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September 1, 2021

BPC #21-161

The Honorable Public Safety Committee
City of Los Angeles
c/o City Clerk's Office
City Hall, Room 395
Los Angeles, CA 90012

RE: RESPONSE TO PUBLIC SAFETY COMMITTEE REGARDING DEPARTMENT
POLICIES AND TRAINING FOR CROWD CONTROL SITUATIONS.

At the regular meeting of the Board of Police Commissioners held Tuesday, August 31, 2021, the Board APPROVED the Department's report relative to the above matter.

This matter is being forwarded to you for approval.

Respectfully,

BOARD OF POLICE COMMISSIONERS

A handwritten signature in blue ink that reads "Maria Silva".

MARIA SILVA
Commission Executive Assistant II

Attachment

c: Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE

REVIEWED
RICHARD M. TEFANK
EXECUTIVE DIRECTOR
DATE 8/26/21

August 16, 2021
1.11

RECEIVED

AUG 26 2021

POLICE COMMISSION

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: RESPONSE TO LOS ANGELES PUBLIC SAFETY COMMITTEE
REGARDING THE LOS ANGELES POLICE DEPARTMENT'S POLICIES
AND TRAINING FOR CROWD CONTROL SITUATIONS.

RECOMMENDED ACTION

1. That the Board of Police Commissioners (Board) APPROVE and TRANSMIT to the Mayor and City Council Public Safety Committee the Department's response on the police response to the 2020 SAFE LA civil unrest.

DISCUSSION

The Department was directed to report to the Los Angeles City Council Public Safety Committee on various topics related to its personnel deployment during the 2020 protests. The requests generally fell to the three offices and were as follows:

Office of Support Services

- 1) Comprehensive overview of training classes offered and required by the Department, specifically as it relates to less lethal munitions, public order policing, incident command systems, de-escalation, and field jail duties.
 - a) The report should include the following details: scope of training classes; specify training conducted in the academy and required for command staff; on-going training requirements and frequency of recertification; mandated specific training; overall budget and funding sources.
- 2) Protocols and procedures for processing arrestees, coordinating transportation, and setting up field jails during mass arrests.
- 3) Policy in place that details the appropriate use of less than lethal tools and the authority required for its use, analyze the existing policy, and provide recommendations for stricter requirements or restrictions for its use.

Office of Special Operations

- 4) Information on Department personnel that are responsible for managing emergency operations and have the expertise in public order policing and incident command systems, detail where these positions are allocated in the organization chart, including their area of responsibility, and provide recommendations for updating the emergency ordinance guide.

Office of Constitutional Policing and Policy

- 5) Training or policy changes mandated from settlements, related to large scale protests, and the timeline and oversight for compliance.
- 6) Each lawsuit filed against the Department regarding the 2020 protests.
- 7) Number of arrests and detentions that were made under Los Angeles Municipal Code (LAMC) 80.02, *Failure to Obey a Lawful Order of a Police Officer*.
- 8) Standard procedure for deciding the proper charges for arrests and when the City Attorney is consulted.

The attached fact sheet and documents address the Public Safety Committee's questions.

Respectfully,



MICHEL R. MOORE
Chief of Police

**BOARD OF
POLICE COMMISSIONERS**
Approved By *August 31, 2021*
Secretary *Maria Silva*

Attachment

INTRADEPARTMENTAL CORRESPONDENCE

August 16, 2021

1.3

TO: Chief of Police

FROM: Director, Office of Support Services

SUBJECT: RESPONSE TO LOS ANGELES PUBLIC SAFETY COMMITTEE REGARDING THE LOS ANGELES POLICE DEPARTMENT'S POLICIES AND TRAINING FOR CROWD CONTROL SITUATIONS.

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- 5) Training or policy changes mandated from settlements, related to large scale protests, and the timeline and oversight for compliance.
- 6) Each lawsuit filed against the Department regarding the 2020 protests.
- 7) Number of arrests and detentions that were made under Los Angeles Municipal Code (LAMC) 80.02. (failure to obey a lawful order of a police officer).
- 8) Standard procedure for deciding the proper charges for arrests and when the City Attorney is consulted.

The attached fact sheet and documents address the Public Safety Committee's questions. Should you have questions regarding this matter, please contact the Office of Support Services, at (213) 486-4810.

A handwritten signature in black ink, appearing to read "Dominic H. Choi". The signature is fluid and cursive, with a large initial "D" and "C".

DOMINIC H. CHOI, Assistant Chief
Director, Office of Support Services

Attachment

OFFICE OF SUPPORT SERVICES

Purpose

The purpose of this report is to provide comprehensive information that was requested by the Los Angeles City Council's Public Safety Committee regarding training classes that are conducted in the Academy and required of command staff; ongoing training requirements and frequency of recertification; mandated specific training; overall budget and funding sources. The Public Safety Committee directed the Department to report to them regarding training on:

- Less Lethal Munitions Training;
- Public Order Policing Training;
- Incident Command System Training;
- De-escalation Training; and,
- Field Jail Duties.

This document outlines each training topic separately; however, due to the fact that the Department utilizes integrated scenario training, there is overlap between the training topics discussed. For instance, in every course that involves Use of Force, including the Less Lethal Munitions training, de-escalation is also taught; therefore several of the training topics will be repeated in various courses if they are closely related. Another example is the Incident Command System (ICS) training; this training is an inextricable part of public order policing as ICS is implemented during the vast majority of public order policing incidents.

Background

On March 17, 2021, the Los Angeles City Council Public Safety Committee met regarding the LAPD's response to the 2020 Safe LA civil unrest. The Public Safety Committee directed the Department to report back on any questions and concerns raised during the meeting.

Since the Summer of 2020, the Department has been reviewing and updating training and education standards in order to ensure that all officers are fully competent in the subjects of Less Lethal Munitions, Public Order Policing and ICS Training. De-escalation training is already fully integrated into every course that involves the instruction of any force option. The Department is working to foster a culture that engrains using de-escalation and other community policing techniques in our daily interactions with conflicts, especially when dealing with large crowds at peaceful protests. It is the goal of the Department to integrate all of the training throughout the academy and the in-service training.

The Department generally follows a two-year training cycle as it takes approximately 18 months to train the entire Department on a large-scale training initiative like the Command and Control and Crowd Management courses that the Department is currently conducting. Another reason for the two-year training cycle is to coincide with the Peace Officers Standards and Training (POST) training mandates that sworn personnel are required to complete in two-year cycles. It is also important to point out that the Department requires lieutenants and below to attend Perishable Skills Training (PSP) training and goes further than the current POST standards for

Policies and Training for Crowd Control Situations

PSP, which only require sergeants and below to complete bi-annually. The Department requires that all lieutenants also complete PSP training because of the responsibilities in the field for Department lieutenants.

In addition to the Academy, there are currently approximately 588 Department training classes, 425 LAPD only courses and 163 POST-approved courses including LAPD Reserve Officer training courses, Civilian personnel courses, Custody Services Division courses, RTO/Dispatcher courses, and Security Services Division courses.

Scope of Training

Less Lethal Munitions Training

Below are the current courses that contain training curriculum related to less lethal munitions. Less lethal munitions training is provided to all officers in Metropolitan Division upon entering the division during Basic Metro School (BMS), with yearly update training regarding the use of less lethal munitions as well.

There is currently a four hour less lethal munitions course which covers 40MM, 37MM, and bean bag shotgun for all personnel as well as the less lethal training that is provided in the current Mobile Field Force training that all personnel are required to attend. Furthermore, the Department is in the process of creating an additional less lethal munitions course that will focus on precision use as related to public order policing and a course for the FN 303 munition system, a semi-automatic less lethal riot control weapon.

- **POST 1850-30995-Recruit/Academy Training Less Lethal Weapons/Force Options 14.5 Hours Overview** – Instruction will review and discuss: Department policy and current legal issues; explain and demonstrate an understanding of deployment distances and target areas as they relate to the Beanbag shotgun and 40MM Less-Lethal-Launcher; Rehearse a verbal warning and deploy the Beanbag shotgun and 40MM LLL in a training scenario; Demonstrate an understanding of 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. *Contains Bean Bag and 40 MM*
- **POST 1850-30985/Curr Code F231, Less Lethal Weapons Instructor (8 hours)** – To provide students an opportunity to develop the training skills necessary to effectively teach the deployment of Direct Impact Less-Lethal 40MM munitions on individuals who are violently resisting or pose an immediate threat of violence or physical harm and its implementation during Crowd Control situations. Using lecture and learning activities the students will: understand the Direct Impact system specifications, effectively deploy Direct Impact Less-Lethal Munitions, review use of force guidelines, effectively teach the deployment of Direct Impact Less-Lethal 40MM Munitions, review de-escalation, complete written test, complete Live Fire Qualification Course. *Contains 40 MM.*

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- **POST 1850-30995/Curr Code F235, Less Lethal Weapons (4 hours)** – This course will provide the trainee with an understanding and ability to deploy less lethal impact munitions within Department policy and law. The trainee will develop the necessary knowledge and skills to safely and effectively deploy extended range kinetic energy impact munitions. This course provides current Penal Code Section 835(a) content. *Contains Bean Bag and 40 MM.*
- **POST 1850-30986/Curr Code F210, Less Lethal Munitions (4 hours)** – This course will instruct personnel in the proper deployment of less lethal munitions in a manner that results in a high degree of success, while having a low probability of producing serious injuries or lethal effects. The course also covers less lethal munitions, case law, policy, tactics, officer safety, use of force and reporting requirements. This course provides current Penal Code Section 835(a) content. *Contains Bean Bag, 37 MM and 40 MM.*
- **POST 1850-21954/Curr Code T281, Crowd Control, (formerly Mobile Field Force (MFF) and ICDC under a different Curr Code) (9 hours)** – Provides the student opportunities to review the policies, procedures, and laws related to public assemblies and crowd management and control. Students will review and practice the Mobile Field Force (MFF) concept in order to provide a fast and effective method to assemble a platoon-size, tactical force from on-duty personnel. *Contains 40MM.*
- **Curr Code SP448, Basic Metro School (BMS) (hours are varying)** – Created to capture the satisfactory completion of BMS. Basic Metro School consists of numerous presentations of both POST and non-POST material that are individually captured with other Learning Management System items. *Contains Bean Bag, 37 MM and 40 MM. *Uses Less Lethal Munitions for Bean Bag, 37 MM and 40 MM content.*
- **Curr Code F240N, Less Lethal Munitions Annual Refresher, LAPD Only (Metro) (2 hours)** – This is a refresher course to ensure that operators remain updated on operational skill sets, current departmental policies, procedures and legislative mandates to effectively deploy 12GA Super-Sock, 40MM Foam Baton and 37MM Multiple Foam Baton munitions in crowd control situations. *Contains Bean Bag, 37 MM and 40 MM.*

Public Order Policing

As stated in the background portion of this document, ICS training and public order policing are inextricably related to one another. For the sake of concision, the ICS training information will not be duplicated in this section, as it is detailed in the next section, but the Director of Police Training & Education considers ICS training to also be a component of Public Order Policing.

- **Recruit/Academy Critical Incident/Mobile Field Force – Handling Disputes/Crowd Control (6 hours)** – Instruction guides recruit officers in understanding the tactical principles involved in the management and control of crowds to ensure the protection of the First Amendment rights of the crowd and the safety of the entire community. Recruit Officers participate in a crowd control simulation incorporating the following concepts and tactics: containment, isolation, dispersal, crowd control formations which include: skirmish line, wedge/vee, diagonal, column, and arrest/rescue movements.

Policies and Training for Crowd Control Situations

- **POST 1850-21954/Curr Code T281, Crowd Control, (formerly Mobile Field Force (MFF) and ICDC under a different Curr Code) (9 hours)** – Provides the student opportunities to review the policy, procedures, and laws related to public assemblies and crowd management and control. Students will review and practice the Mobile Field Force (MFF) concept in order to provide a fast and effective method to assemble a platoon-size, tactical force from on-duty personnel. *Contains 40MM.*
- **POST 1850-29000/Curr Code MM232 Crowd Management Update (2 hours)** – The telecourse program reviews and refreshes the legal context of the following issues: crowd behaviors that require law enforcement response, tactical best practices, dispersal order, use of force, mass arrest and booking procedural requirements, investigation and documentation procedures, persons with disabilities and medical needs, minors, non-US citizens, resisting arrest and property damage, and court procedures.

Incident Command System (ICS) Training

National Incident Management System (NIMS)/Incident Command System (ICS) training is mandated for **all** Department personnel. As officers promote within the Department, additional and more comprehensive NIMS/ICS training is mandated. The following information outlines the NIMS/ICS training requirements, as well as optional ICS training available.

- **Recruit/Academy Training- Critical Incidents/Incident Command System /Unusual Occurrences- Course Overview (4 hours)(All Recruits)** – The goals of instruction for Unusual Occurrences (UO) are to provide students with an understanding of peace officer responsibilities at the scene of a UO and have a basic understanding of the command systems used by both the State of California and the Federal Government. Recruits will be able to identify the mission of law enforcement and of the first responding officer when responding to an unusual occurrence. Recruits will be able to identify the purpose of ICS, including: officer responsibilities of the initial responding officer, the basic components of ICS and the basic components of the NIMS.
- **NIMS/ICS IS-100 Course Overview (All sworn personnel)** – Introduction to the Incident Command System, introduces the Incident Command System (ICS) and provides the foundation for higher level ICS training. This course describes the history, features and principles, and organizational structure of the Incident Command System. It also explains the relationship between ICS and the National Incident Management System (NIMS).
- **NIMS.ICS IS-700 Course Overview (All sworn personnel)** – An Introduction to the National Incident Management System. This course provides an overview of the NIMS. The National Incident Management System defines the comprehensive approach guiding the whole community - all levels of government, nongovernmental organizations (NGO), and the private sector - to work together seamlessly to prevent, protect against, mitigate, respond to, and recover from the effects of incidents. The course provides learners with a basic understanding of NIMS concepts, principles, and components.

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- **NIMS/ICS IS-200 Course Overview (All sworn supervisors)** – Basic Incident Command System for Initial Response, reviews ICS, provides the context for ICS within initial response, and supports higher level ICS training. This course provides training on, and resources for, personnel who are likely to assume a supervisory position within ICS.
- **NIMS/ICS IS-800 Course Overview (All sworn supervisors)** – IS-800 National Response Framework, An Introduction. The goal of the IS-0800.d, National Response Framework, An Introduction, is to provide guidance for the whole community. Within this broad audience, the National Response Framework focuses especially on those who are involved in delivering and applying the response core capabilities, including: private sector partners; non-governmental organizations (NGOs); government officials; community leaders; emergency management practitioners; and first responders.
- **NIMS/ICS IS-300 Intermediate ICS Training for Expanding Incidents (All Sergeant II personnel assigned to OO and all Department Lieutenants)** – Building on the prerequisite ICS 100 and ICS 200 courses, the ICS 300 course focuses on the ICS for supervisors in expanding incidents. Incident Command System 300 outlines how the NIMS Command and Coordination component supports the management of expanding incidents as well as describes the incident management processes as prescribed by ICS. This course has a threaded activity that will give students the opportunity to practice implementing the incident management process and creating an Incident Action Plan (IAP) for a simulated expanding incident.
- **NIMS/ICS IS-400-Advanced Incident Management/Unified Command (All Sergeant II personnel assigned to OO and all Department Lieutenants)** – This course trains emergency response supervisors and mid-to-upper-level managers in the skills necessary to effectively plan for and manage a large-scale incident by applying and implementing an all-hazards, multi-disciplinary, command and management team approach. The course places specific emphasis on Incident IAP development and resource management processes. The course concludes with a practical application role-play exercise customized to the community in which the course is delivered.
- **Supervisor School (All supervisors Sergeant and above)** – Personnel attending Supervisor School receive a 2.5-hour block of instruction on Critical Incident Management from Emergency Services Division personnel. That block of instruction incorporates learning activities, directed questions, group dialogue, and practical applications to achieve the following objectives: understanding the basic elements of Critical Incident Management; understanding of the basic ICS structure; ability to demonstrate practical knowledge of the functions and principles of the ICS; overview on how to achieve and maintain situational awareness.

Policies and Training for Crowd Control Situations

- **Watch Commander School** – Personnel attending Watch Commander School receive a 7-hour block of instruction related to Critical Incident Management from Emergency Services Division personnel. That block of instruction incorporates learning activities, directed questions, group discussion and practical applications to provide students with a working knowledge of Critical Incident Management; Command, Control and Coordination techniques; ICS review; Department references and policies to be utilized in order to successfully respond to and manage a major incident. Most often, supervisors assigned to Office of Operations (OO) will receive this training within six months to a year of becoming supervisors.
- **Command Officer Development (Captain and Above)** – Personnel attending Command Officer Development School receive an 8-hour block of instruction related to Critical Incident/ Crisis Management and NIMS/ICS. The course incorporates the following blocks of instruction designed to prepare future incident commanders to deal with the varying incidents they will likely encounter as Department leaders. Students receive ICS overview including the history and functions of ICS, LAPD ICS forms and the planning phase of ICS. Students receive instruction on crisis management during critical incidents, Incident Management Team concepts, staffing, activation and deployment criteria, deployment notification and availability and coordination and support at major events. Students also receive training on the role of the commanding officer and past experiences and lessons learned by the Department.
- **Command Post Management and Staging-Curr Codes A274 AND A275 (4-hour block)** – The Department requires that each geographic bureau have 4 Lieutenants, 20 Sergeants, and 40 Police Officers attend Command Post Cadre Training to prepare Department personnel for major incident/event management in the City of Los Angeles.
- Supervisors and City Managers may also arrange to attend Emergency Operations Center (EOC) training through the City's Emergency Management Department (EMD).
- Department Emergency Preparedness Coordinators (EPCs) are required to attend yearly updates to receive emergency preparedness information and updated materials for dissemination to Department employees. Geographic Area Senior Lead Officers (SLO) receive training in the Community Emergency Response Team (CERT) program and are certified CERT instructors.

De-escalation, AB392, SB 230 and 835a PC Training

Guided by the reverence for human life, the Department has consistently upheld the expectation that officers may only use that force which is objectively reasonable to effect arrest, prevent the escape of suspects or overcome their resistance, provided that de-escalation attempts were ineffective or not feasible. For consistency, from training to field performance, through congruence with training efforts, the Department recognized that elements of de-escalation had to be embodied in a comprehensive framework. In April of 2017, the Department formally incorporated the concept of de-escalation into the preamble to the use of force policy. Since then, training curriculum and other Department reference material have been amended to include de-escalation principles. To date, de-escalation has been integrated into all training regarding the use of force.

Policies and Training for Crowd Control Situations

The Department's New Use of Force Policy was adopted in October of 2020. The new policy ensures the Department is compliant with the State legislative mandates Assembly Bill (AB) 392 and Senate Bill (SB) 230 and California Penal Code Section 835a. All Department training related to the use of force will utilize this policy as a source document to be reviewed in connection with the topic being covered. The newest use of force policy ensures that topics related to de-escalation such as proportionality, fair and unbiased policing, rendering aid, consideration of vulnerable populations, and the requirement to intervene to both stop and report excessive use of force are appropriately addressed in policy and reinforced in training. Each course related to use of force will have a policy review in the context of the training topic being delivered. De-escalation training is also included in courses that officers receive upon promotion in rank such as Field Training Officer Basic, Field Training Officer Update, Supervisor School, Watch Commander School, Command Development and LEADS (Leadership Enhancement and Development Sessions) for Command Staff.

Academy recruits receive more than 76 hours of integrated de-escalation training in the academy related to use of force that teach recruit officers when and how to use reasonable force, the basic concept of use of force law and policy, and the guiding principle of reverence for human life. Recruits are taught reasonable force as stated by law and the Fourth Amendment standard for determining objective reasonableness as determined by the U.S. Supreme Court. Instructors outline the legal framework establishing a peace officer's authority during a legal arrest, including: recruits are taught to identify the circumstances set forth in the California Penal Code when a peace officer has the authority to use force and the level of authority Department policies have regarding the use of force by a peace officer. By the conclusion of the academy, recruits understand how the application of this training is in keeping with our Department's use of force policy, philosophy and tactical planning.

The "LAPD Comprehensive Training Overview on De-escalation and Use of Force" provides a reference to source documents and ongoing training efforts that support frontline officers through every rank up to Command Staff. The Department's Use of Force Tactics Directive No. 16- Tactical De-escalation Techniques disseminated to all personnel further outlines the Department expectation that de-escalation techniques are to be employed. The current Department-wide Use of Force Update course is Command & Control and began in March of 2019. The Department has already sent more than 7,500 officers through this training course that focuses on de-escalation through the use of classroom instruction and integrated scenarios. The Command and Control Training Bulletin, dated July 2018, is one of the primary source documents that form the foundation of the course.

LAPD Comprehensive Training Overview on De-escalation and Use of Force

This overview outlines all the training courses which incorporate de-escalation and the use of force. These topics are found in 79 department lesson plans, as well as promotional exams and interviews, and are a part of all force investigation interviews and use of force boards.

- Online Training- Learning Management System (LMS) / Roll Call:
 - Updated Use of Force Training (SB 230): February 2021; and,
 - Command and Control Video: August 2018.
- Command Staff:
 - Crowd Management & Control by Divisions: Fall, 2020;
 - LEADS – Incident Command System: October 2020;

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- LEADS – New Use of Force Policy AB 392: January 2020;
- LEADS - Use of Force Trends/Case Law: June 2017;
- LEADS – De-escalation: December 2016;
- LEADS – Use of Force Update/Less Lethal: June 2016; and,
- Command Development: Ongoing.
- In-Service Training- Department Wide
 - Crowd Management and Control: September 2020, Ongoing;
 - Command and Control: March 2020, Ongoing;
 - Integrating Communication, De-escalation & Crowd Control: February 2019;
 - Use of Force Update: January 2019; and,
 - POST Mandated Perishable Skills Training: Ongoing.
 - Driving, Firearms, Arrest & Control, Communication.
- In-Service Training- Specialized
 - Training Division- All instructors and Training Coordinators;
 - De-escalation Training of all instructors involved in facilitating training on UOF; and,
 - Incorporated best practices from De-escalation Resource Guide into facilitation.
 - Use of Force- De-escalation;
 - 8 Hour Course designed by SWAT Crisis Negotiators for front line officers.
 - Mental Health Intervention Training (MHIT);
 - RESET, HOPE Officers, All FTO's, PSL Officers, SLO's, and LACDMH.
 - 2020 - 82% of Mental Health Crisis Calls are managed by a MHIT Trained Officer; and,
 - Linked to increase in more appropriate referrals, linkages, and decreased recidivism.
 - Police Sciences and Leadership I (PSL I);
 - Officers on Probation – trained by class, 11 Months After Graduation, Officers Trained to Date: 1,632.
 - Primary Topics:
 - National Topics in Policing – Implicit Bias, Image & Impression Management;
 - Investigation Skills – Interviewing, Emotional Intelligence, & Special Populations; and,
 - Use of Force Review, Legal Review, De-escalation, Building Community Trust.
 - Police Sciences and Leadership II (PSL II);
 - Officers, trained by class, 2 years after PSL I- 23.
 - Primary Topics:
 - De-escalation Scenarios, Intense Encounters, Arrest and Control;
 - Procedural Justice/Ethics; and,
 - Use of Force Overview - UOF Review Boards – Process and Adjudication.
 - This course was about to go into further production when COVID restrictions required this course delivery to be suspended.
 - Best Practices in Proactive Enforcement (BPPE); and,

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- GED/Metro Training by Bureaus – OWB, OCB, OSB, OVB: 549 Officers/Supervisors.
- Integrated into Key Department Courses:
 - Regular Basic Course (RBC; LAPD Academy Training);
 - FTO School and FTO Update;
 - All Firearms Courses;
 - General Training Update (GTU);
 - Supervisor School;
 - Watch Commander School;
 - Command Development; and,
 - LEADS – Leadership Enhancement and Development Sessions (One Day Courses for Command Staff).

Lastly, an important part of de-escalation protocol and training is the Department's commitment to Mental Health Intervention Training (MHIT). This course is presented twice a month by the Mental Evaluation Unit (MEU) in collaboration with the Department of Mental Health (DMH). This course is also mandatory for all Field Training Officers within 6 months of attending Basic FTO School. By the end of 2020, approximately 82% of all calls involving mental health crisis are currently being handled by an officer who has received MHIT training. Below is the MHIT Training overview that provides a comprehensive background on the MHIT training initiative.

LAPD Comprehensive Training Plan: Mental Illness

- Ongoing Training
 - MHIT (Police Sciences & Leadership 1 [PSL 1] and Inservice Classes)—40 hour;
 - Crisis Intervention MHIT—8 hour;
 - FTO Compliance (Senate Bill 29);
 - Security Services Division (SECSD);
 - Custody Services Division (CSD);
 - LA Bureau of Sanitation, Watershed Protection Division(WPD); and,
 - Los Angeles County Probation (Juvenile Camp) – August 22, 2019.
 - FTO School- 4 hour;
 - FTO School Update- 2 hour;
 - NOTE: Previous 4-hour course changed to 2 hours per Field Training Section's request (legal and policy updates).
 - Supervisor School- 2 hour;
 - Systemwide Mental Assessment Response Team (SMART) Supervisors (Operations, Policy and Procedure);
 - Emergency Broadcast Operator (EBO) School—1 hour (as of 2020); and,
 - CSD Academy- 8 hour.
- Online Training;
 - National Alliance on Mental Illness (NAMI) Video (LMS) December 28, 2017;
 - Roll Call Training Series—seven (7) blocks of training with questions & answers; and,
 - POST Mental Health Update video—2 hour (since 2016; update in progress).
- Command Staff
 - Recommendations:
 - Provide briefings on training strategies at all CO meetings; and,

Policies and Training for Crowd Control Situations

- Provide a block of instruction at Command and Development School.
- Recent Publications;
 - Homeless Outreach Program Personnel MHIT requirement (Operations Order No. 5, June 3, 2016);
 - FTO Manual (MHIT Requirement);
 - Patient Dumping (Chief of Detectives Notice, May 14, 2020);
 - Targeted Violence Community Reference Guide (Chief of Detectives Notice, October 27, 2020); and,
 - OCOB Special Order No. 30, December 9, 2020.
- Training Bulletins;
 - Handcuffing, Volume L, Issue 1, January 2021;
 - Tactical Disengagement, Volume XLVIII, Issue 5, July 2019;
 - Developmental Disabilities, Volume XL, Issue 1, October 2018;
 - Barricaded Suspects, Volume XLV, Issue 4, December 2016; and,
 - Excited Delirium, Volume XLVIII, Issue 3, December 2016.
- Specialized Training Description and Statistics;
 - MHIT (40 hour)
 - Provides patrol officers with best practices in dealing with persons suspected of suffering from mental illness. This course incorporates an interactive adult learning model which is taught by LAPD officers and Department of Mental Health (DMH) clinicians, that includes field trips to community service providers, small group activities, case studies, and presentations with community members with mental illness, as well as family members with lived experiences.
 - Crisis Intervention MHIT (8 hour)
 - This is a condensed course derived from the 40-hour MHIT, which provides a basic mental health training model that MEU uses as a framework to provide training to City entities/partners.
 - FTO Compliance (8 hour)
 - Provides patrol officers with best practices in dealing with persons suspected of suffering from mental illness. This course incorporates an interactive adult learning model which is taught by LAPD officers and Department of Mental Health clinicians. It excludes field trips to community service providers and student presentations.
 - SECSO (8 hour)
 - Provides police officers and unarmed/private security personnel with training to assess situations involving persons at Los Angeles City facilities who may be suffering from mental illness and may meet the 5150 Welfare and Institutions Code (WIC) criteria.
 - CSD (8 hour)
 - Provides detention officers with training to assess situations involving persons who are in a jail environment suffering from mental illness and may meet the 5150 WIC criteria. The assessment may necessitate segregation, transfer, or release on their own recognizance with a referral to the appropriate mental health care resource.
 - Bureau of Sanitation, Watershed Protection Division (WPD) (8 hour)

Policies and Training for Crowd Control Situations

- Provides environmental compliance officers with training to assess situations involving persons who may be suffering from mental illness and may meet the 5150 Welfare and Institutions Code (WIC) criteria.
- EBO School (1 hour)
 - Provides dispatchers with current information related to understanding a person with mental illness and how to effectively triage calls for service.
- CSD Academy
 - Provides CSD new hires with training to assess situations involving persons who may be suffering from mental illness and may meet the 5150 WIC criteria.
- Probation (8 hour)
 - Provides Los Angeles County Probation Officers with training to assess situations involving persons who may be suffering from mental illness and may meet the 5150 Welfare and Institutions Code (WIC) criteria.
- CARE (Cleaning and Rapid Engagement) (4 hours)
 - This was a direct ask from Mayor Garcetti's office to support his initiative to disengage police and train LASAN and LAHSA personnel on best practices in dealing with persons suspected of suffering from mental illness.

Field Jail Duty Training:

Most detective personnel will receive exposure to Field Jail procedures and training as part of the assignments in an "on the job" manner. There is no current standardized Department training course for Field Jail procedures. Field Jail procedures are covered in detail in Volume 6 of the LAPD Emergency Operations Guide titled "Field Jail Guide". Additionally, the Department released an updated Field Jail Tack Force Arrestee Information Sheet (Form 14.29.01) on February 11, 2021. The Department is currently in the process of revising the Filed Jail Guide to better delineate duties and responsibilities during mass arrest situation.

Policy and Authority for use of Less-Than-Lethal Tools

All policies regarding the use of **any** force must follow the Department's Use of Force (UOF) Policy, Special Order No. 23, August 26, 2020. Further detailed deployment and use criteria of less than lethal tools are detailed in Use of Force Tactics Directives (UOFTD) for each less-than-lethal force option.

Immediately following the SAFE LA mobilization, Training Bureau evaluated the use and deployment of less lethal munitions, especially in the context of a crowd control environment. Training Bureau solidified a more restrictive use of the devices and reiterated the fact that there is no exception to the use of force policy, including in a crowd control environment.

Policies and Training for Crowd Control Situations

The Following Training Bulletins were updated to reflect lessons learned from the Department Mobilization in May 2020 as well as update changes to Less Lethal Munition usage in crowd control environments.

- **Mobile Field Force Concept, Part I - Organization and Assembly**
- **Mobile Field Force Concept, Part II – Mobile Tactics**

Use of Force Tactics Directives (UOFTD)

Baton UOFTD 8.2

This UOFTD was rescinded to reflect these changes and crowd control use was modified to reflect the current UOF policy (expected review/approval May 2021)

Crowd Management, Intervention and Control UOFTD 11.1

This UOFTD was amended in October 2020 and the following changes were made:

- Clarification on the use of the Baton as an impact device was made to state that it should only be used against violence and the threat of violence and reported and documented appropriately when used in a mobile field force;
- Less Lethal munitions were clarified as to when they may be used, whether they are target specific (Bean Bag Shotgun, 40MM Launcher) or non-target specific (37MM Launcher), can only be used to stop violent actions and not for merely dispersal. The 37mm foam rubber baton may be used as a crowd control tool when a dispersal order has been issued and/or immediate action is necessary, to stop violence, to ensure public safety, and restore order; and,
- The documentation of any use of less lethal munitions was re-iterated that it shall be documented on an Incident Command System Form 214.

Beanbag Shotgun UOFTD 6.4

The maximum distance the beanbag shotgun should be used was reduced to 30 Feet and the reiteration to use only on **individuals** who pose immediate threat to the safety of the officer or others.

Training

The Department then developed a full day mobile field force course in September 2020. Crowd Control (AKA Mobile Field Force) launched to incorporate all the changes in UOFTD and Training Bulletins as well as changes in policy in a full day training environment to ensure Department personnel understood and were trained in these changes. To date 4,359 personnel have attended this training.

Recommendations

In addition to these changes to less-than-lethal tools, especially in a mobile field force environment, Training Bureau (TRB) reached out to Command Staff Officers, Community Members, and Subject Matter Experts to form a workgroup that will address Policy. The workgroup will analyze the appropriate use of less lethal platforms and the authority required for use, analyze the existing policy and provide recommendations for stricter requirements or restrictions for use.

Proposed working group members at this time are:

- Training Bureau Representative;
- Police Training and Education (PTE): Dr. Pannell;
- PTE Community Group Advisory Member;
- Office of Operations Patrol Captain: To Be Determined;
- Captain Training Division: Captain Jon Pinto;
- Command Officers Association Representative: Captain Shannon Paulson;
- Los Angeles Police Protective League Representative: To Be Determined;
- District 6 Representative: Deputy Chief of Staff Alexis Wesson;
- District 7 Representative: To Be Determined;
- Diversity Equity Inclusion Officer Representative: To Be Determined;
- Community Safety Partnership Bureau Community Members: To Be Determined; and,
- Two Community Stakeholders: To Be Determined.

Field Jail and Transportation Deployment Plan

During the mass demonstration/protests in June 2020, the Department deployed buses and vans to specific locations to transport arrestees or detainees to be processed at jail facilities. Although all four geographic Bureaus were impacted, the most significant demonstrations were in Central, West, and Valley Bureaus. As a result of the mass arrests, field jails were rapidly established and transportation for the arrestees was arranged. The Department was unable to handle the influx of transportation requests and the Los Angeles County Sheriff's Department (LASD) was requested for mutual aid to assist the Department with the transportation of arrestees to jail facilities. By implementing a robust field jail and mass transportation deployment plan, the Department should be able to utilize resources to achieve the desired results with maximum productivity.

Types of Mass Protests

Planned Mass Protests

Planned mass protests utilize the Department Field Jail and Mass Transportation Deployment Plan. When the Department is aware of a mass protest that will take place, it is imperative the incident commander is cognizant of the operational functions of the Investigative and Transportation and Field Jail Branch. At a minimum, there should be two Custody Transport Buses and two Custody Transport Vans staged and ready for

Policies and Training for Crowd Control Situations

deployment prior to the start of the protest. A Mutual Aid Request should be considered in cases where the incident commander believes the Department will not have sufficient resources available.

Spontaneous Mass Protests

Spontaneous mass protests might require Mutual Aid from the LASD until the Department can implement its Field Jail and Mass Transportation Plan. During spontaneous mass protests, it is difficult to rapidly implement an efficient Department mass transportation plan because of the uncertainty of transportation resource availability and the inability to identify and secure Department personnel authorized to operate a bus. The Department has fifteen (15) persons authorized to operate a bus and has a fleet of eleven (11) buses. It can take up to a full operational period to have an effective transportation plan in place using only Department resources. It is incumbent upon the Department to establish a transportation branch as soon as practicable during a spontaneous mass protest.

During spontaneous mass protests, a Mutual Aid request to the LASD would be the most effective way to mitigate issues related to transportation of multiple arrestees to field jails. However, LASD's response can take up to four hours on the weekend and after hours. During normal business hours, LASD may be able to respond within one to two hours.

Transportation Resources

As of June 1, 2020, the Department's Pull Notice Program included 33 Department Employees with a Class A and B Driver License, 15 of which have a passenger endorsement.

The Los Angeles County Sheriff's Department resources available once mutual aid request is approved is that of 72 custody transport buses and 12-15 custody transport vans.

Once a mutual aid request is made and all requirements to support those resources coming in are in place, there are strict guidelines set by LASD for the use of its custody transport vehicles. Those guidelines can include, but are not limited to, the need to have a complete interview card for each arrestee, must only be used for transportation, and the custody transport vehicle must be accompanied by two black and white police vehicles and one sworn supervisor for escort duties.

Transportation and Field Jail Branch

The Transportation and Field Jail Branch include Communications Division, Custody Services Division, and an Investigative Branch component. The purpose of the Transportation and Field Jail Branch is to facilitate the transportation, booking, and processing of arrestees during mass protests.

Investigative Branch Responsibilities

The Investigative Branch supervisor is responsible for pre-planning and notifying all Department bus drivers prior to a planned protest date. The supervisor coordinates with Custody Services

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Division command staff to establish a transportation plan which includes staging areas, the jail facilities being used, and the booking/citing process.

Transportation and Field Jail-Related Concerns from Prior Mass Protests

Arrestees Released and Rejoining Protests

There is a total of three field jails, Metropolitan Detention Center (MDC), 77th Regional Jail, and Valley Jail Section. We need to be strategic in the order field jails are opened and where arrestees are transported.

Transportation Buses Were Delayed

Given the nature of mass protests, this will occur. Barring an emergency situation, do not leave the location or self-transport an arrestee. Be patient and verify your request was received.

Best Practices

The use of Departmental passenger vans assigned to Motor Transport Division and geographic Area vans are preferable for civil unrest transportation. This allows for easier ingress and egress due to the maneuverability of the van as compared to the large Bluebird buses. Location arrestees are transported to must have available bathroom facilities and accommodate arrestee's personal hygiene and medical needs. Both CSD and Detective Bureau will evaluate the jail capacities prior to designating a transport location. The CSD personnel will assist in processing of arrestees, reducing congestion at a Regional Jail. Officers should never self-transport an arrestee unless an exigent situation requires immediate removal.

COVID-19 Precautions (Field Jails)

The Office of Operations will supply face masks for all arrestees processed through field jails. The masks will be supplied to the arrestees prior to entering the Custody Transport Vans. The Commanding Officer, Counter Terrorism Special Operations Bureau, has coordinated the distribution of face masks to all geographic Bureaus.

Plan Implementation

Lastly, we learned from the June 2020 protests, if we keep the field jail staffed with consistent personnel, transportation and field jails operate consistently and efficiently. When preparing for planned protests, the Department should identify Detective Supervisors (Detective III) who have had experience in operating field jails and assign them to that position, prior to the event.

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OFFICE OF SPECIAL OPERATIONS

It was requested that Emergency Services Division (ESD) provide information regarding Department personnel responsible for managing emergency operations, have expertise in public order policing, and the Incident Command System (ICS), as well as their position detailed within the organizational chart. It was also requested to provide recommendations for updating the Emergency Operations Guide (EOG). The Emergency Preparedness Unit (EPU) and Major Incident Response Team (MIRT), Emergency Management Section (EMS) duties and responsibilities related to the requested information are as follows:

Emergency Preparedness Unit (EPU)

The Emergency Preparedness Unit duties include the following:

- Review and make recommendations on Incident/Event Action Plans (I/EAP);
- Maintain a repository of EAPs/IAPs;
- Coordinate ICS 300 and ICS 400 courses;
- Coordinate Emergency Operations Center training;
- Coordinate the Emergency Preparedness Coordinator Program;
- Review, make recommendations, and retain Department Standing Plans and Continuity of Operations Plans;
- Author and/or update the Emergency Operations Guide, the Department Emergency Plan, and the City of Los Angeles Emergency Operations Plan and Annexes; and coordinate emergency preparedness/planning activities with the Emergency Management Department, Los Angeles Fire Department and other agencies/departments; and,
- Assigned to major incidents at Department Command Posts in the field in uniform.

Emergency Operations Guide (EOG) Recommendation

The EOG is a guide only and not policy. The EOG is designed to be a consolidation of existing policies for quick reference.

When an EOG Volume is revised, it is sent to Department Subject Matter Experts (SME) for their review and then updated consistent with current policy and procedures. The Volume is then returned to the EPU for final formatting before it is submitted through the chain of command for review and approval. For example, Volume 5 was provided to Metropolitan Division for review and update of current policy regarding Crowd Management, Crowd Intervention, and Crowd Control.

Major Incident Response Team (MIRT)

The Major Incident Response Team (MIRT) duties include the following:

- Responding to and assisting Department personnel in the command and control of serious and major unusual occurrences;
- Developing and providing training to Department personnel on incident management for unusual occurrences;

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- Developing and training Command Post Cadre and Incident Management Team members in the Incident Command System and command post operations;
- Maintaining a special liaison with the Los Angeles County Sheriff's Department Emergency Operations Bureau to coordinate training and exercises;
- Coordinating and teaching Bureau Command Post Cadre training;
- Evaluating the AARs, Unusual Occurrence (UO), and other reports related to UOs for consideration in future planning and training;
- Maintaining a repository of After-Action Reports (AARs);
- Providing staff assistance for inter-bureau command post exercises and field exercises conducted by public and private agencies;
- Evaluating all lesson plans intended for emergency control exercises at Department organized schools;
- Providing training on EAPs and IAPs for special events to geographic bureau and Area special event coordinators;
- Maintaining off-hours and weekend standby response to provide assistance at major incidents, such as crime scenes, officer-involved shootings and other significant incidents in the City;
- Providing portable data satellite capabilities during catastrophic infrastructure failure;
- Assigned to major incidents at Department Command Posts in the field in uniform; and,
- Facilitating downlink at field command posts and books any recordings obtained at the direction of the incident commander.

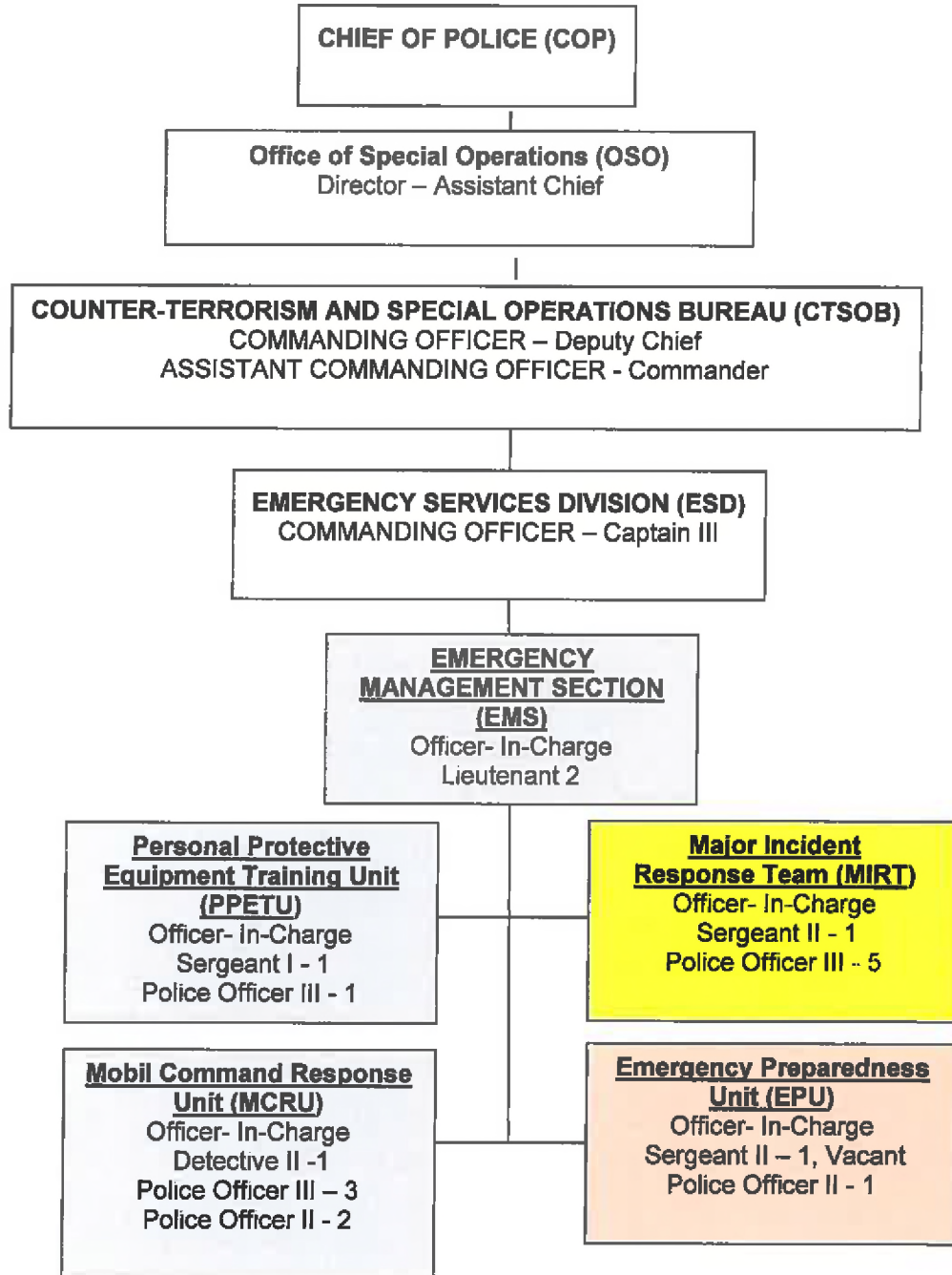
Recommendations for MIRT Personnel

The Major Incident Response Team is currently working on a project to obtain the ability to stream the downlink to the Command Posts via the internet through a secure IP address. Once this is completed, it will allow for additional duties for MIRT officers at Command Posts in support of Incident Commanders.

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Policies and Training for Crowd Control Situations

ORGANIZATIONAL CHART



OFFICE OF CONSTITUTIONAL POLICING AND POLICY

Compliance with Settlement Agreements

Since 2000, the Department has entered into five settlement agreements as a result of four large scale events within the City of Los Angeles: The Democratic National Convention (2000) (two settlement agreements), the May Day Demonstration (2007), Occupy LA (2011), and the Ferguson Demonstration (2014). The Democratic National Convention and May Day Demonstrations resulted in mandated modifications to the Los Angeles Police Department's (LAPD or Department) policies, procedures, and training in the area of crowd management and crowd control. The Occupy LA and Ferguson Demonstration settlement agreements were financial in nature and did not require further action on behalf of the Department. The below information details the settlement agreements' requirements placed upon the Department and the actions taken since 2000.

Democratic National Convention

On August 14, 2000, the Democratic National Convention (DNC) was held in Los Angeles. The Department dedicated resources to facilitate demonstrations and quell any violence that could potentially occur. Two lawsuits were filed from incidents that occurred during the DNC. Both resulted in settlement agreements: *Al Crespo, et al. v City of Los Angeles, et al.* and *National Lawyers Guild, et al. v City of Los Angeles, et al.*

Settlement Agreement No. 1 – Al Crespo, et al v. City of Los Angeles, et al.

On January 8, 2002, the parties entered into a settlement in which the Department agreed to make modifications to its policy on handling the media during crowd control situations. The following provisions were enacted by the Department:

- The LAPD recognizes that the news media has the right, without interfering with police operations, to cover events that may result in the declaration of an unlawful assembly and order to disperse. To the extent reasonably possible under the circumstances, the Department will make efforts to accommodate this reporting obligation. However, such efforts will be made consistent with the Department's obligation to maintain public safety and order.
- With the exception of spontaneously occurring events, whenever the Department develops an operations plan for an event that the Department understands will involve a public assembly, the Department will, when practicable, designate an area outside of the anticipated impacted area, but within reasonable viewing distance and audible range for the event, in which members of the news media may assemble. To the extent reasonably possible under circumstances, the Department will attempt to prevent the news media viewing area from becoming a part of any area impacted by an unlawful assembly declaration and order to disperse. However, the decision to assume the risk of danger involved in covering a public event remains with the individual news reporter, provided that any such decision does not constitute a waiver by a reporter of any constitutional or other legal rights.

Policies and Training for Crowd Control Situations

- The selection of the news media viewing area will take into consideration public and officer safety, police tactics, input provided by the news media, if any, and the ability of the Department to prevent the location from becoming part of the impacted area. The Incident Commander (IC) will make the final selection of the viewing area location.
- To the extent reasonably possible without compromising public or officer safety or police tactics, the IC will relocate the news media viewing area if, due to the changing conditions, the initial area no longer affords the news media a reasonable view of the event or becomes a tactical concern for the IC.
- Pursuant to Volume 2 of the LAPD Emergency Operations Guide, the LAPD IC will designate an Information Officer as part of the Incident Command System in order to facilitate interaction with the news media. The Information Officer will be clearly identified at scene.
- Pursuant to Volume 5 of the Emergency Operations Guide, after declaring an unlawful assembly, the LAPD will designate a dispersal route for all persons present, including news media, to use when evacuating.
- LAPD will amend its Emergency Operations Guide to reflect the procedures outlined in paragraphs 1, 2, 3, and 4 above.
- LAPD Media Relations Section will provide members of the news media with a written pamphlet explaining the procedures outlined in paragraphs 1, 2, 3, and 4 above, as well as the Department's policies concerning interaction with the news media, including at unlawful assemblies, crime scenes, command posts, and disaster scenes, at the time they apply for a new or renewal LAPD Press Pass.
- LAPD will issue a Training Bulletin to all Department personnel which explains the procedures outlined in paragraphs 1, 2, 3, and 4 above.

Settlement Agreement No. 2 – National Lawyers Guild, et al. v City of Los Angeles, et al.

On or about January 26, 2005, the parties entered into a settlement whereby the Department agreed to modify its policies, practices, and training concerning the following areas:

A. Helicopters

- Shall operate at reasonable altitudes to avoid disrupting First Amendment protected activities.
- The IC will work with organizers to prevent flights during keynote speaker presentations.
- Does not prevent response to emergent situations during crowd control events.

B. Marches

- Demonstrators, while participating in lawful assemblages, are permitted to use public sidewalks to join or exit a march.
- Marchers are not allowed to disrupt pedestrian movement or prevent business from operating while on the sidewalk

Policies and Training for Crowd Control Situations

C. Motorcycles/Bicycles

- Motorcycles and bicycles will not be used to strike lawfully assembled demonstrators/marchers as a method of crowd control.

D. Use of Less-Lethal Weapons

Less-lethal munitions are categorized as projectiles launched or otherwise deployed for the purpose of overcoming resistance, effecting arrest or addressing the threat of serious injury to an officer or suspect with less risk of causing death than the use of a firearm.

- May be deployed on aggressive and/or combative suspects in a crowd control situation, on suspects who are a potential physical threat to themselves or others, on suspects armed with weapons other than firearms, or suspects displaying “aggressive and/or combative” actions.
- Aggressive and/or combative actions include ongoing destruction of property that presents a threat to the personal safety of officers or others.
- Less-lethal weapons should not be used on a lawfully dispersing crowd or individual.
- Less-lethal weapons should not be used against a person or a crowd that is retreating unless the person or crowd continues to engage in unlawful activity that is aggressive and/or combative.
- The Department will publish a notice that will require that less-lethal “stinger” weapons can be used only with the approval of a staff officer (i.e., commander or above) and only in a riotous situation where the use of lethal force would not be reasonable.

E. Public Assemblies

- Prior to declaring an unlawful assembly, IC shall refer to LAPD Guidelines for Crowd Management and Crowd Control, Volume 5 of the LAPD Emergency Operations Guide.
- All ICs shall be trained in the Crowd Management Strategies and Tactics within Chapter 5 of the Guidelines for Crowd Management and Crowd Control.
- Before any public assembly is declared to be unlawful, the IC should evaluate the feasibility of isolating and arresting those responsible for unlawful conduct, and if feasible, shall take such action.

Department Actions Taken as a Result of the Democratic National Convention Settlement Agreements

The Department published the following policies, procedures, and guides to meet requirements of both settlement agreements:

- “Dispersal Order – Revised,” Office of Operations Order No. 8, June 17, 2005;

Policies and Training for Crowd Control Situations

- “Media Relations in Crowd Control Situations,” Uniformed Services Group Notice, July 8, 2012;
- “Police and Media Relations – Part III,” Training Bulletin, August 2002;
- Media Relations Handbook (2007-2008)

In addition, the following courses concerning crowd management and crowd control were provided to sworn personnel:

- Crowd Management and Control for Patrol (2007-2009) – Sworn personnel attended this 10-hour course which reviewed laws, policy, skirmish lines, arrest team procedures, driving, and mass arrest procedures; and,
- Crowd Management and Control for Management (2007-2009) – This eight-hour course designed specifically for Command Staff reviewed lawful assemblies, group dynamics, use of force, media relations, and lessons learned from the Democratic National Convention, parades, and sporting event celebrations.

May Day Demonstration (2007)

On May 1, 2007, there were two rallies for immigrant and worker’s rights near MacArthur Park that required law enforcement response. One lawsuit, *Multi-Ethnic Immigrant Workers Organizing Network, et al. v City of Los Angeles, et al.*, resulted in a settlement agreement with the Department. On or about June 22, 2009, the plaintiffs and defendants entered into a settlement agreement modifying policies, procedures, and training relative to the following topics:

A. Basic Principles

- All persons have a right to march, demonstrate, protest, rally or perform other activities protected by the First Amendment of the United States Constitution and the California Constitution.
- Government may impose reasonable and narrowly tailored restrictions on the time, place, and manner of conducting these activities.
- Limitations may be justified by public safety, public health, or safe access/egress from the area.
- Officers must not be affected by the opinions being expressed nor by the race, gender, linguistics, national origin, sexual orientation, physical disabilities, appearances, or affiliation of anyone exercising lawful rights.

B. Helicopters

- Aircrafts will operate at reasonable altitudes to avoid disruption of First Amendment protected activities.
- Incident Commanders (IC) will coordinate with event organizers to facilitate keynote speaker presentations.
- This does not preclude helicopters from responding to emergent situations requiring immediate police presence.

Policies and Training for Crowd Control Situations

C. Marches

- Demonstrators shall not be prevented from using public sidewalks to join/exit a lawful march or using any public sidewalk adjacent to a lawful march route.
- Marchers are not allowed to prevent pedestrian movement and/or prevent lawfully open businesses from operating while on the sidewalk when such conduct violates applicable law.
- LAPD will consider the practicality of facilitating demonstrations that may temporarily block traffic.
- LAPD shall include the subject in its Crowd Management Training.

D. Motorcycles/Bicycles/Motor Vehicles

- Motorcycles, bicycles, and motor vehicles may be used for observation, visible deterrence, traffic control, transportation, and area control during a crowd event.
- When used at a back of a march, they should maintain a reasonably safe distance behind marchers.
- Motorcycles, bicycles, motor vehicles will not be used to strike assembled demonstrators/marchers as a method of crowd control or crowd dispersal.

E. Crowd Management Training – Horses

- Include a training on the impact of the use of horses on crowd behavior.

F. Use of Less-lethal Weapons

- May be deployed on aggressive and/or combative suspects in a crowd control situation, on suspects who are a potential physical threat to themselves or others, on suspects armed with weapons other than firearms, or suspects displaying “aggressive and/or combative” actions.
- Aggressive and/or combative actions include ongoing destruction of property that presents a threat to the personal safety of officers or others.
- Should not be used on a lawfully dispersing crowd or individuals.
- Should not be used on a retreating crowd or person unless the crowd or person continues to engage in unlawful activity that is aggressive or combative.
- When feasible, notice should be given to the crowd before less-lethal weapons are deployed in a crowd control or dispersal situation and in language(s) spoken by those assembled.
- If the LAPD resumes the use of “stinger rounds,” Department will publish a notice that will require that less-lethal weapons can be used only with approval of a staff officer (i.e., commander or above) and only in a riotous situation where the use of lethal force would not be reasonable.

G. Use of Batons

Policies and Training for Crowd Control Situations

- Should not be used against members of the crowd attempting to disperse, persons unable to move due to the pushing of the crowd, or persons otherwise posing no imminent threat to the officers or other persons.
- May be displayed or used in a pushing motion when used as a justified and authorized crowd management technique.
- May be used to push individuals who intentionally delay dispersal subsequent to a lawful order to disperse.
- May be used as an impact device, in accordance with Department policy, when an individual's behavior is threatening or violent in nature.

H. Public Assemblies

- The IC and supervisors shall make every effort to ensure that the mission of law enforcement is accomplished as efficiently as possible, with the highest regard for human dignity and liberty of all persons, considerations of cultural and linguistic diversity of Los Angeles neighborhoods and communities, and minimum reliance is placed on the use of physical force.
- Incident Commanders shall refer to LAPD Guidelines for Crowd Management and Crowd Control, Volume 5, of the LAPD Emergency Operations Guide (EOG) prior to declaring an unlawful assembly.
- Prior to declaring an unlawful assembly, the IC should evaluate the feasibility of isolating and arresting those responsible for the unlawful conduct, and if feasible, should do so.

I. Declaration of Unlawful Assembly

- Crowd dispersal techniques shall not be used until after a declaration has been announced as required by 409 PC.
- Procedures will be followed as outlined in the Guidelines for Crowd Management and Crowd Control, Volume 5, of the Emergency Operations Guide.
- The following factors shall be considered when issuing a dispersal order:
 - Use of an amplified loudspeaker to issue the order.
 - If feasible, record the order from the far side of the crowd.
 - If permitted, order shall be made repeatedly over a period of time and, if necessary, at a variety of locations.
 - Order must include an objectively reasonable period of time to disperse and a clear and safe route to disperse based on the facts and circumstances at the time.
 - Order shall be given in a manner to be heard by the entire crowd and, when feasible, in other language(s).
 - Shall include a warning that police action may include less-lethal munitions which could cause significant risk of serious injury to those that remain.

J. Crowd Management Training – Show of Force

- Training shall include the impact on the “show of force on crowd behavior.”

Policies and Training for Crowd Control Situations

K. LAPD's Policy Regarding Crowd Control

- All directives and orders directly related to crowd control and relevant portions of this agreement shall be included by the EOG by July 1, 2009.
- Plaintiffs shall be given an opportunity for input and comment on prior to the final EOG prior to final approval.

L. Training on Crowd Control Policies

- Require annual training for Metropolitan Division.
- Sergeant Is and above shall undergo training at minimum intervals of two years.
- Existing training implemented after May 1, 2007 will be reviewed and modified as necessary.
- Training may be live or by e-module, or both.

M. Retention of Jurisdiction

- Court's jurisdiction shall continue for four years and may be extended, in whole or part, for an additional two years upon proof of preponderance of evidence that the Department failed to comply with the order.
- Plaintiffs shall give notice and reasonable opportunity to remedy any alleged violation.

Department Actions Taken as a Result of the May Day Settlement Agreement

In 2009, the Department updated its Emergency Operations Guide and memorialized all the mandated requirements into Volume 5, Guidelines for Crowd Management and Crowd Control:

- Basic Principles, Helicopters, Marches, Motorcycles/Bicycles/Motor Vehicles requirements on page 24;
- Crowd Management Training-Horses, Use of Less-lethal Weapons, Use of Batons are found on pages 24-25;
- Public Assemblies and Declaration of Unlawful Assembly are defined on page 26; and,
- Crowd Management Trainings – Show of Force, Policy regarding Crowd Control, Training on Crowd Control Policies, and Retention of Jurisdiction are on pages 26-27.

Since 2009, sworn personnel were required to attend crowd management and crowd control training at two-year intervals. These courses included both in person and online instruction:

- Crowd Management and Control for Patrol (2009-2015) – Sworn personnel attended this 10-hour course which reviewed laws, policy, skirmish lines, arrest team procedures, driving, and mass arrest procedures.

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- Crowd Management and Control for Management (2009-2013) – This eight-hour course designed specifically for Command Staff reviewed lawful assemblies, group dynamics, use of force, media relations, and lessons learned from the Democratic National Convention, parades, and sporting event celebrations.
- Crowd Management and Control for Patrol Update (2012) – This three-hour training course provided an update to field personnel related to First Amendment protected activities, objectives and strategies of crowd management and control, MFF concepts, and baton techniques.
- Learning Management System Training (2013) – The Department developed two web-based MFF trainings for its personnel:
 - Crowd Management Intervention and Control – A two-hour DVD-based program.
 - Crowd Management Update – A two-hour crowd management update for sworn personnel.
- Integrating Communications, De-escalation, Crowd Control (ICDC) (2017-2018) – This course included a history of protests within Los Angeles and the Department’s response to these incidents. The ICDC course included a live scenario and a four-hour 40mm Less-Lethal Launcher training.
- Advanced Concepts in Command and Control (2019-2020) – This 10-hour course incorporated tactical de-escalation, review of less-lethal devices, and establishing command and control and managing incidents.

Additionally, the Department incorporated crowd control concepts into various courses to provide personnel a better understanding of the Incident Command System, planning for large demonstrations, and applying concepts during exercises:

- Command Post Cadre Training – The Command Post Cadre course was created to reinforce the Department personnel’s knowledge of the ICS, Command Post operations, duties of the Staging Area Manager, and the Planning Section’s key principles and applications.
- Command Officer Development – Command Officer Development provides instruction to personnel soon-to-be promoted to the ranks of command staff on Critical Incident Management; Command, Control and Coordination techniques; Incident Command System; and, Department References and Policies used to successfully respond and manage a major incident or event.
- Incident Action Plan/Event Action Plan – This course was developed to reinforce the student’s knowledge of the ICS Form 201; EAP/IAP process, key principles and applications; “SMART” objectives; the planning process prior to or during an incident; and, the Department’s guidelines regarding After Action Reports.
- Basic Supervisor and Watch Commander Schools – These courses are mandatory for Department supervisors and watch commanders. The curriculum includes instruction on Critical Incident Management using learning activities, facilitated discussion, directed questions, group dialogue and practical applications. Both schools also review use of force and de-escalation techniques.

Policies and Training for Crowd Control Situations

- Exercises – The Department has participated in a multitude of exercises to apply ICS functions, tools and resources; test and evaluate the operational capability; gain a better understanding of strengths during a major incident or event; and to identify areas for improvement.

Occupy LA (2015)

In 2011 the Occupy Wall Street movement against economic inequality spread throughout the nation and presented itself on the lawn of Los Angeles City Hall in the fall of 2011. On November 29, 2011, the Department responded to the City Hall lawn to facilitate the movement of all individuals living within the Occupy LA encampment after Mayor Villaraigosa issued an eviction notice two days prior and facilitated the movement of all individuals living at the encampment.

One case filed in the United States District Court for the Central District of California, *Cheryl Aichele, et al. v. City of Los Angeles, et al.*, resulted in a settlement agreement. The parties settled on monetary relief which totaled \$2,675,000. No further action was required of the Department.

Ferguson Demonstration (2019)

On November 24, 2014, the St. Louis County grand jury decided not to indict a Ferguson Police Department officer who shot and killed Michael Brown. As a result, demonstrations began to occur in Los Angeles resulting in LAPD's response.

One case filed in the United States District Court for the Central District of California, *Charmaine Chua, et al. v. City of Los Angeles, et al.*, resulted in a settlement agreement. The parties settled on monetary relief which totaled \$750,000. No further action was required by the Department.

Current Lawsuits Filed Related to the Safe LA Civil Unrest (2020)

As of June 4, 2021, there are 30 civil lawsuits filed in the United States District Court or the State of California Court related to the Civil Unrest. The below information titled, "Los Angeles Police Department Lawsuits Filed Related to the Civil Unrest," provides further detail of each case.

Los Angeles Police Department Lawsuits Related to the Civil Unrest

1. Black Lives Matter Los Angeles v. City

Lawsuit No.: CV20-05027 CBM (Consuelo B. Marshall)

Date of Incident: May 29, 2020 – June 2, 2020

Location: Van Ness between Melrose & Santa Monica; Pan Pacific Park.

Allegation: Excessive force; unlawful arrest; arrested on infractions.

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2. **Father Armen Bagramyan v. City**
Lawsuit No.: 20CV11060 CAS (Christina Snyder)
Date of Incident: July 21, 2020 at 1600 hours
Location: Azerbaijan Consulate, Brentwood.
Allegation: Officer struck Plaintiff's stomach with the butt of gun and kicked his chest as he tried to get up.
3. **David Bond v. City**
Lawsuit No.: 21CV01327 RGK (R. Gary Klausner)
Date of Incident: May 29, 2020 at 2200 hours, George Floyd protest
Location: Downtown LA, 2ND and Spring Street.
Allegation: LAPD fired rubber bullets indiscriminately at protestors, struck Bond in the groin; LAPD provided no medical treatment.
4. **Dillon Cullinan v. City**
Lawsuit No.: 20CV10258 VAP (Virginia Phillips)
Date of Incident: May 30, 2020 at 1940 hours, George Floyd protest
Location: 3rd Street, Mid-City.
Allegation: LAPD kettled him; he was struck with an LLM in the inside of his left knee.
5. **Gustavo Flores v. City, et al**
Lawsuit No.: CV21-05387 JAK (SK) John A. Kronstadt
Date of Incident: May 31, 2020 at 1500 hours.
Location: DTLA—Hill Street and 5th Street (Pershing Square).
Allegation: A police vehicle ran over his foot while he was peacefully protesting, knocking him to the ground while he was running.
6. **Brooke Fortson v. City, et al**
Lawsuit No.: 21CV00384 CJC (Cormac J. Carney)
Date of Incident: May 30, 2020 (George Floyd protest)
Location: DTLA-Pershing Square; 5th and Hill Street.
Allegation: LAPD officer struck Plaintiff intentionally with his marked SUV, sending her off her feet.
7. **Alejandra Garcia v. City of LA, et al**
Lawsuit No.: 21CV-06363 PA – Ex (Percy Anderson) (formerly state case 21STCV07940)
Date of Incident: May 30, 2020 – June 12, 2020
Location: All locations.
Allegations: Illegal curfews; kettling; excessive force; unlawful detention without food/water/restrooms; zipties too tight; no social distancing.
8. **Patricia Hill v. City (LAPD)**
Lawsuit No.: 21STCV06932
Date of Incident: May 30, 2020 at 1845 hours.
Location: Pan Pacific Park/Beverly Blvd and N. Curson Ave.
Allegation: Plaintiff struck by “rubber bullets” in her abdomen and nose while holding her hands in the air.

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9. **Fahren James v. City**

Lawsuit No.: CV21-04525 CBM-AS (Consuelo B. Marshall) [formerly 21STCV01162]
Date of Incident: May 30, 2020 (George Floyd protest)
Location: Beverly Blvd between Stanley/Grove and Genesse.
Allegation: Plaintiff turned her back and was hit by female LAPD officer's baton; male officer shot her twice at point blank range with rubber bullet.

10. **Deon Jones, et al v. City**

Lawsuit No.: 20CV11147 SVW (Stephen Wilson)
Date of Incident: May 29 and May 30, 2020 (George Floyd protest)
Location: City Hall (5/29); West Hollywood (5/30).
Allegation: 5/29—Plaintiff hit with baton across back while trying to leave City Hall area; 5/30--Plaintiff shot in face by rubber bullet.

11. **Charf Lloyd v. City** (*Not yet served*)

Lawsuit No.: CV21-06229 FMO-JDE (Olguin)
Date of Incident: June 2, 2020
Location: Downtown L.A. (Broadway and 5th Street).
Allegations: Unidentified LAPD officer shot Plaintiff in the head/eye without provocation.

12. **Gerson Lopez v. City**

Lawsuit No.: CV21-04068 AB (Andre Birotte, Jr)
Date of Incident: May 30, 2020 at 0010 hours.
Location: Downtown L.A.
Allegations: Walked up to a skirmish line to photograph a fire—was shot with LLM in the face by unknown officer.

13. **MMG, Mark Gould v. City**

Lawsuit No.: CV21-03845 VAP-KS (Virginia Philips)
Date of Incident: May 30, 2020
Location: 3rd Street and Fairfax.
Allegations: Officers repeatedly struck Gould with a police baton while he was merely at the scene to pick up his 16-year old daughter, MMG, who witnessed the force against her father.

14. **Sage Moloney v. City, County**

Lawsuit No.: CV21-06157 DMG-JPR (Dolly Gee) [formerly 21STCV17522]
Date of Incident: May 30, 2020 at 1830 hours; June 3, 2020
Location: Downtown L.A. (both incidents).
Allegations: Unidentified officer struck him with baton in the ribs three times (5/30/20); unlawfully arrested for curfew violation, zip ties applied too tight (sheriffs); was kept on bus despite plea to loosen zip ties (6/3/20).

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15. CJ Montano v. City

CV20-07241 CBM (Consuelo B. Marshall)

Date of Incident: May 30, 2020 (George Floyd protest)

Location: Pan Pacific Park; Beverly & La Cienega.

Allegation: LASD deployed tear gas; LAPD fired rubber bullets without warning;

Plaintiff hit in hip and stomach with rubber bullets; Plaintiff hit in head by 40mm on left side of head (fell injuring tailbone).

16. Benjamin Montemayor v. City

Lawsuit No.: CV21-03124 CBM (Consuelo B. Marshall)

Date of Incident: June 2, 2020 at 1435 hours.

Location: Hollywood & Ivar.

Allegation: Shot with 40mm in groin while protesting and holding a banner in Hollywood.

17. Laura Montilla v. City

Lawsuit No.: 20STCV38994 (dismissed; awaiting refile)

Date of Incident: June 1, 2020 between 1700 – 0000 hours.

Location: Downtown LA, 5th & Main.

Allegation: Trapped by LAPD; handcuffed with zip ties that were too tight; detained 5 hours without food, water, or bathroom; pat-down included groping; LASD pointed gun at her when she spoke up for bus occupants.

18. Erica Mora v. City

Lawsuit No.: CV21-02115 DSF (Dale S. Fischer)

Date of Incident: May 30, 2020

Location: Beverly Blvd/The Grove.

Allegation: Plaintiff was shot in the eye with a rubber bullet.

19. Kyle Peterson v. City

Lawsuit No.: CV21-05510 JAK – AS (John Kronstadt) (Formerly state case 21STCV17524)

Date of Incident: May 30, 2020; 1507 hours.

Location: 3rd Street/Fairfax.

Allegation: Plaintiff was kettled by officers, shot in the hand with unidentified LLM.

20. Ezekiel Richardson v. City

Lawsuit No.: 21CV-01256 SB - PLA (Stanley Blumenfeld)

Date of Incident: May 30, 2020 at 1500 hours.

Location: Pan Pacific Park; 3rd Street and Crescent Heights.

Allegation: Plaintiff shoved to ground; stuck by baton; tried to get up and thrown to the ground again; arrested at 3pm and handcuffed, released at 10pm; denied food, water, and bathroom.

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21. Belen Rivas v. City

Lawsuit No.: CV21-02440 VAP (Virginia Phillips)

Date of Incident: May 30, 2020 at 1800 hours.

Location: Pan Pacific Park, Beverly & Curson.

Allegation: LAPD shot tear gas and employed rubber bullets at kneeling protestors;

Plaintiff struck on left side of face by unknown projectile that left black and orange fragments; taken to ER.

22. Jonathan Rivera v. City, et al

Lawsuit No.: 21STCV25760 (Will get removed due to §1983 claims)

Date of Incident: May 20, 2020 at 1830 hours (per complaint; but likely is May 30, 2020)

Location: Beverly Blvd and Fairfax.

Allegation: Plaintiff was shot in the hand with a rubber bullet, while holding his skateboard and a phone.

23. Isaac Newton Medeiros Dos Santos, Karina Lopez v. City, et al

Lawsuit No.: CV21-05963 FLA-GJS(x) (Fernando L. Aenlle-Rocha)

Date of Incident: June 2, 2020 at 1745 hours.

Location: Sunset Blvd and Western Ave (Hollywood).

Allegation: Both Plaintiffs were unlawfully seized (arrested) for looting, and the zip ties were too tight.

24. Nicholas Stern v. City

Lawsuit No.: CV21-03760 VAP (Virginia Phillips)

Date of Incident: May 30, 2020 at 1400, 1500, 1510; and 1610 hours.

Location: 3rd Street west of Fairfax.

Allegation: Officers repeatedly struck Plaintiff in the ribs with a baton; Officer fired LLM, striking Plaintiff in the thigh; grazed by rubber bullet in his left knee by unknown officer; observed officers shove fellow journalist to the ground.

25. Randall Stewart v. LAPD

Lawsuit No.: 21STCV10900

Date of Incident: May 30, 2020, 1500 – 1615 hours.

Location: Parking lot at 3rd Street and Fairfax.

Allegation: Plaintiff struck by officer's baton after pointing out that four officers were beating an unarmed individual; Plaintiff struck by rubber bullet fired as Plaintiff was leaving the area.

26. Bradley Steyn v. City

Lawsuit No.: 20STCV34657

Date of Incident: May 30, 2020 at 1445 hours.

Location: TJ parking lot, 3rd Street b/w Edinburgh & Fairfax.

Allegation: Officer beat Plaintiff with baton; shot in testicles with rubber bullets as revenge for kicking another officer; shot at close range.

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27. Steven Walpert v. City

Lawsuit No.: CV21-01259 FMO (Fernando Olguin)

Date of Incident: May 30, 2020 at 1500 hours.

Location: Pan Pacific Park; Fairfax & Beverly Blvd

Allegations: Not part of protest; assaulted by protestors, pulled from car; arrested and handcuffed—7-hour detention; denied food, water and bathroom.

28. Dominique Ware v. City

Lawsuit No.: CV21-06237 SK (Steve Kim)

Date of Incident: May 30, 2020

Location: Downtown LA at 2000 hours.

Allegations: LAPD officers randomly fired LLMs into the crowd, striking Plaintiff in the hand while he was peacefully protesting.

29. Wyntergrace Williams v. City

Lawsuit No.: CV21-03693 AS (Alka Sagar)

Date of Incident: May 30, 2020

Location: 3rd Street and Fairfax.

Allegation: While trying to comply with officers' demand, Plaintiff was struck with an unidentified LLM in the right hip/pelvic area.

30. David Zuniga v. City, County, LAPD, LASD

Lawsuit No.: State Court: 21STCV25135

Date of Incident: May 29, 2020

Location: Grand Park, DTLA.

Allegation: Plaintiff was struck with an unidentified LLM without cause.

Safe LA Arrest and Detentions Made Under 80.02 LAMC

On May 29, 2020, the Department sought the advice of the City Attorney's Office on appropriate sections for arrest pertaining to the civil unrest. The conversations focused on California Penal Code (PC) Section 409 (Failure to Disperse) and 415 (Disturbing the Peace), both misdemeanor offenses. There were 746 individuals arrested for 409 PC and transported to a field jail for processing. However, due to the large number of people arrested and the limited staffing available at the field jails, these individuals were cited for Los Angeles Municipal Code 80.02 (Failure to Obey a Lawful Order by a Police Officer), an infraction. Ultimately, this led to quicker release times for individuals and no misdemeanor charges on their criminal records.

Standard Procedure for Deciding Appropriate Booking Charges

In general, there are three types of protest activities to which the Department responds:

- Protests about which the Department has some advanced knowledge of and which occur at a known location;
- Recurring protests at a City Official's home or field office; and,
- Protests which the Department lacks knowledge of prior to its commencement.

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Each one of these types of protests may possess a variety of different, unique characteristics that determines how the Department may respond. Therefore, each event is evaluated on a case-by-case basis which allows the Department the necessary flexibility to appropriately tailor its response to the ever-evolving nature of said events.

In consideration of the above, the Department's responses are as follows:

- For protests that the Department has advanced knowledge of and can therefore plan for, there can be a meeting or series of meetings which occur between involved command staff and representatives from the Criminal and Civil branches of the City Attorney's Office. Such a meeting or meetings may involve discussion of the scope of the planned event (i.e., details surrounding the event such as the number of persons expected in attendance, location/route of any moving component, whether a permit for said event has been obtained, etc.), any legal questions the Department has, and identifying potential citation/arrest charges, should the facts observed during the event reflect the violation of a Municipal or State law. Such a discussion may also include identifying the various options available, depending on the violation observed (i.e., ACE, Traffic Notice to Appear, Release from Custody, etc.), as well as any prosecutorial filing guidelines for the offenses discussed. Historically, incident commanders and senior staff have also contacted representatives from the City Attorney's Office via telephone where questions have arisen outside the meeting context.
- The past year or so has seen increased (recurring) protest activity in front of the homes and field offices of city officials. Each such location involves different traffic and public safety concerns. Moreover, the frequency with which such activity occurs at each type of location varies. The Department has received information from the City Attorney's Office concerning laws respecting the exercise of expressive activities, as well as laws prohibiting or regulating non-expressive conduct or behaviors at such locations. In some instances, senior staff will contact city attorney representatives for further assistance during such an event.
- The third general category involves demonstrations which occur and for which the Department lacks any advanced knowledge. For these events, the Department utilizes its training and experience in responding to mass gatherings, including knowledge of the laws (and offense elements) identified and discussed as part of its response planning for the above two categories. Similar to the above, members of the City Attorney's Office are available and are on-call for members of senior staff. This past summer, the City Attorney's Office was involved in identifying the code sections and necessary elements for enforcement of the Mayor's curfew order, as well as determining appropriate and judicially efficient cite-back procedures.