

## INTRADEPARTMENTAL CORRESPONDENCE

April 27, 2016  
1.0

**BPC #16-0125**

**TO:** The Honorable Board of Police Commissioners

**FROM:** Inspector General, Police Commission

**SUBJECT:** TEN-YEAR OVERVIEW OF CATEGORICAL USE OF FORCE  
INVESTIGATIONS, POLICY, AND TRAINING: UPDATE ON STATUS OF  
RECOMMENDATIONS

### **RECOMMENDED ACTION**

REVIEW and APPROVE the Inspector General's Report.

### **DISCUSSION**

On March, 10, 2016, the Board of Police Commissioners approved the Office of Inspector General's report entitled *Ten-Year Overview of Categorical Use of Force Investigations, Policy, and Training*. That report included a set of 12 recommendations, formulated by Commissioners Johnson and Saltzman, regarding various aspects of use of force-related policy and training. The Commission requested a status report on the each of the recommendations, and the OIG worked with the Department to develop this report. This report provides the current status of each of those 12 recommendations.

I am available to provide any information the Board may require.

**E-Copy – Original Signature on File with the Police Commission**

ALEXANDER A. BUSTAMANTE  
Inspector General  
Police Commission

Attachment

## TEN-YEAR OVERVIEW OF CATEGORICAL USE OF FORCE INVESTIGATIONS, POLICY, AND TRAINING: UPDATE ON STATUS OF RECOMMENDATIONS

On March, 10, 2016, the Board of Police Commissioners approved the Office of Inspector General's (OIG's) report entitled *Ten-Year Overview of Categorical Use of Force Investigations, Policy, and Training*. That report included a set of 12 recommendations, formulated by Commissioners Johnson and Saltzman, regarding various aspects of use of force-related policy and training. The Commission requested a status report on the each of the recommendations, and the OIG worked with the Department to develop this report. Below are updates regarding the current status of each of those 12 recommendations.

1. *The Commission, with the assistance of the OIG, revise the use of force policy to include attempts at de-escalation whenever feasible as one of the factors for determining the reasonableness of an officer's use of force.*

**Status:** The OIG met with the Department and other stakeholders, including the City Attorney's Office and the Los Angeles Police Protective League, on April 13, 2016, to invite input regarding the revision of the Use of Force policy. The OIG will schedule a second meeting with these stakeholders in the coming weeks.

2. *The Commission, with the assistance of the OIG, revise the use of force policy to emphasize that deadly force shall only be exercised when reasonable alternatives have been exhausted or appear impracticable. The revision in policy will also establish the expectation that officers redeploy to a position of tactical advantage when faced with a threat, whenever such redeployment can be reasonably accomplished in a manner consistent with officer and public-safety.*

**Status:** The OIG met with the Department and other stakeholders, including the City Attorney's Office and the Los Angeles Police Protective League, on April 13, 2016, to invite input regarding the revision of the Use of Force policy. The OIG will schedule a second meeting with these stakeholders in the coming weeks.

3. *The Commission directs the Department to ensure that all investigations and evaluations of use of force incidents include written consideration of whether de-escalation was feasible and, for deadly force incidents, whether reasonable alternatives had been exhausted or appeared impracticable before the use of such force.*

**Status:** The Department has indicated that Use of Force Review Division will chair a working group with Employee Relations Group (ERG), Police Sciences and Training Bureau (PSTB), the Office of Operations (OO), the Office of Constitutional Policing and Policy (OCP), and Force Investigation Division (FID) representatives to amend existing investigation and adjudication protocols. The accomplishment of this is tied to the drafting of the revised Use of Force Policy. Advance work can be done by this group, but completion of this recommendation will follow the UOF Policy being revised.

4. *The Commission revise current policy regulating the deployment of rifles and slug ammunition to re-instate the restrictions contained in the pre-2009 policy that specifically disallow their use in certain situation where the risk to the community outweighs any tactical benefits for their deployment.*

**Status:** The Department has indicated that PSTB will draft a Special Order (SO) to codify the deployment criteria for patrol rifles and slug shotguns. The criteria will reflect the current training to qualify to deploy these weapon systems while also allowing for unrestricted deployment for field use, at the discretion of the COP, for extraordinary threats/incidents. Police Sciences and Training Bureau will consult with the OIG in the preparation of the SO to ensure it addresses concerns regarding community safety. It is anticipated that PSTB will provide a draft SO to the OIG within 30 days.

5. *The Commission directs the Department to ensure that all officers assigned to the Resources Enhancement Services and Enforcement Team [RESET] be provided all specialized training prior to engaging in any enforcement action with the mental health or homeless community.*

**Status:** On April 20, 2016, the OIG was provided a draft Operations Order related to the training requirement for sworn personnel assigned to homeless outreach programs.

6. *The Commission directs the Department to reinforce the concept of de-escalation during all use of force-related training; ensure that personnel demonstrate a sound understanding of de-escalation concepts as part of the selection process for promotions; and specifically teach and reinforce this concept during all supervisor schools.*

**Status:** The Department has indicated that PSTB will work with the Administrative Services Bureau to develop interview/testing components as part of the selection process for promotions and will specifically teach and reinforce de-escalation concepts as part of all supervisor schools. It is anticipated that this will be accomplished within four months once the Use of Force policy has been revised.

7. *The Commission directs the Department to evaluate both recruit and in-service training to ensure that de-escalation concepts and methods are adequately addressed. To that end, the Commission requires the Department to survey agencies nationwide for best practices involving de-escalation policies, techniques, and training, and then to present its research to the Commission for its analysis and possible action. The Commission directs the Department to provide it is findings within four months; these findings will include a detailed plan for implementing any such changes within six months from the adoption of this recommendation.*

**Status:** The Department has indicated that PSTB will complete the evaluation and survey, as directed, as well as a plan for implementation, in four months.

8. *The Commission directs the Department to provide to the Commission a presentation regarding the various de-escalation techniques taught to recruits and officers and the specific manner in which those techniques are currently being taught to them.*

**Status:** The Department has indicated that PSTB will have prepared the presentation within 90 days and will schedule the presentation to the Commission with Executive Director Richard Tefank.

9. *The Commission directs the Department to evaluate current training materials to ensure that the concept-based model also includes more specific guidance for common, reoccurring tactical situations.*

**Status:** The OIG will provide PSTB with examples of specific guidance for its consideration by May 9, 2016. Once provided, PSTB will evaluate current training material to ensure compliance. The timeline for PSTB's review is contingent on the specific examples provided and is tied to recommendation number 7.

10. *The Commission directs the Department to evaluate current recruit and in-service training to ensure consistency between the two, and to ensure sufficient emphasis on the Commission's goals of reducing the use of deadly force and emphasizing de-escalation. The Department's primary consideration in designing training must be the maximizing of officer performance, safety, and accountability.*

**Status:** The OIG will provide PSTB with information regarding potential inconsistencies between In-Service and Recruit Basic Training by May 9, 2016. Police Services and Training Bureau will review training, as directed, to ensure sufficient emphasis on de-escalation and the goal of reducing the use of deadly force. The timeline for this review is contingent on the information provided and is tied to recommendation number 7.

11. *The Commission directs the Department to provide it advance notice of any and all contemplated changes to existing training in the areas of de-escalation, less-lethal and lethal uses of force, and mental health.*

**Status:** The Department has indicated that it considers this recommendation to have been implemented based on the current inclusion of the OIG in Tactics and Training Review Committee meetings and ongoing communications by the Chief of Police and senior staff with the OIG and the BOPC president.

*12. The Commission directs the Department to continue the inclusion of the OIG in Tactics and Training Review Committee (TTRC) meetings, and to codify that inclusion into TTRC protocols.*

**Status:** On April 20, 2016, the OIG was provided a draft SO codifying the inclusion of the OIG in TTRC meetings.