



# USE OF FORCE

## Policy & Oversight



### USE OF FORCE OVERVIEW

The unlawful killing of George Floyd by Minneapolis police officers has led to a national conversation focused on the use of force in the law enforcement profession.

This document addresses concerns raised by community members regarding LGMSPD policy as it applies to the use of force. By way of perspective, in the last five years (2015-2019), LGMSPD officers have had over 85,000 contacts with the community, resulting in approximately 5,000 arrests. In all of these contacts and arrests, LGMSPD officers used force in 21 cases. ***In other words, the percentage of public contacts that resulted in a use of force was 0.024% and assuming the use of force was precipitated by an enforcement action, the percentage of arrests resulting in a use of force was only 0.39%.***

### DE-ESCALATION OF FORCE

It is a fundamental characteristic of the LGMSPD culture to attempt to de-escalate individuals in crisis when the totality of the circumstances allows an opportunity to do so.

The practice of de-escalation is interwoven throughout the Department's operations and is included in the Department's policies for use of force, crisis intervention, mental illness, and civil disputes. In 2019, LGMSPD was awarded a grant by the California Commission on Peace Officer Standards and Training Innovations Grant Program to augment the integration of de-escalation techniques into our defensive tactics training curriculum.

### CHOKEHOLDS AND STRANGLEHOLDS

LGMSPD prohibits the use of chokeholds or strangleholds which compress the airway to render a suspect unconscious.

Department members are trained to apply the Carotid Control Hold, a lateral vascular neck restraint long used as a legitimate law enforcement defensive tactic to avoid use of deadly force. However, LGMSPD Policy Manual Section 300.3.12 USE OF CAROTID CONTROL HOLD has been updated to reflect that the Carotid Control Hold may only be used by an officer to protect themselves or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person, and no other tactic or tool is available or feasible to use. Any type of lateral vascular neck restraint utilizing any portion of the officer's body other than the arms is prohibited.

### DUTY TO INTERCEDE

LGMSPD Policy Manual Section 300.2.1  
DUTY TO INTERCEDE

States that any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. In addition, any officer who observes another employee use force that exceeds the degree of force permitted by law will promptly report these observations to a supervisor.

### WARNING BEFORE SHOOTING

LGMSPD policy delineates a variety of use of force situations in which officers should issue verbal warnings if circumstances permit.

In the case of deadly force applications, the policy was consistent with California Penal Code Section 835a. However, LGMSPD Policy Manual Section 300.4 DEADLY FORCE APPLICATIONS has been updated to clarify that, if feasible, a verbal warning should be issued in all cases where deadly force may be used.

# COMPREHENSIVE USE OF FORCE REPORTING

## LGMSPD Policy Manual Section 300.5 REPORTING THE USE OF FORCE

Delineates that any use of force by a member of this Department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. In addition, LGMSPD complies annually with Government Code 12525.2 that requires law enforcement agencies to furnish the California Department of Justice with a report of specific data encompassing all instances of officer-involved shootings and incidents where use of force resulted in serious bodily injury.

## SHOOTING AT MOVING VEHICLES

### LGMSPD Policy Manual Section 300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

States that shots fired at or from a moving vehicle are rarely effective and officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.



## EXHAUSTING ALL MEANS BEFORE SHOOTING

### LGMSPD Policy Manual Section 300.4 DEADLY FORCE APPLICATIONS

States that if an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force. **This is aligned with California Penal Code Section 835a, that was updated in 2020 to reflect the mandates of Assembly Bill 392.** Requiring officers in tense and uncertain circumstances to exhaust any and all possible alternatives is simply not realistic when they are confronted with immediate threats and must make life or death decisions in fractions of a second.

## USE OF FORCE CONTINUUM

**The use of force continuum is an outdated model that has proven impractical, even dangerous, when applied in real life situations.**

It does not allow for consideration that officers must often make rapid decisions regarding the amount of force to use in tense, uncertain and rapidly evolving situations. Instead, LGMSPD policies focus on requiring officers to create space and separation in potential use of force situations so that de-escalation techniques can be brought into play.



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