



TRAINING BULLETIN

LOS ANGELES POLICE DEPARTMENT

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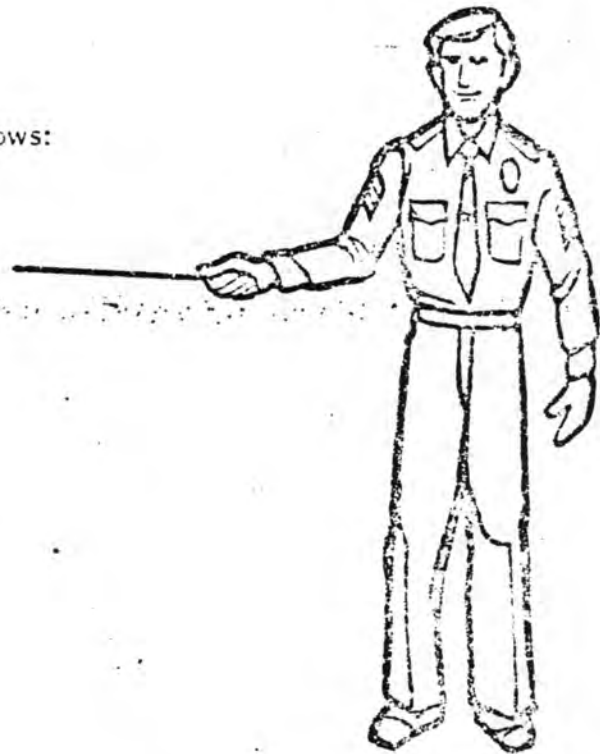
USE OF FORCE GUIDELINES

The Police Department's primary function is to protect the rights of all persons within its jurisdiction to be free from criminal attack, secure in their possessions, and to live in a peaceful atmosphere. In order for the Department to carry out this function, police officers may be required to use physical force. The application of physical force and the type of force employed depends on the situation as perceived by the officer. The purpose of this bulletin is to provide guidelines as to when physical force may be employed and the type of physical force that the law will permit. However, guidelines cannot cover every possible situation presented to officers. Therefore, officers must be reasonable in their actions and demonstrate common sense when employing physical force.

USE OF FORCE POLICY:

The Department's use of force policy is as follows:

"In a complex urban society, officers are daily confronted with situations where control must be exercised to effect arrests and to protect the public safety. Control may be achieved through advice, warnings, and persuasion, or by the use of physical force. While the use of reasonable physical force may be necessary in situations which cannot be otherwise controlled, force may not be resorted to unless other reasonable alternatives have been exhausted or would clearly be ineffective under the particular circumstances. Officers are permitted to use whatever force that is reasonable and necessary to protect others or themselves from bodily harm." (1/240.10)



The Department's use of force policy must comply with applicable California and federal law. The California Penal Code states that an officer who has reasonable cause to believe that a person to be arrested has committed a public offense may use reasonable force to effect the arrest, prevent escape, or overcome resistance. Each situation explicitly

requires the use of force to be reasonable and only that force which is necessary may be used to gain control or resist attack. *Mere verbal threats of violence by a suspect do not by themselves justify the use of physical force.* The threat must be a credible one before any use of force technique can be applied. Officers must be prudent when applying any of the use of force techniques. Excessive or improper application of physical force is a violation of California and federal law which may result in criminal prosecution and/or civil liability for the officer. A violation of the Department's use of force policy may also subject the officer to Departmental discipline.

ESCALATION / DE-ESCALATION OF FORCE

The primary objective of the application of physical force is to ensure the control of a suspect with only the minimum force necessary. Ideally, officers should attempt to control a suspect through advice, warning, or persuasion, but be prepared for the use of physical force. The types of force an officer may utilize will vary depending on the aggressive behavior or degree of resistance used by a suspect and the tactical practicability of a particular use of force technique. Additionally, the officer's ability to gain and maintain an **advantageous position** may in some instances prevent the need to use physical force. In situations when physical force is applied, an officer must escalate or de-escalate to the **reasonable** and **necessary** amount of force as it directly correlates to the suspect's action.

The concept of escalation and de-escalation of physical force must be put into a proper perspective so that officers can effectively handle all types of resistant suspects. There are three key points regarding the concept of escalation and de-escalation of physical force.

1. Physical force is used to control a suspect.
2. Whenever force is used, the officer's defensive reactions must be in response to the suspect's actions.

NOTE: This does not mean that an officer has to wait until a suspect attacks.

Based on the circumstances, an officer may be justified in using appropriate force to prevent an attack.

3. An officer may use only the minimum reasonable force necessary to control the suspect.

USE OF FORCE TECHNIQUES

The ability to successfully execute the proper control technique when attempting to control a suspect is essential for officer safety. The following Use of Force techniques are described in general indicating the approved levels of force to control suspects under increasing resistant actions. Each technique is fully described in a separate training bulletin.



GOOD VERBALIZATION TECHNIQUES, COMBINED WITH A MATURE, PROFESSIONAL ATTITUDE, CAN PREVENT ESCALATION OF A SITUATION.

Verbalization

Verbalization, "talking a suspect to jail," is the most commonly used technique to effect the arrest of a suspect. Verbalization may be advising, warning, or persuading. Actual field experience demonstrates that certain techniques of verbalization, coupled with an advantageous position, and a mature, professional attitude can prevent further escalation of a situation. These techniques include:

- * explaining any actions about to be taken;
- * allowing a suspect to save face in front of peers;
- * recognizing that a suspect's remarks are not a personal attack against the officer; and
- * allowing a suspect to retain dignity, whenever possible.

Officers should attempt to de-escalate confrontations by utilizing verbalization techniques prior to, during, and after any use of physical force.

Firm Grip and Compliance

Firm grip or pain compliance techniques were designed for drunk pick-ups and suspect come-a-longs. These techniques may be useful when attempting to control an uncooperative suspect. In most situations, the suspect will cooperate with the officer's verbal requests. However, when verbalization proves ineffective, a firm grip may be all that is necessary to overcome the suspect's resistance. If the use of a firm grip is unsuccessful, an officer may decide to utilize a pain compliance technique to restrain the suspect.

The following instances would be appropriate situations for employing a firm grip or pain compliance technique on an uncooperative suspect where reasonable attempts at verbalization have been exhausted.

- * The officer possesses a significant stature, age, or strength advantage and is reasonably confident that control can be achieved by a firm grip or pain compliance technique.
- * The officer is reasonably certain that control can be attained with the support of the partner officer or others.

Chemical Irritant

Chemical irritant may be used to overcome and control a suspect's aggressive actions when verbalization is unsuccessful. Verbal threats of violence by a suspect do not alone justify the use of chemical irritants. Any threat must be a credible one, which would cause an officer to reasonably believe that it would be unsafe to approach and control the suspect. When it is tactically unwise to entangle with the suspect and it is desirable to maintain distance, chemical irritant may prove useful.

Baton

The baton may be appropriately displayed as a show of force if verbalization techniques appear to be ineffective when used on an aggressive suspect. A decision to draw or exhibit a baton must be based on the tactical situation. For example, the drawing of a baton may be reasonable in a situation of an officer entering a bar or other location of prior disturbance calls, or exhibiting the baton in a situation where there is an escalating risk to the officer's safety. If the situation continues to escalate, the baton can provide a viable method of controlling the suspect. The baton's uses include come-a-longs, pain compliance techniques, takedowns, striking movements, and blocks.

NOTE: The baton shall not be used to gain compliance to verbal commands absent combative or aggressive actions by the suspect.

Kicks

In situations when use of the baton is applicable, the front, side, rear, and round house kicks can be applied as alternate use of force techniques. Officers proficient in the use of kicking techniques have an available tactic that can be quickly utilized when attempting control of a combative suspect.

Taser

The Taser is a nonlethal control device which may be used to control violent or potentially violent suspects when an officer reasonably believes the following conditions exist:

- * deadly force does not appear to be justifiable and/or necessary, and
- * attempts to subdue the suspect with other nondeadly tactics have been or will likely be ineffective in the situation, and

- there is a reasonable expectation that it will be unsafe for officers to approach to within range of the suspect.

Upper Body Control Holds

The modified carotid, full carotid, and locked carotid are upper body control holds available for use by officers. *These holds can be used as an alternative in life threatening or endangering situations whenever the use of deadly force is warranted.*

Firearms

If the situation becomes life threatening, the officer would be compelled to escalate to the ultimate level of force. The use of deadly force is a last resort, dictated by the life endangering actions of a suspect toward the officer or another person.

Overview of Techniques

When a suspect physically attacks an officer, the officer must act in self-defense using one or more of the previously mentioned control techniques within approved use of force standards. Consider a situation wherein a suspect is holding a knife some distance from the officer and the officer counters by using the baton as a show of force. At this time, the suspect drops the knife and submits to arrest. Although an officer must proceed with extreme caution, maintaining an advantageous position and ensuring that no additional threat exists, the officer should de-escalate all the way back to verbalization. Therefore, since the suspect is now cooperating, the officer reacts accordingly by advising, warning, or persuading.

The increased amount of force used by a suspect requires an officer to escalate the degree of force needed to maintain control of the situation. As a suspect's use of force declines, the officer's reaction must also decline. The **reasonable** and **necessary** amount of force needed to control a suspect may vary from one officer to another. There are many variables that can affect the degree of force an officer must use. These variables include the size of the suspect, the size of the officer, and the weapon or force being utilized by a suspect. It should be emphasized that an **advantageous position** will often reduce the need to use physical force. The proper utilization of officer safety techniques is often enough to gain and maintain control, conveying to a suspect that the officer is well prepared to handle any aggressive behavior.

One critical point must be made; while the most ideal situation would require only verbalization, that may not always be the case. The reasonable and necessary amount of force needed to control a suspect may require that the officer's initial reaction be the use of a firearm. The officer's option to use other control techniques would have to be bypassed. As an example, an officer who is suddenly confronted by an armed suspect without warning may have to immediately counter with deadly force.

MENTAL ATTITUDE

Officers must realize that emotional involvement is also a factor in the escalation or de-escalation of force. In order to react to every situation with the minimum amount of

force necessary, an officer must be in good physical condition, possess self-defense and verbalization skills, and have a mature, professional attitude. Additionally, officers must have self-confidence in their training and ability to control the situation.

CONTACTS WITH VIOLENT PERSONS

Contacts with violent persons pose a serious threat to the safety of officers, the public, and to violent persons themselves. A violent person can be someone who is under the influence of Phencyclidine (PCP) or other drugs, afflicted with a mental illness, or aggressively resistant so that there is a loss of self-control. When confronting a violent person, the officer should attempt to control the immediate surroundings, reduce the person's anxiety, and if possible, wait the situation out. Medical authorities have indicated that when dealing with a PCP suspect, environmental factors such as noise, people, uniforms, and even words may stimulate aggressive behavior. By using a low-key approach, choosing words carefully, and displaying non-aggressive body actions, the officer may have some success in reducing the potential for violent behavior.

REPORTABLE USE OF FORCE INCIDENTS

A reportable use of force incident is defined as an incident in which any on-duty Department employee, or off-duty employee whose occupation as a Department employee is a factor, uses a non-lethal control device or any physical force to:

- * compel a person to comply with the employee's directions; or
- * overcome resistance by a suspect during an arrest or a detention; or
- * defend any person from an aggressive action by a suspect.

EXCEPTIONS

Use of force incidents not reportable under this definition are:

- * the use of a firm grip hold which does not result in an injury; or
- * that force necessary to overcome passive resistance due to physical disability or intoxication which does not result in injury; or
- * an incident investigated by the Officer-Involved Shooting Section, Robbery-Homicide Division.

An employee who becomes involved in a reportable use of force incident or discharges a Taser or a chemical irritant control device for any reason other than an approved training exercise is required to:

- * complete a Use of Force Report, Form 1.67.2;
- * report the full details of the use of force incident in the related Department arrest or crime report;

- use an Employee's Report, Form 15.7, to report the full details of the use of force incident when a crime or arrest report is **not** required;
- ensure that each page of all copies of the related report has the words **USE OF FORCE** in the right margin; and
- when off-duty, notify their supervisor or watch commander without unnecessary delay. If their location of assignment is closed, notification shall be made to Detective Headquarters Division. A copy of the necessary use of force reports shall be submitted to their supervisor no later than the next regularly scheduled tour of duty.

CONCLUSION

The decision to use physical force places a tremendous responsibility on the officer. There is no one capable of advising an officer on how to react to every situation that may occur. Ideally, all situations would require only verbalization. While the control of a suspect through advice, warning, or persuasion is preferable, the use of physical force to control a suspect is sometimes necessary. Officers must be able to escalate or de-escalate the amount of force needed to control a situation as the suspect's resistance increases or decreases. Force should only be used as a necessary means to secure control of a suspect.

REVIEW CONSIDERATIONS

1. The concept of escalation and de-escalation can be put into proper perspective once three basic principles of physical force are understood. What are the three principles?
2. Officers are permitted to use whatever force that is reasonable and necessary to protect others or themselves from bodily harm.
3. The use of force to control a suspect may not be needed if the officer is successful in talking the suspect into custody. What are four techniques that may be implemented when using verbalization? *advising, warning, explaining, respect of being treated as professional*
4. What is an officer's primary objective when using force? *to ensure the control of a suspect w/ minimum force necessary*
5. The officer's ability to gain and maintain an advantageous position may in some instances prevent the need to use physical force.
6. In order to react to every situation with the minimum amount of force necessary, an officer must possess what skills and attitude? *good verbalization skills and a mature professional attitude*

This bulletin cancels and supersedes the Training Bulletin dated December 1985, Volume XVII, Issue 5.