05-006 Bears

Los Angeles County Sheriff's Department

FIELD OPERATIONS DIRECTIVE

Field Operations Support Services

BEARS

PURPOSE

The purpose of this Directive is to provide procedures for dispatching, responding to, and the handling of bear incidents. This directive was prepared with consideration given to the unique behavioral characteristics of bears. The provisions of this directive are not applicable to other forms of wildlife.

BACKGROUND

Deputies must always be aware that their primary responsibility is the protection of human life. Encroachment of wildlife into inhabited areas requires that deputies must exercise sound judgement in determining the threat level that exists with the bear's presence in relation to humans occupying the same area.

JURISDICTION

The California Department of Fish and Game (DFG) has the legal responsibility for overseeing wildlife issues; however, DFG relies upon assistance from local law enforcement, humane societies, and animal control officers. Once a DFG officer has arrived on scene, he or she will assume responsibility for the tracking, capturing, or destruction of a bear. Deputy personnel shall have authority to take immediate action, including destruction of the bear, if the bear's behavior has caused the death or injury to a human or is about to inflict injury upon a human.

POLICY

It will be the policy of the Department to respond to bear incidents with the goal of protecting human life and returning the bear to its natural habitat. A deputy's actions shall be based on the bear's behavior and level of threat or injury to human life. Absent any threat, our primary focus/involvement should be locating, monitoring, and observing

the bear from a safe distance, and avoid placing ourselves in a position that may provoke the bear.

PROCEDURE

Responsibility of the Desk Personnel

The DFG shall be contacted by the desk for bear sightings wherein a bear is encroaching upon an area inhabited by people. Appropriate city/county animal control agencies should also be notified to provide assistance if necessary.

Desk personnel shall contact DFG at their Los Angeles County 24 hours dispatch at (951)443-2944.

The field sergeant shall be assigned the assist on a bear call for service wherein a bear is encroaching upon an area inhabited by people.

The desk shall notify the watch commander of the call-for-service.

Responsibility of the Responding Unit

The responding deputy shall be responsible for observing the bear's behavior and determining the level of threat to human life. The deputy's action shall be based on these observations and determinations.

NO APPARENT THREAT TO HUMANS, examples:

- It is 0200 hours and the bear is walking down a residential street and no residents are outside of their homes or in the bear's path.
- A bear is sitting in a hot tub/pool in a backyard and no people are present in the backyard.
- A bear is in a campground area with no people in the area.

If a bear is not posing any apparent threat to humans, a deputy shall:

- Maintain observation of the bear at a safe distance and contain the area. Do not attempt to capture, chase or corral the bear. Always allow an avenue for escape.
- Confirm with the desk that DFG was contacted and obtain DFG's estimated time of arrival.
- Assist the DFG officer as needed while remaining consistent with Department policy.

THREAT TO HUMANS, examples:

- A bear is walking towards a parking lot/campground inhabited by people.
- It is 1000 hours on a school day and a bear is walking down a street towards the school.
- A bear is at a docking area on a waterway and people are on the docking area.

If a bear poses a threat to humans, a deputy shall:

- Maintain observation of the bear at a safe distance. Do not attempt to capture, chase or corral the bear. Always allow an avenue for escape.
- Confirm with the desk that DFG was contacted and obtain DFG's estimated time of arrival.
- Evacuate and contain the area if possible.
- **When evacuation and containment are impossible or impractical and the bear's presence or direction of travel, if allowed to continue, will place humans in danger, the use of less lethal weapons may be appropriate. The deputy should consider the totality of the situation before deciding on the use of any weapons to stop the bear's movement or alter its direction. NOTE: THE BEAR'S REACTION TO ANY USE OF WEAPONS IS UNPREDICTABLE. WHEN USING**

LESS LETHAL WEAPONS, ADDITIONAL PERSONNEL SHOULD BE STANDING BY ARMED AND READY TO USE DEADLY FORCE (SHOTGUN WITH RIFLED SLUGS).

- **Arwen/SL-1/SL-6 (baton launching weapon)** - Use the standard energy round. This round should be used at a distance of at least sixty (60) feet when possible. A deputy shall attempt to strike the bear in the shoulder or buttock area. Striking the bear in the head or underbelly may cause internal injuries and ultimately death.
- **12 gauge StunBag (Bean Bag) shotgun** - If an Arwen is not available, a deputy should consider the StunBag, keeping in mind the danger the close distance required for an accurate shot creates. A deputy shall attempt to strike the bear in the shoulder or buttock area. Striking the bear in the head or underbelly may cause internal injuries and ultimately death. The Bean Bag has been known to penetrate the bear's skin, causing infection and death.
- **Other less lethal weapons** - The following less lethal weapons are not recommended for use on bears due to their ineffectiveness and/or the close distance required for deployment:
  - Oleoresin Capsicum spray (O.C.)
  - Taser stun gun
  - Pepperball system

- When feasible, deputy personnel encountering a bear situation which may require the use of a less lethal weapon shall notify a supervisor prior to the use of the weapon. If the deputy is unable to notify a supervisor prior to the use of the less lethal weapon, then the deputy shall immediately notify a supervisor after using the weapon.
- Assist the DFG officer as needed while remaining consistent with Department policy.

IMMEDIATE THREAT TO HUMANS, examples:

- A bear is charging at a person.
- A bear is mauling a person.
- A bear has caused the death of a person.

If a bear has killed or has caused injury to a human, DFG advises they will destroy the bear. A deputy shall evacuate and contain the area and wait for DFG to arrive. Deputies shall maintain observation of the bear at a safe distance, never attempting to capture, chase or corral the bear. Deputies may have to move, shift, or enlarge the containment based on the bear's movement and/or behavior. If the bear breaks the containment, deputies shall notify DFG.

- If a bear is about to cause death or serious injury upon a human, a deputy shall, as tactically safe as possible, utilize deadly force to protect human life. When a deputy uses deadly force on a bear, they should shoot the bear broadside in the shoulder/chest area. If possible, do not shoot the bear in the skull. The skull of a bear is constructed of heavy bone and is sloped at sharp angles, thus penetration is unlikely and the possibility of ricocheting exists. Also, the neck area is relatively short and not the best target. A deputy shall consider which weapon would be most appropriate given the totality of the situation (deputy's location, assisting unit's location, victim's location, bear's actions, etc.).
  - **Rifled slugs** used in the shotgun are the best choice and should be used if available. Consideration must be given to the area behind the bear (background) due to a rifled slug's capability of going through the bear and hitting unintended targets.
  - **Buckshot** from the shotgun is capable of killing a bear; however, the shot should be taken within 15 yards.

  - **Handguns** are the least effective weapons against bears.
  - **AR-15 rifle** may be used, however, the velocity and distance in which an AR- 15 rifle round may travel, shall be considered. Over penetration is the greatest concern.

- When feasible, deputy personnel encountering a bear situation which may require the use of deadly force shall notify a supervisor prior to using deadly force. If the deputy is unable to notify a supervisor prior to using the deadly force, then the deputy shall immediately notify a supervisor after using the deadly force.
- Assist the DFG officer as needed while remaining consistent with Department policy.
- Whenever possible the DFG officer should handle the destruction of the bear. However, deputy personnel must be prepared to destroy the bear as directed by the DFG officer or when the deputy believes that death or serious physical injury is about to be inflicted upon themselves or others. Department personnel shall not use firearms to shoot animals fighting with other animals. Refer to MPP §3- 01/025.35, Use of Firearms on Animals.

Reporting Requirements

All incidents where lethal, or less lethal, force is applied to a bear are documented on a Department of Fish and Game “Wildlife Incident Report.” Electronic copies of this form are maintained in Outlook under “All Forms.” No URN number is required. The original WIR shall be sent to the Department of Fish and Game. Only one WIR should be submitted per incident. If a WIR is completed by DFG personnel, none should be completed by assisting deputies.

A Chief’s memorandum is required when deadly force or less lethal weapons are used against a bear or the incident is otherwise significant.

If deadly force was used by deputy personnel, immediate notification to the on-call IAB lieutenant is required in accordance with MPP §5-09/434.05 Activation of Force/Shooting Response Teams.

Enforcement

Bears are on a continuous hunt for food. When they are able to obtain food, at a campground or a residence, they continue to intrude on populated areas. People feeding bears cause great danger to themselves and to the bears. Los Angeles County Code, Section 10.84.010 Providing Food for Certain Rodents or Predator Animals Prohibited, states it is an infraction for a person to feed or in any manner provide food for a non- domesticated animal such as a bear. Deputies may issue citations for this County Code as appropriate.

AFFECTED DIRECTIVES/PUBLICATIONS

MPP §3-01/025.35 Use of Firearms on Animals - Provides supplemental guidance concerning the use of firearms on bears.

MPP §4-28/000.00 Form Numbers and Titles - Adds reference to the “Wildlife Information Form.”

CITES/REFERENCES

MPP §4-09/032.00 Use of Force

MPP §5-09/430.00 Use of Force Reporting and Review Procedures MPP §5-09/433.00 Deputy - Involved Shootings - No One Hit

MPP §5-09/434.05 Activation of Force/Shooting Response Team

Los Angeles County Code §10.84.010 Proving Food for Certain Rodents or Predator Animals is Prohibited