

## Use of Force

### 300.1 PURPOSE AND SCOPE

State MODIFIED

This policy provides guidelines on the reasonable use of force. While the Department cannot anticipate every conceivable situation or exceptional circumstance which officers may face in the field, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and objectively reasonable manner (Government Code § 7286).

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force by officers, including but not limited to the Control Devices and Techniques and Conducted Energy Device policies.

### 300.2 POLICY

Best Practice MODIFIED

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. The Department affirms its commitment to unbiased policing and equitably applying this use of force policy in all its encounters between officers and persons. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

#### 300.2.1 DUTY TO INTERCEDE

Federal MODIFIED

Any officer present and observing another law enforcement officer or an employee using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, shall, when in a position to do so, intercede to prevent the use of unreasonable force.

When observing force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the individual (Government Code § 7286(b)).

#### 300.2.2 FAIR AND UNBIASED USE OF FORCE

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Officers are expected to carry out their duties, including the use of force, in a manner that is fair and unbiased (Government Code § 7286(b)). See the Bias-Based Policing Policy for additional guidance.

### 300.2.3 DUTY TO REPORT EXCESSIVE FORCE

**State**

Any officer who observes a law enforcement officer or an employee use force that potentially exceeds what the officer reasonably believes to be necessary shall promptly report these observations to a supervisor as soon as feasible (Government Code § 7286(b)).

### 300.3 USE OF FORCE

**Federal**

Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. Officers may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance (Government Code § 7286(b)).

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the approved tools, weapons, or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

#### 300.3.1 USE OF FORCE TO EFFECT AN ARREST

**State** **MODIFIED**

Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use objectively reasonable force to effect an arrest, to prevent escape, or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from their efforts by reason of the resistance or threatened resistance

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on the part of the person being arrested; nor shall an officer be deemed the aggressor or lose their right to self-defense by the use of objectively reasonable force to effect the arrest, prevent escape, or to overcome resistance. Retreat does not mean tactical repositioning or other de-escalation techniques (Penal Code § 835a).

### 300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

Federal **MODIFIED**

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit (Government Code § 7286(b)). These factors include but are not limited to:

- (a) The apparent immediacy and severity of the threat to officers or others (Penal Code § 835a).
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time (Penal Code § 835a).
- (c) Officer/individual factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. individuals).
- (d) The conduct of the involved officer leading up to the use of force (Penal Code § 835a).
- (e) The effects of suspected drugs or alcohol.
- (f) The individual's apparent mental state or capacity (Penal Code § 835a).
- (g) The individual's apparent ability to understand and comply with officer commands (Penal Code § 835a).
- (h) Proximity of weapons or dangerous improvised devices.
- (i) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).
- (k) Seriousness of the suspected offense or reason for contact with the individual prior to and at the time force is used.
- (l) Training and experience of the officer.
- (m) Potential for injury to officers, suspected persons, bystanders, and others.
- (n) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (o) The risk and reasonably foreseeable consequences of escape.
- (p) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (r) Prior contacts with the individual or awareness of any propensity for violence.

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- (s) Any other exigent circumstances.

### 300.3.3 PAIN COMPLIANCE TECHNIQUES

**Best Practice** **MODIFIED**

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the person can comply with the direction or orders of the officer.
- (c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

### 300.3.4 USE OF FORCE TO SEIZE EVIDENCE

**Best Practice** **MODIFIED**

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the event that evidence or contraband is swallowed by an individual, emergency medical treatment shall be promptly summoned to the scene.

### 300.3.5 RESTRICTIONS ON THE USE OF CAROTID CONTROL HOLD

**State**

Officers of this department are not authorized to use a carotid restraint hold. A carotid restraint means a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person's neck that involves a substantial risk of restricting blood flow and may render the person unconscious in order to subdue or control the person (Government Code § 7286.5).

### 300.3.6 RESTRICTIONS ON THE USE OF A CHOKE HOLD

**State**

Officers of this department are not authorized to use a choke hold. A choke hold means any defensive tactic or force option in which direct pressure is applied to a person's trachea or windpipe (Government Code § 7286.5).

### 300.3.7 ALTERNATIVE TACTICS - DE-ESCALATION

**State** **MODIFIED**

As time and circumstances reasonably permit, and when community and officer safety would not be compromised, officers should consider actions that may increase officer safety and may decrease the need for using force:

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- (a) Summoning additional resources that are able to respond in a reasonably timely manner.
- (b) Formulating a plan with responding officers before entering an unstable situation that does not reasonably appear to require immediate intervention.
- (c) Employing other tactics that do not unreasonably increase officer jeopardy.

In addition, when reasonable, officers should evaluate the totality of circumstances presented at the time in each situation and, when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force (Government Code § 7286(b)). Such alternatives may include but are not limited to:

1. Attempts to de-escalate a situation, including those tactics described in Section 300.3.8 below.
2. If reasonably available, the use of crisis intervention techniques by properly trained personnel.
3. Less lethal options.

### 300.3.8 DE-ESCALATION CONSIDERATIONS AND TECHNIQUES

#### Agency Content

When time and circumstances reasonably permit, officers shall consider whether an individual's lack of compliance is a deliberate attempt to resist or is the result of an inability to comply based on factors including, but not limited to:

- Medical conditions
- Mental impairment
- Developmental disability
- Physical limitation
- Language barrier
- Drug interaction
- Behavioral crisis

An officer's awareness of these potential contributing factors should then be balanced against the facts of the incident and which tactical options are the most appropriate to bring the situation to a safe resolution. An officer is not expected to engage in force de-escalation measures that could jeopardize the safety of the community or of any employee.

Where circumstances and time reasonably permit, officers should consider de-escalation tactics, including but not limited to:

- Decreasing the exposure to the potential threat by using distance or physical barriers between an uncooperative individual and an officer.
- Containing the threat.

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- Maximizing the use of cover or concealment to reduce officer(s) exposure to potential threats by placing the officer(s) in a safer position.
- Communicating from a safe position to gain the individual's compliance through the use of verbal persuasion, advisements, and/or warnings. Generally, communication techniques should engage active listening to calm agitated individuals and promote rational decision-making.
- The officer's physical actions may also de-escalate a potentially volatile/violent situation; i.e., exhibiting a relaxed body language.

When the circumstances warrant an application of force, the level of force applied must reflect the totality of the reasonably known circumstances surrounding the immediate situation. The officer need only select a level of force that is within the range of "objectively reasonable" options. Officers must rely on training, experience, and an assessment of the situation to decide on an appropriate level of force to be applied. Reasonable and sound judgment will dictate the force option to be employed.

Officers may either escalate or de-escalate the use of force as the situation progresses or as circumstances change. When an individual is under control, either through the application of physical restraint or the individual's compliance, the degree of force shall be de-escalated accordingly. An officer has the duty to intercede when observing unreasonable, excessive, or unnecessary force being applied to a given situation by any public safety officials responding to the incident.

### 300.4 DEFINITIONS

#### Agency Content

Definitions related to this policy include:

**Deadly force** - Any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm (Penal Code § 835a).

**Feasible** - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person (Government Code § 7286(a)).

**Force** - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows themselves to be searched, escorted, handcuffed, or restrained.

**Objectively reasonable** - Officers must make split-second decisions on the use of force in circumstances that are tense, uncertain, and rapidly evolving. Reasonableness of force is based on the totality of circumstances known by the officer at the time force was used. This is an objective standard to be judged from the perspective of a reasonable officer in the moment rather than with the benefit of hindsight.

There are many components that factor into defining an objectively reasonable decision to use force, including:

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- The purpose of the use of force (was it lawful?)
- Efforts to de-escalate the situation
- The proportionality of force used to force encountered
- The nature and seriousness of the threat encountered
- Whether the officer's actions unnecessarily or recklessly escalated the situation

**Serious bodily injury** - A serious impairment of physical condition, including but not limited to the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement (Penal Code § 243(f)(4)).

**Totality of the circumstances** - All facts known to the officer at the time, including the conduct of the officer and the individual leading up to the use of force (Penal Code § 835a).

### 300.4.1 INDIVIDUAL BEHAVIOR DEFINITIONS

Agency Content

**Cooperative:** Complies with all requests and commands made by officers.

**Verbally Non-Compliant:** Argumentative; questions an officer's authority and reasons for an officer's request of a person to do something.

**Verbally Combative or Threatening:** Verbally abusive, belligerent, and/or making threats of violence towards officers in the performance of their duties.

**Passive Resistance:** Ignores an officer's commands. Does not acknowledge an officer's presence. Refuses to move or allow an officer to physically direct to another location.

**Active Resistance:** Does not follow verbal commands and physically resists attempts by an officer to take physical control.

**Assaultive/High Risk:** Violent physical resistance and/or assault that could lead to the harm or injury of an officer or others, up to and including serious bodily injury or death.

### 300.5 USE OF FORCE OPTIONS

Agency Content

Any peace officer may use objectively reasonable force to effect an arrest, to prevent escape, or to overcome resistance. (See section 300.3.1) Though the Force Options listed below range from the lowest level of force to the greatest level of force, nothing in this policy shall require an officer to attempt to use each option in the order listed when confronted by a given threat, a violent individual, or a dangerous situation. Rather, the officer may begin to address the perceived threat, given the totality of the circumstances, with the most reasonable and appropriate force option available to overcome the level of resistance they may encounter.

**Force options available:**

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- **Officer Presence:** The mere presence of a clearly identifiable police officer, and/or marked police vehicle.
- **Verbal Direction:** Clear, lawful, and understandable verbal direction by an officer directed at an individual in order to gain compliance.
- **Directing of Firearms:** The directing of a firearm toward an individual in order to gain compliance, based on the perceived threat and/or the totality of the circumstances.
- **Physical Control Techniques:** Physical intervention and/or physical control of an individual. This may include leading or moving an individual from a location and the normal application of handcuffs and/or other restraint devices.
- **Pain Compliance Techniques:** Manipulation of an individual's joints or activating certain pressure points to create sufficient pain to achieve compliance.
- **Personal Weapons:** Striking methods performed by an officer (including kicks, punches, knees, and/or elbows) against an individual.
- **Intermediate Weapons:** The use of batons, expandable batons, conducted energy weapons (i.e. Taser or similar device), oleoresin capicum (OC) spray, pepper balls, kinetic energy projectiles, or canines (K9).
- **Lethal or Deadly Force:** Any use of force that creates a substantial risk of causing death or serious bodily injury, including, but not limited to, the discharge of a firearm. (Penal Code 835a)

### 300.6 DEADLY FORCE APPLICATIONS

Federal MODIFIED

Where feasible, the officer shall, prior to the use of deadly force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts (Penal Code 835a).

If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers shall evaluate and use other reasonably available resources and techniques (including de-escalation tactics described in Sections 300.3.7 and 300.3.8) when determining whether to use deadly force. To the extent that it is reasonably practical, officers should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code § 7286(b)).

The use of deadly force is only justified when the officer reasonably believes it is necessary in the following circumstances (Penal Code § 835a):

- (a) An officer may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury to the officer or another person.
- (b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.



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Officers shall not use deadly force against a person based on the danger that person poses to themselves (i.e. a suicidal person) if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or to another person (Penal Code § 835a).

An “imminent” threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the officer or another person. An officer’s subjective fear of future harm alone is insufficient to establish an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

### 300.6.1 SHOOTING AT OR FROM MOVING VEHICLES

State **MODIFIED**

Shooting at or from a moving vehicle is generally discouraged. Shots fired at or from a moving vehicle are rarely effective and may involve additional considerations and risks. When feasible, officers should take reasonable steps to 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 imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others (Government Code § 7286(b)).

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

### 300.6.2 DISPLAYING AND DIRECTING OF FIREARMS

State **MODIFIED**

Given that individuals might perceive the display of a firearm as a potential application of force, officers should carefully evaluate each tactical situation and use sound discretion when drawing a firearm in public by considering the following guidelines (Government Code § 7286(b)):

- (a) **Displaying of Firearms:** If the officer does not initially perceive a threat but reasonably believes that the potential for such threat exists, firearms should generally be kept in the low-ready or other position not directed toward an individual.
- (b) **Directing of Firearms:** If the officer reasonably believes that a threat exists based on the totality of circumstances presented at the time (e.g., high-risk stop, tactical entry, armed encounter), firearms may be drawn and directed toward such threats and/or individual(s) until the officer no longer perceives such threat.
  1. In the event that a directing of firearms toward an individual occurs (as described in Section 300.6.2(b)), the officer(s) shall document the incident promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why they believed the display of firearms toward the individual(s) was reasonable under the circumstances. Officers are encouraged to review any captured mobile audio/video (MAV) and/or body-worn camera (BWC) footage related to any display of firearms they are required to document.

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2. In the event that a directing of firearms toward an individual occurs (as described in Section 300.6.2(b)), supervisors shall investigate the reported incident in the same manner described in Section 300.7.)

Once it is reasonably safe to do so, officers should carefully secure all firearms.

### 300.7 SUPERVISOR RESPONSIBILITY

Best Practice **MODIFIED**

A supervisor should respond to any reported use of force or directing of firearms toward an individual (as described in Section 300.6.2(b)), if reasonably available. The responding supervisor is expected to (Government Code § 7286(b)):

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When feasible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the person having voluntarily waived their *Miranda* rights, the following shall apply:
  1. The content of the interview should not be summarized or included in any related criminal charges.
  2. The fact that a recorded interview was conducted should be documented in a supervisor's log entry.
  3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Review any captured MAV and/or BWC footage related to the incident.
- (h) Determine if there is any indication that the individual may pursue civil litigation.
  1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (i) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.
- (j) Complete the appropriate use of force investigation documentation (refer to section 301, Use of Force Review) and make appropriate notifications up the chain of command.

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In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

### 300.7 REPORTING THE USE OF FORCE

**Best Practice** **MODIFIED**

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 they believed the use of force was reasonable under the circumstances. Officers are encouraged to review any captured MAV and/or BWC footage related to any use of force they are required to document.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law. (See Section 324 Report Preparation for additional circumstances that may require documentation.)

#### 300.7.1 NOTIFICATION TO SUPERVISORS

**Best Practice** **MODIFIED**

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary pain or other discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of a Conducted Energy Weapon or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) The individual was struck or kicked.
- (i) The individual alleges unreasonable force was used or that any of the above in Section 300.7.1 (a) through (i) has occurred.
- (j) Directing of firearms toward an individual (as defined in Section 300.6.2(b)).

#### 300.7.2 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

**State** **MODIFIED**

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2. (See Section 803 Records Section.)

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### 300.8 MEDICAL CONSIDERATIONS

State **MODIFIED**

Once it is reasonably safe to do so, properly trained officers shall promptly provide or procure medical assistance for any person injured or claiming to have been injured in a use of force incident (Government Code § 7286(b)).

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until they can be medically assessed.

Based upon the officer's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff, or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if feasible.

1. In the event of head injury or any other obvious serious injury, emergency medical treatment shall be summoned, regardless of any refusals made by the individual.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the individual (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain, or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and only have medical personnel stage away from the scene when circumstances justify such staging.

### 300.10 TRAINING

State **MODIFIED**

Officers, investigators, and supervisors will receive periodic training on this policy and demonstrate their knowledge and understanding and application by the Use of Force Training Staff, Field Training Officers (FTOs), and other subject matter experts (SMEs), such as the Crisis Negotiation Team (CNT), Implicit Bias SMEs, and the Mental Health Evaluation Team (MET). (Government Code § 7286(b).) Supervisors are required to routinely provide use of force training to their assigned personnel in the form of training videos, table-top exercises, case law discussion, critical incident debriefs, etc., and document the training in the department's Briefing Training Log.

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Subject to available resources, the Personnel and Training Lieutenant should ensure that officers receive periodic training on de-escalation tactics, including alternatives to force.

Training shall also include (Government Code § 7286(b)):

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly persons, pregnant individuals, and individuals with physical, mental, and developmental disabilities.
- (b) Training courses required by and consistent with Peace Officer Standards and Training (POST) guidelines set forth in Penal Code § 13519.10.

### 300.11 USE OF FORCE COMPLAINTS

State

The receipt, processing, and investigation of civilian complaints involving use of force incidents should be handled in accordance with the Personnel Complaints Policy (Government Code § 7286(b)).

### 300.12 POLICY REVIEW

State

The Chief of Police or the authorized designee should regularly review and update this policy to reflect developing practices and procedures (Government Code § 7286(b)).

### 300.13 POLICY AVAILABILITY

State MODIFIED

The Chief of Police or their authorized designee shall ensure this policy is accessible to the public (Government Code § 7286(c)).

### 300.14 PUBLIC RECORDS REQUESTS

State

Requests for public records involving an officer's personnel records shall be processed in accordance with Penal Code § 832.7 and the Personnel Records and Records Maintenance and Release policies (Government Code § 7286(b)).

## Use of Force Review

### 301.1 PURPOSE AND SCOPE

Best Practice **MODIFIED**

This policy establishes a process for the Culver City Police Department to review the use of force and deadly force by its employees.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or evaluation of the use of deadly force.

### 301.2 POLICY

Best Practice **MODIFIED**

The Culver City Police Department will objectively evaluate the use of force and/or use of deadly force by its members to ensure that their authority is used lawfully, appropriately and is consistent with training and policy.

### 301.3 USE OF FORCE REVIEW

Best Practice **MODIFIED**

Any reported use of force shall be investigated by the involved officer's immediate on-duty supervisor in compliance with policy set forth in section 300 of this manual ("Use of Force"). The investigating supervisor will immediately respond to the scene (whenever possible) and thoroughly document the incident and the force used (observant of Government Code sections 3300-3312) on a Supervisor's Log entry. The Supervisor's Log entry and all related materials (i.e. photographs, audio recordings) will be entered into the department's Use of Force database (currently IA Pro/BlueTeam) and forwarded through the chain of command to the respective bureau commander for review.

At each level of management review, the incident will be scrutinized for accuracy and thoroughness and shall be classified by one of the following dispositions before being sent on to the next level of review:

- Based on review of present facts of the incident, force was reasonable and within policy.
- Referred to Professional Standards Unit (PSU) for investigation. (See section 1008.6, Administrative Investigations.)
- Within policy; training issue identified, referred to supervisor and/or Personnel and Training Section.

Final review and disposition of the use of force incident shall be the responsibility of the respective bureau commander.

The Use of Force Review is intended to confirm that the force that was used (and the circumstances that led up to it) were reasonable, necessary, and justifiable. However, the Use

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of Force Review may also reveal acts of negligence, misconduct, failures to observe established methods and protocols, and/or the necessity to establish methods and protocols through training. (For examples, see Section 322 Standards of Conduct.)