

COUNTER-TERRORISM AND SPECIAL OPERATIONS BUREAU

NOTICE

1.15

June 21, 2012

TO: All Concerned Commanding Officers

FROM: Commanding Officer, Counter-Terrorism and Special Operations Bureau

SUBJECT: LOS ANGELES POLICE DEPARTMENT FIREWORKS REDUCTION PLAN

The Fourth of July holiday period has historically brought about the proliferation of illegal fireworks throughout the City; not only do they pose a fire danger, but these explosives have also been the cause of several life-threatening injuries. Additionally, calls for service related to fireworks and shots fired can potentially create a drain on police resources, as experienced during the five-week period: June 1, 2011 through July 12, 2011, when 5,452 radio calls were generated:

<u>Bureau</u>	<u>Shots Fired Heard</u>	<u>Loud Fireworks</u>	<u>Total</u>
Central	436	829	1,265
West	363	589	952
Valley	672	1,299	1,971
South	423	841	1,264

In an effort to reduce injuries, death and property damage associated with the illegal use of fireworks, the Los Angeles Police Department (LAPD) and the Los Angeles Fire Department (LAFD) are engaging in a collaborative Fireworks Reduction Program. The operation period for the Fireworks Reduction Plan is June 8, 2012, 0800 hours, through July 10, 2012.

PUBLIC EDUCATION

Personnel assigned to geographic Areas, particularly Senior Lead Officers, shall make use of every opportunity to educate the community that fireworks of any kind (including the "Safe and Sane" variety) are dangerous and illegal within the City of Los Angeles. Personnel shall engage the LAFD to assist with presentations at community meetings, school presentations, etc.

The message officers will deliver to the community shall concentrate on three primary points:

- Fireworks are extremely dangerous, and every year numerous children and adults are injured as a result of playing with fireworks.
- There is a very high degree of fire danger from fireworks, especially during the dry brush season.

- Fireworks of any kind (including the “Safe and Sane” variety) are illegal within the City of Los Angeles, and law enforcement will enforce appropriate laws.

Community members who wish to observe fireworks displays are encouraged to attend one of the many professional shows put on throughout the City.

ENFORCEMENT GUIDELINES

There are several levels of enforcement that are available to officers in regard to fireworks management. Officers may consider one or more of the following legal avenues:

- Section 57.55.01 Los Angeles Municipal Code: It is illegal for any person to use, give, possess, sell, or discharge any fireworks within the City limits. This section is generally utilized for individuals with a small amount of fireworks possessed for personal or family use. Adults may be issued a Release from Custody (RFC) citation for this violation. Juveniles may be cited utilizing a Personal Service Citation.
- Section 12677 Health and Safety Code: It is a misdemeanor for any person to possess dangerous fireworks without a permit. This section is used for persons in possession of larger amounts of fireworks, including M-80 type devices, and fireworks that are obviously not for personal use. Officers should be able to articulate that the materials are not for personal use, as well as the fact the possessor does not have a permit (i.e. is not engaged in legal sales in another jurisdiction where it is permitted). Violations of 12677 Health and Safety Code should be handled by physical arrest; not RFC or citation.

The items listed below are **EXTREMELY DANGEROUS**. The Bomb Squad, Emergency Services Division, shall be contacted for advice prior to transporting the below-listed items.

- **Any fireworks that appear to be modified, improvised or homemade.**
- **Any fireworks that may be deteriorated or leaking powder.**

NOTE: M-80 type devices shall only be transported or stored by members of the Bomb Squad. When officers encounter M-80 type devices, immediately notify the Bomb Squad.

If there are any questions related to firework seizures, transportation and storage, immediately contact the Bomb Squad, Emergency Services Division. Prior to providing booking approval for any firework or explosive-related arrests, watch commanders shall seek advice from Criminal Conspiracy Section personnel.

Officers are reminded to employ discretion based on circumstance(s), i.e., heavy call load and observation of a fireworks usage in a neighborhood (street level) with many participants and onlookers. The level of enforcement could constitute seizure of the fireworks and the issuance of a receipt for property taken into custody.

HANDLING AND BOOKING OF FIREWORKS

If the fireworks appear to be modified, improvised, homemade, deteriorating, or leaking powder then approval for transportation shall be obtained from on-duty or on-call Bomb Squad personnel. Area personnel may transport seized items and store them in the temporary location until they are picked up by Bomb Squad personnel. The expedited procedures listed below have been developed by the Bomb Squad to be utilized during the operational period.

REQUIRED REPORTS FOR CONFISCATED FIREWORKS

- 1) A complete RFC with the suspect's thumbprint and photograph, if not in possession of identification. Include the officers' observations as to what they observed, heard and/or smelled. No evidence DR number is necessary during this operation period **only**.
- 2) Take a clear photograph of the fireworks.
- 3) Complete a detailed Property Receipt (LAPD Form 10.10.00), including brand names, size and quantity.
- 4) Citing/arresting officers shall add their opinion that the items seized/booked are in fact fireworks. The opinion must be based on and supported by factual information.
- 5) Juveniles may be cited utilizing a Personnel Service Citation (LAPD Form 70-04.50.0) for the appropriate Los Angeles Municipal Code Section per existing Department policy.

FIREWORKS STORAGE

- Fireworks may be temporarily stored at your Area in a van or other vehicle of similar size. This vehicle should be parked in the shade and away from the gas pumps.
- Fireworks should be stored in separate pre-labeled cardboard boxes (Safe & Sane, Dangerous Fireworks, Snap Caps).
- **Do not stack boxes on top of each other. Fireworks are extremely sensitive to heat, shock, friction and pressure.**
- **Any snap caps seized must be packaged and stored away from all other fireworks. These items can start a fire with the slightest pressure.**
- Do not tape the boxes shut. The Bomb Squad will have to examine the contents prior to transportation and destruction.

ADDITIONAL

At various times throughout the operational period, Bomb Squad personnel will respond to Area stations and pick up any temporarily stored fireworks. Should your fireworks storage vehicle become full, please notify Bomb Squad personnel for a pick up. They may be contacted Monday through Friday from 0600 hours to 1600 hours at (323) 342-4200.

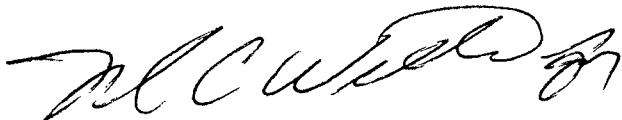
Any off hours or weekend notification should be made via Real-Time Analysis and Critical Response Division at (213) 484-6700.

Any large firework seizures, such as a U-Haul truck or a garage filled with fireworks, shall be a Bomb Squad call-out in conjunction with Criminal Conspiracy Section.

As in prior years, Bomb Squad personnel will provide roll call training to patrol personnel in the weeks leading up to the Fourth of July holiday period. The lesson plan includes actions officers should take and procedures for booking fireworks and other explosives.

If you have any questions regarding this Notice, please contact Sergeant Marco Lozano, Counter-Terrorism and Special Operations Bureau, at (213) 486-8780.

APPROVED:



MICHAEL P. DOWNING, Deputy Chief
Commanding Officer
Counter-Terrorism and Special Operations Bureau



STEPHEN R. JACOBS, Deputy Chief
Chief of Staff
Office of the Chief of Police

DISTRIBUTION "B"