OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 6 **February 14, 2020**

SUBJECT: **RIFLE REVIEW COMMITTEE – ESTABLISHED; RIFLE CADRE MEMBERS AND ROSTER – ESTABLISHED; MINIMUM REQUIREMENTS FOR THE RIFLE CADRE – ESTABLISHED; PATROL RIFLE ACCESSIBILITY – REVISED, RENUMBERED AND RENAMED; DEPLOYMENT OF THE PATROL RIFLE AND SLUG AMMUNITION – RENUMBERED AND REVISED; AND, DECERTIFICATION AND RESTORATION PROCEDURES FOR THE RIFLE CADRE – ESTABLISHED**

PURPOSE: The Los Angeles Police Department (LAPD) is guided by the principle of Reverence for Human Life. As such, the LAPD strives to provide officers with tactics, training, and tools to de-escalate situations and minimize the level of force needed to safely resolve a situation. The Patrol Rifle is a precision tool that allows officers to remain at greater stand-off distances from potential threats while still maintaining a high level of precision marksmanship with a single projectile, which can defeat soft body armor, in lethal force situations. In certain circumstances, its proper deployment can provide officers with additional tactical options by increasing distance and the time available to them for complex decision-making and the implementation of de-escalation techniques during dangerous encounters.

Membership in the Department's Patrol Rifle Cadre or other Department-authorized rifle programs (e.g., Metropolitan, Special Weapons and Tactics, and Special Investigation Section Patrol Rifle Programs); hereafter collectively referred to as the Rifle Cadre, is voluntary and requires members to commit to rigorous training, equipment maintenance, qualification requirements, and discipline that is expected of all Rifle Cadre members. To safeguard the professionalism of the Rifle Cadre, the Department has established minimum requirements an officer must meet prior to being considered for the Rifle Cadre. Upon successful completion of initial rifle training and admittance to the Rifle Cadre, officers must continue to meet the minimum requirements in order to remain in the Rifle Cadre or they may be deselected from the cadre. Incidents of improper deployment, use, tactics, or maintenance of the rifle may also temporarily or permanently decertify members from the Rifle Cadre. The Department may, however, restore an officer's cadre membership if he or she can sufficiently demonstrate the ability to meet the rigorous standards of the Rifle Cadre.

The purpose of this Order is to establish the Rifle Review Committee, clearly define the minimum requirements to apply for and remain a member of the Rifle Cadre, and to establish a transparent and standardized process to decertify members of the Rifle Cadre and, when warranted, restore officers back into the Rifle Cadre.

PROCEDURE:

I. RIFLE REVIEW COMMITTEE – ESTABLISHED. Department Manual Section 2/093.85, *Rifle Review Committee*, has been established and is attached.

II. **RIFLE CADRE MEMBERS AND ROSTER – ESTABLISHED.** Department Manual Section 4/245.30, *Rifle Cadre Members and Roster*, has been established and is attached.

III. **MINIMUM REQUIREMENTS FOR THE RIFLE CADRE – ESTABLISHED.** Department Manual Section 4/245.40, *Minimum Requirements for the Rifle Cadre*, has been established and is attached.

IV. **PATROL RIFLE ACCESSIBILITY – REVISED, RENUMBERED AND RENAMED.** Department Manual Section 4/245.55, *Patrol Rifle Accessibility*, has been revised, renumbered, and renamed as *Patrol Rifle Storage and Accessibility*, Department Manual Section 4/245.50. Attached is the revised Department Manual Section with revisions indicated in italics.

V. **DEPLOYMENT OF THE PATROL RIFLE AND SLUG AMMUNITION – RENUMBERED AND REVISED.** Department Manual Section 4/245.50, *Deployment of The Patrol Rifle and Slug Ammunition*, has been renumbered as Department Manual Section 4/245.60, and revised. Attached is the revised Department Manual Section with revisions indicated in italics.

VI. **DECERTIFICATION AND RESTORATION PROCEDURES FOR THE RIFLE CADRE – ESTABLISHED.** Department Manual Section 4/245.70, *Decertification and Restoration Procedures for the Rifle Cadre*, has been established and is attached.

AMENDMENTS: This Order establishes Sections 2/093.85, 4/245.30, 4/245.40, and 4/245.70, and amends sections 4/245.50 and 4/245.60 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.

MICHEL R. MOORE
Chief of Police

Attachment

DISTRIBUTION "D"

DEPARTMENT MANUAL
VOLUME II
Revised by Special Order No. 6 , 2020

093.85 RIFLE REVIEW COMMITTEE.

Responsibilities. *The Rifle Review Committee (RRC) is responsible for the following:*

- *Review of all requests and referrals to restore a Rifle Certified Officer (RCO) to Active status, maintain an RCO 's Inactive status, or Decertify an RCO;*

  Note: *Any assessment of decertification shall include a review of the proper deployment, use, retention, tactics and maintenance of the cadre member's rifle, as well as a review of the judgement exercised by the RCO.*

- *Hear referral presentations made by commanding officers, when requested;*
- *Initiate changes to an RCO's status to include Active, Inactive or Decertified status;*

  Note: *Immediate decertification may be initiated by the RRC or the Chief of Police, based upon, but not limited to, any referrals, direct observations, video footage, Use of Force adjudications or other information brought to the Department's attention.*

- *Evaluate patrol rifle policies and procedures as they relate to deployment, use, retention, tactics, and maintenance;*
- *Determine RCO's continued participation in the Rifle Cadre;*
- *Review and approve/deny RCO appeals to be restored to the Rifle Cadre;*
- *Provide direction on the necessary steps for Inactive or Decertified RCOs to attain restoration; and,*
- *Meet on a quarterly basis, as needed.*

  Note: *An RCO is defined as any officer authorized to deploy the rifle (as defined in Manual Section 4/245.30).*

The RRC will review all submitted referrals/requests pertaining to the status of a Rifle Cadre member. After reviewing all of the related documents, video footage, and any written response from the involved employee, the RRC will determine the appropriate status (Active, Inactive, or Decertified) for the member in question and direct corrective measures necessary to restore the member to Active status at a later date, if appropriate. These corrective measures may include, but are not limited to, successful qualification and/or recertification, completion of a weapon manipulation test, repeat of Patrol Rifle School, or other training. The RRC can make a final determination on a member's status (Active or Decertified) either at the time of the committee meeting, or defer the determination to a future meeting after a specified period of time, or after the RCO has completed the specified corrective actions (e.g., training, qualification).

At the completion of each RRC meeting, the Committee shall provide written correspondence notifying the involved officer(s), via his or her chain of command, and In-Service Training Division of the RRC's determination including any restorative actions that shall be completed and the date for completion, if applicable.

Membership. *The RRC is comprised of a representative from the following Department entities:*

- *Personnel and Training Bureau (Chair);*
- *Involved employee's bureau commanding officer;*
- *Commanding Officer, Critical Incident Review Division;*
- *Officer in Charge, Firearm Training Section, In-Service Training Division;*
- *Officer in Charge, In-Service Training Division, Rifle/Slug Unit;*
- *Commanding Officer, Risk Management Legal Affairs Group; and,*
- *Patrol Rifle Cadre Peer Member.*

Reviewing Officer. *The Director, Office of Support Services, is the Reviewing Officer on all status determinations within the jurisdiction of the RRC. If the Reviewing Officer disagrees with the RRC's restoration or decertification determination, he or she can present the determination to the Chief of Police for a final decision.*

DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 6 , 2020

245.30 RIFLE CADRE MEMBERS AND ROSTER. *Listed below are classifications for the Patrol Rifle Cadre or other authorized rifle programs (hereafter collectively referred to as Rifle Cadre) members:*

> ***Note:*** *A Rifle Certified Officer (RCO) is defined as any officer authorized to deploy a rifle. This includes, but is not limited to, personnel assigned to the Rifle Cadre, Metropolitan Division (all platoons), or any other specialized units authorized to deploy the rifle.*

Active Rifle Cadre Member. *An Active Rifle Cadre member is a Rifle Certified Officer (RCO) in good standing who is authorized to retain and deploy a rifle in the field, consistent with established policies and procedures.*

Inactive Rifle Cadre Member. *An Inactive Rifle Cadre member is an RCO who has been temporarily suspended from deploying the rifle in the field due to:*

- *A failure to requalify during a calendar year;*
- *A failure to recertify during a calendar year; or,*

> ***Note:*** *Any RCO who has become Inactive due to a failure to requalify or recertify may automatically regain Active status by achieving a qualifying score at the next subsequent requalification or recertification.*

- *Placement on Inactive Status by his or her commanding officer, staff assigned to In-Service Training Division Patrol Rifle Tactical Shotgun Unit, Rifle Review Committee, Use of Force Review Board/Committee, or the Chief of Police.*

Inactive RCOs shall store their Department-issued or privately-purchased rifles in a Department locker or secure work site and no longer deploy their rifle until such time as they are restored to Active status.

Decertified Rifle Cadre Member. *A Decertified RCO is a member who has been decertified from the Rifle Cadre due to a failure to requalify and recertify within a calendar year, or who has exhibited improper deployment, use, tactics, or maintenance of the rifle. A Decertified RCO who has been assigned a Department patrol rifle shall return the Department patrol rifle and support equipment to the Department Armory within 10 calendar days of being notified of his or her Decertified status. A Decertified RCO who possesses a privately-purchased patrol rifle shall not deploy the rifle and shall store it at a location outside of Department facilities in accordance with applicable statutory provisions and/or local ordinances for the storage and private use of the weapon.*

Commanding Officer, In-Service Training Division, Responsibilities. *The Commanding Officer, In-Service Training Division, shall ensure that the Firearms Training Section, In-Service Training Division, maintains a roster of Active, Inactive, and Decertified RCOs and that officers and their commanding officers are notified when an RCO's classification changes.*

245.40 MINIMUM REQUIREMENTS FOR THE RIFLE CADRE. *In order to be considered for an Active Rifle Certified Officer (RCO) in the Rifle Cadre, an RCO shall meet the below-listed minimum requirements:*

- *No final adjudication of Administrative Disapproval — Out of Policy for any discharge of a firearm, including a negligent discharge, within the past two years;*
- *Not currently under credibility-related duty restrictions issued by the Risk Management Executive Committee;*
- *No pattern of Failures to Qualify within the past five years; and,*
- *Successful and documented completion of the Rifle Manipulation Test.*

At the time of entry level rifle training, sworn personnel shall be full-duty and cannot have any medical restrictions that would preclude them from full participation in the training.

245.50 PATROL RIFLE STORAGE AND ACCESSIBILITY.

Officer's Responsibilities. *Each Rifle Certified Officer (RCO) must use the rifle in the manner in which he or she was trained, while at all times adhering to the principle of Reverence for Human Life. Upon notification of being placed on Inactive status, an RCO shall store his or her rifle in a Department locker or secure work site and no longer deploy the rifle until he or she has been restored to Active status. Upon notification of being placed on Decertified status, an RCO issued a Department rifle shall return the Department-issued patrol rifle and support equipment to the Department Armory within 10 calendar days of being notified of his or her Decertified status. A Decertified RCO who possesses a privately-purchased rifle shall immediately store the rifle at his or her residence in a manner provided by applicable state and local laws, and shall not carry or store such rifle in any Department station, work site, vehicle, or in the field.*

Department Patrol Rifles. All on-duty **uniformed** *Active RCOs,* who are currently issued Department patrol rifles, shall secure their patrol rifles in their patrol vehicles, per Department policy. When operating Department motorcycles, all on-duty uniformed *RCOs* who are currently issued Department patrol rifles shall secure their patrol rifles on their Department motorcycles, if their motorcycles are so equipped, per Department policy.

All on-duty **non-uniformed** *Active RCOs* who are currently issued Department patrol rifles, shall have their patrol rifles readily available at their stations and work sites or in their Department vehicles or Department-authorized rental vehicles, per Department policy. Command and staff *RCOs* may *also* store their patrol rifles in their offices in secured storage units.

Privately-Purchased Patrol Rifles. On-duty uniformed and non-uniformed *Active RCOs* with privately-purchased patrol rifles **are expected** to have their patrol rifles available at their stations, work sites, or in their Department vehicles or Department-authorized rental vehicles, per Department policy. An *Active RCO* with a privately-purchased patrol rifle shall abide by the patrol rifle deployment criteria *(Department Manual Section 245.60), all applicable Department policies and procedures for the deployment and use of the patrol rifle, and the terms and conditions contained in the Agreement for Private Purchase of Patrol Rifle for Duty Use.*

Exception: When a privately-purchased patrol rifle cannot be securely stored at a work site, or a Department locker is unavailable, the privately-purchased patrol rifle may be stored at the *RCO's* residence in a manner consistent with applicable state and local laws. Once a secure work site or Department locker is available, an on-duty *Active RCO* is expected to secure his or her privately-purchased patrol rifle at the work site or a Department locker. The privately-purchased patrol rifle shall not be stored inside a personal vehicle at a work site while on-duty, except for transporting it to and from duty/work/range. *Rifle Certified Officers* with assigned vehicles that have Home Garaging Authorities (e.g., Metropolitan Division and command officers) may store their privately-purchased patrol rifles inside their vehicle trunks, when properly garaged.

Note: An *RCO* with a privately-purchased patrol rifle shall be responsible for its maintenance. The Department will not be liable for a privately-purchased patrol rifle if it is damaged, lost or stolen from an *RCO*, while on-duty.

While off-duty, *an RCO may continue to use his or her privately-purchased patrol rifle* at authorized shooting areas or ranges and competitions.

Supervisor's Responsibilities. Supervisors shall conduct periodic inspections to ensure that all *RCOs* under their supervision, who are currently issued Department patrol rifles or who possess privately-purchased patrol rifles, comply with Section 4/245.*50* of the Department Manual.

Commanding Officer's Responsibilities. All commanding officers shall ensure adherence to the established protocols delineated for patrol rifle accessibility.

245.*60* DEPLOYMENT OF THE PATROL RIFLE AND SLUG AMMUNITION. Qualified Patrol Rifle *(PR)* or Slug *Shotgun* Ammunition *(SSA)* personnel may deploy their firearms in field operations, in accordance with Department Manual Sections 3/610.17, *Deployment of the Patrol Rifle*, and 3/611.60, *Deployment of Slug Ammunition.* Slug Ammunition may be deployed as is determined to be necessary. Personnel, however, must be able to articulate the specific tactical circumstances that warrant drawing, exhibiting and deploying the *PR* or *SSA* as opposed to a handgun.

Communications Division's Responsibilities. Upon receiving a "Code Robert" request, Communications Division personnel shall:

- Broadcast an all units "Code Robert-PR" or "Code Robert-Slug" and the location of the request;
- Assign the call to a PR or SSA equipped unit; and,
- Assign a supervisor to respond.

In most cases, the frequency should remain on stand-by until the incident is resolved, or the units move to a tactical frequency.

Responsibility of Personnel Equipped with a Patrol Rifle or Slug Ammunition. Only personnel who are *PR* or *SSA* trained and certified are authorized to deploy the *PR* or *SSA* in the field. Personnel who are equipped with the *PR* or *SSA* shall respond to those requests for a *PR* or *SSA*, as assigned.

Supervisor's Responsibilities. A supervisor shall:

- Respond to each "Code Robert" request and take charge of the tactical incident;
- Determine if the incident is within the capability of the unit(s) at scene or if Special Weapons and Tactics (SWAT) Team should be requested; and,
- Make the necessary notifications and follow existing Department policies and procedures if a firearm is discharged.

Watch Commander's Responsibilities. Each patrol and traffic watch commander shall ensure that:

- *Patrol Rifle* and SSA equipment is available at all times for response to a field incident;
- *Patrol Rifle* and SSA trained personnel are deployed on each watch;
- A "PR" or "SSA" notation is made on the Daily Work Sheet, Form 15.26.00, and on the Area Command Center Mobile Field Force roster indicating the units which are deployed with a PR and/or SSA; and,
- A supervisor is dispatched to all "Code Robert" requests.

Commanding Officer's Responsibilities. Commanding officers shall maintain a current list of officers within their command who are trained and certified to deploy the *PR* and/or *SSA*. This roster may be obtained from *In-Service* Training Division.

***In-Service* Training Division's Responsibilities.** *In-Service* Training Division is responsible for maintaining rosters of the *PR* and *SSA* Cadres that will indicate whether trained and certified personnel are Active, Inactive, or Decertified. Certified personnel are those who have successfully passed training and comply with the required qualification schedules.

245.70 DECERTIFICATION AND RESTORATION PROCEDURES FOR THE RIFLE CADRE. *The process of decertification typically begins by reclassification of the Rifle Certified Officer's (RCO) status to Inactive, notification to the RCO, and referral of the RCO to the Rifle Review Committee (RRC).*

Authority to Change Status. *An RCO's status can be reclassified to Inactive and he or she can be referred to the RRC for Decertification by any of the following:*

- *Any commanding officer (CO);*
- *The Use of Force Review Committee/Board;*
- *Staff assigned to In-Service Training Division Patrol Rifle Tactical Shotgun Unit;*
- *Rifle Review Committee; or,*
- *The Chief of Police.*

Exception: *If exigent circumstances exist, such as an RCO's failure to qualify, or an egregious departure from the Rifle Cadre's procedures or Department policy, the RRC or Chief of Police can immediately decertify an RCO to protect other officers, RCOs, or the community. The RRC shall review and maintain a list of all RCOs who have been decertified.*

Decertification Procedures.

Decertification Criteria. *An RCO may be classified as Inactive and referred to the RRC for Decertification consideration under the following circumstances:*

- *The RCO no longer meets the Rifle Cadre minimum requirements;*
- *The RCO has failed a recertification and a requalification within a calendar year;*
- *The RCO has an unintentional non-tactical or unintentional tactical discharge;*
- *The RCO has exhibited improper deployment, use, tactics, or maintenance of the rifle;*
- *During any stage of the Categorical Use of Force investigation process including, but not limited to:*

  - *A 72-Hour Brief*
  - *The Use of Force Review Board (UOFRB) following the adjudication of any Categorical Use of Force (CUOF); or,*
  - *During the Chief's final review of the CUOF investigation.*

  Note: *Referrals to the RRC from the UOFRB or a commanding officer are not limited to incidents or actions involving a rifle. Any action that causes the UOFRB or commanding officer to believe an officer can no longer responsibly maintain or deploy a rifle can cause an RCO to be recommended to the RRC for Decertification consideration.*

- *The RCO unnecessarily jeopardizes the safety of other officers, other RCOs, or the community;*
- *The RCO acts in a manner that deviates from Department policy, tactics, or established guidelines; or,*
- *The RCO displays considerably poor judgement.*

Notifications. *When an RCO's status is being reclassified to Inactive and he or she has been referred to the RRC for a determination, he or she shall be verbally notified by the referring person/entity. Subsequently, the referring person or entity shall notify the RRC and the Commanding Officer, In-Service Training Division, via an Intradepartmental Correspondence, Form 15.02.00, of the circumstances causing the officer to be placed on the Inactive list. The referring person or entity shall also identify and attach any supporting documents, video, or other material that may help the RRC review the incident. A copy of the Intradepartmental Correspondence shall be provided to the RCO.*

Failure to Qualify. *An RCO who fails one Patrol Rifle recertification or one Patrol Rifle requalification during his or her assigned period will be placed on the Inactive list. The Inactive RCO must achieve a qualifying score during the next subsequent recertification or requalification*

cycle in order to be placed back on Active status. An RCO who fails one Patrol Rifle recertification and one Patrol Rifle requalification within a calendar year during his or her assigned period will be placed on the Inactive list and referred to the RRC for decertification.

Military Service or Injured on Duty Exemptions from Patrol Rifle Qualification. *When an RCO has been deployed for military service or has been Injured on Duty (IOD) during the requalification and recertification periods, he or she shall provide military orders or medical documentation to his or her training coordinator and CO, indicating that he or she will be activated for military duty or is on IOD status during the requalification and recertification periods, so as to be exempt from being considered Decertified. A Department-issued patrol rifle shall be stored at a Department Armory, while a privately-purchased patrol rifle may be stored at an RCO's residence during military service or IOD status. Once the RCO has returned from military service or IOD, the RCO shall immediately notify his or her training coordinator and CO, so as to schedule requalification and recertification training, as soon as practicable. Rifle Certified Officers who have not recertified for over one year due to military service or IOD status will be placed on the Inactive list and shall not deploy their rifle in the field until they have been restored to Active status.*

Privately-Purchased Patrol Rifles and Resignation, Retirement, Transfer to Another Law Enforcement Agency, or Departure from the Department. *When a privately-purchased patrol rifle RCO resigns, retires, transfers to another law enforcement agency, or departs from the Department, the privately-purchased patrol rifle will be retained by the purchasing individual and is legally the property of the owner. Ownership and transfer of the patrol rifle will be governed by the laws that apply to civilian-owned assault weapons.*

Commanding Officer's Responsibilities. *Commanding Officers shall monitor the roster of Active RCOs and ensure that those not on the Active list do not deploy rifles in the field. Upon notification that an RCO has become Inactive or Decertified, the concerned CO shall ensure that the RCO is immediately notified and that the appropriate measures are taken to secure the rifle.*

Upon notification that an RCO under his or her command has become Decertified from the Rifle Cadre, a CO shall ensure that any Department-issued patrol rifle and support equipment is returned to the Department Armory within 10 calendar days of the RCO being notified of the Decertified status. A CO shall ensure any privately-purchased patrol rifle be stored at the RCO's residence immediately.

If any employee observes an RCO misuse the rifle in a manner that unnecessarily jeopardizes the safety of the community, other officers, or himself or herself; or any action that is in substantial deviation from Department policy, tactics, or established guidelines; or displays a serious lack of good judgement, the employee shall immediately noti.) the concerned employee's CO. After a review of the singular incident or pattern of conduct, the employee's CO, if warranted, shall temporarily place the employee on Inactive status and recommend a review by the RRC. The CO shall immediately notify) the employee that he or she has been placed on Inactive status. The CO shall notify the RRC and the Commanding Officer, In-Service Training Division, via an Intradepartmental Correspondence, Form 15.02.00, of the circumstances causing the officer to be placed on the Inactive list and also identify or attach any supporting documents, video, or other material that may help the RRC review the incident. The Intradepartmental Correspondence shall

include a recommended status determination for the RCO and any recommended restorative action, when warranted. A copy of the Intradepartmental Correspondence shall be provided to the RCO.

Commanding Officer Recommendation. *Following a CUOF involving an RCO, the CO of the involved RCO shall make a recommendation at the 72-Hour Brief to the Chief of Police whether the RCO should be placed on the Inactive list, pending a full review by the UOFRB and RRC. If it is determined that the officer will be placed on the Inactive list, the concerned CO shall notify the RCO of his or her Inactive status.*

Use of Force Review Board Recommendation. *During its review of an RCO's deployment, tactics, and use of force during a CUOF, the UOFRB may place an RCO on Inactive status and make a referral to the RRC for review.*

Restoration Procedures. *Listed below are procedures for the restoration to Active Rifle Cadre member status:*

- *Failure to Qualify. Any RCO who has become Inactive due to a failure to requalify or recertify, may automatically regain Active status by achieving a qualifying score at the, next subsequent requalification or recertification.*
- *Rifle Review Committee Appeal. Any RCO who has been Decertified or designated as Inactive for any reason other than failure to requalify or recertify must submit written correspondence, via an Employee Report, Form 15.07.00, to the RRC to request reinstatement as an Active member of the Rifle Cadre. The RRC shall review the RCO's request at the next regularly scheduled meeting and provide written notification to the RCO and his or her CO of the RRC's determination including any restorative action(s) that require completion by the RCO.*