

LOS ANGELES POLICE DEPARTMENT
Pedestrian Stops/Weapons
4Hr PSP
Expanded Course Outline
1850-22418

Instructional Goal: Review the concept of contact, cover, the responsibilities of each and the tactical considerations that need to be examined before, during, and after pedestrian stops **Understand the legalities involved in conducting a Pedestrian stop as they relate to the 4th and 14th amendment. Apply effective communication skills during and after a Pedestrian stop. The Departments guiding value when using force shall be reverence for human life. Our mandate is to do so with honor and integrity while at all times conducting ourselves with the highest ethical standards to maintain public confidence. Additionally, how de-escalation techniques can effectively assist in achieving Department mandates ¹**

Performance Objectives: Using lecturette, learning activities and practical application the students will:

- Understand their responsibilities when either acting as the contact or cover officer
- Be aware of the tactical considerations confronted by officers before, during, and after pedestrian stops
- Apply effective communication Before, During and After a Pedestrian Stop
- Understand the legal requirements for consensual encounters and lawful detentions
- Articulate justification for police actions to include consideration of 4th and 14th Amendments
- Be able to safely conduct pedestrian stops on one or more suspects while either acting as the contact or cover officer
- The students will better understand how the application of this training is in keeping with our Department's UOF policy, philosophy, and tactical planning.*
- The Departments guiding value when using force shall be reverence for human life
- Understand the use of Tactical De-escalation Techniques and utilize P.A.T.R.O.L*

This Course complies with the legislative content and mandates of PC 835a

I. PEDESTRIAN STOPS OVERVIEW

0800-0830 (30 Min)

A. Introduction

1. Instructors(s)

- a. Name and assignment
- b. Experience
- c. Contact number for Divisional coordinator
- d. Distribute POST-Certified Course Roster

2. Brief overview of training goals and objectives

- a. Tactical consideration before, during and after pedestrian stops

¹ Los Angeles Department Manual 1 st Quarter 1/130.25, 1/556.10

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- b. Understand the importance of effective communication ²
- c. Understand the legalities of a pedestrian stop as they relate to 4th and 14th amendment

B. ICE BREAKER: Danger of Pedestrian Stops (optional)

Procedures: Large group activity

- 1. **ASK:** the class if any of them have been involved in an incident were a basic pedestrian stop escalated to a use of force
 - a. Have a volunteer summarize the incident (key points only)
 - b. If no one in the class volunteers, summarize an incident that the instructor has knowledge of, to summarize the importance of tactical considerations
- 2. Debrief the activity by addressing and reinforcing the importance of planning, communication, assessment, approach and flexibility
 - a. Planning³
 - 1) Contact, Cover Officer Concept
 - 2) Articulate the justification for the Pedestrian Stop
 - b. Communication
 - 1) Between you and your partner
 - 2) Radio
 - a) Your location
 - b) Update or request other resources
 - c. Assessment
 - 1) Additional information from person reporting
 - 2) Other observation from officers
 - d. Approach
 - 1) Safe location
 - a) Consider lightning (environmental factors)
 - b) Consider:
 - (1) Known gang area
 - (2) High public traffic
 - (3) Special location...etc.
 - e. Flexibility⁴
 - 1) Continue assessing tactical options
 - 2) Tactically re-deploy to a better position of advantage

II. CONTACT AND COVER REVIEW

0830-0900 (30 Min)

A. Facilitated Discussion: Contact and Cover Lecture

² Los Angeles Police Department Use of Force -Tactics Directive No. 16, Tactical De-escalation Techniques

³ Los Angeles Police Department Use of Force -Tactics Directive No. 16, Tactical De-escalation Techniques

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Procedures: Large group activity

1. Briefly overview the key points related to pedestrian stops
 - a. Ensure to point out issues specific to the audience, i.e.
 - 1) Tenured patrol officers
 - a) Compliancy
 - b) Deviation from Department basic tactics
 - 2) Detectives
 - a) Lack of uniform visibility
 - b) May not have all additional equipment
 - (1) Police vehicle not fully equipped
 - (2) Not equipped with duty police belt
 - (3) Possibly not identifiable as an Officer
 - 3) Plain clothes officers/detectives
 - a) Lack of uniform visibility
 - b) Possibly not identifiable as an Officer (as Undercover Officer)
 - c) May not have all equipment needed
 - (1) Police vehicle not fully equipped
 - (2) Not equipped with duty police belt
 - b. This overview is to ensure consistency in terminology and not to address every nuance of a pedestrian stop
 - c. Each point will be thoroughly addressed during the learning activities and practical application of pedestrian stops
 - d. This information is consistent with recruit officers instruction and is provided in totality as a resource to clarify current training
2. Contact officer
 - a. Generally, the contact officer initiates action
 - b. Responsible for conducting the “business of the contact”
 - c. Records necessary suspect or incident information, performs searches, recovers evidence, writes traffic or misdemeanor citations and handles radio communications
 - d. The contact officer should not rely solely on the cover officer for protection or suspect security. However, protection, security and communication are the cover officer’s primary function

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3. Cover officer
 - a. Generally, the cover officer is responsible for communication, surveillance and control of all suspects, both to neutralize the possibility of assault, escape or destruction of evidence and to allow the contact officer to perform a thorough investigation
 - b. Discourages hostile acts, assaults or escape by devoting attention to security
 - c. In certain circumstances, the cover officer may be required to intervene with appropriate force to protect the contact officer if a suspect reacts aggressively
 - d. Responsible for surveillance of the surrounding area
 - e. The cover officer should not be required to recover evidence, search suspects, or engage in unnecessary conversation with either suspects or bystanders
 - f. If the cover officer observes anything of possible evidentiary value, such as an object dropped by a suspect
 - 1) Generally, the cover officer should not retrieve it
 - 2) Cover Officer should secure object
 - 3) Follow protocol on evidence collection
 - 4) Advise the contact officer
 - 5) At any time, roles can reverse

4. Designation of contact v. cover **(117c)**
 - a. In some situations, the officer's may be required to switch roles to meet the needs of the specific encounter
 - b. For example, the gender of the suspect requires that an officer of the same gender conduct a search
 - c. A matter of expertise exists
 - 1) Special expertise
 - 2) Language barriers
 - 3) Prior contacts
 - d. During such exchanges, the officer assuming the role of cover officer should be in position and fully prepared to respond to any sudden action by the suspect(s) before the original cover officer begins interacting with the suspect, relinquishes that duty

5. Additional units at the location

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- a. Some major crime scenes, or disturbances involving several suspects may require the need for multiple contact or cover officers
 - b. If the officers initiating the contact determine the need for additional officers to effectively conduct the pedestrian stop, the request should be made through communications division. The requesting officer should ensure that the accurate priority level is requested
 - 1) Request additional unit/ resources (s)
 - 2) Back-up
 - 3) Help
 - 4) When two or more suspects must be separated, and other witnesses individually questioned, or when a potentially hostile crowd may interfere, additional should be requested
 - c. Either the primary officers or supervisors should assign additional duties as appropriate
 - d. Assignments should be absolutely clear and as specific as the situation permits
 - e. Additional personnel, whether responding to an additional unit request, or simply stopping at the scene, should automatically contact primary unit (if possible) to determine the priority needs for the situation
6. Single officer patrol units L- Cars
- a. In most L- Car instances, the initiating officer is determined to be the contact officer and should always consider requesting an additional unit to act as cover officer
 - b. Units responding to such a request should automatically assume the role of cover officer
 - c. Contact officer should relay pertinent information to the responding units
 - d. Generally, L-Cars should not be the primary response to a high-risk call
7. Communication
- a. Upon arrival the primary should advise communications Division of their location (as soon as practicable)
 - b. The contact officer should advise additional units
 - 1) The reason for the contact and suspected criminal activity

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- 2) Observations made, or evidence obtained
 - 3) The contact officer's directions
 - 4) Any previous knowledge of the suspect(s) and/or an appraisal of their potential for violence
- c. The primary unit will advise of other suspicious persons or activity in the area
 - d. Before transferring suspect to another unit whether or not a search for weapons has been conducted
- Note: All Officer are responsible for a search of suspects in their custody

8. Positioning

- a. Effective for a cover officer
 - b. Provides a clear and unobstructed view of the suspect(s)
 - c. Optimal peripheral view of the surrounding areas
 - d. Safest possible background behind both the suspect(s), contact officer in the event of gunfire and
 - e. A position controlling the likeliest route of escape
 - f. The cover officer assures control of the suspect(s), and when necessary directs their movements
 - g. Both contact and cover should minimize cross fire and be aware of position of vulnerability
 - h. It is ultimately the responsibility of the both officers to communicate and adjust to any actions might place them in jeopardy
 - i. Maintain a triangular or "L" shaped configuration on the suspect(s) optimizing safety
- a. Searching
 - b. The most hazardous moment of the majority of contacts occurs the "first touch" (contact officer first touch to search for weapons and handcuffing of the suspect).
 - c. Understanding of the roles is very important at this point
 - d. Adjusting their positions accordingly, the contact officer conducts the

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search or cuffing while the cover officer acts as security

- e. If resistance to searching or cuffing occurs, the cover officer should maintain his position as cover officer unless the resistance evolves into a struggle
- f. A struggle ensues the cover officer should react accordingly
- g. In a one-on-one struggle the cover officer should broadcast a help call and immediately assist the contact officer
- h. If a struggle occurs in a situation with multiple suspects
 - 1) Cover officer retains the responsibility for preventing the other suspects from joining the fight
 - 2) The cover officer should broadcast help call or hit help button if practicable and place all other suspects in a position of disadvantage (prone face down) if possible
 - 3) Assist the contact officer in subduing the original suspect as soon as practicable
 - 4) If other suspects are not engaged in altercation officers should immediately assist officer in altercation
 - 5) If the contact officer is unable to control a suspect's physical resistance, the contact officer may elect to break contact, create distance between the officers and the suspect, and consider the appropriate use of force option. By breaking contact both officers may be in a tactical position of advantage to deal with any threat, particularly if the suspect(s) acquire weapons
 - 6) Should a suspect gain control of an officer's weapon, the officer should verbalize that information to all officers and attempt to get out of the line of fire
- i. Release of additional units
- j. Consideration of the release of additional units may be released or detain to go back into service upon the determination of the contact officer after
 - 1) The suspect(s) have been thoroughly searched and the contact completed
 - 2) The suspect(s) have been handcuffed and secured in the back of the police vehicle
 - 3) Incident Commander or Supervisor has determined the is clear

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- k. Circumstances such as hostile bystanders, or the continued presence of the suspect(s) companions, may dictate that the cover officers remain at scene until the contact officer is completely through with the contact

B. *LEARNING ACTIVITY:* Pedestrian Stop – Demonstration

Procedures: Group activity

1. Assemble the students together near the center of the training location
2. The instructors will demonstrate how to conduct a basic pedestrian stop
 - a. 2 officers
 - b. 1 officer
3. Reinforce audience specific information

III. LEGAL CONTACTS WITH THE PUBLIC

0900-0930 (30 Min)

- A. Officers will often need to initiate various contacts with pedestrians observed on their beat. Officers must have knowledge and understanding of the different types of encounters in order to conduct a lawful and safe pedestrian contact **(117e)**

1. Consensual encounters⁵
 - a. Subject(s) are free not to cooperate with the police and may even leave if they choose
 - b. Officers must not restrain or exert any authority over the subject(s)
 - c. Officers may approach individuals in a public area, identify themselves as the police, and in a non-coercive manner, ask a few questions without converting the encounter into a situation that has Fourth Amendment significance
 - d. The subject(s) must *reasonably* feel that they are free to leave
2. Legal detentions⁶
 - a. Officer has a reasonable suspicion, requiring specific and articulable facts
 - b. Unusual activity has occurred, is occurring, or is about to occur

⁵ Los Angeles Police Department, Training Bulletin, Legal Contacts with the Public, Part I Legal Considerations

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- 1) The unusual activity is related to a crime
 - 2) The person detained is associated with the unusual activity
 - 3) The suspect(s) is not free to leave and may be arrested for 148 PC if he or she attempts to do so
- c. A detention may last as long as reasonably necessary for the officer to investigate the reason for the detention. As long as the officer is making progress with the investigation the detention remains reasonable
- d. A thorough search for weapons should be conducted of the suspect(s) at the onset of the officer's investigation if legal justification is present
3. Justification for Frisk/Pat Down Search⁷
- a. A pat search of a detainee is permitted if there is reason to believe the detainee was armed or dangerous
 - b. The following circumstances are particularly relevant:
 - 1) Nature of crime under investigation
 - 2) Detainee on parole or probation
 - 3) Weapons and gang problems
 - 4) Night time and darkness
 - 5) Bulge under clothing
 - 6) Suspicious movements
 - 7) Hostility
 - 8) Nervousness
 - 9) Officers outnumbered
 - 10) Information from informant
4. Scope of the search⁸
- a. An officer who is conducting a pat search for weapons may remove a concealed object from under the detainee's clothing
 - b. Under the following circumstances

⁷ LAPD-Legal Bulletin, Legal Affairs Division Vol 20, Issue 2, Los Angeles Police Department, Legal Bulletin, Legal Affairs Division, Vol 33, Issue 3, Parole and Probation Searches Issues, LD 16 POST work book Search and Seizure, version 4.7

⁸ LAPD-Legal Bulletin, Legal Affairs Division Vol 20, Issue 2, Los Angeles Police Department, Legal Bulletin, Legal Affairs Division, Vol 33, Issue 3, Parole and Probation Searches Issues, LD 16 POST work book Search and Seizure, version 4.7

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- 1) It is believed that the item is a conventional weapon that could be used as an instrument of assault or
- 2) The object felt hard to the and the pat down search did not eliminate the possibility it was a weapon
- 3) Soft object may be removed only if the officer can cite specific facts which reasonably indicated the object was an atypical weapon
- 4) There is probable cause to believe the object was contraband such as illegal drugs
- 5) This determination may be based on how the object felt during the pat down search and any other relevant circumstances

5. Arrest

- a. Probable cause is the standard for a lawful arrest
- b. Probable cause is a set of facts that would cause an officer (or private person) of similar training or experience as the arresting officer to form an “honest and strong” opinion that the person to be arrested has committed a crime
- c. A lawful arrest requires only a Fair Probability that the person committed a crime
- d. Both an Arrest and a Detention should be evaluated based upon the totality of the circumstance

B. 4th Amendment:

(117e)

1. Point out that the 4th Amendment provides that persons, houses, and effects (belongings) shall be secure from **unreasonable** searches and seizures, and requires probable cause for the issuance of warrants ⁹
 - a. Does not give people an absolute right to privacy
 - b. Limits only those searches that are considered unreasonable by the courts
 - c. Is not violated unless a person’s legitimate expectation of privacy is infringed upon
2. Self-Assessment tool:
 - a. S.P.I.C.E. is the acronym used to assist officers in recalling how a person or place may be lawfully searched and items seized, within the scope of the 4th Amendment

⁹ POST Basic Course Workbook LD 15, Laws of Arrest V-4.9

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- b. Every search situation will fall into one of these basic categories except for parole/probation and pat-down frisk searches
- c. There is no murder scene or crime scene exception to a warrantless search
- d. Do I have a
 - 1) **S** -Search Warrant
 - If I don't have a search warrant, do I have?
 - 2) **P** -Plain view (sight, smell or touch), Probation, Parole
 - 3) **I** -Incident to arrest
 - 4) **C** -Consent
 - 5) **E** -Exigent Circumstances
- e. Police action based on Legal Justification
 - 1) The requirement that legal justification be present imposes a limitation on an Officer's action
 - 2) Officers must act reasonably with the limits of their authority
 - 3) This ensures that both the individual and the public are protected
- f. Policy on Prohibiting Biased Policing
 - 1) Discriminatory conduct on the basis of race, color, ethnicity, or national origin (to any extent or degree) in conducting stops or detention or activities following stops or detentions except when it is part of description from a crime report, criminal profile, etc.
 - 2) Stops or detentions must be unbiased and based on reasonable suspicion or probable cause
 - 3) Must be engaged in suspect-specific investigation to identify person or group, where the person or people sought have been described in part by race, color, ethnicity, or national origin
 - 4) Race, color, ethnicity, or national origin may not be given undue weight
 - a) Failure to comply with this policy is a violation of an individual's constitutional rights
 - b) It is counterproductive to professional law enforcement and amounts to biased policing
 - c) Any employee who becomes aware of biased policing or any other violation of this policy shall report it in accordance with established procedures, to a supervisor or directly to Professional Standards Bureau
 - 5) **ASK:** Is it possible for a stop to be legal under the 4th Amendment, but legal under the 4th?
 - a) Yes
 - b) To meet the requirements of the 4th Amendment, there must be articulable facts that point to the reasonable suspicion of a specific individual. To meet the

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requirements of the 14th Amendment, those articulable facts must not be based solely on race, unless race was involved in the crime

- c) Example-Officer initiates a consensual encounter based solely on race, obtain consent to search personal property and seize illegal substance
- 6) **ASK:** What additional information would have to be developed or ascertained to elevate the incident to an arrest
 - a) To be legal, an arrest must be based on probable cause
 - b) A set of facts that would cause an ordinary person to believe that the person arrested is guilty of a crime
 - c) An officer must possess enough factual knowledge or other reliable probability the person committed the crime
- 7) Police Action based on Legal Justification
 - a) What constitutes probable cause varies with each situation
 - b) Different facts may justify whether an officer take action or no action at all

IV. Tactical Considerations related to Pedestrian Stops

0930-1000 (30 Min)

A. Issues to consider prior to conducting the stop

1. All community members have the right to be treated with dignity and respect¹⁰
2. Often a simple explanation as to why the incident occurred can de-escalate the situation ¹¹
3. It is human nature to seek an understanding for “Why?”
4. The person’s appearance
 - a. Does the person generally fit the description broadcasted of a person wanted for a known offense?
 - b. Does the person appear to be suffering from a recent injury or under the influence of alcohol, drugs, or other intoxicants?
5. The person’s actions
 - a. Is the person running away from an actual or possible crime?
 - b. Is the person behaving in a manner indicating possible criminal or aggressive behavior (posturing or “staring down”)?
6. Prior knowledge of the person

¹⁰ Los Angeles Police Department Manual 1st Quarter 1/110 Core Values

¹¹ Los Angeles Police Department Use of Force-Tactics Directive No.16 Tactical De-escalation Techniques P.A.T.R.O.L

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- a. Does the person have an arrest and or conviction record?
 - b. Has the officer had prior contact with the person for any type of offense, serious or otherwise?
 - c. Is the offense similar to the offense that has just occurred, or which is suspected is about to occur?
7. The area where the stop is to be conducted
- a. Is the person near the area of a known offense shortly after it occurred?
 - b. Is the area known for criminal activity (a high crime area)?
 - c. If so is it the kind of activity the person is thought to have committed, be committing, or about to commit?
8. Time of the day
- a. Is it a very late at night?
 - b. Is it unusual for people to be in the area at this particular time?
 - c. Is it the time of day during which particular types of criminal activity like the kind suspected, usually occurs?
9. Back-up
- a. Is there a need for a back-up unit?
 - b. Should the stop be delayed until the back-up officer(s) arrive?
- B. Where to conduct the stop
- 1. Knowledge of the area in order to broadcast the officer's location to communications
 - 2. Finding an area that has the;
 - a. Fewest escape routes for the person to be stopped
 - 1) Intersections
 - 2) alleys
 - b. The least amount of cover available to the suspect and, if possible, additional cover for the officer
 - c. Lighting beneficial to the officers

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- Suspect easily visible to the officers while the officers, if possible, remain in shadows and not readily seen by the suspect
 - d. Avoid places and locations that could pose additional risks to officers
 - 1) known trouble spots
 - 2) bars
 - 3) known gang locations
 - e. Fewest number of bystanders that could be injured or used as hostages

C. Pedestrian Approach tactics

1. Verbal Communication and non-verbal communication (body language) must be congruent
 - a) Use a language interpreter if needed
 - b) Non-congruency leads to lack of trust and erodes credibility
 - c) For example: Officer states "I apologize for the inconvenience"; while he is rolling his eyes, and using a condescending tone
 - d) Demeanor- body language professional
 - 1) Check for implied messages that may send the incorrect message
 - (a) Constantly check watch: bored, rushed, want to leave
 - (b) Hand resting on gun grip: feel threatened, ready to draw
 - 2) Officer behavior may be sent mixed messages to community
2. Every encounter is different, however when closing the encounter aim for a pleasant resolution
 - (a) Maintain your officer safety tactics
 - (b) follow social norms and be polite
3. A Request for information
 - a) If the subject requests your "badge number"
 - 1) Advise them that the Los Angeles Police Department uses serial numbers to identify officer
 - 2) Give them your serial number
 - (a) Give a business card (if available)
 - (b) If citation is issued advise where the information can be found on the citation
 - (c) IF the subject insists on the your "badge number", provide it but advise that the serial number is the better identification number

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4. Audio recording¹²
 - a) All encounters recommended but not required (follow specific protocol)
 - b) Protects all involved
 - 1) Include explanations on recording with subject acknowledging
 - 2) Frequently exonerated an officer accused of misconduct
 - 3) Tape recording is evidence that procedures were followed by
 - (a) Officers
 - (b) Supervisors

5. Digital in Car Video System (DICVS) and Body Worn Video (BWV)– when applicable ¹³
 - a. The deployment of these videos systems enhances the collection of evidence;
 - b. assists officer with completing reports and providing court testimony;
 - a. promotes accountability;
 - b. assists in resolving complaints against officers;
 - c. Provides additional information for officer evaluation, training, and continuous improvement

6. When stopping one or more suspect(s);
 - a. Position officer to maximize safety (using the best available cover)
 - b. Approach the suspect(s) with the best cover available between officer and suspects
 - c. Officer should be at a safe and effective distance from the suspect(s)
 - d. Provide enough room between the officers and suspect(s) in order to allow officers, the time needed to react and gain a position of advantage
 - e. If possible, officer should consider an alternate source of cover (e.g. telephone pole, tree or other structure)
 - f. Positioning the officers to maximize the tactical advantage to both contact and cover while keeping the suspect(s) in view at all times

¹² Los Angeles Police Department Manual 1st quarter, 3/570 Tape recording the Community Contacts

¹³ Office of the Chief of Police, Special Order No.12, Body Worn Video Procedures Established, Los Angeles Police Department Manual 3/579.15 Objective of Body Worn Video 3/579.13 Digital In-Car Video System and Deployment Los Angeles Police Department, Professional Standards Bureau, Notice, Guidelines for Reviews of Body Worn and Digital In-Car Video Recording

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- g. Place the suspect(s) in the open where they are easily visible to both officers
- h. Officers maintain a triangular or “L” shaped configuration on the suspect(s)
- i. Use the standard field interview stance, which requires officers to place the support foot forward and stand at a distance of at least one arm’s length with their weapon side away from the suspect(s).
- j. Watch the hands of all suspect(s)
- k. Keep officers weapon hand free if possible
 - 1. Be aware of surroundings
- l. Avoid “tunnel vision”
- m. Apply contact and cover officer safety tactics

D. Initiating the contact

- 1. Watch for suspicious movements to avoid unexpected attacks
- 2. Use clear and concise commands when speaking to the suspect(s)
 - a. “Move to your right. Stop. Slowly turn around.” Etc.
 - b. Avoid statements such as, “Take two steps to the left or, Put your hands up. Higher. Higher”
- 3. Instruct the suspect(s) to extend their hands above their head, lock out their elbows, and spread their fingers
 - a. This may pull clothing above the waistline and tighter against the body allowing the officer to observe bulges in the clothing indicative of some type of weapon
 - b. Visually scan the suspect(s) from behind, hands to feet
- 4. Instruct the suspect to slowly turn around in a complete circle until they are again facing away from the officers
 - a. Visually scan the suspect(s) for bulges in the clothing indicative of some type of weapon
 - b. Once the suspect(s) has turned completely around, if additional cover

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is available, the officer should consider moving to it

- c. If the suspect(s) should turn on the officers with some form of attack, it will likely be directed at the area where the suspect(s) last observed the officers
5. Direct the suspect(s) to a position of disadvantage
 - a. Facing away from the officers
 - b. Facing a wall, fence or other structure
 - c. Eliminates an avenue of escape
 - d. Spread the suspect's legs to place suspect's off balance
 - e. Have suspect interlock fingers behind their head
 6. Initial contact with the suspect should be made with the suspect's hands behind the head
 7. Once the contact officer has searched the rear waistband area and rear pockets, the officer may elect to have the suspect(s) place his hands, palms together and fingers crossed, behind their back
 - a. Officers should attempt to utilize available cover until the suspect(s) are placed in the position of disadvantage at the time of contact
 - Do not leave cover and approach the suspect(s) then move them to another location
 - b. Approach using contact and cover tactics

V. USE OF FORCE OPTIONS (117e) (PSP 1 I)

1000-1030 (30 Min)

A. Use of Force Standard Overview

*1. Compliant*¹⁴

- a. *Summary of suspects actions*
- b. *Force options available.*
 - 1) *Verbalization*
 - 2) *Police presence*
 - 3) *Firm grip*
 - 4) *Non-Verbal Communication*

2. Resistant

¹⁴ Officer Safety Field Tactics Instructor course 1850-22406, excerpts from Use of Force Overview

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- a. *Summary of suspect's actions.*
 - 1) *Under the Influence of unknown substance*
 - 2) *Hearing Impaired*
 - 3) *Discuss Potential persons with mental illness¹⁵ (117)*

- b. *Force options available*
 - 1) *Verbalization*
 - 2) *C-Grip*
 - 3) *Firm Grip*
 - 4) *Joint locks*
 - 5) *Joint lock walk downs*
 - 6) *Baton assisted joint locks*
 - 7) *In some cases-O/C spray¹⁶*
 - 8) *Additionally, any force available to "Compliant" suspects*

- 3. *Assault or Fleeing*
 - a. *Summary of suspects actions*
 - b. *Force options available*
 - 1) *Impact devices*
 - 2) *Distraction strikes*
 - 3) *TASER*
 - 4) *Beanbag shotgun*
 - 5) *Takedown*
 - 6) *Grappling*
 - 7) *Verbalization*
 - c. *Additionally, any force available to "resistant" suspects*
 - 1) *Not all force options available in all situations*
 - 2) *An officer shall give a verbal warning¹⁷ **when feasible**, in situations which require the use of TASER, Beanbag Shotgun, less lethal munitions or impact device to control an individual*

- B. *Serious Bodily Injury or Life threatening*
 - 1. *Summary of suspect's actions.*
 - 2. *Force option available.*
 - a. *Firearms*
 - b. *Verbalization when appropriate*
 - c. *Additionally, any force available to all other categories*
 - d. *Discuss CRCH vs. firearm*
 - e. *Reiterate SBI definition*
 - 1) *California Penal Code Section 243 (f) (4) defines Serious Bodily Injury as including but not limited to*
 - 2) *Situation that would result in serious bodily injury:*
 - a) *Loss of consciousness,*
 - b) *Concussion,*

¹⁵ Los Angeles Police Department, Training Bulletin Excited Delirium

¹⁶ Los Angeles Police Department Use of Force Tactics Directive No.5.2 Oleoresin Capsicum

¹⁷ PTB Notice 12.2 Human Resources Bureau Notices Regarding Verbal Warning - Rescinded - Giving of a verbal warning has been incorporated into other department training materials and Use of Force-Tactics Directives (see Notice for amendment to actual Language of the court)

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- c) *Bone fracture,*
- d) *Protracted loss or impairment of function of any bodily member or organ,*
- e) *A wound requiring extensive suturing*
- f) *Serious disfigurement¹⁸*

C. Reinforce the key learning points related to Use of Force Standard

1. All alternative force options have been exhausted or impracticable
2. Reverence for human life is the foundation of the Department's Use of Force Policy¹⁹
3. Drawing and exhibiting your weapon: Officers must reasonably believe that the situation could escalate to where deadly force would be justified. Additionally, re-holster when weapon is not needed
4. Clearly articulate the force option(s) that was used and why
5. Articulation of the Use of Force shall be based on the suspect's action, NOT on what type of weapon suspect has
6. Body worn Cameras and Video ²⁰
 - a. All actions will be captured
 - b. And revisited, good, or bad
7. In-car Digital Camera
 - a. All actions will be captured
 - b. And revisited, good, or bad

D. **GROUP DISCUSSION:** Contact and Cover **(117e, f)**

Procedures: In a large group read the situations to the class and discuss the correct response

1. Patrol officers are assigned to a two-man unit working uniformed patrol, they receive a radio call, "415-man possible narcotics activity." At scene, they observe a suspect matching the description of the broadcast standing on the sidewalk. The officers stop their vehicle alongside the suspect and without exiting the vehicle, both officers begin a dialogue with the suspect in an attempt to determine whether a crime has been committed
 - a. Was this the appropriate method for conducting a pedestrian stop and the subsequent investigation?
 - b. Correct response:
 - a. **No.** By stopping their vehicle alongside the suspect, the officers placed themselves at an extreme disadvantage. In addition, proper officer safety tactics demand that the officers exit their vehicle
 - b. The appropriate response by the officers would have been to stop

¹⁸ California Penal Code 243 (f)(4)-Serious Bodily Injury defined

¹⁹ Los Angeles Police Department Manual 1st Quarter 1/130.25 Reverence for Human Life, Special Order No.5, Preamble to the Use of Force Policy

²⁰ ²⁰ Los Angeles Police Department PSB Notice, Guidelines for Reviews of Body Worn and Digital In-Car Video Recordings

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their vehicle at a safe and effective distance from the suspect and immediately exit their vehicle. From this position one officer should act as the contact officer and place the suspect into a position of disadvantage. The officers should then make their approach to the suspect and utilizing the concept of contact and cover, continue their investigation

2. Patrol officers assigned to a two-man unit working uniformed patrol observe four possible gang members engaging in what appears to be a dice game of "craps". The officers immediately stop their vehicle a safe and effective distance away, immediately exit and direct the suspects to a position of disadvantage. The officers then approach the suspects, who are lined up facing away from the officers, and each officer begins to search a suspect at either end of the group. After completing their search of the first two suspects, they search the remaining two suspects. The officers then each begin completing field interview cards on the suspects and complete the investigation
 - c. Did the officers take the appropriate action?
 - d. Correct Response:
 - 1) **No.** The officers initially started to conduct the stop appropriately, but after placing the suspects into a position of disadvantage the officers failed to use contact and cover tactics during the remainder of the stop
 - b. As the officers approached the suspects, one officer acting as the cover officer should have taken a position where he could watch surrounding area and keep an eye on the contact officer as he searches each individual suspect
 - c. The roles of contact and cover may be reversed as long as it is done safely with one officer acting as the cover officer at all times and the officers are communicating
3. Patrol officers working a two-man uniformed patrol unit are on patrol when they observe two possible vandalism suspects standing next to a wall that appears to have freshly painted graffiti scrawled across its surface. The officers also observe a spray paint can lying on the ground at the suspects feet. Both suspects are standing next to the wall facing the officers with their hands inside their pockets. The driver officer immediately stops the vehicle at a safe and effective distance and in such a way as to afford both officers cover. The passenger exits and orders the suspects to face away from the officers. The passenger officer then directs the suspects to remove their hands from their pockets and then places them into a proper position of disadvantage. The officers approach the suspects on foot. At this time the driver officer approaches the first suspect and begins to search while the passenger officer moves to a position where he is afforded a view of the surrounding area and the suspects. The driver officer completes a thorough

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search of both suspects and completes a thorough investigation of the incident

- e. Did the officers handle the stop correctly?
- f. Correct Response:
 - 1) **Yes.** As the officers, believing that a crime had just occurred, decided to investigate, the driver positioned the vehicle correctly to maximize available cover for both officers. The passenger then quickly exited the vehicle and took charge of the suspects before they could react. The passenger officer was correct in having the suspects face away from the officers before having them remove their hands from their pockets. The passenger officer placed both suspects into positions of disadvantage before the officers made their approach to the suspects
 - 2) By using proper contact and cover techniques, the officers were able to conduct a safe and effective pedestrian stop on the two suspects. Although the passenger officer initially started as the contact officer by instructing the suspects, he safely transitioned over to the cover officer as the two officers approached the suspects. The driver officer, after assuming the role of the contact officer, completed a thorough search of both suspects before conducting the remainder of the investigation

VI. FIREARM OVERVIEW

1030-1100 (30 Min)

A. *LEARNING ACTIVITY:* Safety Guidelines Overview

Procedures: Small group activity

- 1. Assemble the students together near the center of the training location
- 2. Overview the safety plan **(PSP 1 c)**
 - a. Safety guidelines apply to all training given by the Department. These guidelines insure that staff and participants are aware of potential hazardous situations and how to avoid it
 - b. **DISTRIBUTE** and discuss safety guidelines handout
 - c. 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
 - d. 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
 - e. Students shall immediately notify an instructor, or the training staff of any injury sustained during training, and use the following steps in the event of a serious injury
 - 1) Render first aid and obtain appropriate medical assistance

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- 2) Notify the Fire Department rescue ambulance (213-485-6185).
Give specific direction to the training location
- 3) In case of a serious injury, all IIPP notifications and protocols
hall be followed
- 4) At each training location, there is a notebook located in the
training unit's office also containing the emergency plan that is
in place.
- 5) The supervisor will ensure that the necessary worker
compensation forms and reports are completed in a timely
manner
- 6) Transport to the local hospital for a minor injury

B. GROUP DISCUSSION: The Four Basic Firearm Safety Rules **(10 Min)**

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. 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 a handgun

Procedures: Conduct an open discussion, addressing the key points related to
the proper sequence of marksmanship: Grip, Trigger finger
placement, Sight picture

1. Grip – two aspects or components
 - 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:
 - a) Proper pistol functioning and reliability
 - b) Reduced group size on the target
 - c) Faster follow-up shots
2. Trigger finger placement

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- 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 picture²¹
 - 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
 - c. It is imperative that one knows the weapon's workings and how to clear it (**PSP 1f**)

VII. PRACTICAL APPLICATION – PEDESTRIAN STOP (PSP I b)

1100-1200 (60 Min)

A. LEARNING ACTIVITY: Pedestrian Stop Demonstration

1. Prior to conducting the demonstration reinforce the importance of following the safety guidelines that were distributed and overviewed prior to the first demonstration
2. Two instructors will work as partners and conduct a pedestrian of a "415 man at the gas station"
3. One instructor will act as the suspect and stand in front of the gas station in situation simulation (sit sim) village or similar type training venue.
4. The two instructor officers will demonstrate the proper method of conducting a pedestrian stop
 - a. Park vehicle at a safe and effective distance
 - b. Proper use of the contact and cover concept
 - c. Placement of the suspect in a position of disadvantage
 - d. Approach and complete a thorough search of the suspect
 - e. Conduct a proper investigation including completion of a field interview card and warrant check
 - f. If the pedestrian stop does not result in an arrest the students should follow the public contact procedure

B. PRACTICAL APPLICATION: Pedestrian Stop – Drills

Purpose: Provide students the opportunity to apply the knowledge, skills and training they have received in the pedestrian stops in a controlled setting

Procedures: Small group activity

²¹ Los Angeles Police Department Handgun Instructor Training School Manual

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1. Safety Officer wearing a clearly marked Orange or Yellow Vest (or Specifically Marked) will monitor the scenario area
2. Safety Check: NO LIVE WEAPONS, OC or ELECTRONIC WEAPONS
 - a. Instructors will conduct a safety check to ensure students do not have
 - 1) Live weapons
 - 2) Live ammo
 - b. Safety Officer will conduct an Inspection of the Scenario site to ensure no there are no live weapons
 - c. Signs will be clearly posted that Scenario Training is being conducted and no one except those training instructor and students involved are allowed in the scenario training area
3. Officers shall adhere to current safety protocol
 - a. The drills should build in difficulty throughout the training block
 - b. This is meant as a low-key, coach the students through their mistakes and demonstrate appropriate behavior when necessary
 - c. This should be a positive learning experience for all involved
 - d. As a facilitator, your goal is to determine from the students input what worked, what didn't and if they are able to process what they have learned and be able to apply in a real time setting
 - e. This block is more SHOW than tell limit the lecturing and show them what to do, facilitation
 - f. Pair students up as partner officers and conduct different types of pedestrian stops.
 - g. Students should have the opportunity to act as both contact and cover officer during the scenarios
 - h. Listed below are the scenarios
 - i. Select several scenarios from basic and have the students work through the assigned scenario
 - j. Once the instructor is confident that the students can successfully complete the basic scenarios, continue the drills using the enrichment scenarios
 - k. Scenario Drill Sequence begins Scenario Force on Force
 - l. Logistics
 - 1) Equipment needed
 - a) Patrol vehicle
 - (a) Van/suburban

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- (b) Radios one for each unit and one for each instructor
 - (c) Orange handle inert guns
 - (d) Inert O/C canisters
- 2) Simunition Equipment
- a) Personal Protective devices
 - b) Simunition weapons
4. Basic Scenario #1”
- 1) Students receive a radio call, “415 man loitering at the gas station, refusing to leave
 - 2) An instructor posing, as the suspect, will stand outside the gas station in sit sim village or similar training site
 - 3) Students will drive black and white police vehicle to suspect’s location and deploy on suspect as taught during lecture
 - 4) Facilitate a discussion addressing the debrief points
 - a) Reinforce the importance of conducting legally and tactically sound pedestrian stops
 - b) Park vehicle at a safe and effective distance
 - c) Proper use of the contact and cover concept
 - d) Placement of the suspect in a position of disadvantage
 - e) Approach and complete a thorough search of the suspect
 - f) Conduct a proper investigation including completion of a field interview card and warrant check
 - g) Ask the students to articulate what was the authority for the stop and the search
 - h) If the pedestrian stop does not result in an arrest the students should follow the public contact procedure
5. Scenario #2
- 1) Students receive a radio call, “Possible narcotics suspect standing in front of the 7-11”
 - 2) An instructor posing, as the suspect, will stand outside the 7-11 in sit sim village or similar training site
 - 3) Students will drive black and white police vehicle to suspects location and deploy on suspect as taught during lecture
 - 4) Facilitate a discussion addressing the debrief points
 - a) Reinforce the importance of conducting legally and tactically sound pedestrian stops

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- b) Park vehicle at a safe and effective distance
- c) Proper use of the contact and cover concept
- d) Placement of the suspect in a position of disadvantage
- e) Approach and complete a thorough search of the suspect
- f) Conduct a proper investigation including completion of a field interview card and warrant check
- g) Warrant check should return as a "Code-6 Charles"
- h) Ask the students to articulate what was the authority for the stop and the search
- h) Students should place suspect under arrest and transport suspect back to the station

6. Scenario #3

- m. Students receive a radio call, "Vandalism suspect there now. Suspects are two males possibly spray painting the walls at the warehouse"
- n. Two instructors posing as possible suspects will stand to side of the warehouse in sit sim village or similar training site
- o. Students will drive black and white police vehicle to suspects location and deploy on suspect as taught during lecture
- p. Facilitate a discussion addressing the debrief points
 - a) Reinforce the importance of conducting legally and tactically sound pedestrian stops
 - b) Park vehicle at a safe and effective distance
 - c) Proper use of the contact and cover concept
 - d) Placement of the suspect in a position of disadvantage
 - e) Approach and complete a thorough search of the suspect
 - f) Conduct a proper investigation including completion of a field interview card and warrant check
 - g) Ask the students to articulate what was the authority for the stop and the search
 - h) If the pedestrian stop does not result in an arrest the students should follow the public contact procedure

7. Scenario #4

- a. Contact person is a male at the park. He is talking to the ducks and yelling at people to "leave my ducks alone. God put these special ducks here to bring peace to earth." The man is swishing the air with a small stick not threatening others. When he looks in the officer's direction he becomes quiet and non-responsive to the officers orders
- b. Facilitate a discussion addressing the debrief points

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- a) Reinforce the importance of conducting legally and tactically sound pedestrian stops
- b) Proper planning and communications²²
- c) Proper observations and approach
- d) Flexibility: In this scenario if handled appropriately officers should use communication skills to de-escalate²³the situation and discover that the man forgot to take his medication for mental illness, obtain a residence address and prepare to transport to location
- e) Emphasis should be placed on the fact that persons with mental illness may be incapable of understanding commands therefore, patience and time are on the officers side. If officers rush a situation, there is a greater chance of increasing the possibility for a use of force to occur
- f) Ask the students to articulate what was the authority for the stop and the search

8. Scenario #5

- 1) Officers are called to the scene of a “man down”. Officers arrive and observe a male lying on the ground who appears to be a sleeping transient. As they call out to him, he is non-responsive and does not appear to wake
- 2) If officers tap the man’s foot or other body parts, the man jumps up quickly and appears fearful and disoriented. He pulls a metal nail file from his waistband and holds it in front of him. He tells the officers to get away. He makes no indication that he recognizes the two as police officers
- 3) Facilitate a discussion addressing the debrief points
 - a) Reinforce the importance of conducting legally and tactically sound pedestrian stops
 - b) Proper planning and communications²⁴
 - c) Proper observations and approach
 - d) Flexibility: In this scenario if handled appropriately officers should use communication skills to de-escalate the situation, get the subject to drop the nail file without

²² Los Angeles Police Department, Use of Force-Tactics Directive No. 16 Tactical De-Escalation Techniques P.A.T.R.O.L

²³ Los Angeles Police Department, Use of Force-Tactics Directive No. 16 Tactical De-Escalation Techniques

²⁴ Los Angeles Police Department, Use of Force-Tactics Directive No. 16 Tactical De-Escalation Techniques P.A.T.R.O.L

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using force, and discover that the man ran out of his medication he takes for his mental illness. No crime has occurred, and they should identify a location / Mission to transport subject to

- e) Emphasis: Should be placed on the fact that persons with mental illness may be incapable of understanding commands therefore, patience and time are on the officers side
- f) If students respond with force, ask the students to articulate why they chose the level of force

9. **Debrief:** The following questions as a debrief of the scenarios

- a. What tactical concerns should the officers have as they respond to the area?
- b. Where does the situation fall within the Department Use of Force Standard? And what options are available?
- d. What are the moral obligations and ethical dilemmas in this situation?
- e. Facilitate a discussion addressing the Debrief Points
 - 1) Reinforce the importance of conducting legally and tactically sound pedestrian stops
 - 2) Proper planning and communications²⁵
 - a) Proper observations and approach
 - b) Utilize contact/cover Office Concept
 - c) Utilize cover and concealment effectively
 - d) Use of Force option was the level of force appropriate with the suspects actions

(117f)(PSP 1 j)

- f. **DISTRIBUTE:** Use of Force Policy ²⁶
- g. Advise the groups to utilize the handout during the activity and to analyze the situation and prepare to report findings
 - 1) Articulate the actions / behavior of the individual in the situation

²⁵ Los Angeles Police Department, Use of Force-Tactics Directive No. 16 Tactical De-Escalation Techniques P.A.T.R.O.L

²⁶ Los Angeles Police Department, Use of Force-Tactics Directive No. 1, Use of Force Policy Revised, Special order No.5, Preamble to the Use of Force Policy, Directive No.16 De-Escalation Techniques

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- 2) Articulate the actions/behavior of an officer in the situation
- 3) Upon completion of the scenario, remind participants that it is equally important for them to know:
 - a) Proper and safe weapon manipulation
 - b) Marksmanship and target acquisition when shooting
(PSP 1 e)
 - c) Proper decision making when shooting

(117e) (PSP I h)

h. Policy/Legal Issues

- 1) Drawing of the firearm²⁷
 - 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 force **(117e)**

- a) Officers are authorized to use deadly force²⁸when it reasonably appears necessary to:
 - (1) Protect themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury; or
 - (2) Prevent a crime where the suspect'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

²⁷ Los Angeles Police Department 1st Quarter Manual-1/556.80, Drawing and Exhibiting Firearms

²⁸ Los Angeles Police Department 1st Quarter Manual-1/556.40, The Use of Deadly Force

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b) Officers are authorized to use force²⁹ when reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to

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

c) The student should use their own judgment to determine when to reload and what type of reload to utilize during the drill in order to keep their pistol loaded and capable of reacting to the next threat

(PSP I a)

d) Facts known to the officer at the time of the incident³⁰

e) 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

f) Graham vs. Connor Court Decision – “Objective Reasonableness”³¹

3) Youthful offenders³²

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

C. CLOSING: Reinforce the key learning points

1. Importance of having a clear understanding of the responsibility of cover and contact Officers
2. Identify and react appropriately to tactical considerations before during and after pedestrian stops

²⁹ Calif. Penal Code 835(a) Use of Force to effect arrest, prevent escape, or overcome resistance

³⁰ Los Angeles Police Department Manual-1/556.10 Policy on the Use of Force

³¹ Graham v. Connor, 490 US 386, 394-95 (1989) City of Lancaster, 883 SW2d

³² Los Angeles Police Department, Use of Force-Tactics Directive No. 1, Use of Force Policy Revised

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3. Clear understanding of the legal requirements for consensual encounters, detentions and pat down searches will enhance an officer ability to perform their job to the highest standard
4. Officers should have possessed a clear understanding of the legal requirement for pedestrian stops and must be able to articulate it.
5. Officers must be able to articulate justification for police actions based on the U.S. Constitution 4th and 14 Amendments.
6. *Deviation from these basic concepts sometimes occurs due to the fluid and rapidly evolving nature of law enforcement encounters and the environment in which they occur*
7. *Deviations may range from minor, typically procedural or technical, to substantial deviations from Department tactical training*
8. *Any deviations are to be explained by the involved officer(s), and justification for substantial deviation from Department tactical training shall be articulated and must meet the objectively reasonable standard of the Department's Use of Force Policy*
9. *The Department's guiding value when using force shall be reverence for human life.*
10. *Officers shall attempt to control an incident by using time, distance, communication, and available resources in an effort to de-escalate the situation, whenever it is safe and reasonable to do so.*
11. *Recognize that members of Law enforcement derive their authority from the public and therefore must be ever mindful that are only guardians, but also servants to the public.*