

INTRADEPARTMENTAL CORRESPONDENCE

DIVISIONAL ORDER No. 04-11
16.3

February 17, 2011

TO: Metropolitan Division Personnel

FROM: Commanding Officer, Metropolitan Division

SUBJECT: TASER INTERNATIONAL ELECTRONIC CONTROL DEVICES

In addition to the Department-approved TASER X-26 and M-26, Metropolitan Division (Metro) currently possess extraordinary electronic control devices to deal with violent or potentially violent individuals prompting a Special Weapons and Tactics (SWAT) response. These items include the Extended Range Electronic Projectile (X-REP) and multiple-cartridge Shockwave. The need for both items was identified after thorough analysis of several Use of Force Review Boards that involved Categorical Use of Force incidents pursuant to SWAT deployments. Both the X-REP round, fired from the X-12 platform, and stationary Shockwave incorporate low-amperage electrical currents to disrupt normal nerve signals to skeletal muscles, achieving compliance through muscular incapacitation. The primary difference and advantage of this cutting-edge technology is standoff distances and line of sight deployment.

The Commanding Officer, Special Operations Bureau, and Department's Tactics Training Review Committee (TTRC) approved both items for SWAT use only in July of 2009 and August of 2010, respectively.

DEFINITIONS

X-REP Rifled Live (RL) finless projectile - The X-REP RL projectile is a self-contained electronic control device that can only be fired from the TASER X-12 platform (a re-designed 12-gauge Mossberg shotgun). The X-REP cartridge is uniquely designed, combined with the barrel chamber of the X-12 shotgun, to fit X-REP cartridges thus preventing an accidental loading or firing of a lethal 12-gauge shotgun round. The X-REP cartridge delivers similar Neuro-Muscular Incapacitation (NMI) as the well-known X-26 handheld TASER, but can be delivered to a maximum effective range approaching 100 feet combining blunt force impact simultaneously.

TASER X-12 - A 12-gauge Mossberg less-than lethal shotgun designed to only fire X-REP cartridges. The X-12's forearm and stock are yellow in color with a conspicuously marked green strip for immediate identification as a less-than lethal weapon system.

Note: Although TASER International manufactures X-REP cartridges that can be fired from other less-than lethal or lethal 12-gauge platforms, it is recommended the complete X-REP/X-12 system which is only manufactured in yellow. SWAT elected to purchase the entire X-REP/X-12 package as a stand-alone less-than lethal option, and this fact was disclosed to the TTRC.

This unique less-than lethal system utilizes similar technology currently found in the handheld TASER Model X-26, but provides SWAT personnel with an additional advantage of distance and/or the element of surprise thus preventing any telegraphing or escalation.

TASER's recommended range is a minimum of 15 feet to a maximum of 100 feet.

The ideal range is 20 to 80 feet.

The TASER X-REP cartridge needs a minimum of 3 feet to arm itself once fired.

Note: LAPD Use of Force Tactics Directive on the Electronic Control Device TASER dated July 2009 states that the ideal range for the TASER is between 7 to 15 feet.

When deploying the TASER X-REP cartridge operators should always be mindful of the tactical considerations facing them and the "objective reasonableness" of their actions when determining the appropriate deployment distance for the X-REP cartridge.

TASER SHOCKWAVE

The TASER Shockwave delivers similar Neuro-Muscular Incapacitation (NMI) technology as the X-26 handheld TASER, but can be activated from behind cover of up to 100 feet away or used as an area denial device to a maximum effective range approaching 21 feet. Once in place, several cartridges could be fired simultaneously from behind cover to decrease the risk of injury to SWAT personnel and increase the likelihood of NMI.

OPTIMUM TARGET AREAS

Same as the X-26 or M-26.

USE of FORCE REPORTING and DEPLOYMENT PROTOCOLS

Authorization for X-REP or Shockwave deployment is reserved for SWAT incidents when the X-26 would not be feasible or effective, and shall be approved by the on-scene Incident Commander. Probe contact with a suspect or clothing is deemed a reportable Use of Force incident. If no contact is made, the circumstances shall be documented in the appropriate report such as a crime, arrest or Employee's Report (Form 15.7). The use of force incident will be

documented in accordance with established Department Use of Force policies and existing reporting procedures.

Prior to deploying the TASER X-REP or Shockwave electronic control devices, the following factors should be present:

- Attempts to subdue the suspect by conventional tactics or equipment have been or will likely be ineffective given the particular circumstances;
- The element of surprise or standoff distance would greatly decrease the risk of injury to SWAT personnel or the suspect;
- Denying area access would increase the safety of SWAT personnel and/or the suspect; and
- There is a reasonable belief that a telegraphed approach by SWAT personnel could result in an adverse suspect reaction.

Verbal threats of violence by a suspect do not alone justify the use of these electronic control devices. Any threat must be a credible one, which the suspect has proven he or she is willing to or capable of carrying out.

MEDICAL TREATMENT REQUIREMENTS

Same as the TASER X-26 or M-26

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

USE of FORCE WARNING

A verbal warning shall be given, when feasible, to a suspect before deployment of these electronic control devices. The verbal warning should include a command and a warning of potential consequences of the use of force. The warning is not required when an officer is attacked and must respond quickly to the suspect's actions. Additionally, a verbal warning is not necessary if a tactical plan requires the element of surprise in order to stabilize the situation.

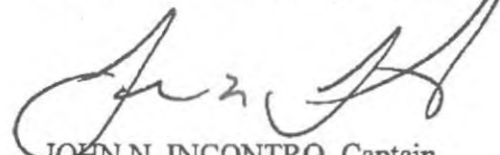
TRAINING AND MAINTENANCE

Only SWAT personnel who have completed approved TASER training for these electronic control devices are authorized to deploy this technology. Certification training will include system operations and deployment protocols, as well as a review of the Use of Force policy surrounding its use.

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Metro Armory personnel shall inspect and conduct appropriate safety checks of the TASER X-12 less-than lethal shotgun, X-REP cartridges and Shockwave pre/post deployment to ensure the systems are functional.

If you should have any further questions, please feel free to contact Lieutenant Ruben Lopez, SWAT Officer in Charge, at (213) 972-2420.

A handwritten signature in black ink, appearing to read 'John N. Incontro', written in a cursive style.

JOHN N. INCONTRO, Captain
Commanding Officer
Metropolitan Division