

**Event 2 – Force Options**  
**Session 04 - Use of Deadly Force**  
**LD20 - Use of Force**

**Date Revised:** 12/26/2019

**Event Goal:** To teach recruit officers when and how to reasonably use lethal force.

**Session Goal:** To give recruit officers an understanding of use of Deadly force law and policy.

**Learning Objectives:**

- Discuss Department Policy when using Deadly Force

**Session Time:** 3 hours

**Resources:**

- Classroom w/tables
- White board
- Dry-erase marker
- Use of Deadly Force Handout (1 per student)
- Audio visual equipment

**Session Summary:** The instructor will lead an overhead facilitated discussion with the class.

Outline	Instructor Notes
<p><b>I. Fleeing Felons</b></p> <ol style="list-style-type: none"> <li>1. The Department policy in regard to fleeing felons is comprised of Federal, State Law [835a(c)(1)(A) PC] and LAPD policy. There is case law that helps direct decision making when deciding to deploy deadly force on a fleeing felon suspect. <b>[1]</b></li> <li>2. Tennessee v. Garner</li> <li>3. The US Supreme Court case from 1984 gives a clear path to understanding the following legal requirements when using deadly force to capture a fleeing felon; <b>[2]</b></li> <li>4. “If the subject threatens the officer with a weapon or there is probable cause to believe that he has committed a crime involving the infliction of serious bodily injury or death”</li> <li>5. “Probable cause to believe the subject poses a threat of serious bodily injury or death if apprehension is delayed”</li> <li>6. “Probable cause to believe that the use of deadly force is reasonably a last resort”</li> <li>7. “Some verbal warning given prior to the use of</li> </ol>	<p><b>[1] ASK</b> – What is the difference between probable cause and reasonable suspicion?</p> <p><b>[2] Facilitate a discussion</b> – Instructor may choose to use the “night stalker” Richard Ramirez incident or the “Christopher Dorner” incident.</p>

**Event 2 – Force Options**  
**Session 04 - Use of Deadly Force**  
**LD20 - Use of Force**

<p style="text-align: center;">deadly force where feasible.”</p> <p><b>II. Shoot to Stop</b></p> <ol style="list-style-type: none"><li>1. It shall be the intent of every officer to “shoot to stop” not “shoot to kill”.</li><li>2. Officers are instructed to aim for the largest target and when appropriate slow their rate of fire to enhance accuracy. This is done to ensure the greatest opportunity to stop the suspect’s deadly behavior and to limit the danger to the surrounding community.</li><li>3. Officers are taught and expected to do whatever is possible to minimize the risk of death; however, once a decision is made to use deadly force by an officer the risk of death becomes a distinct possibility.</li></ol> <p><b>III. Doubt in the mind of the officer. [3]</b></p> <ol style="list-style-type: none"><li>1. When an officer is uncertain in their mind as to the appropriate use of deadly force, the officer should not use deadly force.</li><li>2. Officers are not permitted to use deadly force to prevent assaults which will not likely result in serious injury. <b>[4]</b></li></ol> <p><b>IV. Protecting Property. [5]</b></p> <ol style="list-style-type: none"><li>1. The use of deadly force to merely protect property is not justified by law.</li><li>2. This includes Police K-9 and Police mounted units.</li></ol> <p><b>V. Dogs Shootings.</b></p> <ol style="list-style-type: none"><li>1. Rarely are dogs a threat to life, however they can cause serious bodily injury. <b>[6]</b></li><li>2. Deadly force against a dog is adjudicated the same, by the Department, as a use of deadly force against a person. Therefore, the policy remains the same. <b>[7]</b></li><li>3. Department Manual Section 4/204.80 states, when an animal is critically injured and the Department of Animal Regulation is not readily available, the owner’s permission shall be obtained to destroy the animal by shooting with</li></ol>	<p><b>[3] Instructor should Quote</b> – “When in doubt, don’t shoot”.</p> <p><b>[4] Instructor demo</b> – Use the smallest person in the class and demonstrate an assault versus a deadly threat.</p> <p><b>[5] ASK</b> – If a suspect was attacking a Police K-9 with a knife could you shoot to protect the dog? (No, by California law the Police K-9 dog is classified as property.)</p> <p><b>[6] ASK</b> – Is there a difference in the threat from a Pit-bull vs. a Chihuahua?</p> <p><b>[7] Ask</b> – What are some signs that a dog is present at the scene of a radio call? -Dog manure in the yard -Animal feeding bowls -Worn out paths along a fenced yard</p>
---	---

**Event 2 – Force Options**  
**Session 04 - Use of Deadly Force**  
**LD20 - Use of Force**

<p>a service firearm.</p> <p><b>VI. Juvenile Subjects.</b></p> <ol style="list-style-type: none"><li>1. The LAPD has always utilized extreme caution with regards to using deadly force against youthful looking offenders.</li><li>2. Juveniles, due to their age, immaturity and inexperience may not have a full understanding of the seriousness and consequences of their actions when involved in the commission of a felony crime.</li><li>3. Officers are reminded the same laws and policy with regard to the use of deadly force apply to juveniles as they do with adults. However, using good judgment as to the capability of the juvenile is a vital issue that must be addressed prior to the decision to use deadly force.</li></ol> <p><b>VII. Misdemeanor Suspect(s).</b></p> <ol style="list-style-type: none"><li>1. There are no crimes classified as a misdemeanor that elevate to the level where deadly force would be justified.</li><li>2. Incidents may start as a misdemeanor then escalate to a felony such as; carrying a concealed weapon that evolves into a ADW or attempt murder.</li></ol> <p><b>VIII. Warning Shots.</b></p> <ol style="list-style-type: none"><li>1. Generally warning shots are prohibited.</li><li>2. Warning shots are considered deadly force by the Department.</li><li>3. Must be a situation to prevent a threat of serious bodily injury or death.</li><li>4. "To prevent the taking of a life, by not taking a life!"</li><li>5. Warning shots shall only be used in exceptional circumstances where it might reasonably be expected to avoid the need to use deadly force</li></ol> <p><b>IX. Cover Fire.</b></p> <ol style="list-style-type: none"><li>1. Controlled and deliberate fire, directed at a life endangering threat, where the officer reasonably</li></ol>	<p>-Signs on fences -Always listen upon approach</p>
---	--

**Event 2 – Force Options**  
**Session 04 - Use of Deadly Force**  
**LD20 - Use of Force**

<p>believes the threat to be located.</p> <ol style="list-style-type: none"><li>2. Cover fire is considered a use of deadly force.</li></ol> <p><b>X. Shooting at and from a moving vehicle.</b></p> <ol style="list-style-type: none"><li>1. Firing at and from a moving vehicle is generally prohibited.</li><li>2. Experience shows such action is rarely effective and is extremely hazardous to innocent people.</li><li>3. Sight alignment is very difficult due to the unstable shooting platform.</li></ol> <p><b>XI. Officers surrendering their weapon, (hostage situations).</b></p> <ol style="list-style-type: none"><li>1. When officers are at the mercy of an armed suspect who has the advantage, experience shows the danger is not reduced by giving up their weapon.</li><li>2. It may be your only chance at survival.</li><li>3. Officers are encouraged to use every tactical tool at their disposal to avoid giving up their weapon.</li><li>4. In addition, statistics indicate that if the suspect(s) are permitted to leave an area of containment with a hostage, the ability to protect the victim from serious bodily injury or death is very limited if not extinct.</li></ol>	
---	--