



ORANGE POLICE DEPARTMENT



USE OF FORCE POLICIES / TRAINING

The Orange Police Department takes pride in our strong community relationship. Our mission is to perform our law enforcement duties with innovative leadership, accountable to the people we serve, in order to ensure their safety and improve the quality of life in our diverse community. To ensure we maintain that relationship and hire quality professionals, we go beyond the POST (Commission on Peace Officer's Standards and Training) hiring guidelines to select quality men and women reflective of our community.

The recent killing of George Floyd in Minnesota has outraged communities across the nation, and world. The tactics used in his death are disturbing and not trained or authorized by our department. We have received many inquiries about our procedures and police accountability. Our officers stand by the law enforcement code of ethics to "never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence their decisions," and "to enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence." Excessive force cannot be condoned. It is illegal and allegations of misconduct are thoroughly investigated.

The 8cantwait campaign (<https://8cantwait.org/>) has identified the following areas of focus in the training reduction of harm and death:

- Require de-escalation
- Ban chokeholds and strangleholds
- Duty to Intervene
- Ban shooting at moving vehicles
- Require comprehensive reporting
- Exhaust all options before shooting
- Require use of force continuum
- Require warning before shooting

The Orange Police Department utilizes the Lexipol policy manual, which is the leading platform for comprehensive public safety and local government agency policy development. Lexipol's group of expert attorneys develop evidence-based, legally defensible policies that ensure our department has the most up-to-date resources to carry out our duties and ensure public safety. Our policy manual is a living document that is subject to constant change, and is updated on a continual basis. In addition, Senate Bill 230 and Assembly Bill 392 capture some of the 8cantwait provisions. Our department policies listed below address the topics in the 8cantwait campaign.

REQUIRE DE-ESCALATION:

Policy 425 and 425.6 covers crisis intervention incidents and the use of conflict resolution and de-escalation techniques to stabilize incidents. Our officers are required to attend interpersonal communication and de-escalation training certified by POST. The previously mentioned training

is in addition to the training received in the academy, during the Field Training Program, and during the course of employment. Our Field Training Officers (FTO) attend an eight-hour Crisis Intervention and de-escalation course to further inform new hires. Additionally, our department has hosted a 24-hour and 8-hour mental health awareness course to all our sworn officers.

BAN CHOKEHOLDS & STRANGLEHOLDS:

The use of “chokeholds” and “strangleholds” are not department authorized control techniques.

DUTY TO INTERVENE:

The Orange Police Department requires an officer who views excessive force to intercede when in a position to do so. Also, the officer’s observations should be promptly reported to a supervisor. The requirement is covered under policy section 300.2.1.

BAN SHOOTING AT MOVING VEHICLES:

Policy 300.4.1 covers this topic. Shots fired at or from a moving vehicle are rarely effective, and officers should move out of the path of the vehicle instead of discharging their firearm. Shooting at a moving vehicle is extremely rare, but incidents like the 2015 terrorist attack in San Bernardino reveal it may be necessary for extreme events to protect public safety. Our last incident involving shooting at a moving vehicle was in 2009.

REQUIRE COMPREHENSIVE REPORTING:

The Orange Police Department requires any use of force by an officer to be documented promptly, completely and accurately in an appropriate report. Reporting and documenting the use of force is covered in policy section 300.5.

EXHAUST ALL OPTIONS BEFORE SHOOTING/USING DEADLY FORCE:

Policy 300.4 states if an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, the officer should evaluate the use of other reasonably available resources and techniques when determining to use deadly force. Additionally, Orange Police Officers must comply with subdivision (a)(2) of Penal Code 835a, which states peace officers may “use deadly force only when necessary in defense of human life.”

REQUIRE USE OF FORCE CONTINUUM:

The Orange Police Department recognizes use of force is a matter of critical concern and respects the value of all human life and dignity without prejudice. Officers are required to make split second decisions in rapidly changing situations. Officers shall use only that amount of force that appears necessary given the facts and totality of the circumstances known to or perceived at the time of event to accomplish a legitimate law enforcement function. Policy section 300 covers the use of force and falls in line with California Penal Code 835a.

REQUIRE WARNING BEFORE SHOOTING:

Policy 300.4 states prior to the use of deadly force, where feasible, the officer shall make reasonable efforts to identify themselves as a police officer and to warn that deadly force may be used.

It is recognized no set of policies or procedures can hope to address all the situations that may be encountered. When facing such situations, our policy manual will serve as a guideline and should be employed with sound reason, judgment, and discretion. Our entire policy manual is available online at <https://www.cityoforange.org/592/Police>