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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 *Black Lives Matter Los Angeles, et al,*
12 Plaintiffs,
13 vs.
14 *City of Los Angeles, et al,*
15 Defendants.

Case No.: CV 20-5027 CBM

PRELIMINARY INJUNCTION

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17 The Court having granted Plaintiffs' Request for Preliminary Injunction
18 issues the following:
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20 1. LAPD is restricted from using the 40mm and 37mm launchers in public
21 demonstrations except by officers who successfully completed Department
22 training and meet all annual qualification requirements on the weapons;

23 2. An officer may use 40mm less-lethal munitions only when the officer
24 reasonably believes that a suspect is violently resisting arrest or poses an
25 immediate threat of violence or physical harm. The use of 40mm less-lethal
26 munitions should be preceded by a warning, if feasible, consistent with the Use of
27 Force Warning set forth in LAPD Use of Force – Tactics Directive No. 17;

28 3. An officer may use 37mm less-lethal munitions as a crowd control tool

1 only with the prior approval of the incident commander and only when a dispersal
2 order has been issued, unless immediate action is necessary to stop violence, to
3 ensure public safety and restore order. A warning to disperse must be given,
4 consistent with all of the dispersal order requirements set forth in LAPD Use of
5 Force – Tactics Directive No. 11.1, and then the officer may fire the 37 mm at the
6 ground 5 to 10 feet in front of the crowd. The 37 mm may not be used as a target
7 specific munition unless absolutely necessary to prevent imminent serious bodily
8 injury to the officer or others;

9 4. The 40mm launcher must not be used to target the head, neck, face, eyes,
10 kidneys, chest, groin or spine of a person.

11 5. The 40 mm and 37 mm launchers should only be fired at a distance of five
12 feet or greater from another person, unless an officer or other person is attacked
13 and there is a threat of imminent serious harm.

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15 **IT IS SO ORDERED.**

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17 DATED: May 10, 2021

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21 CONSUELO B. MARSHALL
22 UNITED STATES DISTRICT JUDGE
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