



FULLERTON POLICE DEPARTMENT

TRAINING BULLETIN

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TB # 20-09

USE OF FORCE – POLICY UPDATE

The Use of Force Policy, Fullerton Police Department Policy 300, has been updated because legislative action impacts its content.

- I. **2019 CA SB 230** requires that agencies maintain a policy that provides guidelines on the use of force, utilizing de-escalation techniques and other alternatives to force when feasible, the application of deadly force, and factors for evaluating and reviewing all use of force incidents. The legislation also requires agencies to implement certain training related to these requirements and to make their use of force policy accessible to the public. Changes include:
 - In **PURPOSE AND SCOPE**, content has been added to better convey the application of use of force relative to other policies, and a citation has been added.
 - **DEFINITIONS** has been updated with additional terms to enhance understanding of this policy.
 - **FAIR AND UNBIASED USE OF FORCE** has been added as a new subsection in **POLICY** to require that members carry out their law enforcement duties in a fair and unbiased manner.
 - **DUTY TO INTERCEDE** has been renamed **DUTY TO INTERCEDE AND REPORT**, and the content has been updated to clarify when an officer is required to intervene in situations where another law enforcement officer or an employee is using force beyond what is necessary.
 - **PERSPECTIVE** has been added as a new subsection in **POLICY** to specify that officers observing and reporting the use of force by another officer or employee should consider that others may have additional information regarding the threat posed by the subject, as well as emphasizing the totality of the circumstances as a basis for these observations.
 - **USE OF FORCE** has been updated to specify that officers should only use that force reasonably proportional to the seriousness of the suspected offense or the perceived level of actual or threatened resistance.

- **ALTERNATIVE TACTICS - DE-ESCALATION** has been added as a new subsection in **USE OF FORCE** to include suggested alternative tactics and de-escalation techniques.
- **FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE** has been updated to add clarifying language and statutory references.
- **DEADLY FORCE APPLICATIONS** has been restructured for clarity and to provide guidelines for the application of deadly force.
- **SHOOTING AT OR FROM MOVING VEHICLES** has been updated for clarity and to include supporting statutory authority.
- **DISPLAYING OF FIREARMS** has been added as a subsection in **DEADLY FORCE APPLICATIONS** to add guidance regarding the display of a firearm by officers.
- **MEDICAL CONSIDERATION, SUPERVISOR RESPONSIBILITY,** and **TRAINING** have been updated to require that officers provide prompt medical attention to any person claiming injury as a result of the use of force, and the Edit Levels have been changed from "Best Practice" to "State."
- **USE OF FORCE COMPLAINTS** has been added to require that any civilian complaints regarding the use of force be handled in accordance with the Personnel Complaints Policy.
- **TRAINING** has been updated to include specific training requirements related to the use of force.
- **POLICY REVIEW, POLICY AVAILABILITY,** and **PUBLIC RECORDS REQUESTS** have been added as new sections at the end of this policy to comply with the legislation.

II. Apart from your state law, this policy has been revised to include updated best practices after considerable research and deliberation over the national discussion on the use of force. The national discussion regarding use of force involves a variety of topics, perspectives, and laws across the country. It is Lexipol's commitment to continuous improvement that mandates comprehensive consideration of all of these factors to provide a policy that is legally sound and reflects best practices in order for agencies to fulfill their duties better and safer.

- **CAROTID CONTROL HOLD** has not changed, the use is not authorized.
 - **REPORTING THE USE OF FORCE** has been updated to direct readers to other policies that may require related reports.
 - **NOTIFICATION TO SUPERVISOR** has been updated to require that a supervisor be notified when any individual alleges unreasonable force by an officer.
 - Language has been updated in **SUPERVISOR RESPONSIBILITY** for clarification and consistency with the rest of this policy
 - In **TRAINING**, content has been added to require training on de-escalation and alternative tactics subject to agency resources.
- III. Based upon feedback from agencies and stakeholders in California, as well as our commitment to continuous improvement, Lexipol has determined that several edits to the recent **Use of Force** update are warranted.

Highlights of the changes to **Use of Force** include:

- **DUTY TO INTERCEDE AND REPORT** has been renamed **DUTY TO INTERCEDE**, and content has been moved to another subsection (**DUTY TO REPORT EXCESSIVE FORCE**).
- **PERSPECTIVE** has been renamed **DUTY TO REPORT EXCESSIVE FORCE**, and content has been moved to another subsection (**DUTY TO INTERCEDE**).
- **DISPLAYING OF FIREARMS** has been updated to better reflect the realities of law enforcement activities.

Source: 2019 CA SB 230 & Lexipol 8/27/20 Update Email

This Training Bulletin can also be accessed through the Police Department Network.

- Go to & click on **COMMON** on S: Drive"
- Click on the **TRAINING** folder
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- Click on **TB 20-09 USE OF FORCE - POLICY UPDATE.pdf**