use short sentences and give one order at a time. Officers may have to repeat orders numerous times before the person will

respond. If tactics permit, give more than one option, instead of an ultimatum. It is important not to join in with the person's hallucinations. Effective communication with the suspect can prevent the incident from escalating to a use of force, thus reducing the threat of injury to the officers and the suspect. Communicating with a suspect may slow down the incident, creating time to plan.

All or some of the following tactics may be used in the same incident as time or circumstances allow:

- Verbal warnings
- Persuasion
- Defusing
- Empathy
- Redirecting
- Advisements
- Building rapport
- Asking open ended questions
- Giving clear and direct orders

Note: Officers shall not use deadly force to attempt to disable a suicidal individual who lacks the present ability to cause serious injury or death to anyone other than himself/herself. The use of firearms to attempt to disable a suicidal suspect are generally ineffective and are likely to increase the risk of serious bodily injury or death to the suspect.

CONCLUSION

Officers often come into contact with emotionally charged suspects in situations such as domestic violence, crimes in progress, and people in crisis. With the rise of incidents involving weapons other than firearms, the equation that is most likely to produce a positive outcome is **Distance + Cover = Time** and **Time = Options**. A barrier between officers and the suspect may give them additional time to handle the incident safely. If the suspect is contained and poses no immediate threat to the officers, the public, or himself/herself, officers can use techniques to reduce the intensity of an encounter with a suspect and enable them to have additional options to gain voluntary compliance or mitigate the need to use a higher level of force while maintaining control of the situation.

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