20-16 - Less Lethal from an Elevated Platform

Los Angeles County Sheriff's Department

NEWSLETTER

Field Operations Support Services

LESS LETHAL FROM AN ELEVATED PLATFORM

The purpose of this newsletter is to educate Department personnel on the dangers of deploying a less lethal weapon at a person when on an elevated platform.

Department personnel are oftentimes placed in unexpected situations when dealing with a suspect in the field. This newsletter is to guide personnel in the use of less lethal weapons when faced with an elevated platform, whether it be the deputy and/or suspect.

Only qualified Department personnel, who have successfully passed Department training and are currently certified in the use of the weapon, shall carry a less lethal weapon. Less lethal weapons include, but are not limited to, the following devices:

- 37mm Projectile Weapons (ARWEN);
- 12-Gauge Stunbag Weapons;
- Pepperball Systems;
- Chemical agents (small aerosol containers); and
- Electronic Immobilization Device (Taser).

The A.R.W.E.N. (five-shot capacity) and the Pan Arms SL6 (six-shot capacity) and SL-1 (single-shot capacity) are less lethal shoulder weapons which are designed to launch 37mm projectiles.

The Stunbag is a less lethal “bean bag” round that is designed to be launched from a conventional 12-gauge shotgun. Only distinctively marked Stunbag shotguns shall be used for the delivery of these rounds.

The Pepperball System is a less lethal weapon designed to launch frangible plastic projectiles which contain Oleoresin Capsicum in a powder form. The Pepperball System is not considered a firearm. However, launching projectiles at a suspect’s head shall be avoided unless circumstances dictate otherwise.

Although classified as less lethal weapons, the ARWEN, SL-6, SL-1 and Stunbag Shotgun are still firearms. When using these weapons, the potential exists to inflict serious or even fatal injuries. Therefore, the user

should avoid striking anyone in the head when confronted with less than life-threatening situations.

Aerosol chemical agents are defensive weapons designed to incapacitate aggressive individuals with no permanent aftereffects. These weapons allow a subject to be controlled with a minimum of contact on the part of the user.

The TASER is a less lethal hand-held electronic immobilization device used for controlling assaultive/high risk persons. The purpose of this device is to facilitate a safe and effective response in order to minimize injury to suspects and deputies.

The use of these weapons is appropriate in circumstances involving suspects whose actions are assaultive towards sworn personnel or would place sworn personnel in situations where they feel the suspect is highly likely to cause them or members of the public harm. The Pepperball system can also be used on resistive suspects. In this case, the projectiles must be used to distribute O.C. powder by launching them against hard objects in the area of the suspect. Deputies must not intentionally launch projectiles directly on resistive suspects. All Department personnel utilizing these weapons must do so only when fully justified by circumstances and shall be governed by Department Manual of Policy and Procedures (MPP) section 3-10/100.00, Use of Force Reporting – Department Member Responsibilities.

Additionally, the following guidelines shall apply:

- Only qualified Department personnel shall use these weapons. Qualified personnel are those sworn individuals who have received and successfully passed Department training in the use of the weapon deployed.

- If a Stunbag qualified person is assigned to a general law enforcement or traffic unit, and a Stunbag weapon is available, the Stunbag shotgun shall be deployed in the unit.

- Deputy personnel encountering a situation which may require the use of one of these weapons, when feasible, will immediately notify the field sergeant. These weapons can be deployed before the arrival of the field sergeant if the situation dictates such deployment. The field sergeant shall respond to the situation and assess the circumstances. The sergeant shall make all notifications and reports as required by the Department's Use of Force Policy.

- Notification of the use of these weapons shall fall within the guidelines of Department MPP section 3-10/100. Use of Force Reporting – Department Member Responsibilities. Furthermore, utilization of the weapon requires completion of the “Supervisor’s Deployment Report, Less Lethal Weapons,” SH-R-432, which is available through Central Supply.

Except in emergent circumstances, Less Lethal Weapons **should not be applied to or used in any other situation where there is a reasonably foreseeable likelihood of severe injury or death.** This includes an elevated platform (i.e., rooftop, car, brick wall, etc.). In the extraordinary instance where Department personnel feel compelled to utilize any of the Less Lethal Weapons in the following circumstances, the conduct of the involved personnel shall be evaluated in accordance with the Use of Force policy and sound tactical principles.

- Handcuffed persons;

- Persons detained in a police vehicle;
- Persons detained in any booking or holding cell;
- Persons in control of a motor vehicle;
- **Persons in danger of falling or becoming entangled in machinery or heavy equipment which could result in death or serious bodily injury;**
- Persons near flammable or combustible fumes;
- Persons near any body of water that may present a drowning risk; and
- Persons known to have a pacemaker or known to be pregnant.

If you have any questions, please call or email Field Operations Support Services at [REDACTED TEXT]

References

5-06/040.05 – Use of Less Lethal Weapons

5-06/040.20 – 12 Gauge Stunbag Weapons

5-06/040.95 – Electronic Immobilization Devices (Taser) Procedures

7-05/010.00 - Aerosol Chemical Agents

FOD 90-009 – Less Lethal Weapon Systems