

**CA POST PERISHABLE SKILLS PROGRAM (PSP)
LOS ANGELES POLICE DEPARTMENT
FIREARMS (PSP)-MOD I (POLICY AND LEGAL REVIEW)
COURSE CONTROL NUMBER 1850-29399
Expanded Course Outline (ECO)**

Instructional Goal: To develop advanced combat/survival shooting techniques that are consistent with Department policy and legal issues regarding the use of deadly force and making force options decisions.

Performance Objectives: Using group discussions, learning activities, and testing, the student will:

- ❑ Review Department policy and legal issues in the use of deadly force
- ❑ Discuss all force options available to an officer in a tactical situation
- ❑ Demonstrate an understanding of how our Department's guiding value of Reverence for Human Life is the moral and ethical foundation of de-escalation, tactics, reasonable force, and officer safety
- ❑ Moral Obligations
- ❑ By the conclusion of the training, students will understand how the application of this training is in keeping with our department's UOF policy, philosophy, and tactical planning

References: Instructors, facilitators and training supervisors shall ensure that the most current references are utilized

This course provides updated legislative content of Penal Code Section 835a.”

Distance Learning Delivery Methodology: Using a small group of 30-50 students lead by 1-2 instructors, students will participate in the following:

- The training can be presented live in a traditional classroom setting
- Live Webinars - A synchronously facilitated training that is delivered via the internet. It is considered an instructor-led course for the purposes of certification through EDI.
- A live webinar may be certified for CPT credit if the curriculum and instructor information is submitted in EDI in compliance with Regulation 1052. Additionally, presenters must advise the following:

A. Method in which trainee attendance and course completion is verified:

Students will pre-register and log onto the Allogy instructional portal during scheduled instruction.

B. Online registration - access code: Coordinated by Training Division

C. Audio or text (chat area) interaction: The Allogy portal will allow for real time interaction and break out groups of 4-5 monitored by lead instructor.

D. Video transmission of trainee (e.g., Skype, Facetime, Zoom): Allogy portal

E. Method in which trainee interaction with the instructor for questions or exercises occurs: Audio or text (chat area) interaction

F. Video transmission of trainee (e.g., Skype, Facetime, Zoom): Allogy portal

G. Method in which instructor evaluates trainee performance and verifies the learning took place: Individual written test at the end and group brief backs

H. Assessment activity (test or submitted written assignment): 10 questions online test with 80% passing requirement

I. Taped Webinars: Parts of the brief backs and presentation can be recorded for reach-back and future usage.

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I. COURSE OVERVIEW

(120 min)

A. Introduction & Course Overview

1. Instructor (s)
 - a. Name, Assignment
 - b. Experience
 - c. Distribute POST roster

2. Brief overview of the training schedule
 - a. Summary of Hour 1
 - 1) Course Overview and Safety Guidelines
 - 2) Firearms Safety Rules
 - 3) Sequence of Marksmanship
 - b. Summary of Hour 2
 - 1) Use of Force Case Studies
 - 2) Force options

3. Overview Safety Plan: Illness and Injury Prevention Program (IIPP) **(PSP I c)**
 - a. Distribute and discuss safety guidelines handout
 - b. IIPP safety guidelines apply to all training given by the Department. These guidelines ensure that staff and participants are aware of potentially hazardous situations and how to avoid them.
 - c. All personnel should be instructed that a copy of the IIPP is located in the training supervisor's office at that particular training site.
 - d. Anyone participating in the training, whether student, observer, or instructor, has the authority to "STOP" the exercise if they observe an unsafe act or condition that may cause imminent injury or death and/or damage to the facilities.
 - e. Protective eyewear and ear protection (American National Standards Institute (ANSI) approved) shall be worn if blanks or live-fire rounds are used during a practical application or during any demonstration using the same.

 - f. Students shall immediately notify an instructor(s) or the training staff of any injury sustained during training, and use the following steps in the event of a serious injury **(PSP I c)**
 - 1) Render first aid and obtain appropriate medical assistance. Notify the Fire Department rescue ambulance (213-485-6185) via telephone, cellular phone, or police radio. Give specific directions to the location of the incident.
 - 2) In case of a serious injury, all IIPP notifications and protocol shall be followed.
 - 3) At each training location, there is a notebook located in the training unit's office also containing the emergency plan that is in place.

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- 4) The supervisor will ensure that the necessary worker compensation forms (PDAS-43) and other reports (Employee Notification Form 15.7) are completed in a timely manner.
- 5) Transport to the local hospital for a minor injury

B. *GROUP DISCUSSION:* The Four Basic Firearm Safety Rules

Purpose: To review the Four Basic Safety Rules by causing the student to think about and consider their importance and application on the range as well as in the field.

Procedures: Large group discussion **(PSP I c)**

1. Conduct an open discussion that will cause the student to review and think about the importance of the Four Basic Firearm Safety Rules
 - a. All guns are always loaded.
 - b. Never allow the muzzle to cover anything you are not willing to shoot.
 - c. Keep your finger off the trigger until your sights are aligned on the target and you intend to shoot.
 - d. Be sure of your target
2. Point out that these rules apply to tactical situations and exercises such as unintentionally covering of an officer, building searches and car stops
3. Consider asking the class questions about the application of the Four Basic Firearms Safety Rules and solicit their responses. Use the following examples or some of your own.
 - a. Which of the Four Basic Firearm Safety Rules:
 - do you think is the most important one and why?
 - is most violated on the range the most and why?
 - is most violated in the field the most and why?
 - is most violated in the home the most and why?
 - b. Reinforce that the range safety rules apply at home and in the field as well

C. *GROUP DISCUSSION:* Sequence of Marksmanship **(PSP I d)**

Purpose: Review the three elements of marksmanship in sequence as a mental checklist and a requirement to reliably, accurately and quickly fire the semi-auto pistol

Procedures: Conduct an open discussion, addressing the key points related to the proper sequence of marksmanship: Grip, Trigger finger placement, Sight picture. Advise students that these skills will be incorporated in the slow fire drills

1. Grip – two aspects or components

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- a. The proper placement of both hands on the pistol
 - b. The amount of tension or pressure applied by the hands to the handgun
 - 1) Low-ready grip tension (40-50%)
 - 2) Firing grip tension (80-90%)
 - 3) Must acquire the proper grip tension on the pistol before firing and must maintain a consistent grip tension while firing
 - 4) A proper firing grip tension will promote the following:
 - Proper pistol functioning and reliability
 - Reduced group size on the target
 - Faster follow-up shots
2. Trigger Finger Placement
- a. The trigger finger must be placed properly on the trigger
 - b. The trigger finger should be placed on the trigger immediately after the decision to fire has been made and the gun has initiated its movement onto the target
3. Sight Picture¹
- a. Properly aligned sights must be placed on the part of the target you intend to shoot
 - 1) Front sight centered into rear aperture with equal distance on both sides of the front sight and level across the top
 - 2) With eye focus being placed on the front sight
 - b. Once a flash sight picture has been obtained, then the handgun can be accurately discharged
4. Stance
5. Breathing
6. Follow-through
7. Sight alignment

D. LEARNING ACTIVITY: Use of Force Policy Case Studies **(117e)**

Purpose: Revisit basic training in the area of use of force considerations, policy, legal issues, moral and ethical dilemmas to include De-Escalation and Reverence for Human Life.

Procedures: Small group activity **(PSP I b)**

1. Break students into small groups
2. **DISTRIBUTE:** Watch one of the videos on a laptop
 - a. **Southeast Area Officer Involved Shooting – 10-14-20**
(<https://www.youtube.com/watch?v=J-PvN4V9NIQ>) – 19:08 min
 - b. **Van Nuys Area Law Enforcement Related Injury – 09-23-20**
(https://www.youtube.com/watch?v=v_ZfkM7Jjzw) – 11:54 min
 - c. **Rampart Area Officer Involved Shooting – 07-16-19**
(<https://www.youtube.com/watch?v=2dAplsUppak>) – 16:50 min
 - d. **Mission Area In Custody Death – 08-14-20**

¹ 2001 LAPD Handgun Instructor Training School ECO

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- e. <https://www.youtube.com/watch?v=EudpweCQqL8> – 32:50 min
Van Nuys Area Officer Involved Shooting – 06-16-18
 - f. <https://www.youtube.com/watch?v=BrBoIWNnbhU> – 9:27 min
Central Area Officer Involved Shooting – 05-30-20
 - g. https://www.youtube.com/watch?v=xY7J-g_izn8 – 5:40 min
Devonshire Area Officer Involved Shooting – 11-01-20
 - h. <https://www.youtube.com/watch?v=BYk1JkUnl-k&t=7s> – 18:47 min
Wilshire Area Law Enforcement Related Injury – 05-30-20
 - <https://www.youtube.com/watch?v=sRAnY5B5HkU> – 8:01 min
3. Ask each group to discuss the following:
- a. What tactical concerns should the officers have as they respond to the area?
 - b. What force options are available?
 - c. What LAPD policy requirements should be considered?
 - d. What De-Escalation techniques were used?
 - e. What Tactical Communications concerns? – Officer to Officer/Suspect/Citizen/Victim
 - f. What Officer Safety concerns?
 - g. What Communications Elements?
4. **DISTRIBUTE:** Directive No. 1, Use of Force Policy-Revised; Directive No. 16, Tactical De-Escalation Techniques
5. Advise the groups to utilize the directives during the activity and to analyze the situation and prepare to report findings.
- Articulate the actions/behavior of the individual in the situation
 - Articulate the actions/behavior of an officer in the situation
6. As the groups are discussing the question, draw three columns on the white board or flip chart and title as follows:
- Policy Issues
 - Use of Force Options
 - Tactical Issues/De-Escalation²
7. Instructor should monitor the groups during the activity making notes of any concerns to incorporate in the debrief if not brought out by the groups
8. Debrief each case study and write the responses in the appropriate column

The following information can be used to debrief both case studies. Ensure that the case study specific information is listed on the white board during the specific debrief. When writing the students' responses on the board, paraphrase the key points and list them under the appropriate column

Ensure that the following points are covered in large group discussion:

- a. Tactical considerations

² LAPD Use of Force-Tactics Directive No. 16, Tactical De-Escalation Techniques, October 2016

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- 1) 4 C's of tactics
 - a) Containment
 - b) Control
 - c) Communication
 - d) Coordinate
 - 2) Edged Weapons
 - a) Distance + Cover = Time to make a decision
 - b) Time allows for the possibility to utilize less lethal options
 - c) Knives do have the capability to cause serious bodily injury or death
 - d) Knives often constitute a deadly force situation
 - 3) Other reasons for non-compliance by the individuals **(117c)**
 - a) Language barriers
 - b) Disabilities
 - 4) Critical points **(112)**
 - When communicating with individuals always be aware of cover, concealment and distance
 - Distance from the threat equates to time to react to the threat
 - The goal of the use of force is to gain control of the individual
 - Consideration should be given to the possibility that the officers may encounter persons with mental illness or persons displaying symptoms of mental illness and who may be incapable of understanding commands and are non-responsive
 - Failure to follow police directions during an episode is most likely not a deliberate act of defiance
 - Emphasis should be placed on the need to attempt to de-escalate situations involving persons with mental illness when the opportunity presents itself. This, in no way, implies that officers should not utilize force to protect themselves or others when reasonable.
- b. Policy/Legal Issues **(117e)** **(PSP I h)**
- 1) Drawing of the firearm³
 - a) Based on the tactical situation and the officer's reasonable belief that the situation may escalate to the point where deadly force may be justified
 - b) Once the risk no longer presents itself the officer shall, as soon as practical, holster or secure the firearm
 - 2) Using Force⁴
 - a) Law enforcement officers are authorized to use deadly force to:
 - (1) Protect themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury; or,

³ LAPD Manual-1/556.80, Drawing and Exhibiting Firearms

⁴ LAPD Department Manual Section 1/556.10, Policy on the Use of Force

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- (2) Prevent a crime where the subject's actions place person(s) in imminent jeopardy of death or serious bodily injury; or
- (3) Prevent the escape of a violent fleeing felon when there is probable cause to believe the escape will pose a significant threat of death or serious bodily injury to the officer or others if apprehension is delayed. In this circumstance, officers shall, to the extent practical, avoid using deadly force that might subject innocent bystanders or hostages to possible death or injury.

b) It is the policy of this Department that personnel may use only that force which is "objectively reasonable" to:

- (1) Defend themselves;
- (2) Defend others;
- (3) Effect an arrest or detention;
- (4) Prevent escape; or,
- (5) Overcome resistance.

Facts known to the officer at the time of the incident

- Justification for the use of deadly force must be limited to what reasonably appear to be the facts known or perceived by the officer at the time the decision to shoot is made
- Graham vs. Connor Court Decision – "Objective Reasonableness"

3) Youthful offenders

- a) Age is not a legal consideration
- b) The Department has always utilized extreme caution with respect to the use of deadly force against youthful offenders
- c) Nothing in the use of force policy is intended to reduce the degree of care required in such cases

4) Tactical De-Escalation Techniques

- a) Planning
- b) Assessment
- c) Time
- d) Redeployment and or Containment
- e) Other Resources
- f) Lines of Communication

c. Force Options (117e) **(PSP I i)**

Use of force incidents are fluid and ever changing. Officers should use any of the options or combinations listed below in order to gain control of the situation

A. Deployment of Less Lethal Weapons

1. Assembly Bill 48 – Penal Code 13652

- a. Less-Lethal munitions are categorized as kinetic energy projectiles and chemical agents
- b. All officers utilizing any of these weapons must be trained according to POST policy and procedure. Those not trained and certified shall not be assigned to utilize less lethal

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Expanded Course Outline (ECO)**

- c. Deployed only to defend against a threat to life or serious bodily injury to any individual, including a peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control
- 2. Less-lethal munitions deployment situations/criteria
 - a. De-Escalation efforts have failed
 - b. Multiple announcements given announcing intent to use Kinetic energy Projectiles or Chemical Agents
 - c. Given time to leave and disperse
 - d. Effort to remove persons involved in violent acts
 - e. Not deployed indiscriminately into crowd
 - f. Deployment only proportional to the threat and objectively reasonable
 - g. Minimize impact on medical personnel, journalists, and unintended targets
 - h. Attempt efforts to extract person in distress
 - i. Promptly request medical assistance or provide medical aid when it is reasonable and safe to do so
 - j. Not aimed at head, neck, or vital organs
 - k. Not deployed solely for violation of curfew, verbal threats, or non-compliance with law enforcement directives
 - 1) Oleoresin Capsicum (OC)⁵
 - a) Oleoresin capsicum may be used in the following situations:
 - (1) To control a suspect
 - (2) To control a specific suspect (target specific in a crowd control situation)
 - (3) On a crowd (non-target specific) during a crowd control incident when approved by a commander or above
 - b) OC primarily affects the eyes, the respiratory system and the skin.
 - c) The ideal range for OC is 3-12 feet
 - d) Advantages
 - e) Disadvantages
 - 2) Electronic Control Device (TASER)⁶
 - a) The TASER may be used on suspects who are violent, or who pose an immediate threat to themselves or others, when an officer reasonably believes:
 - (1) Attempts to subdue the suspect with other tactics have been, or will likely be ineffective in the situation; or
 - (2) It will be unsafe for officers to approach within contact range of the suspect.
 - b) Causes Neuro-muscular Incapacitation (NMI) which is an involuntary stimulation of both the sensory and motor nerves
 - c) Effective from 0-21 or 25 feet depending on cartridge used; Optimal Range is 7-15 feet
 - d) Advantages
 - e) Disadvantages
 - 3) Beanbag Shotgun⁷

⁵ LAPD Use of Force-Tactics Directive, Oleoresin Capsicum,

⁶ LAPD Use of Force-Tactics Directive, Electronic Control Device TASER

⁷ LAPD Use of Force Directive, Beanbag Shotgun

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- a) The sock round is an impact munition that may be deployed on suspects who are violent or pose a threat to themselves or others, when an officer believes:
 - (1) Attempts to subdue the suspect with other tactics have been, or will likely be ineffective in the situation; or
 - (2) It will be unsafe for officers to approach within contact range of the suspect.
 - b) Super-sock rounds are designed to be non-penetrating, and upon striking a target distribute energy over a broad surface area.
 - c) No minimum range, but recommended deployment is from 5-45 feet
 - d) Advantages
 - e) Disadvantages
- d. Moral/Ethical Dilemmas **(117f)** **(PSP I j)**
- Expected Responses:
- 1) Shoot or no shoot situation
 - 2) Youthful offenders
 - 3) Consequences of not using lethal force
 - 4) Public perception
 - 5) Police/peer perception
 - 6) Family's perception
 - 8) "Suicide by Cop"
 - 9) Subject uses the officer as an instrument of the suicide
 - 10) Mental illness is not a criminal offense
 - 11) Consequences of using lethal force on someone who is hurting themselves
 - 12) What identifies an ethical dilemma
 - Right vs. Right?
 - Driven by Values and Principles
 - Complexity of issues
 - Realities and pressures
 - More than one right option
 - Facing a difficult situation where two apparent right courses of action are possible and making a conscious decision to take the course of action that points to the highest value.