

LOS ANGELES POLICE DEPARTMENT
Less Lethal Weapons
(Less Lethal Application in Complex Crowd Environments)
1850-30995
Expanded Course Outline

Instructional Goal: Provide the student the opportunity to review policies, procedures, and laws related to less lethal deployment, and to provide certification and proficiency in advanced less-lethal deployment skills during complex crowd control environments.

Performance Objectives: Using lecturette, discussions, learning activities and practical applications the student will:

- Understand the Department's policies on use of force and tactical de-escalation
- Understand and apply related policies, procedures and laws related to less-lethal deployment to during crowd control situations
- Understand direct impact launcher and dispersal launcher systems, specifications and munitions
- Effectively deploy less-lethal target specific and dispersal munitions while moving and from various angles
- Demonstrate proficiency in less lethal deployment during complex crowd control incidents
- Identify certain suspects within a complex crowd
- Conduct Body Worn Video (BWV) narration during less lethal deployment(s)
- Demonstrate an understanding of how the guiding principle of our Department's Use of Force Policy is the Reverence for Human Life, which is reflected in the moral and ethical foundation of de-escalation, tactics, reasonable force, and officer safety.
- Understand how the application of this training is in keeping with our Department's UOF policy, philosophy and tactical planning for less lethal deployment during crowd control incidents.

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

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

Prerequisite: Successful completion of LESS LETHAL/MUNITIONS (1850-30986)

I. INTRODUCTION & USE OF FORCE REVIEW

(60 min)

- A. Instructor
 - 1. Training cadre instructors
- B. Orientation
 - 1. Facility overview
 - 2. Course ground rules
 - 3. Safety
- C. Course overview
 - 1. Class/POST rosters
 - 2. Performance objectives
 - 3. Schedule and course content
 - 4. Testing and evaluation
- D. Use of Force
 - 1. Review references/source materials

LOS ANGELES POLICE DEPARTMENT
Less Lethal Weapons
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1850-30995
Expanded Course Outline

Review Department Manual Section 1/556.10, Policy on the Use of Force¹ and openly discuss how it affects the use of less-lethal force options.

- E. Reverence for Human Life
 - 1. In Preamble for Use of Force Policy
 - 2. Why?
 - 3. How does this play into our decisions when using force?
- F. California Penal Code section 835(a)²
 - 1. 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.
 - 2. The totality of the circumstances
 - 3. 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.
 - 4. Totality of the circumstances, that such force is necessary
 - 5. 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;
 - a. Effect the arrest
 - b. Prevent escape
 - c. Overcome resistance
 - d. Only reasonable force may be used
 - e. You must have reasonable suspicion to believe that the person to be arrested has committed a public offense
- G. Graham v. Connor 490 U.S. 386 (1989)
 - 1. Affirms the “objectively reasonable” standard and states that the “reasonableness” of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation.
 - 2. No 20/20 hindsight
 - 3. Based on the totality of facts known at the time
 - 4. Would another officer with similar training and experience, facing similar circumstances act the same way or use similar judgement?
 - 5. Does not have to be the best decision, just a reasonable decision
- F. Tactical De-Escalation Techniques³
 - 1. Guided by the principal of reverence for human life
 - 2. Definitions

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

² California Penal Code Section 835a

³ LAPD Use of Force-Tactics Directive, Tactical De-Escalation Techniques

LOS ANGELES POLICE DEPARTMENT
Less Lethal Weapons
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1850-30995
Expanded Course Outline

3. Tactical de-escalation does not require that an officer compromise safety or increase the risk of physical harm to the public
 4. Tactical de-escalation techniques should only be used when it is safe and prudent to do so
 - Planning
 - Assessment
 - Time
 - Redeployment and/or Containment
 - Other Resources
 - Lines of Communication
 5. Relationship and application(s) of Procedural Justice ⁴
- G. Command and Control ⁵
1. Definitions
 2. Responsibilities
 3. Sufficient situational awareness
 4. Tactical considerations
- H. Less Lethal Weapons and Ammunition
1. California Penal Code Section 16780(a)
 2. “Less lethal weapon” means any device that is designed to or that has been converted to expel or propel less lethal ammunition by any action, mechanism, or process for the purpose of incapacitating, immobilizing or stunning a human being through the infliction of any less than lethal impairment of physical condition, function or senses including physical pain or discomfort. It is not necessary that a weapon leave any lasting or permanent incapacitation, discomfort, pain or other injury or disability in order to qualify as a less lethal weapon.
 3. California Penal Code Section 16770
 4. Less Lethal Ammunition definition ⁶
- I. Less-Lethal Force ⁷
1. Assembly Bill 48 – Penal Code 13652.1; Deployment of Less Lethal Weapons
 - 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
 - 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
 3. Less Lethal Munitions for Dispersal Only
 4. Less Lethal Munitions for Target Specific Only
 5. Agency reporting requirements per Assembly Bill 48 – Penal Code 13652.1

⁴ Training Bulletin, Volume XLIX, Issue 3, Contacts with the Public- Part II Procedural Justice

⁵ Training Bulletin, Volume XLVII Issue 4, Command and Control

⁶ California Penal Code Section 16770

⁷ Office of Administrative Services Notice 1.3, Use of Less-Lethal Force Clarification

LOS ANGELES POLICE DEPARTMENT
Less Lethal Weapons
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1850-30995
Expanded Course Outline

6. Less-Lethal force options (OC Spray⁸, Baton⁹, TASER¹⁰, Beanbag Shotgun¹¹¹², 40mm LLL and Less-Lethal munitions¹³) deployment criteria
 7. Less-Lethal force options shall not be used for a suspect or subject who is passively resisting or merely failing to comply with commands.
 8. Verbal threats of violence or mere non-compliance do not alone justify the use of Less-Lethal force.
 9. In addition, generally, an officer shall give a verbal warning prior to using such force when feasible.
 10. Verbal warnings
 11. When verbal warnings are not required
 12. Verbal warning documentation and explanations
- J. Documentation, evidence and debriefing
1. Supervisors should ensure there is verbal documentation on the police radio
 - a. Paint a picture as the event unfolds
 - b. Dispersal order
 - c. Initiation of skirmish line movements
 - d. Verbalization of the hostility toward the officers
 - e. Video documentation using TV, Photo and Body Worn Video
 - f. Use of sound amplification equipment (bullhorn, sound unit)
 - g. Continued verbalization of the dispersal order
 2. Supervisors' documentation of use of less lethal munitions
 3. Supervisors' documentation of other uses of force
 4. Evidence collection
 5. Injuries ¹⁴
 6. Debriefing
 - a. Open and honest
 - b. Identify what could be improved; Quality Through Continuous Improvement
 - c. What will be changed for the next event
 - d. Debrief results are included in the ICS documentation
- K. Less lethal launcher; Dispersal
1. 37mm launcher
 2. Defense Technology Model 20 F Multiple Foam Baton Rounds
 3. 37mm munitions used for crowd dispersal only
 4. Incident Commander approval
 5. Chemical agents ¹⁵
- L. Less Lethal; Target-Specific
1. 40mm launcher
 2. Defense Technology eXact Impact Sponge Rounds
 3. 40mm munitions used for target-specific applications only

⁸ LAPD Use of Force-Tactics Directive, Oleoresin Capsicum

⁹ LAPD Use of Force-Tactics Directive, Baton

¹⁰ LAPD Use of Force-Tactics Directive, Electronic Control Device

¹¹ LAPD Use of Force-Tactics Directive, Beanbag Shotgun

¹² OCOP Notice 1.3, Prohibition on the use of the beanbag shotgun in a crowd control situation

¹³ LAPD Use of Force-Tactics Directive, 40mm Less Lethal Launcher

¹⁴ LAPD Use of Force-Tactics Directive, Crowd Management, Intervention, and Control

¹⁵ LAPD Emergency Operations Guide, Guidelines for Crowd Management and Crowd Control

LOS ANGELES POLICE DEPARTMENT
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1850-30995
Expanded Course Outline

4. Chemical agents

II. SAFETY BRIEF

(20 min)

A. Safety Guidelines overview

1. Overview Safety Plan: Illness and Injury Prevention Program (IIPP)
2. Remind students that during the Practical Application portion
 - a. No live weapon or ammunition in the training area
 - b. No OC spray
3. NOTE: Students participating in scenario training shall be required to be on full duty status.
4. A pre-training inspection shall be conducted to ensure that students brought the correct clothing and equipment. This inspection will also provide an opportunity to check for the presence of watches, rings, necklaces, earrings and other jewelry which may cause injury.
5. Clothing worn for physical training should allow for flexibility of movement. Students wearing glasses should use shatter resistant lenses and eyeglass retainers (or remove them if possible).
6. A safety check of all weapons used in scenario training shall be conducted not only prior to training, but also following any break in training, or when students or role players have been allowed to leave the training site. Inert training weapons shall be used.
7. Instructors shall maintain appropriate levels of discipline over students at all times.

B. Questions and answers

III. 40MM LESS LETHAL LAUNCHER REVIEW ¹⁶

(20 min)

A. Target Areas

1. Primary:
 - a. Naval area
 - b. Belt line
2. Secondary:
 - a. Legs
 - b. Arms
 - c. Hands (If the hand is the selected target, consider its location and what it is holding)
 - d. Circumstances may make it difficult to target secondary areas.
 - e. Secondary areas may not provide the desired effect of temporary incapacitation that is more easily achieved by targeting the naval or belt line area.
3. Prohibited areas due to potential for serious injuries:
 - a. Head
 - b. Neck
 - c. Spine
 - d. Chest
 - e. Groin

¹⁶ LAPD Use of Force-Tactics Directive, 40mm Less Lethal Launcher

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Expanded Course Outline

- f. Kidneys
- C. 40mm Less Lethal Launcher nomenclature and specifications
 - 1. Safariland, LMT (Lewis Machine and Tool) Model 1425
 - a. Weight = 3.5 pounds
 - b. 28 inches in overall length
 - c. Rifled barrel that is 14 inches long
 - d. Bore of 40mm (1.6 inches)
 - e. No manual safety
 - 2. Recommended engagement distance is five (5) to one-hundred ten (110) feet
 - 3. Sight Systems
 - 4. Sling
- D. 40mm Less Lethal Launcher ammunition
 - 1. 40mm Defense Technology eXact Impact Sponge Round.
 - a) Aluminum case with a black plastic and blue sponge projectile.
 - b) The black plastic base of the projectile contacts the lands in the barrel of the launcher; this imparts a stabilizing spin for increased accuracy.
 - c) Velocity and energy levels are maintained over a wide range of distances due to the aerodynamic shape of the projectile.
 - d) Smokeless powder is used as the propellant; this reduces barrel fouling and eliminated the cloud of smoke that black powder ammunition produces.
 - e) Weight: 30 grams (460 grains)
 - f) Diameter: 40mm (1.6 inches)
 - g) Frontal surface area: 2 square inches
 - h) Velocity/Energy muzzle: 325 feet per second/118 foot pounds.
 - 2. Ammunition inspection

IV. 37 MM LESS LETHAL LAUNCHER REVIEW

(20 min)

- A. 37mm Less Lethal Launcher nomenclature and specifications
 - 1. Defense Technology "37mm Launcher"
 - a. Single shot only
 - b. Single or double action, but must only be fired double action
 - c. Do not use rear sight setting for extended range munitions
 - d. Use rear sight setting (down position) for Multiple Foam Baton Round
 - e. Nylon sling
 - 2. Federal Model 203-A
 - a. Double action only
 - b. Fixed rear sight with either a metal bead or plastic ramp front sight
 - c. Nylon sling
- B. 37mm Less Lethal Launcher ammunition
 - 1. 37 mm Defense Technology Model 20 F Multiple Foam Baton Round
 - 2. Constructed of an aluminum case that is approximately eight (8) inches long and 1.5 inches in diameter
 - 3. Criteria for deployment
 - 4. Certification to deploy
 - 5. Cartridge contains (5) rounds and can only be fired out of 37mm launchers
 - 6. Engagement distances
 - 7. Aiming points

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Less Lethal Weapons
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Expanded Course Outline

V. PRACTICAL APPLICATION

(240 min)

- A. Manipulations
 - 1. Nomenclature
 - 2. Loading
 - 3. Unloading
 - 4. Reloading
 - 5. Positions
 - 6. Distance identification
 - 7. Review deployment distance(s)
 - 8. Less lethal positions in Mobile Field Force (MFF) squad formations ^{17 18}
 - 9. Appropriate less lethal deployment numbers
 - 10. Less lethal commands and communications
 - 11. Suspect identification within the crowd (target specific 40mm vs. crowd dispersal 37mm)
- B. Dry fire practice and rehearsals
 - 1. Shooting on the move
 - 2. Advancing through skirmish line
 - 3. Engaging targets at various angles
 - 4. Engaging moving target(s)
 - 5. Engaging suspect(s) surrounded by a crowd
- C. Live Fire
 - 1. Shooting on the move
 - 2. Advancing through skirmish line
 - 3. Engaging targets at various angles
 - 4. Engaging moving target(s)
 - 5. Engaging suspect(s) surrounded by a crowd
- D. Body Worn Video (BWV) and crowd management and control ¹⁹
 - 1. Activation requirements
 - 2. Documentation requirements
 - 3. Narration during Less Lethal Deployment
 - 4. Requirement to review
 - 5. Tactical use of BWV to accurately document entire incident(s)
- E. Closing
 - 1. Reinforce key learning points
 - 2. Reverence for Human Life and Use of Force
 - 3. Deployment criteria
 - 4. Approved equipment and ammunition
 - 5. Suspect identification
 - 6. Documentation and video policies
 - 7. Questions and answers

¹⁷ Training Bulletin, Volume XLIX, Issue 10, Mobile Field Force Concept- Part I Organization and Assembly

¹⁸ Training Bulletin, Volume XLIX, Issue 11, Mobile Field Force Concept- Part II Mobile Tactics

¹⁹ Department Manual Section 3/579.15, Body Worn Video Procedures