

LOS ANGELES POLICE DEPARTMENT
FOOT PURSUITS OVERVIEW 1850-21123
Expanded Course Outline
1850-21123

Instructional Goal: To provide the student an opportunity to review and apply issues related to foot pursuit, including tactics, communications, firearms, use of force, and perimeters.

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

- ❑ Work as a team to develop a plan for engaging in foot pursuits, including risk assessment
- ❑ Identify and develop a flexible tactical approach to the foot pursuit situation
- ❑ Participate in a foot pursuit and apprehend the suspect
- ❑ Articulate the suspects behavior and articulate the force option chosen
- ❑ The student will 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.

I. FOOT PURSUIT OVERVIEW

(10 mins)

- A. Introduction
 - 1. Instructor
 - 2. Brief overview of training schedule
- B. Introduction to tactical exercise
 - 1. Trainings goal - to provide officers practical experience in foot pursuits and the reporting of use of force incidents
 - 2. Training Benefits - refresh perishable skills and develop new skill in the articulation of the force option chosen.
- C. Safety Guidelines Overview
 - 1. Illness and Injury Prevention Program (IIPP)
 - a. Distribute and discuss safety guidelines.
 - b. These guidelines ensure that staff and participants are aware of potentially hazardous situations and how to avoid them.
 - c. Everyone is a safety officer and can stop the training at anytime an unsafe situation is observed.
 - d. Eye and ear protection shall be worn during live fire training.
 - e. Students shall notify an instructor or training supervisor if an injury occurs.
 - 2. Practical Application portion
 - a. No live weapon or ammunition in the training area
 - b. No less lethal tools
 - c. No batons
 - d. Inert training weapons shall be used

NOTE: Students participating in scenario training shall be required to be on full duty status.

- 3. Conduct a pre-training inspection to ensure proper clothing and equipment.
- 4. A safety check for weapons and of training props used in scenario training shall be conducted prior to training and following any break in training, or when students or role players have been allowed to leave the training site.
- 5. Have students warm up prior to physical scenarios.
- 6. Inspect the training area for safety hazards and post training staff appropriately in the area.

D. *ICEBREAKER:* In a Large group discuss some key points:

- 1. Key Points to consider during a foot pursuit.

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- a. Contact and Cover
- b. Apprehension or Containment Mode
- c. Communications
- d. Setting up the perimeter
- e. Generalized safety concerns
2. Seek a student volunteer to talk about a foot pursuit they had.
 - a. Have the student explain the incident.
 - b. Have the student identify the key lesson learning from the incident
3. Distribute: High-Risk Physiological Response to Field Situations Handout
 - a. Review Handout
 - b. Reinforce key learning points

II. FOOT PURSUIT PRACTICAL EXERCISE

(50 mins)

A. Group Exercise

1. Foot pursuits are dangerous in nature and officers need to control the instinct to chase.
2. Physical and mental preparedness are essential to maintaining a tactical advantage during a foot pursuit and limiting the potential for injury.
3. Constant assessment during a foot pursuit will allow officers to adjust tactical plans when appropriate.
4. Facilitator instructions:
 - a. Scenario overview: (do not advise students of the outcome)

Foot Pursuit / Use of Force

Two officers responding to a radio call of a "459 there now." As the officers approach the call location, a suspect will walk out from between the buildings carrying a bag of property. A foot pursuit occurs on a pre-designated course and the officers will chase the suspect on foot to the termination point in the backyard of a residence. A reportable use of force could occur based on student performance.

- b. Reinforce the safety guidelines and ensure that all involved parties have the necessary safety equipment
- c. Utilize training techniques to facilitate growth and understanding for students and instructors.
5. Gather the students in a stand-by location where they can obtain the necessary equipment to participate in the scenario
6. Designate partnerships for the scenario and allow the team time to plan their response to the scenario
7. Role Player instructions:
 - a. Suspect: As the officers approach the call location, walk out from between the buildings carrying a bag of property. Look in the officer's direction, throw the bag down and run on the pre-designated course. Run at a pace that will encourage the officers to chase you. Once you enter the back-yard turn and take on a combative stance. Branch your actions accordingly in relation to the officer's actions or in-actions.
 - b. Safety Officer: The safety officer is responsible to monitor the scenario for over all safety and be in a position to stop the actions prior to any physical contact occurs.
 - c. Instructor: Facilitate a debrief of the scenario and complete any associated paperwork if applicable.

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B. Debrief:

1. Instructor will facilitate a debrief of the scenario.
 - a. Call response
 - 1) Deployment
 - 2) Tactical Communications (code 6)
 - 3) Legal Justification
 - a) Discuss reasonable suspicion vs probable cause **(117c,e)**
 - b) Discuss how mere flight plays into the above legal standards and court rulings on such actions.¹
 - c) Discuss relation to the Fourth and Fourteenth Amendments
 - 4) Contact/cover
 - a) If adhered to, comment as such
 - (1) If a deviation occurred seek articulation to justify.
 - b. Foot pursuit- initiation
 - 1) Assessment and balancing of the risk vs reward of the foot pursuit.
 - a) Students should note suspect, public, and officer safety.²
 - 2) The rapidly changing nature of these encounters require that officers develop a flexible tactical approach to each pursuit situation
 - a) Have a plan
 - b) Plans should include³
 - (1) Actions they would take if a fellow officer is wounded and suspect flees on foot
 - (2) Coordination of who will transmit radio traffic
 - (3) Appropriate use of or escalation of force
 - 3) Communication
 - a) Radio broadcast⁴ (secondary officer's responsibility)
 - (1) What sort of information should be included
 - (2) What is the intent of this information
 - b) Partners-
 - (1) Tactical Communication between partners
 - (2) Your partner may not have seen what you saw
 - c. Actions During foot pursuit.
 - 1) Debrief on going tactical communication
 - 2) Debrief the path taken by the officers in relation to the suspect
 - 3) Debrief decision to continue or stop if suspect visual lost
 - d. Termination
 - 1) Debrief possible occurrences at the termination
 - a) Suspect submits to arrest
 - b) Suspect resists
 - c) Officers loose suspect
 - e. Perimeters
 - 1) Purpose of a perimeter⁵
 - a) The four C's

¹ POST workbook LD 22 Patrol Techniques, Foot Pursuits

² LAPD Directive, Foot Pursuit Concepts

³ POST Workbook LD 22-Patrol Techniques-Foot Pursuits

⁴ LAPD Directive, Foot Pursuit Concepts

⁵ LAPD Directive, Foot Pursuit Concepts

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III. USE OF FORCE POLICY^{6 7 8}

(30 min)

- A. Use of Force by Law Enforcement
 - 1) UOF by officers is a matter of critical importance and concern
 - 2) Some individuals will not comply with the law unless compelled to do so
 - 3) Law enforcement derives authority from the public
 - 4) Every attempt should be made to de-escalate situations
 - 5) Criteria
- B. California Penal Code section 835(a)⁹ As set forth below, it is the intent of the Legislature that peace officers use deadly force only when necessary in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer.
 - 1) The totality of the circumstances
 - 2) That individuals with physical, mental health, developmental, or intellectual disabilities are significantly more likely to experience greater levels of physical force during police interactions, as their disability may affect their ability to understand or comply with commands from peace officers. It is estimated that individuals with disabilities are involved in between one-third and one-half of all fatal encounters with law enforcement.
 - 3) Totality of the circumstances, that such force is necessary
 - 4) Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to;
 - 1) Effect the arrest
 - 2) Prevent escape
 - 3) Overcome resistance
 - 4) Only reasonable force may be used
 - 5) You must have reasonable suspicion to believe that the person to be arrested has committed a public offense
- C. Reverence for Human Life
 - 1) The guiding principle for our Use of Force (UOF) policy
 - 2) The Los Angeles Police Department is guided by the principle of Reverence for Human Life in all investigative, enforcement, and other contacts between officers and members of the public
- D. Fair and Unbiased Policing
 - 1) Officers shall carry out their duties, including UOF, fairly and without bias
 - 2) Discriminatory conduct of any kind is prohibited
 - 3) Failure to follow through on this principle has negative effects
 - 4) Procedural justice
- E. Inappropriate uses of force
 - 1) Violates constitutional policing principles
 - 2) Degrades the confidence of the community we serve
 - 3) Exposes the Department and fellow Officers to legal, physical, and personal hazards
- F. Objective Reasonable Standard¹⁰
 - 1) Factors used to determine reasonableness
 - 2) Evaluation standard(s)
 - 3) No 20/20 hindsight

⁶ California Penal Code Section 835a

⁷ Department Manual Section 1/556.10, Policy on the Use of Force

⁸ Department Manual Section 1/556.10, Policy on the Use of Force

⁹ California Penal Code Section 835a

¹⁰ *Graham v. Connor* 490 U.S. 386 (1989)

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- G. Appropriate Level of Force / Proportionality
 - 1) Actions should not be more severe than is reasonably necessary
 - 2) Only use levels of force that are reasonably believed to be proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance
 - 3) The guiding value when using force shall be reverence for human life.
 - 4) De-Escalation
- H. Requirement to Report / Intercede in Excessive Force Situations
 - 1) Shall report perceptions of excessive force
 - 2) Shall intercede when present and observing another officer using force that is clearly beyond that which is reasonably necessary
 - 3) Observing officers must consider that other officers may have additional information regarding the threat posed by a subject
- H. Drawing or Exhibiting Firearms
 - 1. Officers shall not draw or exhibit a firearm unless the circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm.
 - 2. When an officer has determined that the use of deadly force is not necessary, the officer shall, as soon as practicable, secure or holster the firearm
 - 3. Any intentional pointing of a firearm at a person by an officer shall be reported
 - 4. Unnecessarily or prematurely drawing or exhibiting a firearm limits an officer's alternatives in controlling a situation, creates unnecessary anxiety on the part of citizens, and may result in an unwarranted or accidental discharge of the firearm.
- I. Use of deadly force by law enforcement officers:
 - 1. It is the policy of this Department that officers shall use deadly force upon another person only when the officer reasonably believes, based on the totality of circumstances, that such force is necessary for either of the following reasons:
 - a. To Defend against and imminent threat of death of serious bodily injury to the officer or another person (or)
 - b. To apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.
 - 2. Define serious bodily injury
 - 3. Reverence for Human life
- J. Determining if Deadly Force Was Necessary¹¹
 - 1) Polices and legal issues
 - 2) Necessity of using deadly force
 - 3) In determining whether deadly force is necessary, officers shall evaluate each situation considering the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible. Before discharging a firearm, officers shall consider their surroundings and potential risks to bystanders to the extent reasonable under the circumstances.
- K. Rendering Aid / Reverence for Human Life
 - 1) After any use of force officers shall immediately request a rescue ambulance for any injured person
 - 2) Officers shall promptly provide basic and emergency medical assistance to all members of the community based on the extent of their training/experience in First-Aid/CPR/AED, the level of available equipment and the totality of the tactical situation
- L. Warning Shots
 - 1) Reverence for Human Life
 - 2) "To prevent taking a life, by not taking a life . . . "

¹¹ California Penal Code Section 835a

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- 3) Exceptional circumstances
- 4) Locations/direction of fire
- 5) Minimize the risk of injury to innocent persons, ricochet dangers and property damage

M. Shooting At / From A Moving Vehicle

- 1) Immediate threat of death or SBI to officers or others by means other than the vehicle
- 2) Shall move out of vehicle's path instead of discharging a firearm
- 3) Likelihood of a bullet stopping a moving vehicle
- 4) Firearms shall not be discharged from a moving vehicle, except in exigent circumstances and consistent with the department's deadly force policy
- 5) Accuracy when shooting from a moving vehicle

N. Learning Activity: Facilitated Table Top Discussion (117e)

Procedures: Large group Activity:

1. Review Reverence for Human Life
2. Ask: Is the LAPD Shooting Policy more restrictive than the Penal Code?
3. Review and discuss history and legal precedent(s)
4. Review references
 - a. Objective reasonableness^{12 13}
 - b. Tactical De-escalation¹⁴
 - c. Determining if Deadly Force is Necessary¹⁵
5. Command and Control¹⁶
6. Consequences of using force
7. Discuss: Should an officer's decision to draw or exhibit a firearm be based on the tactical situation and the officer's reasonable belief that it may be necessary to use the firearm? ¹⁷
8. Discuss: Is an officer justified to use deadly force to protect property interests?
9. Discuss: May an officer fire at a violent fleeing felon even if the officer has doubts that the suspect is in fact the person wanted for life endangering crime(s)?
10. Discuss: Is justification for the use of deadly force limited to what reasonably appears to be the facts known or perceived by an officer at the time the officer decides to shoot?
 - a. Policy¹⁸
 - b. Objective Reasonableness¹⁹
 - c. Necessity of Deadly Force²⁰
 - d. Assessment²¹
11. Discuss: Could an officer use deadly force to effect the arrest of a person who has committed a misdemeanor, if there are no other means to apprehend the suspect?
12. Discuss: Is firing at a moving vehicle to disable it generally prohibited?
13. Discuss: Could Officers sometimes use deadly force to protect themselves from assaults that are obviously unlikely to have serious results?

¹² Department Manual Section 1/556.10, Policy on the Use of Force

¹³ *Graham v. Connor* 490 U.S. 386 (1989)

¹⁴ LAPD Use of Force -Tactics Directive, Tactical De-escalation Techniques

¹⁵ California Penal Code Section 835a

¹⁶ Training Bulletin, Volume XLVII Issue 4, Command and Control, July 2018

¹⁷ Department Manual Section 1/556.80, Drawing or Exhibiting Firearms

¹⁸ Department Manual Section 1/556.10, Policy on the Use of Force

¹⁹ *Graham v. Connor* 490 U.S. 386 (1989)

²⁰ California Penal Code Section 835a

²¹ LAPD Use of Force -Tactics Directive, Tactical De-escalation Techniques

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14. Discuss: Are there circumstances that would allow an officer to shoot a juvenile?
15. Discuss: In General, can warning shots be fired?²²
16. Discuss: When should Officers use deadly force?
17. Discuss: What is the Department's guiding principle when using force?
18. Summarize training regarding stopping the threat
19. Immediate Defense Of Life (IDOL)
20. Background, Age, Last resort, Knowledge, Seriousness of the Crime (BALKS)
- O. Other Deadly Force Issues
 1. Suicidal Subjects
 2. Furtive movement(s)
 3. Penal Code 835(a) and tactical redeployment^{23 24}
 4. Cover Fire; definition and application
- P. Group Discussion: Use of Force Standards **(117e)**
 1. Verbal Warnings
 2. Suspect's actions and force options available
 3. Reverence for human life is the guiding principle when developing tactics and strategies in pursuit of our motto: "To Protect and to Serve"
 4. Discuss unsafe to approach
 5. Size and stature
 6. Vulnerable Populations
 7. What is known at the time of the use of force
 8. Criteria for use of applicable weapon systems
 9. Minimum Use of Force²⁵
 10. Available cover and type of weapon as factors in determining how close you can get to a suspect.
 11. Tactical De-Escalation techniques and their application
- Q. Less Lethal Force Options and Intermediate Force
 1. Case law
 2. Department policy
- R. Analyzing case law; key legal factors
 1. Offense- seriousness of the crime (violent/ non-violent)
 2. Flight- fled, fleeing or likely to flee
 3. Resistance- active resistance/ passive resistance
 4. Threat- seriousness of the physical threat and immediacy
- S. Use of Less-Lethal Force
 1. Definitions
 2. Occasions for use
- T. Less-Lethal Force articulation
 1. Specific physical threat or
 2. The immediacy of that threat
 3. Describe the suspect's actions and behaviors in detail
- U. Verbal Warning
 1. Given when feasible
 2. Case law
 3. Commands
 4. Stating possible consequences of failure to comply with lawful commands
 5. Documentation of verbal warnings

²² Department Manual Section 1/556.10, Policy on the Use of Force

²³ California Penal Code Section 835a

²⁴ LAPD Use of Force -Tactics Directive, Tactical De-escalation Techniques

²⁵ Department Manual Section 1/115, Management Principles

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6. Circumstances when warnings are not feasible
- V. Current Less Lethal Tools
1. OC Spray²⁶
 2. Electronic Control Device (Taser)²⁷
 3. Beanbag Shotgun²⁸
 4. 40mm Less Lethal Launcher²⁹
 5. Impact Device^{30 31}
- W. Reinforce the key learning points related to the Use of Deadly Force
1. Reverence for Human Life
 2. All alternative force options have been exhausted or are unfeasible
 3. Necessity
 4. Drawing or exhibiting firearms
 5. Articulation of the force option(s) that were used
 6. Vehicle considerations
 7. Warning shots
 8. Rendering aid
- X. Closing
1. Review of day one
 2. Opportunity for questions

IV. DEBRIEF

(20 min)

- A. Once each team has had an opportunity to become involved in the foot pursuit and use of force, debrief the entire exercise
- B. Ensure to clarify any issues the students may still have on tactics for conducting a foot pursuit

V. CLOSING

(10 min)

Reinforce the key learning points

- A. Foot pursuits are inherently dangerous, and require officers to think, rather than blindly succumb to the natural urge to give chase
- B. Officer must be physically and mentally prepared to apprehend a fleeing suspect. Maintain perishable skills, i.e. defensive tactics
- C. Communicate with your partner and have a flexible tactical approach to foot pursuit situations

²⁶ Use of Force-Tactics Directive, Oleoresin Capsicum

²⁷ Use of Force-Tactics Directive , Electronic Control Device

²⁸ Use of Force-Tactics Directive, Beanbag Shotgun

²⁹ Use of Force-Tactics Directive, 40mm Less Lethal Launcher

³⁰ Use of Force-Tactics Directive , Strikes and Kicks

³¹ Use of Force-Tactics Directive, Baton