

**LOS ANGELES POLICE DEPARTMENT**  
**Metropolitan Division**  
**36" Baton Certification**  
**T259**

**Instructional Goal:** To review and reinforce the legal aspects and practical application of the 36" baton

**Performance Objectives:** Using lecture, group discussion, and learning activities including demonstration and drills, the student will:

- Review Department Use of Force policy and legal issues
  - Demonstrate the proper 36" baton techniques used in crowd control or potential crowd control situations
  - Demonstrate proper footwork, coordination and balance
  - Identify appropriate targets for 36" baton strikes
  - 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
  - Review Use of Force guidelines, Department policies and directives, Tactical De-Escalation
  - 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
  - By the conclusion of the training, students will understand how the application of this training is in keeping with our Department's UOF policy, philosophy, and tactical planning
- **This course provides updated legislative content of Penal Code Section 835(a)**
  - **References:** Instructors, facilitators and training supervisors shall ensure that current references are utilized

**I. COURSE OVERVIEW**

**(15 mins)**

**A. Introduction**

1. Instructor name, assignment
2. Experience
3. Class roster

**B. Overview of Training Schedule**

1. Summary of Hour 1
  - a. Course overview
  - b. Use of Force Case Studies and Safety Guidelines
  - c. Force Options
2. Summary of Hour 2
  - a. 36" Baton overview
  - b. Skill Development
  - c. Practical Application and Drills
  - d. Proficiency Test

**C. Safety Plan: Illness and Injury Prevention Program (IIPP)**

1. Review the safety guidelines handout that had been previously distributed
2. IIPP safety guidelines apply to all training given by the Department. These guidelines ensure that staff and participants are aware of potentially hazardous situations and how to avoid them
3. All personnel should be instructed that a copy of the IIPP is in the training supervisor's office at that particular training site

**LOS ANGELES POLICE DEPARTMENT**  
**Metropolitan Division**  
**36" Baton Certification**  
**T259**

4. 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
5. Protective eyewear and hearing protection (American National Standards Institute (ANSI) approved) shall be worn if blanks or live-fire rounds are used during a practical application or during any demonstration using the same
6. Students shall immediately notify an instructor(s) or the training staff of any injury sustained during training, and use the following steps in the event of a serious injury
  - a. Render first aid and obtain appropriate medical assistance.  
Notify assigned Metro EMT and the Fire Department rescue ambulance (213-485-6185) via telephone, cellular phone, or police radio. Give specific directions to the location of the incident
  - b. In case of a serious injury, all IIPP notifications and protocol shall be followed
  - c. At each training location, there is a notebook located in the training unit's office also containing the emergency plan that is in place
7. The supervisor will ensure that the necessary worker compensation forms (PDAS-43) and other reports (Employee Notification Form 15.7) are completed in a timely manner

**II. USE OF FORCE CONSIDERATIONS and LEGAL ISSUES**

**(45 mins)**

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

**Procedures:** Large Group Activity

**A. LEARNING ACTIVITY: DISTRIBUTE DIRECTIVES-Use of Force Policy and Tactical De-Escalation Techniques**<sup>1</sup>

1. California Penal Code Section 835(a)
  - a. Updated pursuant to Assembly Bill 392 that was signed into law on August 19, 2019 and effective as of January 1, 2020.
  - b. Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use objectively reasonable force to:
    - a) Effect the arrest,
    - b) Prevent escape, or
    - c) Overcome resistance.
  - c. The authority to use physical force, conferred on peace officers by this section, is a serious responsibility that shall be exercised judiciously and with respect for human rights and dignity and for the sanctity of every human life.
  - d. A peace officer who makes or attempts to make an arrest need not retreat or desist from their efforts by reason of the resistance or threatened resistance of the person being arrested. A peace officer shall not be deemed an aggressor or lose the right to self-defense by the use of objectively reasonable force in compliance with subdivisions (b) and (c) to effect the arrest or to prevent escape or to overcome resistance. For the purposes of this subdivision, "retreat" does not mean tactical repositioning or other de-escalation tactics.

---

<sup>1</sup> Department Manual Section 1/556.10, Policy on the Use of Force; Directive No. 16 Tactical De-Escalation Techniques, October 2016

**LOS ANGELES POLICE DEPARTMENT**  
**Metropolitan Division**  
**36" Baton Certification**  
**T259**

- e. Department Use of Force policy states that force must be "objectively reasonable" to:
- a) Defend themselves
  - b) Defend others
  - c) Effect an arrest or detention
  - d) Prevent escape
  - e) Overcome resistance
  - f) Use of force policy does not change in crowd control situations
  - g) Department Tactical De-Escalation Techniques In circumstances not involving imminent threat of death or serious bodily injury, officers should consider tactics and techniques that may persuade the suspect/s to voluntarily comply or that may mitigate the need to use a higher level of force to resolve the situation safely.
  - h) Tactical de-escalation does not require that an officer compromise their safety or increase the risk of physical harm to the public.

Guided by the principal of reverence for human life.

The use of techniques to:

Reduce the intensity of an encounter with a suspect; and,  
Enable an officer to have additional options to gain voluntary compliance; or,  
Mitigate the need to use a higher level of force.

All while maintaining control of the situation.

- f. De-escalation techniques (PATROL) should only be used when safe to do so:
- a) Planning- Arrive and Coordinate
  - b) Assessment- Change tactics as needed
  - c) Time- Distance + Cover= Time for planning and communicating
  - d) Redeployment and/or Containment- Maintain control and buy time
  - e) Other Resources- Request additional resources and/or specialized personnel
  - f) Lines of Communication- Helps to improve decision-making

Note: 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.

- g. Deadly Force can only be used when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for either of the following reasons:
- a) (1) To defend against an imminent threat of death or serious bodily injury to the officer or another person; or,
  - b) (2) 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. Where feasible, a peace officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

**LOS ANGELES POLICE DEPARTMENT**  
**Metropolitan Division**  
**36" Baton Certification**  
**T259**

- c) "Deadly force" means any use of force that creates a substantial risk of causing death or serious bodily injury, including, but not limited to, the discharge of a firearm.
- d) "Totality of the circumstances" means all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force.
- e) A threat of death or serious bodily injury is "imminent" when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.
- f) A peace officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person.

Note: The Department will analyze an officer's use of deadly force by evaluating the totality of the circumstances of each case consistent with California Penal Code Section 835(a) as well as the factors articulated in *Graham v. Conner*.

- h. Proportionality
- i. Rendering Aid. After any use of force, officers shall immediately request a rescue ambulance for any person injured. In addition, officers shall promptly provide basic and emergency medical assistance to all members of the community, including victims, witnesses, subjects, suspects, persons in custody, subjects of a use of force and fellow officers:
  - a) To the extent of the officer's training and experience in first aid/CPR/AED; and
  - b) To the level of equipment available to an officer at the time assistance is needed.
- j. Requirement to Intercede when Excessive force is observed
- k. Requirement to report potential excessive force
- l. Vulnerable Populations - include, but are not limited, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities.
  - 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
- m. Command and Control
  - a) The use of active leadership to direct others while using available resources to coordinate a response, accomplish tasks and minimize risk.
  - b) Initial responsibility to begin the process to develop a plan of action falls upon the senior officer, or any officer on-scene who has gained sufficient situational awareness.

**LOS ANGELES POLICE DEPARTMENT**  
**Metropolitan Division**  
**36" Baton Certification**  
**T259**

- c) Ensure reasonable numbers of Designated Cover Officers (DCO) for both lethal and less-lethal cover.
  - d) Reduce over-response or over-deployment to specific duties and responsibilities.
  - e) Maintain officer safety through personnel location and assignment
- 2. During crowd control situations, the 36" baton may be used to push individuals who do not respond to verbal commands to disperse
  - 3. The 36" baton may also be used as an impact weapon depending upon the degree of active resistance or combative behavior demonstrated by crowd members.
  - 4. No exceptions to Department Use of Force Policy when force is used during crowd control.
  - 5. ASK: Does the verbal warning requirement apply to the 36" baton? Why/why not?
    - a. Expected responses:
      - 1) Yes, it does. A verbal warning is required when officers choose to use Bean Bag shotgun, Taser and other force options or impact device to control an individual, when feasible
      - 2) The warning is not required when an officer is attacked and must respond to the suspect's actions.
  - 6. If a tactical plan requires the element of a surprise to stabilize the situation, a warning will not be given

**III. 36 INCH BATON FIELD EXERCISE**

**(1 Hr)**

**A. LEARNING ACTIVITY**

**Procedures:** Large group activity

- 1. Identification of the 36' baton
  - a. Strong Grip with grommet end
  - b. Center body
  - c. Weak Grip end
- 2. Carries
  - a. Neutral carry
  - b. Port arms carry
  - c. On line carry

**B. PRACTICAL APPLICATION / TESTING**

**Presentation:** All strikes will first be demonstrated by instructors. Students will be required to show proficiency in all skills

- 1. Strikes
  - a. Forward Push
  - b. Forward Thrust
  - c. Strong and Weak Side Strikes
  - d. Two-handed Power Stroke
- 2. Defensive Skills.
  - a. Blocking theory and skills
  - b. Retention techniques

**LOS ANGELES POLICE DEPARTMENT**  
**Metropolitan Division**  
**36" Baton Certification**  
**T259**

- 3. Sparring Drills
  - a. One on One
  - b. Kick Bag Circle Drill
- C. **REMEDIATION**

Any student who does not demonstrate proficiency in the skills application of the 36 inch baton will receive remediation/additional training. They will be re-tested after completing the remediation. A student failing to pass a re-test will not be issued a 36 inch baton and will not be allowed to deploy one in the field.