

- Interactive/Hands-on Training (Mobile Field Force, Arrest & Control, searching techniques, legal updates/case-law, officer safety videos, etc.)

Lieutenants and Sergeants should ensure that each squad meeting is informative and meets the needs of that watch for that day.

7.1.2 USE OF FORCE

Revised October 20, 2015
The Patrol Bureau has audit responsibility.

[See Special Order USE OF FORCE issued January 10, 2019.](#)
Related to §§ 7.1.2.8-7.1.2.13

7.1.2.1 USE OF FORCE – LEGAL AUTHORITY TO USE FORCE

[See Special Order USE OF FORCE effective January 16, 2020.](#)

7.1.2.2 USE OF FORCE – FORCE DEFINED

[See Special Order USE OF FORCE effective January 16, 2020.](#)

7.1.2.3 USE OF FORCE – FORCE POLICY

[See Special Order USE OF FORCE effective January 16, 2020.](#)

7.1.2.4 USE OF FORCE – FORCE OPTIONS

Revised October 20, 2015

The Department utilizes a use of force paradigm, which allows officers to select the level of reasonable force necessary to control the situation. Should an officer use a force option outside of department training, the officer must fully articulate the necessity of such force and why department trained force options were not utilized.

7.1.2.5 USE OF FORCE – REPORTABLE USE OF FORCE

Revised October 20, 2015

A reportable use of force occurs when any officer, in the course and scope of his or her employment, whether on or off duty, uses any physical force upon a non-compliant person, for purposes other than training. A reportable use of force includes, but is not limited to the following:

- 1) Takedowns
- 2) Impact weapons
- 3) Chemical agents
- 4) Less lethal systems
- 5) K-9 bites
- 6) Carotid control hold
- 7) Deadly force

7.1.2.6 USE OF FORCE – NON-REPORTABLE USE OF FORCE

Revised October 20, 2015

The following force options are non-reportable:

- 1) Controlling force when there is no complaint of ongoing pain or injury after the force has stopped;
 - a) Controlling force ranges from exerting a firm grip on a subject, to pain compliance control holds, to an actual physical hold or lock;
- 2) Use of the hobble or expectorant shield, when the subject is compliant during its application.

7.1.2.7 USE OF FORCE – EMPLOYEE RESPONSIBILITIES

Revised October 20, 2015

An employee will immediately notify a supervisor regarding a use of force incident, unless exigent circumstances delay the notification. Employees are responsible for the following:

- 1) All on-duty employees must complete a report detailing the use of force by the end of the officer's shift, unless exigent circumstances prevent the officer from filing his/her own report;
 - a) Any employee that uses force must personally document their actions in a police report;
 - b) Any officer not directly involved, but a witness to a reportable use of force will have their observations recorded in a police report;
- 2) If an employee is off-duty, out of jurisdiction, and involved in a reportable use of force incident, the employee shall notify the Watch Commander as soon as practicable, and file a memorandum to their Division Commander articulating the circumstances surrounding the use of force incident no later than the end of their next work shift; and
- 3) In all cases where the carotid control hold has been applied, it shall be the responsibility of the employee using the control hold to ensure that a medical evaluation is conducted as soon as practicable.

7.1.2.8 USE OF FORCE – SUPERVISOR RESPONSIBILITIES

Revised October 20, 2015

Sergeants may not investigate or approve their own use of force. After a use of force, a supervisor will respond to the scene to evaluate the incident and is responsible for the following:

- 1) Review the criminal charges against the subject;
- 2) Ensure that a detailed investigation is conducted surrounding the incident;
- 3) Ensure witnesses are identified and statements obtained;
- 4) Ensure all evidence pertaining to the criminal investigation and use of force has been collected;
- 5) Ensure photographs are taken of all injuries or lack of injuries to the suspect and employee;

- 6) Notify the Watch Commander of the use of force incident as soon as possible, prior to the end of the work shift;
- 7) Notify the on-call Internal Affairs Sergeant on all reportable use of force incidents involving potential misconduct or incidents resulting in the subject being admitted to the hospital or transported for treatment to a hospital for the following:
 - a) Injuries requiring sutures
 - b) Broken bones
 - c) All head injuries
 - d) Any injury deemed as serious
- 8) Respond to the medical facility where the subject is transported;
- 9) Consider arranging for other officer(s) to transport and book the subject, if the subject continues to display hostile or confrontational behavior toward the arresting officer(s)
- 10) Direct who will file supplemental reports;
- 11) *Review the incident/arrest report and all supplemental reports to the use of force incident as well as any digital evidence available at the time of filing involving a level 1, 2, or 3 use of force; [Special Order – Use of Force, 1/10/19] and*
- 12) Complete the Supervisor's Use of Force report via BlueTeam.

The Homicide supervisor will file a Supervisor's Use of Force Report via BlueTeam on all force, including but not limited to, firearms used during an officer involved shooting, an in-custody death incident, or as determined by the Homicide supervisor. The investigation conducted by Homicide will be used by the Officer Involved Shooting Board to review the incident.

During an officer involved shooting or an in-custody death incident, if force other than a firearm was used, the Homicide Supervisor will ensure a Supervisor's Use of Force Report is completed via BlueTeam; the supervisory investigation and narrative of the form will contain generic information only about the incident.

7.1.2.9 USE OF FORCE – BOOKING SERGEANT RESPONSIBILITIES

Revised October 20, 2015

Booking sergeants will assist field sergeants with their responsibility to investigate reportable use of force incidents occurring in the Booking area. This includes the Booking tunnel, the main Booking area including the holding cell, jail elevator, and the hallway on the fourth floor leading to the Women's jail from the elevator.

The Booking Sergeant is responsible for the following:

- 1) Ensure employee(s) involved in the use of force immediately notify their Field Sergeant regarding the use of force;
- 2) Notify the Watch Commander regarding the use of force;
- 3) Assist the Field Sergeant in conducting the investigation, including assisting with interviews of witnesses and involved officers;

- 4) Remain in the Booking area while assisting with the investigation;
- 5) Ensure any audio or video evidence captured by the security camera system is reviewed and copied;
- 6) File a supplemental report documenting their actions and observations regarding the use of force and make sure they are included in the DR for the incident; and
- 7) Complete the Supervisor's Use of Force Report via BlueTeam for any use of force incidents involving police officers and detention supervisors occurring inside the Jail after the prisoner has been released to jail detention officers.

In use of force incidents involving detention officers, detention supervisors will file the Supervisor's Use of Force Report.

7.1.2.10 USE OF FORCE – WATCH COMMANDER RESPONSIBILITIES

Revised October 20, 2015

Upon notification of a use of force occurring outside the Long Beach Police Department jurisdiction, the Watch Commander will determine whether a supervisor will respond to the scene. The Watch Commander will evaluate the need for further investigation and take appropriate action on all use of force incidents.

When a Watch Commander is directly involved in a use of force incident, the Watch Commander will direct another supervisor to respond and handle the investigation and reports.

The Watch Commander is responsible for the following:

- 1) *Review the incident/arrest reports, along with all connecting reports regarding the use of force incident and either approve or send them back to the author for corrections or a supplemental report [[Special Order – Use of Force, 1/10/19](#)];*
- 2) Ensure the incident and level of force used is entered in the Watch Commander's Log;
- 3) Notify the on-call Internal Affairs Sergeant on all reportable use of force incidents involving potential misconduct, or incidents resulting in the subject being admitted to the hospital or transported for treatment to a hospital for the following:
 - a) Injuries requiring sutures
 - b) Broken bones
 - c) All head injuries
 - d) Any injury deemed as serious
- 4) *Review the Supervisor's Use of Force Report via BlueTeam involving a level 1, 2, or 3 use of force as well as any digital evidence (i.e., photos/video) available, provide recommendations if any, and recommend whether the use*

of force is in policy or, refer to Internal Affairs for further investigation, and/or take other corrective action [[Special Order – Use of Force, 1/10/19](#)];

- 5) Forward the Supervisor's Use of Force Report via BlueTeam to the involved employee's Lieutenant within a timely manner.

7.1.2.11 USE OF FORCE – INVOLVED EMPLOYEE LIEUTENANT RESPONSIBILITIES

Revised October 20, 2015

Review the Supervisor's Use of Force Report via Blue Team involving a level 1, 2, or 3 use of force per this special order, including any police reports and digital evidence (i.e., photos/video), provide recommendations if any, and recommend whether the use of force is in policy or, refer to Internal Affairs for further investigation, and/or take other corrective action. Forward the Supervisors Use of Force Report via BlueTeam to the involved employee's Commander within a timely manner. [[Special Order – Use of Force, 1/10/19](#)]

7.1.2.12 USE OF FORCE – DIVISION COMMANDER RESPONSIBILITIES

Revised October 20, 2015

Review any level 1 Supervisor's Use of Force Report via BlueTeam, which shall include reviewing any police reports and digital evidence (i.e., photos/video). Make a final determination whether the use of force is in policy or, recommend refer to Internal Affairs for further investigation, and/or take other corrective action. Forward the completed Use of Force report via BlueTeam to the Internal Division in a timely manner.

If a level 1 use of force results in serious injury including, but not limited to an injury requiring ten or more sutures/staples, broken bones, head injury or any other serious injury, it shall be forwarded to the involved employees Bureau Office for review and approval. Any Bureau Chief reserves the right to review a level 1 use of force to make a final determination on the incident.

Review any level 2 or 3 Supervisor's Use of Force Report via BlueTeam including any police reports and digital evidence (i.e., photos/video). Provide recommendations if any and determine whether the use of force is in policy or, refer to Internal Affairs for further investigation, and/or take other correction action. Forward the Supervisor's Use of Force Report via BlueTeam to the involved employee's Bureau Deputy Chief within a timely manner. [[Special Order – Use of Force, 1/10/19](#)]

7.1.2.13 USE OF FORCE – BUREAU RESPONSIBILITIES

Revised October 20, 2015

Review level 2 or 3 Supervisor's Use of Force Report via BlueTeam including any police reports and digital evidence (i.e., photos/video). Provide final

recommendations if any and make a final determination on all level 2 use of force reports as to whether the use of force is in policy or, refer to Internal Affairs for further investigation, and/or take other corrective actions.

The Deputy Chief, or his/her designee of the involved employee shall forward the Supervisor's Use of Force Report via BlueTeam to the Internal Affairs Division in a timely manner.

If the use of force was part of a significant tactical event, the Deputy Chief, or his/her designee, should consider notifying the Tactical Operation Committee (TOC) or the Critical Incident Debrief Committee for review. [[Special Order – Use of Force, 1/10/19](#)]

7.1.2.14 USE OF FORCE – INTERNAL AFFAIRS RESPONSIBILITIES

Revised October 20, 2015

Internal Affairs will maintain all Supervisor's Use of Force reports and ensure compliance with any findings or recommendations.

7.1.2.15 USE OF FORCE – TRAINING SECTION RESPONSIBILITIES

Revised October 20, 2015

When requested, the Training Section will evaluate the use of force to determine the need for future training.

7.1.3 ARRESTS – FORCE

Revised October 20, 2015

When making an arrest, Officers shall strictly observe the laws of arrest and adhere to the following provisions:

- 1) The arresting officer shall use only the amount of restraint necessary to assure the safe custody of the prisoner and his/her own safety.
- 2) The arresting officer is responsible for the safety and protection of the arrested person in his/her custody.
- 3) The arresting officer shall notify Booking Desk personnel or transportation officers, if involved, of any injury, apparent illness or other condition which may indicate that the arrestee would require any special medical care.
- 4) The arresting officer is responsible for the security of all personal property in the possession or under the control of the arrestee at the time of arrest. With the exception of vehicles, this responsibility is transferred to Booking Desk personnel or transporting officers when they accept custody of the arrestee.

7.1.4 (INTENTIONALLY LEFT BLANK)



Date: January 10, 2019
To: DEPARTMENT EMPLOYEES
From: Robert Luna, Chief of Police
Subject: **SPECIAL ORDER - USE OF FORCE**

This special order modifies the use of force review and approval responsibilities in LBPD Manual § 7.1.2 USE OF FORCE.

All personnel listed in sections 7.1.2.8 through 7.1.2.13 are responsible for reviewing and approving all use of force reports which includes police reports and digital evidence (i.e. photos/video) involving the below levels of force.

A use of force shall be categorized using the following use of force levels for review and approval purposes:

Level 1 – Chemical weapons, spit hood, hobble, and any physical force including, control holds with ongoing complaint of pain and takedowns.

Level 2 – Any force using the carotid restraint, or a non-lethal weapon including a conducted electrical weapon, impact weapons, canine, or less lethal munitions.

Level 3 – Lethal force including, but not limited to firearms, vehicle contact, knives or any other weapon used as a lethal weapon.

Incidents of force directly involved in an officer involved shooting or in-custody death will follow the established review process in 8.2.7 FIREARMS – SHOOTING REVIEW BOARD and will not be reviewed through the employees standard chain of command. Any other force not directly related to an officer involved shooting or in-custody death will follow the established review process in sections 7.1.2.8 through 7.1.2.13.

7.1.2.8 USE OF FORCE – SUPERVISOR RESPONSIBILITIES

Item number 11 is amended as follows:

- 11) Review the incident/arrest report and all supplemental reports to the use of force incident as well any digital evidence available at the time of filing involving a level 1, 2, or 3 use of force; and

The remainder of 7.1.2.8 is unchanged and remains in effect.

7.1.2.10 USE OF FORCE – WATCH COMMANDER RESPONSIBILITIES

Item number 1 is amended as follows:

- 1) Review the incident/arrest reports, along with all connecting reports regarding the use of force incident and either approve or send them back to the author for corrections or a supplemental report;

Item number 4 in section 7.1.2.10 is amended as follows:

- 4) Review the Supervisor's Use of Force Report via BlueTeam involving a level 1, 2, or 3 use of as well as any digital evidence (i.e. photos/video) available, provide recommendations if any, and recommend whether the use of force is in policy or, refer to internal affairs for further investigation, and/or take other corrective action;

The remainder of 7.1.2.10 is unchanged and remains in effect.

7.1.2.11 USE OF FORCE – INVOLVED EMPLOYEE LIEUTENANT RESPONSIBILITIES

Review the Supervisor's Use of Force Report via BlueTeam involving a level 1, 2, or 3 use of force per this special order, including any police reports and digital evidence (i.e. photos/video), provide recommendations if any, and recommend whether the use of force is in policy or, refer to internal affairs for further investigation, and/or take other corrective action. Forward the Supervisor's Use of Force Report via BlueTeam to the involved employee's Commander within a timely manner.

7.1.2.12 USE OF FORCE – DIVISION COMMANDER RESPONSIBILITIES

Review any level 1 Supervisor's Use of Force Report via BlueTeam, which shall include reviewing any police reports and digital evidence (i.e. photos/video). Make a final determination whether the use of force is in policy or, recommend refer to internal affairs for further investigation, and/or take other corrective action. Forward the completed Use of Force report via BlueTeam to the Internal Affairs Division in a timely manner.

If a level 1 use of force results in serious injury including but not limited to an injury requiring ten or more sutures/staples, broken bones, head injury or any other serious injury, it shall be forwarded to the involved employees Bureau Office for review and approval. Any Bureau Chief reserves the right to review a level 1 use of force to make a final determination on the incident.

Review any level 2 or 3 Supervisor's Use of Force Report via BlueTeam including any police reports and digital evidence (i.e. photos/video). Provide recommendations if any, and determine whether the use of force is in policy or, refer to internal affairs for further investigation, and/or take other corrective action. Forward the Supervisor's Use of Force Report via BlueTeam to the involved employee's Bureau Deputy Chief within a timely manner.

7.1.2.13 USE OF FORCE – BUREAU RESPONSIBILITIES

Review level 2 or 3 Supervisor's Use of Force Report via BlueTeam including any police reports and digital evidence (i.e. photos/video). Provide final recommendations

if any, and make a final determination on all level 2 use of force reports as to whether the use of force in policy or, refer to internal affairs for further investigation, and/or take other corrective action.

The Deputy Chief, or his/her designee, of the involved employee shall forward the Supervisor's Use of Force Report via BlueTeam to the Internal Affairs Division in a timely manner.

If the use of force was part of a significant tactical event, the Deputy Chief, or his/her designee, should consider notifying the Tactical Operation Committee (TOC) or the Critical Incident Debrief Committee for review.

7.1.2.14 USE OF FORCE – CHIEF OF POLICE RESPONSIBILITY

The Chief of Police or their designee shall make a final determination on all level 3 use of force incidents as to whether the incident was in or out of policy.

This special order will remain in effect until the applicable LBPD Manual sections are revised.

Approved:



Robert Luna, Chief of Police



Date



Date: January 16, 2020
To: DISTRIBUTION
From: Robert G. Luna, Chief of Police *R. Luna*
Subject: **REVISED SPECIAL ORDER- USE OF FORCE – EFFECTIVE JANUARY 16, 2020**

REVISED ADDED – POLICE OFFICER – FORCE POLICY, A. Deadly Force, ii. Immediate Apprehension: The use of deadly force for purposes of immediate apprehension is only authorized for a Police Officer. See the changes on page 8.

REVISED DELETED – PARK RANGER AND AIRPORT SPECIAL SERVICES OFFICER - FORCE POLICY, A. Deadly Force, ii. Immediate Apprehension. See the changes on page 11.

The attached Special Order, *Use of Force* is approved for distribution. This special order supersedes the following LBPD Special Order and Manual §§:

- 6.8.5 FIREARMS – SHOOTING POLICY
- 7.1.2.1 LEGAL AUTHORITY TO USE FORCE
- 7.1.2.2 FORCE DEFINED
- 7.1.2.3 FORCE POLICY
- Special Order *Use of Cover Fire, 6/1/17*

The following sections remain in effect:

- SPECIAL ORDER *Use of Force, 1/10/19*
- 7.1.2.4 Force Options
- 7.1.2.5 Reportable Use of Force
- 7.1.2.6 Non-Reportable Use of Force
- 7.1.2.7 Employee Responsibilities
- 7.1.2.8 Supervisor Responsibilities
- 7.1.2.9 Booking Sergeant Responsibilities
- 7.1.2.10 Watch Commander Responsibilities
- 7.1.2.11 Involved Employee Lieutenant Responsibilities
- 7.1.2.12 Division Commander Responsibilities
- 7.1.2.13 Bureau Responsibilities
- 7.1.2.14 Internal Affairs Responsibilities
- 7.1.2.15 Training Section Responsibilities

Effective Date: 1.16.20

Approved: R. Luna
Robert G. Luna, Chief of Police

RGL:PG:tjs
SP/M.O&TB/PolicyDocuments/UOFFProject/PolicyDocuments/392Special Order

**SPECIAL ORDER OF THE LONG BEACH POLICE DEPARTMENT
USE OF FORCE**

Approved: R. Luna Date: 1.16.20

SPECIAL ORDER
USE OF FORCE
Effective January 1, 2020

Effective January 1, 2020 this Special Order revises LBPB Manual §§ 6.8.5 Firearms – Shooting Policy, 7.1.2.1 Legal Authority to Use Force, 7.1.2.2 Force Defined, and 7.1.2.3 Force Policy. The Long Beach Police Department (LBPB) complies with requirements set forth in Assembly Bill 392, an act to amend §§ 196 and 835a of the Penal Code, relating to Peace Officers.

USE OF FORCE

The LBPB believes that a key principle in maintaining public trust is having reverence for human life and ensuring that any use of force is reasonable. Officers shall remain professional, ethical, and treat others with respect.

Peace, security and detention officers respond to dynamic and rapidly evolving enforcement situations that may necessitate the use of reasonable force. Officers must constantly assess the situation, and the need for force, while remaining fair and unbiased.

No policy can anticipate every conceivable situation or exceptional circumstance which officers may face. In all circumstances, officers are expected to exercise sound judgment and critical decision making when using force options.

SPECIAL ORDER OF THE LONG BEACH POLICE DEPARTMENT
USE OF FORCE

Approved: _____

R. Luna

Date: _____

1.16.20

USE OF FORCE – DEFINITIONS

For purposes of this section, the following definitions shall apply:

Airport Special Services Officer or **Airport SSO** has the same meaning as CPC § 830.33(d).

Armed Special Services Officer or **Armed SSO** shall refer to Airport SSO, Jail SSO when armed, SSO when armed.

Deadly force means any use of force that creates a substantial risk of causing death or serious bodily injury. Deadly force includes, but is not limited to, the discharge of a firearm.

Feasible means 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.

Force is any action to control a subject or to overcome resistance through the use of physical strength, weaponless defense techniques, pain compliance techniques, defensive weapons or a combination thereof.

Park Ranger has the same meaning as CPC § 830.31(b).

Peace Officer means a Police Officer, Park Ranger, and Airport SSO.

Police Officer has the same meaning as CPC § 830.1(a).

Special Services Officer or **SSO** shall refer to those Special Services Officers assigned to the Jail (CPC § 831(a)), Long Beach City College, City Hall, and Marine Patrol (CPC § 831.4(a)(1)).

Totality of the circumstances means all facts known at the time, including the conduct of the officer and the subject leading up to the use of force.

SPECIAL ORDER OF THE LONG BEACH POLICE DEPARTMENT
USE OF FORCE

Approved: R. Luna

Date: 1.16.20

USE OF FORCE – LEGAL AUTHORITY TO USE FORCE

Only those Police Department employees defined below are subject to this policy.

Jail Special Services Officer

A Jail SSO may use reasonable force in establishing and maintaining custody of persons delivered to them by a law enforcement officer. (CPC § 831(f))

During the transport of a prisoner or prisoners, a Jail SSO may use reasonable force in establishing and maintaining custody of persons delivered to them by a Peace Officer. (CPC § 831.6(d))

Police Officer, Park Ranger, and Airport SSO (Peace Officer)

CPC §834(a) - If a person has knowledge, or by the exercise of reasonable care, should have knowledge, that he is being arrested by a peace officer, it is the duty of such person to refrain from using force or any weapon to resist such arrest.

CPC §835a(b) - A Peace Officer who has reasonable cause to believe that a person to be arrested has committed a public offense may use objectively reasonable force to:

1. Arrest a person;
2. Prevent escape; or
3. Overcome resistance.

CPC §835a(d) – 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 of the person being arrested.

A peace officer shall not be deemed an aggressor or lose the right to self-defense by the use of objectively reasonable force. For the purposes of this policy, "retreat" does not mean tactical repositioning or other de-escalation tactics.

CPC §841 - The person making the arrest must inform the person to be arrested of the intention to arrest him, of the cause of the arrest, and the authority to make it, except when the person making the arrest has reasonable cause to believe that the person to be arrested is actually engaged in the commission of or an attempt to commit an offense, or the person to be arrested is pursued immediately after its commission, or after an escape.

The person making the arrest must, on request of the person he is arresting, inform the latter of the offense for which he is being arrested.

Special Services Officer

CPC §836.5(a) – An SSO, when authorized by ordinance, may arrest a person without a warrant whenever the officer or employee has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the presence of the officer or

SPECIAL ORDER OF THE LONG BEACH POLICE DEPARTMENT
USE OF FORCE

Approved: _____



Date: _____



employee that is a violation of a statute or ordinance that the officer or employee has the duty to enforce.

CPC §836.5(b) (a) – No officer or employee shall be deemed an aggressor or lose his or her right to self-defense by the use of reasonable force to effect the arrest, prevent escape, or overcome resistance.

**SPECIAL ORDER OF THE LONG BEACH POLICE DEPARTMENT
USE OF FORCE**

Approved: R. Luvro

Date: 1.16.20

AUTHORIZED TRAINING

This policy is not intended to prohibit the discharge of a firearm during authorized practice and training at an approved area.

NEGLIGENT DISCHARGE

The discharge of any weapon by careless or negligent handling by an on or off duty employee shall constitute a neglect of duty.

DUTY TO INTERVENE

Intervention during a use of force is attempting to prevent or stop the inappropriate or unlawful behavior of another. When a Peace Officer or SSO perceives a use of force to be unreasonable, he or she shall intervene when able, and report the observations to a supervisor.

Intervention may take the form of one or more of the following actions:

- Strongly caution the other officer(s);
- Physical action to stop the unreasonable force.

DE-ESCALATION

De-escalation is attempting to stabilize a situation and reduce the immediacy of the threat so that more options, and resources can be called upon to resolve the situation through voluntary compliance.

A Peace Officer or SSO shall use de-escalation techniques, crisis intervention tactics, and/or other alternatives to force, when feasible.

VERBAL WARNINGS

A verbal warning shall be given, by a Peace Officer or SSO, prior to any use of force likely to cause serious injury, unless it would otherwise endanger the safety of officers, or when it is not feasible due to the circumstances. The purpose of the warning is to give individuals a reasonable opportunity to comply with the officer's direction.

MEDICAL AID

As soon as the scene is safe, Peace Officer(s) or SSO(s) shall ensure proper medical aid is provided for any injured person.

SPECIAL ORDER OF THE LONG BEACH POLICE DEPARTMENT
USE OF FORCE

Approved: _____

R. Luna

Date: _____

1.16.20

DISPLAY OF FIREARMS

A Peace Officer or SSO may draw or point a firearm when the officer reasonably believes it may be necessary for his or her own safety or for the safety of others.

SURROUNDINGS AND POTENTIAL RISK

Peace Officers or SSOs shall consider their surroundings and potential risks to the public, to the extent reasonable under the circumstances, before discharging a firearm.

WARNING SHOTS

The discharge of a firearm as a warning shot is not authorized.

SOUNDING AN ALARM

The discharge of a firearm may be used to sound an alarm or call for assistance, when other means of communication cannot be used.

EXCEPTIONAL CIRCUMSTANCES

Exceptional circumstances may necessitate the use of a firearm other than at a person, when the Peace Officer or SSO reasonably believes there is an imminent threat to life or of serious bodily injury for example, shooting at an animal (for further refer to LBPD Manual § 8.2.4 UNINTENTIONAL FIREARMS DISCHARGE AND ANIMAL SHOOTINGS).

SPECIAL ORDER OF THE LONG BEACH POLICE DEPARTMENT
USE OF FORCE

Approved: *R. Fuma* Date: 1.16.20

POLICE OFFICER - FORCE POLICY

Police Officers will attempt to achieve control through direction, forewarning, or reasonable physical force.

Police Officers may, based on the totality of the circumstances, 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. Force may be used to accomplish the following:

1. Effect a lawful investigative detention or arrest;
2. Control a resistive, combative or threatening subject;
3. Protect themselves, the subject or another person from injury, death or destruction of property; and
4. Stop a subject who is attempting to flee or escape a lawful detention or arrest.

The decision by a Police Officer to use force shall be reviewed and evaluated carefully and thoroughly, in a manner that reflects the gravity of that authority and the serious consequences of the use of force by Police Officers, in order to ensure that officers use force consistent with law and agency policies.

The decision by a Police Officer to use force shall be reviewed and evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force.

Force incident reviews should also consider the officer's tactics and the conduct of the subject leading up to, during, and after the use of force.

A. DEADLY FORCE

Police Officers may use deadly force only when necessary in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer.

Where feasible, a Police Officer shall, prior to the use of force, make reasonable efforts to identify themselves as a Police 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.

A Police Officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable Police Officer would believe

SPECIAL ORDER OF THE LONG BEACH POLICE DEPARTMENT
USE OF FORCE

Approved: R. Luna

Date: 1. 16. 20

the person does not pose an imminent threat of death or serious bodily injury to the Police Officer or to another person.

i. Imminent Threat

A Police Officer is justified in using deadly force upon another person when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary to defend against an imminent threat of death or serious bodily injury to the officer or to another person.

A threat of death or serious bodily injury is "imminent" 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 Police Officer or another person.

An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.

ii. Immediate Apprehension

A Police Officer is justified in using deadly force upon another person when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the Police Officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

The use of deadly force for purposes of immediate apprehension is only authorized for a Police Officer.

iii. Shooting at Moving Vehicles

Police Officers shall weigh the need to shoot at an imminent threat in a moving vehicle against the risk that a firearms discharge may create, such as harm to other persons in the vehicle, the public, or the danger of an uncontrolled vehicle from an incapacitated driver.

Police Officers shall avoid placing themselves in the path of a moving vehicle, or if feasible, move out of the way of an oncoming vehicle.

The use of firearms at a moving vehicle, by a Police Officer, is authorized in the event of an imminent threat or immediate apprehension.

SPECIAL ORDER OF THE LONG BEACH POLICE DEPARTMENT
USE OF FORCE

Approved: R. Luna Date: 1.16.20

iv. **Shooting from Moving Vehicles**

Police Officers shall consider the increased risk that shooting from a moving vehicle creates, and if feasible, consider the options of exiting the vehicle or driving away from the imminent threat.

The use of firearms from a moving vehicle, by a Police Officer, is authorized in the event of an imminent threat or immediate apprehension.

v. **Directed Fire**

Directed fire is a tactic of delivering controlled gun fire at a specific area, capable of containing the officers' rounds, where a suspect may not be directly exposed, but from where he/she poses an imminent threat.

Directed fire may only be used when no other reasonable course of action would allow officers to protect themselves or the public from an imminent deadly threat. Police Officers shall weigh the need to use directed fire against the risk that a firearms discharge may create to the public.

Directed fire may be used in the following circumstances:

- a) Moving Persons to Safety - when there is a need to move a person from a position of imminent harm to one of safety; OR
- b) Moving for Tactical Advantage - to maneuver officers from a position of disadvantage to a position of tactical advantage to stop an imminent threat, when responding to an incident, such as an active shooter or an organized terrorist attack.

The use of directed fire is only authorized for a Police Officer.

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Approved: *R. Luna* Date: *1.16.20*

PARK RANGER AND AIRPORT SPECIAL SERVICES OFFICER - FORCE POLICY

Park Rangers and Airport SSOs will attempt to achieve control through direction, forewarning, or reasonable physical force. When acting in furtherance of their primary duty, Park Rangers and Airport SSOs may, based on the totality of the circumstances, 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. Force may be used to accomplish the following:

1. Effect a lawful investigative detention or arrest;
2. Control a resistive, combative or threatening subject;
3. Protect themselves, the subject or another person from injury, death or destruction of property; and
4. Stop a subject who is attempting to flee or escape a lawful detention or arrest.

The decision by a Park Ranger and Airport SSO to use force shall be reviewed and evaluated carefully and thoroughly, in a manner that reflects the gravity of that authority and the serious consequences of the use of force by Peace Officers, in order to ensure that the force used is consistent with law and agency policies.

The decision by a Park Ranger and Airport SSO to use force shall be reviewed and evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force.

Force incident reviews should also consider the officer's tactics and the conduct of the subject leading up to, during, and after the use of force.

A. DEADLY FORCE

Park Rangers and Airport SSOs may use deadly force only when necessary in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer.

Where feasible, Park Rangers and Airport SSOs shall, prior to the use of 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.

A Park Ranger or Airport SSO shall not use deadly force against a person based on the danger that person poses to themselves, 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.

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Date: _____



i. Imminent Threat

A Park Ranger or Airport SSO is justified in using deadly force upon another person when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary to defend against an imminent threat of death or serious bodily injury to the officer or to another person.

A threat of death or serious bodily injury is "imminent" 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 imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.

ii. Shooting at Moving Vehicles

Park Rangers and Airport SSOs shall weigh the need to shoot at an imminent threat in a moving vehicle against the risk that a firearms discharge may create, such as harm to other persons in the vehicle, the public, or the danger of an uncontrolled vehicle from an incapacitated driver.

Park Rangers and Airport SSOs shall avoid placing themselves in the path of a moving vehicle, or if feasible, move out of the way of an oncoming vehicle.

The use of firearms at a moving vehicle, by a Park Ranger or Airport SSO, is authorized only in the event of an imminent threat.

iii. Shooting from Moving Vehicles

Park Rangers and Airport SSOs shall consider the increased risk that shooting from a moving vehicle creates, and if feasible, consider the options of exiting the vehicle or driving away from the imminent threat.

The use of firearms from a moving vehicle, by a Park Ranger or Airport SSO, is authorized only in the event of an imminent threat.

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Approved: _____

R. Luma

Date: _____

1.16.20

SPECIAL SERVICES OFFICER - FORCE POLICY

An SSO may only use force when, based on the totality of the circumstances, the SSO reasonably believes that another person is going to harm the SSO or another. The SSO may only use the amount of force reasonably necessary to defend themselves or another.

The reasonableness of a particular use of force will be reviewed and evaluated from the perspective of a reasonable person possessing the same information, training and experience, and faced with the same circumstances as the SSO who used force.

Force incident reviews should also consider the SSO's tactics and the conduct of the subject leading up to, during, and after the use of force.

This section shall apply to the following personnel:

1. City Hall SSO
2. Jail SSO
3. Long Beach City College SSO
4. Marine Patrol SSO

A. DEADLY FORCE

SSOs may use deadly force only when necessary in defense of human life. In determining whether deadly force is necessary, SSOs shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer.

Where feasible, an SSO shall, prior to the use of force, make reasonable efforts to identify themselves as an SSO and to warn that deadly force may be used, unless the SSO has objectively reasonable grounds to believe the person is aware of those facts.

An SSO shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable SSO would believe the person does not pose an imminent threat of death or serious bodily injury to the SSO or to another person.

i. Imminent Threat

An SSO is justified in using deadly force upon another person when the SSO reasonably believes, based on the totality of the circumstances, that such force is necessary to defend against an imminent threat of death or serious bodily injury to the SSO or to another person.

A threat of death or serious bodily injury is "imminent" when, based on the totality of the circumstances, a reasonable SSO in the same situation would believe that

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a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the SSO or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.

The use of deadly force by an SSO is only authorized in the event of an imminent threat.

ii. **Shooting at Moving Vehicles**

SSOs shall weigh the need to shoot at an imminent threat in a moving vehicle against the risk that a firearms discharge may create, such as harm to other persons in the vehicle, the public, or the danger of an uncontrolled vehicle from an incapacitated driver.

SSOs shall avoid placing themselves in the path of a moving vehicle, or if feasible, move out of the way of an oncoming vehicle.

The use of firearms at a moving vehicle, by an SSO, is authorized only in the event of an imminent threat.

iii. **Shooting from Moving Vehicles**

SSOs shall consider the increased risk that shooting from a moving vehicle creates, and if feasible, consider the options of exiting the vehicle or driving away from the imminent threat.

The use of firearms from a moving vehicle, by an SSO, is authorized only in the event of an imminent threat.

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