

LOS ANGELES POLICE COMMISSION

INSPECTION OF TASER AND BEANBAG SHOTGUN DEPLOYMENT



Conducted by the

OFFICE OF THE INSPECTOR GENERAL

ALEXANDER A. BUSTAMANTE
Inspector General

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THE OFFICE OF THE INSPECTOR GENERAL INSPECTION OF TASER AND BEANBAG SHOTGUN DEPLOYMENT

I. INTRODUCTION

The Office of the Inspector General (OIG) completed an inspection of Los Angeles Police Department (Department) uniformed officers deployed in the field equipped with less lethal force options.¹ This inspection focused on two of the less lethal options available: the conducted energy weapon (TASER)² and the Beanbag Shotgun.³ For this report, “less lethal” will refer only to TASER and Beanbag Shotgun.

In recent months, national and local media have directed considerable attention to law enforcement uses of deadly force. Police Commission President Matthew Johnson has stated that one of his goals for the Department is to reduce officer-involved shootings through wider deployment of less lethal options in the field.⁴

In September 2015, the Department issued a revised policy that requires all uniformed officers deployed in the field to be equipped with a TASER on their person, unless unavailable.⁵ Prior to this revision, there was no requirement that officers be TASER-equipped in the field.⁶ Regarding the Beanbag Shotgun, current Department policy encourages, but does not mandate, officers to be equipped with this less lethal option.⁷ The OIG conducted this inspection to examine whether officers were equipped with less lethal options.

To conduct the inspection, the OIG first examined the methods by which the Department assigns TASERs and how follow-up supervisory inspections occur. Then, the OIG examined actual uses of less lethal force by randomly selecting eight Areas and identifying a use of force incident that occurred in the last quarter of 2015.⁸ The OIG reviewed one TASER use and one Beanbag Shotgun use for each of the eight Areas. Where the use of force involved both the TASER and Beanbag Shotgun, only the one incident was reviewed. As a result, the OIG reviewed 12 incidents that occurred over 12 dates (inspection dates). The table on the following page lists the 12 dates of occurrence for the less lethal force incidents.

¹ The OIG’s Audit & Complaint Section completed this inspection and report.

² TASER is an acronym for “Thomas A. Swift’s Electric Rifle.” The device’s name was created by its inventor, John “Jack” Higson Cover, who as a child enjoyed the Tom Swift fiction novel series. Cover patented the device in 1972.

³ Oleoresin Capsicum (“pepper spray”) and a baton are the other less lethal options available to Department officers.

⁴ Police Commission President Matthew Johnson Outlines His Vision And Goals For The Department, November 10, 2015. See Appendix, page A, for relevant portions of the statement. For the full transcript of Johnson’s statement, see http://www.lapdonline.org/police_commission/content_basic_view/59712.

⁵ Office of Operations Order No.4, *TASER XP26 Deployment – Established*, September 21, 2015. See Appendix page A.

⁶ Office of Operations Notice, *Daily Deployment and Availability of Less-Lethal Options*, September 16, 2014.

⁷ *Ibid.*

⁸ At the time the OIG made the request, in two Areas the most recent Beanbag Shotgun deployment occurred before the last quarter of 2015.

Table 1 – Less Lethal Force Incidents Reviewed

#	AREA	LESS LETHAL OPTION USED	DATE OF INCIDENT
1	Central	TASER	October 4, 2015
2	Central	Beanbag Shotgun	December 6, 2015
3	Devonshire	TASER & Beanbag Shotgun	April 13, 2015
4	Devonshire	TASER	October 21, 2015
5	Foothill	TASER & Beanbag Shotgun	October 27, 2015
6	Harbor	Beanbag Shotgun	November 6, 2015
7	Harbor	TASER	November 19, 2015
8	Hollenbeck	TASER & Beanbag Shotgun	October 3, 2015
9	Hollywood	Beanbag Shotgun	July 12, 2015
10	Hollywood	TASER	November 1, 2015
11	Olympic	TASER & Beanbag Shotgun	November 29, 2015
12	Southeast	TASER & Beanbag Shotgun	October 10, 2015

Finally, in addition to reviewing the 12 incidents, the OIG also inspected less lethal deployment for all officers in the eight Areas on the 12 dates listed in the table above.⁹ For TASERS, the OIG’s inspection included 490 Police Officers (PO) III or below and 69 supervisors. For Beanbag Shotgun, the inspection viewed 284 PO units and 58 supervisory units. The results are discussed in the following sections.

II. TASER ASSIGNMENT

A. TASERS May Be Assigned Or Checked Out

The inspection found that TASERS are either assigned permanently to Area officers or checked out from the Area kitroom each watch before the officers go into the field.¹⁰ The OIG found each Area had insufficient TASERS to assign one to each officer permanently. Therefore, each Area maintained a number of TASERS in the kitroom to be checked out. Department guidelines allow each Area to establish systems to store and issue TASERS.¹¹

The inspection determined all eight Areas in the sample permanently assigned a number of TASERS to specific officers; however, the manner in which equipment was assigned differed for the Areas. Five Areas permanently assigned available TASERS to a select number of patrol officers, distributed evenly to each watch. The remaining three Areas gave officers the option to

⁹ Two of the use of force incidents occurred prior to the September 2015 TASER policy revision, thus were excluded from the TASER portion of the inspection.

¹⁰ Each Area station has a “kitroom” from which an assigned officer checks out equipment to on-duty officers at their start of watch. All kitroom inventory has a barcode and is scanned in and out.

¹¹ Department Manual, Volume 4, Section 246.20, *Area/Divisional Armorer (Nonlethal Control Devices Coordinator) – Responsibility*.

have a TASER permanently assigned (patrol officers offered before other specialized units) or to check out a TASER from the kitroom. The table below depicts each Area’s TASER assignment method.

Table 2 – TASER Assignment Method by Area

Area	Nature of Assignment
Central	Permanently assigned to select officers
Devonshire	Officer’s option to have permanently assigned or check out
Foothill	Officer’s option to have permanently assigned or check out
Harbor	Permanently assigned to select officers
Hollenbeck	Permanently assigned to select officers
Hollywood	Permanently assigned to select officers
Olympic	Permanently assigned to select officers
Southeast	Officer’s option to have permanently assigned or check out

B. Supervisory Inspections

Department policy requires supervisors to ensure that uniformed field officers carry the TASER on their person.¹² Although the inspection determined that each Area in the sample addressed supervisory equipment checks differently, the OIG did not identify any issues. The table below depicts each Area’s method for conducting supervisory inspections for TASERS.

Table 3 – TASER Supervisory Inspection Methods by Area

Area	Nature of Inspection
Central	Conducted visual observation & reported findings to Watch Commander (WC).
Devonshire	Reviewed Kitroom Inventory Tracking System (KITS) reports, conducted visual observation, & reported findings to WC.
Foothill	Reviewed KITS reports.
Harbor	Reviewed KITS reports, conducted visual observation, & reported findings to WC.
Hollenbeck	Conducted visual observation.
Hollywood	Conducted visual observation.
Olympic	Conducted visual observation & reported findings to WC.
Southeast	Completed a one-time two-day audit ¹³ & conducted visual observation.

¹² Operations Order No. 4, *supra* note 5.

¹³ Audit completed in September 2015 to ensure compliance with the new TASER policy.

III. USES OF LESS LETHAL FORCE

To continue the inspection, the OIG reviewed Arrest Reports, Use of Force Reports, and viewed Body Worn Video (BWV) and/or Digital In-Car Video (DICV) where available. The OIG determined whether, for the 12 incidents involving the use of less lethal force, the first-arriving officers were equipped with the less lethal equipment or had to retrieve it, or request another unit. As depicted on Table 1 (page 2), there were 8 uses of TASER which occurred after the issuance of the September 2015 policy. The 8 incidents involved 10 officers who used their TASERS.¹⁴ In all 8 incidents, the primary unit officers were assigned TASERS, and the OIG did not find any information to suggest those officers were not equipped with a TASER and had to request one. Of the 10 tasing officers, one officer did not check out a TASER and used his partner's TASER in this incident.¹⁵

There were 8 uses of the Beanbag Shotgun involving 10 officers. In all 8 incidents, the shooting officer either arrived on scene with the primary responder or directly after. In 2 cases, the officers that arrived first on scene were not Beanbag Shotgun equipped; however, in these cases, backup units arrived directly after the first unit. Of the incidents reviewed, the OIG did not identify a situation where officers needed to request a unit that was equipped with a Beanbag Shotgun. All 10 officers that used the Beanbag Shotgun checked out a Beanbag Shotgun on the date of the incident.

Of the 12 use of less lethal force incidents reviewed, 75% (9 of 12) involved officers assigned to patrol.¹⁶ Of the suspects involved in the 12 incidents, the OIG determined 4 suspects were armed¹⁷ and 1 was suspected of being armed.¹⁸ The weapons the suspects were armed with included a knife, screwdriver, wooden board, and chair. Five suspects were under the influence of drugs, two had a mental illness, and two were suicidal.

Six of the 12 incidents occurred in Areas with DICV or BWV.¹⁹ The OIG reviewed the available footage and determined that for four of the six incidents, Department cameras captured the entire incident from initial contact with the suspect through the use of force. In one incident, the DICV footage captured the officers' initial contact with the suspect but did not capture the use of force, as the suspect fled the area on foot. In the other incident, officers activated the DICV sometime after they contacted the suspect. The footage captured in this incident was of the empty back seat of the patrol vehicle, and the portable microphones did not capture any

¹⁴ In two incidents, two officers deployed their TASERS.

¹⁵ The OIG notified the officer's Area commanding officer (Hollenbeck Area) who confirmed that the officer utilized his partner's TASER during the UOF incident.

¹⁶ The remaining 3 incidents involved gang units and foot beat units.

¹⁷ Incidents 1, 5, 11, and 12 from Table 1 (page 2 of this report).

¹⁸ Incident 4 from Table 1.

¹⁹ The OIG spent 4.5 hours to review 14 recordings.

verbal interaction with the suspect.²⁰ In addition to viewing Department footage for the six incidents, the OIG viewed the footage captured by restaurant surveillance cameras for another incident. For all of the inspected uses of less lethal force, the OIG opined that the uses of force appeared consistent with Department policy, and where tactically appropriate, officers issued clear warnings that less lethal equipment would be used.

IV. LESS LETHAL DEPLOYMENT

As the final part of the inspection, the OIG examined less lethal deployment by all officers assigned to the eight Areas on the 12 inspection dates.

A. TASERS

To conduct the inspection, each of the eight Areas provided the OIG with a list of officers that had a TASER permanently assigned. Additionally, the OIG reviewed the Department's KITS reports and Deployment Planning System reports to identify which officers were on duty²¹ and checked out a TASER from the kitroom. The OIG determined that 490 POs were on duty over the selected inspection dates.²² The Training Unit supervisor from seven Areas in the sample confirmed there were sufficient TASERS available in each kitroom on the inspection dates for all uniformed field officers to be TASER equipped.²³

The inspection identified 30 officers (6%) who deployed to the field without a TASER. The inspection also identified that for an additional 39 two-officer patrol units, only one TASER was checked out from the kitroom for each of these units. Because KITS allows equipment to be checked out to the unit rather than to a specific officer, neither the OIG nor the Department could identify which officer of the 39 pairs of officers did not have a TASER. In total, 30 identified officers and 39 unidentified officers (69 officers total, or 14%) deployed to the field over the selected dates without a TASER on their person, as required by policy.²⁴ Although Department policy encourages, but does not mandate, supervisors to be TASER equipped, the OIG found 21 of the 69 sergeants (30%) on duty checked out a TASER.

²⁰ The Area commanding officer addressed the officers' failure to activate the DICV in accordance with Department policy with additional DICV training.

²¹ This inspection includes officers that started duty on the selected dates but excludes officers who started duty the previous night but ended their shift on the inspection dates.

²² The 490 included uniformed officers assigned to patrol, traffic enforcement, and specialized units or details.

²³ The Central Area Training Unit supervisor informed the OIG that there were insufficient TASERS available in the kitroom during the inspection dates, as initially 130 of the 150 TASERS at Central Area were assigned permanently to uniformed officers. However, the Training Unit supervisor advised that since the OIG inspection, a number of permanently assigned TASERS have been reallocated back to the kitroom. There are now sufficient TASERS available in the Central Area kitroom for all uniformed officers on duty to be TASER equipped.

²⁴ The OIG informed the commanding officers of each Area of the POs not assigned a TASER.

Additionally, on November 18, 2015, an OIG auditor conducted a ride-along at Central Area with the RESET day watch unit.²⁵ The auditor's visual observation found that all uniformed officers and one of the two supervisors had a TASER on their person.

B. Addressing Officer Failure To Comply With TASER Policy

The OIG found that all eight Areas addressed uniformly any officer non-compliance with TASER policy. The Areas stated that progressive action is taken for each successive violation: verbal counseling (1st violation), Employee Comment Sheet (2nd), Notice to Correct Deficiencies (3rd), and complaint (4th). The eight Areas reported that no officer had more than one violation. The OIG noted, however, that for the 39 two-officer units where only one TASER was checked out (above), no officers were held accountable for failure to comply with policy.

C. Beanbag Shotgun Deployment

Department policy encourages but does not mandate officers to be equipped with a Beanbag Shotgun.²⁶ The OIG reviewed the Department's KITS reports to identify which units checked out a Beanbag Shotgun from the kitroom on the 12 selected inspection dates. The Beanbag Shotgun is checked out by the unit and not assigned to individual officers.

The OIG found that of the 284 PO units that responded to calls for service or engaged in enforcement activities on the selected inspection dates, 62 units did not check out a Beanbag Shotgun (22%). These 62 units included: 24 assigned to gang enforcement, 17 assigned to patrol,²⁷ 9 assigned to foot patrol, 7 assigned to a special detail, and 5 assigned to traffic enforcement.²⁸ Of the 58 supervisors in the field, 3 checked out a Beanbag Shotgun.

In response to these results, six of the eight Area Commanding Officers reported that their Areas did not have available a sufficient number of operable Beanbag Shotguns for every unit to be Beanbag Shotgun equipped on the inspection dates. The OIG determined the six Areas in the sample would collectively need an additional 55 Beanbag Shotguns for all units to have been equipped on the inspection dates. For the two Areas with sufficient inventory, the Commanding Officers reported additional roll call training was issued to remind officers of the importance of being Beanbag Shotgun equipped.

²⁵ The Resources Enhancement Services Enforcement Team (RESET) addresses Skid Row crime problems via enforcement and outreach.

²⁶ Office of Operations Notice, *supra* note 6.

²⁷ Thirteen two-officer units and four one-officer units.

²⁸ The OIG informed the commanding officers of each Area of the units not assigned a Beanbag Shotgun.

During the inspection, the OIG identified four units that had neither a TASER nor a Beanbag Shotgun deployed.²⁹ If those officers had been involved in an incident that warranted less lethal force, the officers may have exposed themselves or members of the public to unnecessary risk.

V. RECOMMENDATIONS

Based on the information obtained in this inspection, the OIG recommends that the:

1. KITS be modified to identify the specific officer to whom a TASER is checked out, rather than simply identifying which unit;
2. Department obtain enough Beanbag Shotguns to provide sufficient inventory to equip each vehicle engaged in field enforcement; and,
3. Department issue policy mandating all uniformed field units with vehicles to check out a Beanbag Shotgun, when available.

²⁹ Two of the four units were solo-officer units: one unit was assigned to patrol and the other unit was assigned to traffic enforcement. The two-officer units were assigned to gang enforcement. The OIG informed the commanding officer of all four units which were all assigned to Harbor Area.

APPENDIX

i. Media Release: Police Commission President Matthew Johnson Outlines His Vision And Goals For The Los Angeles Police Department (Nov. 10, 2015)

The following excerpts are relevant to the inspection:

“Thanks to a recent directive by Chief Beck, soon all police officers in the field will be equipped with and required to carry a Taser device -- allowing less than lethal use of force when called for. I would also like to see bean bag shot guns more widely deployed. These resources can save lives by preventing a deadly use of force from occurring. Our training and tactics must use less than lethal options in a manner that maximizes their effectiveness and minimizes the use of deadly force.”

Goal 4: “The Office of the Inspector General review the Department’s use of what is commonly called “less than lethal force” to examine how the Department can improve the use of Tasers, Bean Bag Shotguns and other less than lethal options, particularly in the handling of persons suspected of being mentally ill and the handling of persons with knives or weapons other than firearms, in an effort to reduce incidents of Officer involved Shootings.”

The full transcript can be found at:

http://www.lapdonline.org/police_commission/content_basic_view/59712

ii. OFFICE OF OPERATIONS ORDER NO. 4 , TASER X26P DEPLOYMENT – ESTABLISHED (September 21, 2015)

PURPOSE: The Department recently acquired the next generation Electronic Control Device (ECD), TASER X26P, in quantities sufficient to equip all on-duty uniformed officers assigned to patrol and traffic divisions. The new TASER X26P improves upon previous models with: consistent performance and complete data capture due to a new all-digital architecture, improved ergonomics, and green color for easy identification by officers and the community. All prior models, including the TASER X26, are decertified. Only the TASER X26P shall be issued and utilized by Department personnel for field use in accordance with Police Sciences and Training Bureau Notice, Decertification of the X26 Taser for Field Deployment, dated August 4, 2015. The increased availability of less than lethal force options maximizes the probability of resolving critical situations with minimal risk to officers and suspects.

PROCEDURES:

- I.** Officer Responsibilities. All on-duty uniformed officers, who are deployed to the field and trained to operate an ECD, shall CARRY a TASER X26P on their person, UTILIZING a Department-approved holster, unless either is unavailable.

- II. Supervisor Responsibilities.** Supervisors shall ensure all uniformed officers deployed to the field under their supervision, equip a TASER X26P on their person and utilize a Department approved holster, unless either is unavailable. Supervisors shall also ensure that a sufficient number of TASER X26Ps are available in the kitroom to equip all on-duty uniformed officers assigned to the field.

Note: As supplies permit, supervisory personnel are encouraged, but not mandated, to equip themselves with the TASER X26P.

For further information and review of TASER X26P deployment and procedures, refer to the TASER X26P roll call training, available from geographic Area training coordinators and the related Use of Force-Tactics Directive: Electronic Control Device Taser.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, will review this directive and determine whether an audit or inspection will be conducted in accordance with Department Manual Section 0/080.30.

If you have any questions, please contact Evaluation and Administration Section, Office of Operations, at (213) 486-6050.

JORGE A. VILLEGAS, Assistant Chief
Director, Office of Operations
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