OFFICE OF THE CHIEF OF POLICE

NOTICE
1.11

April 21, 2021

TO: All Department Personnel

FROM: Chief of Police

SUBJECT: USE OF LESS-LETHAL LAUNCHERS DURING DEMONSTRATIONS

The purpose of this Notice is to inform personnel about the impact of a temporary restraining order related to the use of 37mm and 40mm less-lethal launchers, which was partially granted on April 19, 2021. The order identifies a number of restrictions, some of which are consistent with existing Department protocols while others are more restrictive.

The following requirements are **effective immediately** in public demonstrations or crowd control situations:

- An immediate moratorium on the use of the 37mm less-lethal launcher;
- Any officer using a 40mm less-lethal launcher in a public demonstration must have successfully completed Department training;
- Officers may use a 40mm less-lethal launcher only on persons who pose a threat of **serious bodily harm** to others, including law enforcement;
- Unless an officer or another individual is being attacked by a person who poses a threat of serious bodily harm, a 40mm can only be used during a public demonstration after **ALL** of the following have occurred:
    - an unlawful assembly has been declared;
    - an order to disperse has been given; a reasonable opportunity to comply with the order to disperse has elapsed; and
    - a person poses a threat of serious bodily harm to others, including law enforcement.
- The 40mm less-lethal launcher must not be used to target the head, neck, face, eyes, or spine of a person; and,
- The optimal range for the 40mm less-lethal launcher is between 5 and 110 feet. Additionally, the **minimum deployment range is 5 feet**.

Additionally, officers are reminded that the recommended deployment range for the Bean Bag Shotgun is 5 to 30 feet. As with the 40mm, it must not be used to target the head, neck, face, eyes, or spine of a person.

Officers should, to the extent possible, on BWV, **articulate the circumstances** of the use of the 40mm and Bean Bag less-lethal munitions in accordance with Department guidelines, including identifying the target, the reasons for the deployment of the less lethal munitions and the range.

Watch Commanders shall ensure this Notice is read at all roll calls for seven consecutive days.

If you have any questions, please contact the Office of the Chief of Staff at (213) 486-8740.

MICHEL R. MOORE
Chief of Police

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