

COUNTER-TERRORISM AND SPECIAL OPERATIONS BUREAU

NOTICE

April 24, 2015

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TO: All Concerned Personnel

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

SUBJECT: AERIAL PLATFORM SHOOTING PROCEDURES- ESTABLISHED

PURPOSE

The purpose of this Notice is to establish deployment procedures for the Aerial Platform Shooting (APS) tactic utilized by Special Weapons and Tactics (SWAT) personnel but facilitated through Air Support Division (ASD) equipment and personnel.

BACKGROUND

The genesis for developing APS capabilities in the City of Los Angeles began with an incident that shook New Orleans on December 31, 1972. Mark Essex had shot nineteen people, including ten police officers, with a .44 magnum carbine rifle. Numerous tragic incidents since then have further cemented a need for the Department in maintaining and supporting APS capabilities.

PROCEDURES

Safety concerns for the flight crew and onboard SWAT officers, as well as the general public, shall be paramount to any APS mission. Considerations for APS should be based on extreme officer-safety concerns or a significant threat of death or great bodily injury requiring immediate action, but conventional means in addressing it would likely be ineffective, impractical, or delayed. Factors to consider APS may include, but are not limited to:

- Type of crime or violence involved;
- Number of suspects or potential victims;
- Superior weaponry or presence of body armor;
- Elevated platform, challenging venue, or unsafe approach;
- Over watch required; and/or,
- Vehicle interdiction.

The following protocol has been established to ensure proper oversight and accountability measures are in place. For a spontaneous or planned deployment:

- Once the SWAT Officer in Charge (OIC) or Assistant OIC receives information that an impending SWAT deployment could require APS, he/she shall brief the Commanding Officer, Metropolitan Division, or designee.
- The Metro Commanding Officer shall then brief the CTSOB Commanding Officer or designee and receive concurrence that APS could be a necessary and viable tactic. The CTSOB Commanding Officer or designee shall have the final authority to approve or deny APS prior to deployment.
- The CTSOB Commanding Officer shall then brief the ASD Commanding Officer or designee as soon as practicable.
- Prior to introducing APS into an incident (deployment), the on-scene Incident Commander shall be briefed on the nuances associated with this tactic and approve its use toward the resolution of a particular incident.

Once the APS tactic has been approved, ASD will deploy sufficient available resources to efficiently assist SWAT personnel with their mission. As the tempo of a situation and time permits, ASD will consider deployment of the following assets:

- ASD liaison officer at the Command Post to assist the Incident Commander and SWAT OIC;
- Airship equipped with downlink capabilities;
- Dedicated Command and Control airship;
- Imbedded SWAT supervisor, or designee, who is conversant with APS; and,
- Secondary onboard SWAT officer airship.

NOTE: Placement of the Tyler Special Operations Platform on an airship(s), commencing defueling, and assigning a dedicated onboard SWAT officer at a designated landing zone near a crisis is not considered deployment but rather staging for possible APS. The ASD watch commander shall be notified as soon as practicable that staging should commence.

When feasible, a SWAT supervisor or designee who is conversant with APS will be onboard the command and control airship to provide real-time information to the incoming crew(s) and Command Post. The command and control airship should be in a position and altitude to safely monitor the incident, while being able to relay the following information:

- Situation update;
- Suspect(s) description and location;
- Type of weaponry;
- Criminal or deadly behavior; and,
- Any other information deemed crucial.

NOTE: Rapidly unfolding situations, limited airspace, or an incident that draws multiple airships from local media outlets may necessitate the on-scene patrol airship filling this vital role without a SWAT supervisor onboard.

The pilot of the primary onboard SWAT officer airship will have final authority over the flight direction and tactic, which may include: straight-in, pop-up, orbit, over watch, or aborting the mission based on his/her assessment and expertise with safety being paramount.

USE OF FORCE GUIDELINES

The Department's Use of Force Policy shall remain the standard regardless of the type of incident. Authorization for APS is not considered pre-approved deadly force. APS is simply the means by which deadly force could be introduced into a scenario just as placing an onboard SWAT officer on a rooftop or transporting a cover officer in an armored vehicle's hatch. Ultimately, the onboard SWAT officers will be held accountable for their actions and decision to use deadly force based on radio traffic, vital information from the command and control airship, personal observations, and objective reasonableness (i.e. Graham v. Connor, 1989). Once APS deployment has been approved and onboard SWAT officers are inbound, the decision to use deadly force remains with the individual onboard SWAT officer.

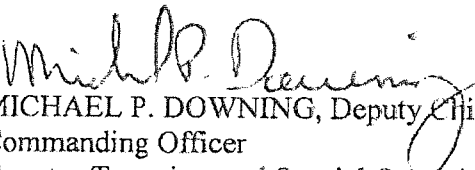
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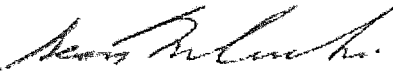
Only onboard SWAT officers and ASD pilots who have trained in APS shall be deployable. Joint live-fire training with ASD personnel should be scheduled and occur bimonthly, but occasionally will be cancelled due to deployment needs or SWAT incidents. An acceptable level shall be once a month. Scenario-based training with simmunition gear in urban settings such as high-rises, roof tops, and vehicle interdiction capabilities should occur biannually.

NOTE: If an onboard SWAT officer has not participated in live-fire APS training within a two-month period, he shall be deemed non-deployable with this particular tactic.

Any questions regarding this Notice may be directed to the Commanding Officer, Metropolitan Division, at (213) 833-3715.

APPROVED:


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DISTRIBUTION "B"