LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		USE OF FORCE *General Policy*
EFFECTIVE DATE **December 11th, 2021**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.010**

DEFINITION: The use of force is defined as any physical contact with a suspect or subject for the purpose of arresting and/or subduing that suspect or subject, with or without the use of a weapon or other object.

REASONABLE AND NECESSARY: Officers will employ only the amount of force that is reasonable and necessary to affect an arrest.

USE OF FORCE-JUVENILES: As with all uses of force by a law enforcement officer, only the reasonable and necessary amount of force to affect an arrest or assume control of a situation or juvenile shall be employed. Officers should consider the maturity level of juveniles and therefore use the least coercive tactics necessary when dealing with a juvenile offender, while still preserving public safety, order, and individual liberties. Officers must also remember that this same lack of maturity can make a potential juvenile offender unpredictable- especially if armed with a weapon.

ENSURING MEDICAL AID: It is the intent of the department that officers minimize the severity to suspects posed by obvious injuries or non-visible trauma associated with a deadly force encounter, the use of less than lethal weapons, the use of physical control measures and/ or other weaponless uses of force.

WASPC STANDARD 19.1.2

After any use of force (once the situation is under control) officers are required to assess the physical condition and potential medical status of the suspect or any other person involved. This assessment should include a visual check of the suspect for any obvious signs of injury, as well as ongoing observation to detect changes in condition or health. Suspects should be monitored by the officer at the scene on a consistent basis; no suspect should be left alone in the patrol car for long periods of time- even if the suspect refuses medical aid or treatment.

After the initial assessment of actual or potential injury, officers at the scene shall administer the appropriate emergency first aid in accordance with their training. If a suspect appears to be obviously injured or has suffered a likely injury, officers at the scene shall request that an aid car respond to the scene from the appropriate emergency service agency. The emergency service agency shall administer whatever level of medical aid is necessary as a result of the injury or circumstances. The transport of sick, injured or disabled prisoners shall be in accordance with policy 12.045, "Transport of Sick, Injured or Disabled Prisoners".

If a suspect claims to be injured and/ or demands emergency medical treatment

(even if there is no obvious sign of injury) the arresting officer shall summon the appropriate emergency agency to the scene.*

REPORT REQUIRED: All use of force incidents involving Long Beach Police Department shall be documented on a case investigation report file. This report shall be forwarded to the chief of police via the chain of command for his review.

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		**USE OF FORCE** ***Use of Force Control Continuum***
REVISED DATE **January 1st, 2013**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.020**

WASPC STANDARD
3.1.1
3.1.2

The following control continuum is to be used as a general guideline for the use of force by the officers of the Long Beach Police Department. Listed in the left column are a reasonable officer's perception of subject's actions; the middle column describes the intensity of the response; the right column are the reasonable officer's response *options*.

*Officers are not required to escalate the use of force in the order of the continuum listed; officers should meet the amount of force presented by the subject with the proper and necessary response option(s):**

Reasonable Officer Perceptions of Subject's Actions	*Intensity of Response*	*Reasonable Officer Response Options*
Cooperation	Officer Presence/ Dialogue	*Verbal Commands*
Intimidating Demeanor (Expressing verbal disagreement or threats without ability to carry them out)	Dialogue/ Assertive Directions	*Tactical Talking; Give Orders*
Passive Resistance (Physical actions that do not prevent an officer's attempt at control)	Low-Level Compliance	*Baton for Leverage Only; Physical Restraint & Compliance Techniques; Pressure Point Control*
Active Resistance (Physical actions which attempt to prevent an officer's control- such as pulling away or running away)	Intermediate Level Compliance	*OC Application (Tincture of Oleo Resin of Capsicum); Pain Compliance Techniques; Hair Holds; Active Counter-Measures; Pepperball Deployment; K-9 Barking; TASER deployment*
Assault (Assault with non-deadly physical force by suspect)	Impact Weapon Control	*Baton Strike(s); K-9 Application*
Threat of Serious Bodily Injury or Death (Self-defense of officer or another person)	Deadly Force	*Use of Firearm; Impact Weapon Strike(s) to Tertiary Targets; Vascular Neck Restraint*

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		USE OF FORCE *Non-Deadly Use of Force*
EFFECTIVE DATE **December 7th, 2022**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.030**

INTENT: The legislature did not enact RCW 10.120.020 to prevent or prohibit peace officers from protecting citizens from danger. On the contrary, the legislature recognizes the importance of enforcing criminal laws and providing safety for all. Therefore, the legislature intends to provide clear authority for peace officers to use physical force to prevent persons from fleeing lawful temporary investigative detentions, also known as Terry stops, and to take persons into custody when authorized or directed by state law. Yet this authority is not without limits. Peace officers must, when possible and appropriate, use de-escalation tactics before using physical force.

Peace officers may only use force to the extent necessary and reasonable under the totality of the circumstances. This strikes the appropriate balance between two important interests: The safety of the public and the peace officers who serve to protect us and the right of the people to be secure in their persons against unreasonable searches and seizures.

CRITICAL DECISION MAKING: When safe, feasible, and if appropriate under the circumstances known to the officer when making, or considering whether to make, contact with a member of the public, the officer should:

a. Begin assessment and planning with available facts before arriving at the scene;
b. Request available resources, as needed, such as a crisis intervention team or other appropriate specialty unit or professionals;
c. Collect information when on scene;
d. Assess the situation, threats, and risks;
e. Identify options for conflict resolution;
f. Determine a reasonable course of action; and
g. Review and re-assess the situation as it evolves.

Nothing in the policy precludes officers from taking quick action when faced with a life-threatening situation. When safe and feasible, officers should not unnecessarily jeopardize their own safety or the safety of others through tactical decisions that unreasonably place themselves or others at risk, including but not limited to:

a. Immediately approaching a person without proper evaluation of the situation;
b. Leaving insufficient space between an officer and the person;
c. Not providing time for the person to comply with commands; or
d. Unnecessarily escalating a situation.

DE-ESCALATION: When Possible, use all de-escalation tactics that are available and appropriate under the circumstances before using physical force. (RCW 10.20.020(3)(a).

Depending on the circumstances, officers have a number of de-escalation tactics to choose from, which may include, but are not limited to;

a. Creating physical distance by employing tactical repositioning and repositioning as often as necessary to maintain the benefit of time, distance, and cover;
b. When there are multiple officers, designating one officer to communicate in order to avoid competing commands;
c. Calling for additional resources such as a crisis intervention team or mental health professional when possible;
d. Calling for backup officers when encountering resistance;
e. Taking as much time as necessary, without using physical force or weapons; and
f. Leaving the area if there is no threat of imminent harm and no crime has been committed, is being committed, or is about to be committed.
g. Placing barriers or using existing structures to provide a shield or other protection between officers and a person;
h. Employing verbal and non-verbal communication techniques to calm a person (such as speaking slowly, regulating tone and body language, uncrossing one's arms, minimizing hand gestures, reducing sirens, and when safe to do so, reducing bright flashing lights).
i. Attempting to communicate in non-verbal ways when verbal instructions would be inadequate (such as when the person and officer speak in different languages or the person is unable to hear or understand instructions);
j. Communicating in a way that demonstrates respect for people's dignity (such as clearly explaining the officer's actions and expectations; listening to the person's questions and concerns and responding respectfully, and being neutral and fair when making decisions);
k. Exhibiting patience while using all available and appropriate tactics and resources to provide as much time as needed to resolve the incident without using physical force.

REASONABLE CARE: Consider people's characteristics and conditions, including children, elderly persons, pregnant individuals, Limited English Proficiency speakers, and those demonstrating mental, behavioral, physical,

cognitive, and perceptual impairments or disabilities, when determining whether to use physical force or deadly for and if necessary, the appropriate and least amount of physical force possible to effect a lawful purpose.

Nothing within this policy limits or restricts an officer's ability to respond to a call for community caretaking or protection of health and safety and to use the appropriate and least amount of physical force to execute those functions.

Reasonable care means that officers shall:

a. When possible, use all de-escalation tactics that are available and appropriate under the circumstances before using physical force;
b. When using physical force, use the least amount of physical force necessary to overcome resistance under the circumstances. This includes considering the characteristics and conditions of a person for the purposes of determining whether to use force against that person and, if force is necessary, determining the appropriate and least amount of force possible to effect a lawful purpose. Such characteristics and conditions may include,

- Is visibly pregnant or states that they are pregnant;
- Is known to be a minor, objectively appears to be a minor, or states that they are a minor;
- Is known to be a vulnerable adult or objectively appears to be a vulnerable adult as defined in RCW 74.34.020;
- Displays signs of mental, behavioral, or physical impairments or disabilities;
- Is experiencing perceptual or cognitive impairments typically related to the use of alcohol, narcotics, hallucinogens, or other drugs;
- Is suicidal;
- Has limited English proficiency; or
- Is in the presence of children.

c. Terminate the use of physical force as soon as the necessity for such force ends.

d. When possible, use less lethal alternatives that are available and appropriate under the circumstances before using deadly force.

e. Make less-lethal alternatives issued to the officer reasonably available for their use.

USE OF PHYSICAL FORCE SHALL BE NECESSARY AND FOR A LAWFUL PURPOSE: Necessary, per state law, means that under the totality of the circumstances, a reasonably effective alternative to the use of physical force or deadly force does not appear to exist, and the type and amount of physical force or deadly force used is a reasonable and proportional response to effect the legal purpose intended or to protect against the threat posed to the officer or others.

An officer may use physical force against a person when necessary to:

a. Protect against criminal conduct where there is probable cause to make an arrest;

b. Effect an arrest;

c. Prevent an escape as defined under chapter 9A.76 RCW; or

d. Protect against an imminent threat of bodily injury to the officer, another person, or the person against whom force is being used.

e. Prevent a person from fleeing or stop a person from actively fleeing a lawful temporary investigative detention, provided the person has been given notice they are being detained and is not free to leave.

f. Take a person into custody when authorized or directed by statute.

g. To take a person into custody, transport for evaluation of treatment, or provide assistance under RCW 10.77 (Criminally insane procedures), 71.50 (Mental Illness), or 71.34 (Behavioral health services for minors).

h. To take a minor into protective custody when authorized or directed by statute.

i. To execute or enforce a court order authorizing or directing a peace officer to take a person into custody.

j. To execute or enforce a directive issued by a judicial officer in the courtroom or a written order where the court expressly authorizes a peace officer to use physical force to execute or enforce the directive or order.

*Please note that nothing within this section prohibits, limits, or restricts a peace officer's authority or responsibility to perform lifesaving measures or perform community caretaking functions to ensure health and safety, including, but not limited to, rendering medical assistance, performing welfare checks, or assisting other first responders and medical professionals. Nor prevents a peace officer from responding to requests for assistance or service from first responders, medical professionals, behavioral health professionals, social service providers, designated crisis responders, shelter or housing providers, or any member of the public.

An officer may not use any force tactics prohibited by applicable department policy or otherwise by law except to protect his or her life or the life of another person from an imminent threat.

IDENTIFICATION, WARNING, AND OPPORTUNITY TO COMPLY: When safe and feasible, prior to the use of physical force, Officers should;

a. Identify themselves as law enforcement officers;
b. Attempt to determine whether the person has a special need, mental condition, physical limitation, developmental disability, language barrier, or other factors that may impact their ability to understand and comply with the officer's commands;
c. Provide clear instructions and warnings;
d. Warn a person that physical force will be used unless their resistance ceases;
e. Give the person a reasonable opportunity to comply with the warning that physical force may be used.

This expands on the requirements outlined in RCW 10.120.020. It should be noted that a warning is not always required. Giving a warning is discretionary and is based on what is known to the officer under the totality of the circumstances.

In all situations where officers apply force to another person with non-lethal weapons, all officers involved in the incident shall immediately complete a written report and forward it to the chief of police via the chain of command per policy 09.130 (Reporting Use of Non Deadly Force).

TYPES OF FORCE:

A. **De Minimis Force**: Physical interaction meant to separate, guide, and/or control without the use of control techniques that are not

intended to, nor are reasonably likely to, cause any pain or injury. Includes:

1. Use of control holds or joint manipulation techniques in a manner that does not cause any pain and is not reasonably likely to cause pain.
2. Using hands or equipment to stop, push back, separate, or escort a person without causing pain or in a manner that would not reasonably cause pain.

De minimis force is intended to be used on subjects whose behavior can best be described as non-compliant.

B. Type I: Force that causes transitory pain, the complaint of transitory pain or complaint of injury; disorientation; intentional pointing of a firearm, take-down techniques, including tackling a person; and the application of hobble restraints.

Type I force is intended to be used on subjects whose resistance/behavior can best be described as non-compliant or active.

C. Type II: Force that causes or is reasonably expected to cause physical injury greater than transitory pain but less than great or substantial bodily harm; and/or the use of any of the following weapons, tactics, or instruments: Taser, OC, impact weapons, deployment of K-9 causing less than Type III injury.

Type II use of force is intended to be used on subjects whose resistance/behavior can best be described as assaultive or aggressive.

D. Type III: Force that causes or is reasonably expected to cause great bodily harm, substantial bodily harm, or death.

Type III use of force is intended to be used on subjects whose resistance/behavior can best be described as deadly.

A supervisor shall be notified as soon as possible on any Type I, Type II, and Type III uses of force incidents.

A supervisor shall respond to the scene for any Type II and Type III incidents.

Officers should not discharge a firearm other than for practice or for training at a target range or similar authorized and safe location, except when in performance of duties and after all other reasonable means have failed.*

AN OFFICER MAY USE DEADLY FORCE WHEN:*

An officer may use deadly force against another person only when necessary to protect against an immediate threat of serious physical injury or death to the officer or another person.

When feasible, the officer shall, prior to the use of deadly force, identify him or herself as a peace officer and warn that deadly force may be used.

In determining whether to use deadly force, the following definitions apply:

a. "Immediate threat of serious physical injury or death" means that, based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparentability, opportunity, and intent to immediately cause death or serious bodily injury to the officer or another person.

b. "Necessary" means that, under the totality of the circumstances, a reasonably effective alternative to the use of deadly force does not exist, and that the amount of force used was a reasonable and proportional response to the threat posed to the officer and others.

c. "Totality of the circumstances" means all facts known to the officer leading up to and at the time of the use of force, and includes the actions of the person against whom the officer uses such force, and the actions of the officer.

Deadly force is also allowed to kill a dangerous animal or to kill an animal seriously injured when it is not practical to safely secure the animal.

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		USE OF FORCE *Neck Restraints*
EFFECTIVE DATE **December 11th, 2021**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.050**

All neck restraints and choke hold techniques are prohibited by law and this policy.

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		**USE OF FORCE** ***Vehicle Ramming***
EFFECTIVE DATE **January 1st, 2013**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.060**

The use of a vehicle by any officer to ram or intentionally strike (Other than PIT) any other vehicle or person shall be deemed a use of deadly force. Any use of deadly force is subject to the restrictions of the deadly force policy in section 09.040 "Deadly Force". Officers shall not use vehicle ramming as a method to terminate a felony eluding pursuit unless the use of deadly force is justified at that time.

Even in a deadly force situation, officers must always be concerned with the unpredictable trajectory of a rammed vehicle and its possible consequences upon the public in the immediate area.*

It is not considered deadly force when officers are applying or using PIT (Pursuit Immobilization Technique), as stated in policy 10.125.

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		**USE OF FORCE** ***Roadblocks***
EFFECTIVE DATE **January 1st, 2013**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.070**

STATIONARY ROADBLOCK USE OF FORCE: Stationary roadblocks shall not be implemented without the express approval of the supervisor and/or a department administrator. Stationary roadblocks may be utilized as a necessary and acceptable police tactic in emergency situations where the use of deadly force would be authorized under policy 09.040.

WARNING: Adequate warning to approaching traffic is a necessity prior to implementing a stationary roadblock. Therefore, unless the only vehicle reasonably expected to approach the stationary roadblock is that of the suspect, a reasonable system of warning motorists approaching the roadblock shall be in operation prior to the closing of the roadway. All other traffic must be stopped and directed off the roadway well prior to the stationary roadblock. All pursuing vehicles involved must be advised and acknowledge understanding of the location of the stationary roadblock.

VEHICLES: If patrol cars are used for a stationary roadblock, the vehicles will not be occupied under any circumstances. Officer must clear the area in case of flying debris and seek adequate cover. No private or citizen vehicles may be used to establish a stationary roadblock.*

ROLLING ROADBLOCK: A rolling roadblock is not considered a use of deadly force, as it does not involve closing the roadway. Officers may attempt to establish a rolling roadblock after the approval of a department supervisor or administrator on-call. A rolling roadblock involves positioning patrol cars in front, to the side, and behind the suspect vehicle as the vehicle is in motion. The patrol cars then would simultaneously slow down and thus force the suspect to stop without any actual contact or impact between any vehicles.

ROLLING ROADBLOCK NOT AUTHORIZED: Rolling roadblocks are not authorized if the suspect is driving at high rates of speed, is reckless or attempts to ram motorists or the patrol cars, or is armed with a weapon. Rolling roadblocks are intended as a tool to stop motorists who are simply failing to yield, but not otherwise attempting to elude. If a motorist failing to yield reacts aggressively to an attempt to establish a rolling roadblock, then the maneuver shall be abandoned immediately.

ROLLING ROADBLOCK WARNING: Approaching traffic shall be stopped or otherwise adequately warned of the approach of patrol cars engaged in a rolling roadblock if any of the patrol cars are required to pass or travel along side of the suspect vehicle.*

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		**USE OF FORCE** ***Off-Duty Use of Weapons***
EFFECTIVE DATE **January 1st, 2013**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.075**

Any use and possession of all lethal and non-lethal weapons while off-duty shall be in accordance with the same departmental guidelines for the use of such weapons while on-duty.*

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		**USE OF FORCE** ***Flashlights***
EFFECTIVE DATE **January 1st, 2013**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.080**

The flashlight shall not be used for anything other than its intended design as an illumination device.

The flashlight shall not be used as an impact weapon, except in instances where deadly force would be authorized.*

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*	**USE OF FORCE** ***Batons or Impact Weapons***	
REVISED DATE **December 7th, 2022**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.090**

DEFINITION: For the purpose of this policy, "baton" shall mean sidehandle, expanding, or straight police impact weapon as authorized by the department.

USE OF BATON: The baton shall be used and carried only by officers who are trained and currently certified in its use. The baton may be used by the officer to defend himself or others only when the officer reasonably believes that a lesser degree of force is not sufficient to overcome and subdue the attacker. The baton may also be used as leverage in initiating come-along holds employed to overcome resistance or attempts to prevent a lawful arrest.

Officers should not intentionally strike vital areas, including the head, neck, face, throat, spine, groin, or kidney, unless deadly force is authorized.

Each application following the initial application must be justified.

The baton shall be used under the above conditions only in a manner consistent with the current department training on the use of the baton.

MEDICAL AID: Once the suspect is subdued and taken into custody, the arresting officer shall determine if the suspect sustained any injuries as a result of baton impact(s) or any other apparent injuries as a result of the incident.

The officer at the scene shall render immediate first aid as provided within the officer's training and shall request that an aid car be dispatched to the scene (or the suspect may be transported directly to the hospital for treatment).*

REPORT REQUIRED: In all cases where the baton is deployed or used against a subject, officers shall complete a case investigation report detailing the circumstances relating to its use and the subsequent medical condition of the subject. The report will be submitted prior to going off-duty.

Any possible injuries or marks resulting from the baton impact(s) or other related injuries will immediately be photographed and included in the case report.

If the subject is booked at the jail, the booking form shall reflect that the baton was used and detail any subsequent medical treatment that was provided to the subject.

The immediate supervisor and the chief of police will review the report and maintain a copy of the report in the department "Use of Force" file.*

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		**USE OF FORCE** ***Chemical Agents***
EFFECTIVE DATE **January 1st, 2013**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.100**

The use or possession of mace or other chemical substance is not authorized for any members of the Long Beach Police Department.

Tincture of oleoresin capsicum, commonly known as "OC" or "capstun" is a natural agent of cayenne pepper and is not considered a chemical agent.*

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		USE OF FORCE *Oleoresin Capsicum (Cap-Stun)*
REVISED DATE **December 7th, 2022**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.110**

TRAINING: Cap-stun, a formulation of tincture of oleoresin capsicum (OC), shall be carried on or off duty by officers who have successfully completed the required training from a certified instructor. The department requires as part of the training that each officer receive a full facial application of Cap-Stun. Cap-Stun shall be used in accordance with prescribed training guidelines.

ISSUANCE: Officers are responsible for the Cap-Stun equipment issued and are not permitted to loan or give this equipment to anyone outside the department. The issuance of Cap-Stun will be done in person by the chief of police or his designee upon written request from a qualified and trained officer. Malfunctioning or empty Cap-Stun containers will be turned in to the chief or his designee for safe and proper disposal. Replacement of Cap-Stun containers will be made only upon receipt of the old equipment.

USE OF CAP-STUN: Cap-Stun is intended as an intermediate-force tool and will only be used by officers in this manner. Cap-Stun should be used to bring a subject under control only after all reasonable verbal means have been exhausted, and there is the potential of physical confrontation. When feasible and safe under the circumstances, a verbal warning should be given before deploying OC/Chemical Agents. After the initial application of OC, each subsequent application must also be justified.

When resistance ceases, stop spraying immediately. Every officer shall make a reasonable effort (as soon as practicable once the suspect or situation is under control) to decontaminate and provide comfort to the suspect or any other person to whom Cap-Stun has been applied (or exposed). The officer shall personally observe the suspect or person to whom Cap-Stun was applied (until the application has effectively passed or worn off) to monitor any potential medical reactions. Aid shall be summoned to the scene upon the indication of any adverse medical reaction or upon the request of the suspect or person exposed.

Cap-Stun SHALL NOT be used on subjects who are handcuffed in general. Specifically, cap-stun shall not be used on handcuffed subjects in the back seats of patrol cars.

Cap-Stun may be directed toward attacking animals; however, it may be only effective on exposed "mucous membranes."

REPORT REQUIRED: In all cases where Cap-Stun is applied, officers shall complete a case investigation report and file concerning the circumstances relating to its use and the reaction and subsequent condition of the suspect. The report will be submitted prior to going off-duty. The chief of police will maintain a copy of this report in a separate "Use of Force" file after reviewing the

incident.*

Cap-Stun shall not be utilized except within the prescribed circumstances and guidelines. Any violation of this policy will subject an officer to disciplinary action.*

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		USE OF FORCE *Pepperball Less-Lethal Deployment*
REVISED DATE **December 11th, 2021**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.115**

BACKGROUND: The Pepperball is a less-lethal use of force option consisting of small plastic spheres that are filled with Oleoresin Capsicum (OC) powder. Additional projectile spheres are available and may be used to break glass to gain entry into vehicles or buildings. A high-pressure air launcher delivers the appropriate projectile sphere with enough force to burst the projectiles upon impact, thus releasing the OC powder.

Pepperball projectiles subdue subjects with a combination of kinetic impact and OC powder irritation. The sting from the impact of the Pepperball projectiles cause a psychological impression of being shot, which is combined with the strong irritation of the OC powder on the subject's exposed mucus membranes. In addition to the pain compliance caused by the impact of the projectile, the release of the OC powder upon impact leads to irritation, coughing and general discouragement of physical hostilities in most individuals.

In addition to the temporary irritation caused by the release of the OC powder, which can cause symptoms of irritation for five to ten minutes or more, the Pepperball launching system can deliver the projectiles with enough kinetic energy to produce temporary abrasions, bruises and/ or welts. Only the appropriate projectile shall be used in each deployment situation. At no time shall glass-breaking projectiles or other non-personnel spheres be deployed against a person.

TRAINING: The Pepperball less-lethal force option shall only be deployed by officers who have successfully completed the required training from a certified instructor. The initial training on the Pepperball system shall include the launching of actual or practice projectiles.

Subsequent training shall consist of a yearly classroom refresher course on the Pepperball system. Each officer shall be recorded in training records as certified in the use of the system upon demonstrating proficiency with the unit to the certified instructor. The Pepperball less-lethal force option system shall only be used in accordance with prescribed training guidelines.

ISSUANCE: Officers are responsible for the Pepperball equipment issued, and are not permitted to loan, deploy or give this equipment to non-certified personnel or to anyone outside the department. Malfunctioning Pepperball equipment shall immediately be taken out of service and a notice shall be placed on the department briefing board. The Pepperball instructor and the chief or his designee shall be notified as soon as possible to arrange the necessary repairs of the equipment.

Use of Force Continuum: Policy 09.020

DEPLOYMENT OF PEPPERBALL: The Pepperball less-lethal force option is intended as an intermediate-force tool used to overcome active resistance (or greater force). The Pepperball system may also be deployed in a standby capacity during the service of search warrants, to secure combative emotionally disturbed individuals that are an imminent threat to themselves and are being taking into protective custody or during times of civil disobedience. The Pepperball system will only be used by officers to effect lawful purposes. The Firearms Officer shall check the Pepperball system for readiness on a monthly basis.

Whenever possible, officers deploying the Pepperball system should have a back-up officer in place should the less-lethal force option fail to subdue the intended subject. At no time shall officers of this department forgo the use of justified deadly force and place themselves, other officers or members of the public at risk by opting for and relying only on the Pepperball less-lethal force option.

Although classified as a less-lethal device, the potential exists for the projectiles to inflict injury if they strike the face, eyes, neck or groin areas. Personnel deploying the Pepperball system shall make every attempt to avoid intentionally striking these body areas. Officers shall launch only the minimum number of the appropriate type of projectiles necessary to bring the subject under control or compliance. When resistance ceases, the officer shall stop firing the projectiles immediately.

*CALEA Standard 1.3.5

Every officer shall make a reasonable effort (as soon as practicable once the suspect and situation is under control) to decontaminate and provide comfort to the suspect or any other person against whom the Pepperball system was deployed. The officer shall personally observe the suspect or person to whom the Pepperball projectiles were applied (until the application has effectively passed or worn-off) to monitor any potential medical reactions. Aid shall be summoned to the scene upon the indication of any medical reaction or upon the request of the suspect or person involved.

The Pepperball less-lethal system may be used to deter or subdue aggressive or attacking animals.*

*CALEA Standard 1.3.6

REPORT REQUIRED: In all cases where the Pepperball system is deployed and any projectiles are launched (striking or missing the subject), officers shall complete a case investigation report and file concerning the circumstances relating to its use, and the reaction and subsequent condition of the subject. The report will be submitted prior to going off-duty. The immediate supervisor and chief of police will review the report and maintain a copy of the report in a separate department "Use of Force" file.*

Discipline: Policy Section 05

The Pepperball system shall not be utilized except within the prescribed circumstances and guidelines. Any violation of this policy will subject an officer to disciplinary action.*

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		USE OF FORCE *TASER Less-Lethal Deployment*
REVISED DATE **December 7th, 2022**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.117**

BACKGROUND: The Advanced TASER is a less-lethal, conduct energy weapon that uses propelled probes or direct contact to conduct energy to a target, thereby controlling and overriding the body's central nervous system. The TASER is considered a defensive device that is intended to be used in a manner that is not likely to result in death or serious bodily injury.

In accordance with policy 09.020, "Use of Force Continuum," officers shall evaluate and use only the appropriate amount of force that is reasonable and necessary to assume control of a situation or a person. The TASER may be deployed when other appropriate use of force options have been ineffective or when it reasonably appears that such other options will be ineffective in subduing the subject.

Use of Force Continuum: Policy 09.020

TRAINING: The TASER shall only be deployed by officers who have successfully completed the required training from a certified instructor. Training will consist of classroom instruction and practical training use.

Subsequent training shall consist of yearly refresher classroom training. Each officer shall be recorded in training records as certified in the use of the system upon demonstrating proficiency with the unit to the certified instructor.

The TASER shall only be used, carried, and tested in accordance with prescribed training guidelines.

ISSUANCE: Officers are responsible for the TASER equipment issued and are not permitted to loan, deploy or give this equipment to non-certified personnel or anyone outside the department. Malfunctioning TASER equipment shall immediately be taken out of service and secured at the police department. The officer with the malfunctioning equipment will immediately forward written notice to the Firearms Officer and the Chief of Police to arrange the necessary repairs.

TASER charge readiness will be checked by viewing the charge meter on a weekly basis by the officer to whom the TASER is issued.

The TASER will be secured in the approved TASER holster unless it is tested in the "contact-arc" mode or used to respond to an incident. The TASER is a weapon and shall be handled and secured at all times accordingly. Issuance and carry of the TASER are optional.

The TASER shall be carried in a manner that is drawn with the support (non-pistol firing) hand.

Officers should not hold a firearm and TASER simultaneously unless exigent circumstances exist.

DEPLOYMENT: The TASER less-lethal force option is intended as an intermediate-force tool used to overcome active resistance (or greater force). This includes, but is not limited to, subjects who are a threat to the safety of the officer(s), a threat to the safety of others, and includes threats of the subject injuring him or herself. The TASER may also be deployed in a standby capacity during the service of search warrants, to secure combative emotionally disturbed individuals being taken into protective custody who are an imminent threat to themselves or others, or during times of civil disobedience. The TASER may be used to deter or subdue aggressive or attacking animals. Officers will only use the TASER to affect lawful purposes. It will not be used against a person who complies with lawful commands or who is merely expressing verbal disagreement or verbal threats without the ability and/or opportunity to carry out such threats.

Officers will issue a verbal warning to the subject, citizens, and other officers present that the TASER will be deployed before actual use unless the circumstances of the situation prevent such a warning.

Whenever possible, officers deploying the Taser system should have a backup officer in place should the less-lethal force option fail to subdue the intended subject and/or to assist in controlling the subject after the TASER is deployed.

At no time shall officers of this department forgo the use of justified deadly force and place themselves, other officers, or members of the public at risk by opting for and relying only on the Taser less-lethal force option.

RESTRICTIONS ON TASER USE:

1. The TASER will not be deployed when the intended subject is in a knowingly explosive or flammable area or atmosphere, including having been sprayed with an OC product containing a flammable carrier or ingredient, medical areas where compressed oxygen is present, or inside suspected methamphetamine labs.

2. Officers should not deploy the TASER on young children- generally under the age of 12, elderly persons, obviously pregnant women, or anyone known to have a heart or respiratory condition.

3. Every effort should be made to strike the center of mass of the suspect with the taser projectiles and avoid the head, neck, chest, or genitals. Although classified as a less-lethal device, the potential exists to inflict severe eye injury during a strike to the face areas. Personnel deploying the TASER shall make every attempt to avoid intentionally striking the face or head areas.

4. Officers shall not deploy TASER on a suspect in a position where falling would endanger their life or cause significant injury.

5. Each subsequent application following the first must be reasonable and necessary. Justification for each additional applicant shall be addressed in a use of force report. Officers shall use the minimal amount of applications necessary to gain control of the person.

6. *When resistance ceases, the officer shall stop applying the TASER immediately.*

7. The TASER shall not be deployed from or at a moving vehicle.

8. On a person who is handcuffed or otherwise restrained unless deadly force is authorized.

POST APPLICATION OF TASER: After application of the TASER and/or in the event the TASER barb lodges in skin or tissue, the deploying officer shall summon aid to evaluate any potential injury. The subject may also be taken to the nearest medical facility for removal or treatment, depending on the aid crew's evaluation. If a subject demands medical treatment, the subject will be transported accordingly. Officers also have the authority, and it is recommended they remove the probes after the control of the subject has been gained. Officers shall not remove the probes if lodged in a sensitive area such as the genitals, eyes, or any other area that could cause lasting damage. If a probe is lodged in one of these areas, the officers shall have medical personnel remove the dart.

The subject shall be evaluated and cleared by the aid crew or medical personnel prior to booking at the jail.*

REPORT REQUIRED: In all cases where the TASER is deployed or discharged against a subject (including a deployment that misses the subject), officers shall complete a case investigation report detailing the circumstances relating to its use, the subject's reaction, and the subsequent medical condition of the subject. The report will be submitted prior to going off-duty.

As soon as reasonably possible after a TASER deployment, the department TASER instructor shall be notified, the TASER shall be taken offline, and a new TASER shall be issued to the officer. The department TASER instructor shall electronically download the deployment history for the deployed TASER, and the deployment history document shall be placed into the case file.

Any possible injuries or marks resulting from the TASER projectiles or contacts will immediately be photographed and included in the case report.

If the subject is booked at the jail, the booking form shall reflect that the TASER was used and detail any subsequent medical treatment that was provided to the

Discipline: Policy Section 05

subject.

The immediate supervisor and chief of police will review the report and maintain a copy of the report in the department Use of Force file.*

The TASER shall not be utilized except within the prescribed circumstances and guidelines. Any violation of this policy will subject an officer to disciplinary action.

Officers who pull the Taser, but do not use the Taser, will document this in a log entry before the end of shift.

LONG BEACH POLICE DEPARTMENT POLICY AND PROCEDURE		USE OF FORCE *Leg Restraints/ The WRAP*
REVISED DATE **July 25th, 2022**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.120**

LEG RESTRAINTS AUTHORIZED: The use of leg restraints shall be used by officers only in situations where the suspect poses a hazard of injury to himself or the officer, and / or attempts or threatens to damage the patrol car during transport. The leg restraint used shall be of a type and design as approved by the department which minimizes any potential injury to the suspect while still providing effective safety.

METHOD OF USE: If leg restraints are used, the suspect shall be secured in the upright sitting position, hands handcuffed behind the back, with the suspect seat-belted into the vehicle to minimize the suspect's subsequent movements.

Due to the danger of positional asphyxiation, under no circumstances shall a suspect's legs be restrained or secured back to the suspect's handcuffs. The suspect shall not be placed in a position on the seat which could potentially restrict breathing.

The transporting officer shall observe the suspect during the entire transport.

If the above provisions cannot be met, the arresting officer shall not transport the suspect until additional assistance arrives at the scene and alternate transport arrangements can be made.*

THE WRAP

PURPOSE AND SCOPE: It is the policy of the Long Beach Police Department to use objectively reasonable force and authority when making an arrest, preventing the escape of an offender, or overcoming resistance. The Long Beach Police Department has approved the use of the WRAP within the guidelines provided.

This policy is intended to familiarize department personnel with the WRAP and procedural guidelines for its use. The WRAP provides a safe and quick method of controlling and immobilizing a violent or potentially violent/combative subject who has been detained or taken into custody.

DESCRIPTION: The WRAP Restraint manufactured by Safe Restraints, Inc., was designed as a temporary restraining device. Used properly it can increase officer safety and reduce the risk of liability due to injuries and in-custody deaths. The WRAP immobilizes the body and restricts a subject's ability to kick or do harm to oneself or others. The WRAP minimizes the time required to secure a person safely, restrains the subject in an upright position, and has the subject prepared for transportation or movement.

GUIDELINES FOR THE USE OF THE WRAP: Subjects should NOT be left unmonitored. The WRAP can be used prior to or after a violent/ combative subject is controlled using approved departmental methods. As with any restraint device, do not assume the WRAP is escape proof.

The WRAP should be considered for use under the following situations:

(a) When pre - assaultive, violent, or combative behavior is indicated.
(b) To immobilize a violent/combative subject.
(c) To limit violent/combative subjects from causing injury to themselves or others.
(d) To prevent violent/combative subjects from causing property damage by kicking.
(e) To restrain a subject after a chemical spray or stunning device is used.
(f) When conventional methods of restraint are not effective.
(g) In transportation of violent/combative subjects.

Once the subject is properly restrained in the WRAP, the subject should be placed on his/her side, or in a sitting position. This will increase the oxygen recovery rate and will reduce the incident of respiratory fatigue.

APPLICATION OF THE WRAP: The WRAP can be applied by one person, but for violent/combative subjects, two to four people should be used. Only qualified personnel who have received training in the use of the WRAP should use this restraining device. Those who are qualified to use the Wrap may direct personnel who are not trained in its application on a violent/combative subject. The qualified officer shall stay with the subject the entirety of its application.

SAFETY PRECAUTIONS:

(a) The shoulder harness should never be tightened to the point that it interferes with the subject's ability to breathe.
(b) The leg bands and shoulder harness must be checked frequently for tightness and retightened or loosened as necessary until the WRAP is removed.
(c) If the restrained subject complains of or shows signs of breathing distress (shortness of breath, sudden calmness, a change in facial color, etc.), medical attention should be provided immediately.
(d) The subject should NOT be left unmonitored.
(e) Subjects should be placed in an upright sitting position or on their side as soon as possible to allow for respiratory recovery.
(f) The WRAP is a temporary restraining device and is NOT escape proof.

TRANSPORTATION: Movement of a restrained subject can be accomplished in

two ways depending on their cooperation. The restrained subject can either be carried or allowed to stand and shuffle step to the destination. Officers shall observe the following procedures:

(a)To carry the restrained subject, it is recommended between two to four personnel should be used depending on the size and weight of the subject. Lift the subject under the arms and ankles. A "log lift" carrying technique may be used when moving the subject. Proper lifting techniques should be used to prevent injury to officers.

(b) As an alternative to lifting, the subject may be moved by means of a shuffle. If the subject is cooperative the lower WRAP leg band can be loosened to allow some leg movement below the knees without compromising security or safety. By loosening the tether to the shoulder harness, the subject can be brought to a standing position with the help of officers and then allowed to shuffle to or from a vehicle or holding cell. If this method is used, appropriate support must be given to the subject to prevent possible injury by falling.

Prior to vehicle transportation, re-check all belts to ensure that they are securely fastened. The use of a seat belt is required to limit movement and reduce the risk of injury to the subject. If needed, consider having an officer ride with the subject to ensure all straps remain tight and the subject has no medical problems. Re-checking the security of the WRAP and keeping the subject under constant observation should apply to any movement of the subject.

When transported by ambulance, the restrained person should be accompanied by an officer when possible. If an officer is not able to ride with the aid crew, they shall follow the ambulance to the hospital. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

DOCUMENTATION: Any time the restraint device is used, the circumstances requiring its use shall be documented in the related report(s). A "Use of Force" report shall be completed. The officer should include the following in the report:

(a) The reason and/ or justification for use.
(b) The amount of time the suspect was restrained.
(c) How the suspect was transported and the position of the suspect.
(d) Observations of the suspect's physical and physiological actions.
(e) Information about the application and removal of the WRAP.
(f) Any known or suspected drug use or other medical problems.

A supervisor shall be responsible for conducting a use of force review.

STORAGE AND RE-USE OF WRAP: It is important that the WRAP is immediately ready for use and prepared for storage in a way that prevents the loop fastening material on the bands from becoming dirty or entangled. This allows the WRAP to be quickly laid out next to the subject and applied without the confusion of having to untangle the bands. The WRAP shall be kept in the provided storage bag as follows:

(a) The WRAP shall be inspected for signs of wear or damage. If cleaning is necessary, a mild soapy solution may be used. Allow the WRAP to thoroughly air dry prior to storage.
(b) Lay the WRAP on a flat surface with the leg band side up and detach the shoulder harness. Extend each of the leg bands out flat.
(c) Individually fold each of the leg bands back onto itself so that the fold of the band protrudes an inch or two from the edge of the WRAP body.
(d) Be sure the retaining "D" ring on the body of the WRAP and harness is open and ready for use.
(e) Keeping the bands inside, roll the WRAP tightly towards the buckle and secure with the ankle strap and place in the storage bag.
(f) Fully extend the harness buckles and tether. Attach buckles to its counterpart and roll the harness up and place it in the storage bag compartment.

TRAINING: The Department shall provide certified training in the use of the WRAP restraint. Only those personnel who have successfully completed the training shall apply this restraining device and, under exigent circumstances, may direct personnel who are not trained in its application on a violent/ combative subject.

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		USE OF FORCE *Spit Guards*
REVISED DATE **December 7th, 2022**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.125**

A spit guard (sometimes referred to as a "spit hood," "spit mask," or "spit sock") is a woven mesh device that can be placed over a person's head and face with the intent of preventing or reducing the transmission of infectious disease through saliva, mucous, and blood.

1. STANDARD OF USE:

    a. An officer may apply a spit guard when lawfully restraining or attempting to restrain an individual who is spitting or biting.
    b. Officers applying spit guards must ensure that the spit guard is appropriately fastened according to the manufacturer's instructions to allow for adequate ventilation so that the restrained person can breathe normally.
    c. Only officers who have successfully completed agency-approved training on the application of a spit guard are authorized to use one.
    d. Officers shall only use agency-issued spit guards.

2. RESTRICTED USES:

    a. A person who has been sprayed with OC Spray should be decontaminated, so their breathing is not distressed before applying a spit guard.
    b. Applying a spit guard may provoke an elevated level of distress for individuals in a mental health crisis. Officers should provide verbal reassurance and dynamically assess the situation to remove the spit guard as soon as appropriate.

3. PROHIBITED USES: Officers shall not apply spit guards in the following situations because of higher risks:

    a. Where the restrained person is bleeding profusely from the area around the mouth or nose.
    b. On an individual who is actively vomiting. If a person vomits while wearing a spit guard, the spit guard should be promptly removed and discarded.
    c. On an individual who states they have a medical condition that affects their breathing or who demonstrates labored or distressed breathing symptoms.

4. In the event of a medical emergency, spit guards should be removed immediately.

5. Before the application of a spit guard, an officer shall warn the individual and provide a reasonable amount of time for the person to comply with the officer's commands. If applied, the officer shall remove the spit guard as soon as the threat of spitting or biting has ended. Or the officer observes that the spit guard is no longer necessary.

6. After applying a spit guard and when safe, the officer shall move the individual into a seated or side recovery position and monitor the individual until the spit guard is removed. Officers shall assist when escorting the individual due to the potential for impaired or distorted vision.

7. The application of a spit guard must be documented.

8. Spit guards shall be discarded after each use.

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		USE OF FORCE *Reporting Use of Non-Deadly Force*
REVISED DATE **December 7th, 2022**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.130**

Employees shall utilize the Long Beach Police Department Use of Force Report form for the following types of Use of Force.

- De Minimis with injury and/or complaint of injury.
- Type I
- Type II

The use of force report form is designed to assist the employee in completing a thorough and well-documented use of force report.

Employees shall include in their case incident report a detailed description regarding any use of non-deadly force and the situation prior, during, and after said use of force. Any employee that employs the use of non-deadly force that results in injuries to the suspect that requires medical treatment shall immediately notify the chief of police or the on-call administrator of the situation.

The use of force factors established in this policy and current law should guide the reporting of every use of force incident. Officer reports should answer these questions:

- Who did you perceive you were dealing with? (juvenile/adult, under influence of drugs/alcohol, criminal suspect or EDP (Emotionally Disturbed Person), etc.
- Could you de-escalate the situation?
- Specify all attempts and techniques used to de-escalate.
- If a de-escalation tactic was not feasible, or was ineffective, provide the reasons why.
- Did you have probable cause to believe a crime had been committed?
- What was the severity of the crime? Why?
- Did the suspect or EDP pose an imminent threat of bodily harm? To whom?
- Was the suspect or EDP attempting to flee or forcefully resist?
- What specific verbal warnings were given before force was applied?
- What were the other factors you considered in making the decision to use physical force?
- What type(s) of physical force were applied?

All use of force incidents must be documented in a case investigation report to the chief of police via the chain of command so that the incident can be reviewed and placed in the "use of force" log and file. This includes the use or deployment of any less lethal weapon, the application of weaponless control tactics, non-compliant restraints, and any other use of force beyond the routine handcuffing of compliant suspects.

All officers who applied force during an incident shall complete a use of force report. The reasoning is that only the officer who applied the use of force can articulate the why that they used the specific type of force. They cannot speak for another concerning their reasoning.

All use of force incidents shall be reviewed by both the Chief of Police and Deputy Chief of Police to ensure the employee acted within policy and state law.

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		**USE OF FORCE** ***Reporting Death or Serious Injury***
REVISED DATE **January 1st, 2013**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.140**

Any department employee who inflicts death or serious injury upon any person by any means (or is involved in any death or incident of serious injury to another during any duty assignment) shall immediately notify the chief of police or on-call administrator if the chief is not available. This notification will also be required of any associated (non-employee) department member, to include volunteers and explorer scouts.

This policy is intended to cover not only use of force in the line of duty by sworn officers, but also incidents involving any other department staff, such as traffic collisions or industrial accidents.

The department staff member involved shall not make any statement, comment, or report to any person or official, or answer any questions of any person or official until first contacted by a supervisor of this department.

All department members involved in the situations will be required to complete a case investigation report detailing the circumstances of the incident. The reports will be submitted to the chief of police via the chain of command. *

RESPONSE: Once the chief of police or on-call administrator is notified of a deadly use of force incident, a use of force incident that results in serious injury to another, an incident where a department staff member is involved in any death during any duty assignment or any incident of serious injury to another during any duty assignment, that supervisor shall immediately respond to and take charge of the scene.*

If necessary, the chief or department administrator may request or designate other employees or law enforcement agencies to act on the department's behalf. The administrator at the scene shall secure any evidence as deemed necessary, including the sworn officers involved firearm or weapon- provided that a replacement is issued as soon as possible if the administrator deems it prudent to do so.

INVESTIGATION: The supervisor will ascertain and document, in a case investigation report, all the available information concerning the incident and any investigation that is conducted thereof.

The employee involved in the incident shall also complete a report or make a statement about the incident as soon as practical. The employee shall be advised that they have the right to legal representation prior to making any statement, and any such statement or report made is only for the internal police department investigation; no report or statement made under these provisions can be later

used against the employee in a potential criminal or civil prosecution.*

CITY ATTORNEY: The chief of police or on-call administrator shall notify the city attorney of the incident as soon as possible.

Any employee involved in a deadly force incident, a use of force resulting in serious injury to another, or any death or serious injury to another as of a result of a duty related incident shall have the right to seek legal counsel prior to providing any statement, verbal or written, regarding the incident.

If the employee decides to waive the right to seek legal counsel, the department supervisor shall advise the employee that it is recommended that legal counsel be consulted prior to making any statement or report concerning the incident.

Any statement provided to the department that is required or specifically ordered by a superior officer during the course of the investigation cannot later be used against the employee in a criminal prosecution.*

MANDATORY LEAVE: Any employee whose actions or the use of force results in a death or serious physical injury to another, shall be placed on mandatory administrative leave with pay for the duration of the employee's shift and the following shift(s)- with a minimum of two consecutive work days after the incident. The paid administrative leave is in the interest of the officer and the department and will not be waived. The administrative leave is not discipline and is not considered punitive in any way.

The employee involved in a mandatory leave incident will be afforded the opportunity to name a fellow employee to assist with transportation needs, companionship and moral support.

1. If a fellow employee is named, that employee will also be placed on concurrent two-work day paid administrative leave.

2. Communications between the two employees will be considered confidential and privileged for the purpose of any departmental investigation or review.*

DEBRIEFING/ COUNSELING: The involved employee will meet for debriefing and counseling with the departmentally designated and/ or personally selected psychologist or psychiatrist. This shall be a professional who has experience in assisting law enforcement personnel and their families with recognizing and coping with the natural responses to these types of incidents. The debriefing meeting is mandatory and cannot be waived. Any required counseling shall be at the expense of the city.

1. The debriefing session shall take place as soon as possible following the incident, and must occur no later than four work days after the incident unless the employee's medical condition precludes the meeting within that period of time.

2. All conversations between the employee and the debriefing psychologist or psychiatrist are considered confidential and are subject to the doctor-patient privilege.

3. Pursuant to policy 09.180, "Return to Duty Assignment", the department may require a fitness for duty evaluation prior to a return to duty assignment from a psychologist or psychiatrist other than the professional who conducted the counseling session(s).*

In considering the appropriate administrative action to take in ending the employee's administrative leave for any employee whose actions or use of force resulted in a death or serious physical injury to another, the chief of police may seek and consider the professional opinion of any psychological counselor and/or treating physician as well as any investigative material to determine:

1. Whether the employee should be expected to report to full duty in his/her regular assignment or whether the employee needs additional recuperative time and, if so, how much additional time is recommended; and

2. Whether any modification of the employee's regularly assigned duties should be considered by the department in order to facilitate the employee's speedy return to full productivity and, if so, the nature and duration of the recommended modifications; and

3. Whether the employee should, for the duration of any extended leave, disability or modified duty, continue to be armed, carry any kind of weapon, or return to the same line duty assignment; and

4. Whether or not the employee is subject to any disciplinary action or other remedial action as a result of the investigation of the incident pursuant to policy 09.210, "Investigation".*

REPLACEMENT WEAPON: If the deadly force incident involved the discharge of an officer's service pistol, it must therefore be taken out of service for examination in compliance with the departmental firearms and weapons procedure. The chief of police or department administrator shall authorize the issuance of a replacement weapon as soon as practical if the administrator feels it

is prudent to do so at that time.

CONSULTATION WITH CITY ATTORNEY: The city attorney or other designated department legal advisor will be available to provide information to the employee and the employee's family regarding various legal actions which may arise in connection with any deadly force incident or incident resulting in the death or serious bodily injury of another. The attorney can assist the employee and the employee's family in determining when to retain private counsel; what the employee's rights are to legal counsel under contract and city ordinance; and to provide other legal assistance as possible within the ethical limitations as an attorney employed by the city.

OTHER CITY DEPARTMENTS: The involved employee's supervisor will see that all damaged or destroyed departmental issued equipment or clothing is expeditiously replaced or repaired and will assist the employee in responding to inquiries from city personnel or finance relating to administrative leave and other personal adjustments as necessitated by the incident.

COUNSELING: The department may provide professional counseling assistance at the city expense as deemed necessary by the chief of police or as recommended in policy 09.170 "Post-Incident Leave and Debriefing".*

In the event of death or serious injury of any department officer, employee, volunteer, explorer or staff member, the chief of police and other person(s) as deemed most appropriate, shall notify his or her family in person.

The chief shall designate one person to call each department employee and each employee's immediate family to notify them of the incident and the current status of the situation. This is intended so that no employee or family member first hears about the incident through the media or second-hand.

In the event of an employee's death or serious injury, the chief of police shall advise the employee's family of the appropriate professional assistance available and any benefits accruing to the family.

PRESERVE THE SCENE: Any time an officer of this department is involved in the use of deadly force, it shall be the duty of that officer and all other officers to cordon off and preserve the scene of the incident until the arrival of a supervisor of this department. If the incident occurred in a jurisdiction other than Long Beach, the Long Beach officer in charge or involved shall request the officer in charge of the other jurisdiction not to take any action until the arrival of a Long Beach supervisor, except to cordon off and preserve the scene.

This same scene preservation shall be taken at the scene where the actions of any employee of the department resulted in a death or serious bodily injury to another-including traffic collisions, industrial accidents or any other action taken during the course of the employee's duties.*

INCIDENTS REVIEWED AND INVESTIGATED: All employees are required to submit a case investigation report detailing the circumstances surrounding any of the following incidents:

1. The discharge of a department firearm or any firearm while on duty, other than for training;

2. Whenever an employee takes an action that results in, or is alleged to have resulted in injury or death of another person;

3. Whenever an employee applies force through the use of lethal or less-than-lethal weapons as defined by the department;

4. Whenever an employee applies any other physical force as specified by department policy, including the use of Cap-stun, non-compliant restraints or any other situations beyond the routine handcuffing of compliant suspects.*

All death or serious injury incidents will be thoroughly and comprehensively investigated for the purpose of determining whether or not the employee's actions were justified and within both department policy and applicable law. At a minimum, all other incidents will be reviewed by the immediate supervisor and then forwarded to the chief of police for final review. Any and all such incidents will be logged in the department "use of force file".

In any review or investigation, the designated supervisor shall assume control of the scene if necessary, ascertain the facts and evaluate the situation, and direct the manner in which the review or investigation shall be completed.

The designated supervisor shall coordinate the release of information to the news and the media. Information and press releases regarding these incidents shall be released only with the review and approval of the chief of police.

The designated supervisor shall review all the investigative reports of the incident, the applicable law, department policy, training standards and any other applicable information regarding the incident. The supervisor shall forward the findings and recommendations to the chief of police for final action.

The final action by the chief of police shall include consideration as to whether or not there are policy, procedure, training, weapon, equipment or disciplinary issues that should be addressed.*

In any case involving death or serious injury resulting from the use of force, or as the result of any action by an employee of the department, the chief of police may convene a review board of not less than three persons to review the facts and determine if the use of force or incident was within the perimeters and policies set forth in this manual and under the law. The majority decisions of the board shall then be presented to the chief of police for appropriate review and action.

If the employee involved is found to have acted outside department policy or the law, he or she may be subject to disciplinary action at the discretion of the chief.*

RESPONSE: Once the chief of police or on-call administrator is notified of a deadly use of force incident, a use of force incident that results in serious injury to another, an incident where a department staff member is involved in any death during any duty assignment or any incident of serious injury to another during any duty assignment, that supervisor shall immediately respond to and take charge of the scene.*

If necessary, the chief or department administrator may request or designate other employees or law enforcement agencies to act on the department's behalf. The administrator at the scene shall secure any evidence as deemed necessary, including the sworn officer's involved firearm or weapon- provided that a replacement is issued as soon as possible if the administrator deems it prudent to do so.

Surrender of Weapons: Policy 07.290

INVESTIGATION: The supervisor will ascertain and document, in a case investigation report, all the available information concerning the incident and any investigation that is conducted thereof.

The employee involved in the incident shall also complete a report or make a statement about the incident as soon as practical. The employee shall be advised that they have the right to legal representation prior to making any statement, and any such statement or report made is only for the internal police department investigation; no report or statement made under these provisions can be later used against the employee in a potential criminal or civil prosecution.*

CITY ATTORNEY: The chief of police or on-call administrator shall notify the city attorney of the incident as soon as possible.

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*	**USE OF FORCE** ***Legal Counsel for Employee***	
REVISED DATE **January 1st, 2013**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.160**

Any employee involved in a deadly force incident, a use of force resulting in serious injury to another, or any death or serious injury to another as of a result of a duty related incident shall have the right to seek legal counsel prior to providing any statement, verbal or written, regarding the incident.

If the employee decides to waive the right to seek legal counsel, the department supervisor shall advise the employee that it is recommended that legal counsel be consulted prior to making any statement or report concerning the incident.

Any statement provided to the department that is required or specifically ordered by a superior officer during the course of the investigation cannot later be used against the employee in a criminal prosecution.*

MANDATORY LEAVE: Any employee whose actions or the use of force results in a death or serious physical injury to another, shall be placed on mandatory administrative leave with pay for the duration of the employee's shift and the following shift(s)- with a minimum of two consecutive work days after the incident. The paid administrative leave is in the interest of the officer and the department and will not be waived. The administrative leave is not discipline and is not considered punitive in any way.

The employee involved in a mandatory leave incident will be afforded the opportunity to name a fellow employee to assist with transportation needs, companionship and moral support.

1. If a fellow employee is named, that employee will also be placed on concurrent two-work day paid administrative leave.

2. Communications between the two employees will be considered confidential and privileged for the purpose of any departmental investigation or review.*

DEBRIEFING / COUNSELING: The involved employee will meet for debriefing and counseling with the departmentally designated and / or personally selected psychologist or psychiatrist. This shall be a professional who has experience in assisting law enforcement personnel and their families with recognizing and coping with the natural responses to these types of incidents. The debriefing meeting is mandatory and cannot be waived. Any required counseling shall be at the expense of the city.

1. The debriefing session shall take place as soon as possible following the incident, and must occur no later than four work days after the incident unless the employee's medical condition precludes the meeting within that period of time.

2. All conversations between the employee and the debriefing psychologist or psychiatrist are considered confidential and are subject to the doctor-patient privilege.

3. Pursuant to policy 09.180, "Return to Duty Assignment", the department may require a fitness for duty evaluation prior to a return to duty assignment from a psychologist or psychiatrist other than the professional who conducted the counseling session(s).*

Return to Duty Assignment: Policy 09.180

In considering the appropriate administrative action to take in ending the employee's administrative leave for any employee whose actions or use of force resulted in a death or serious physical injury to another, the chief of police may seek and consider the professional opinion of any psychological counselor and/or treating physician as well as any investigative material to determine:

1. Whether the employee should be expected to report to full duty in his/her regular assignment or whether the employee needs additional recuperative time and, if so, how much additional time is recommended; and

2. Whether any modification of the employee's regularly assigned duties should be considered by the department in order to facilitate the employee's speedy return to full productivity and, if so, the nature and duration of the recommended modifications; and

3. Whether the employee should, for the duration of any extended leave, disability or modified duty, continued to be armed, carry any kind of weapon, or return to the same line duty assignment; and

4. Whether or not the employee is subject to any disciplinary action or other remedial action as a result of the investigation of the incident pursuant to policy 09.210, "Investigation".*

Investigation: Policy 09.210

REPLACEMENT WEAPON: If the deadly force incident involved the discharge of an officer's service pistol, it must therefore be taken out of service for examination in compliance with the departmental firearms and weapons procedure. The chief of police or department administrator shall authorize the issuance of a replacement weapon as soon as practical if the administrator feels it is prudent to do so at that time.

CONSULTATION WITH CITY ATTORNEY: The city attorney or other designated department legal advisor will be available to provide information to the employee and the employee's family regarding various legal actions which may arise in connection with any deadly force incident or incident resulting in the death or serious bodily injury of another. The attorney can assist the employee and the employee's family in determining when to retain private counsel; what the employee's rights are to legal counsel under contract and city ordinance; and to provide other legal assistance as possible within the ethical limitations as an attorney employed by the city.

OTHER CITY DEPARTMENTS: The involved employee's supervisor will see that all damaged or destroyed departmental issued equipment or clothing is expeditiously replaced or repaired and will assist the employee in responding to inquiries from city personnel or finance relating to administrative leave and other personal adjustments as necessitated by the incident.

COUNSELING: The department may provide professional counseling assistance at the cities expense as deemed necessary by the chief of police or as recommended in policy 09.170 "Post-Incident Leave and Debriefing".*

Post-Incident Leave & Debriefing: Policy 09.170

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		**USE OF FORCE** ***Death or Serious Injury to Staff Member***
REVISED DATE **January 1st, 2013**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.200**

In the event of death or serious injury of any department officer, employee, volunteer, explorer or staff member, the chief of police and other person(s) as deemed most appropriate, shall notify his or her family in person.

The chief shall designate one person to call each department employee and each employee's immediate family to notify them of the incident and the current status of the situation. This is intended so that no employee or family members first hear about the incident through the media or second-hand.

In the event of an employee's death or serious injury, the chief of police shall advise the employee's family of the appropriate professional assistance available and any benefits accruing to the family.

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		**USE OF FORCE** ***Review and Investigation***
REVISED DATE **January 1st, 2013**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.210**

PRESERVE THE SCENE: Any time an officer of this department is involved in the use of deadly force, it shall be the duty of that officer and all other officers to cordon off and preserve the scene of the incident until the arrival of a supervisor of this department. If the incident occurred in a jurisdiction other than Long Beach, the Long Beach officer in charge or involved shall request the officer in charge of the other jurisdiction not to take any action until the arrival of a Long Beach supervisor, except to cordon off and preserve the scene.

This same scene preservation shall be taken at the scene where the actions of any employee of the department resulted in a death or serious bodily injury to another-including traffic collisions, industrial accidents or any other action taken during the course of the employee's duties.*

INCIDENTS REVIEWED AND INVESTIGATED: All employees are required to submit a case investigation report detailing the circumstances surrounding any of the following incidents:

1. The discharge of a department firearm or any firearm while on duty, other than for training;

2. Whenever an employee takes an action that results in, or is alleged to have resulted in injury or death of another person;

3. Whenever an employee applies force through the use of lethal or less-than-lethal weapons as defined by the department;

4. Whenever an employee applies any other physical force as specified by department policy, including the use of Cap-stun, non-compliant restraints or any other situations beyond the routine handcuffing of compliant suspects.*

All death or serious injury incidents will be thoroughly and comprehensively investigated for the purpose of determining whether or not the employee's actions were justified and within both department policy and applicable law. At a minimum, all other incidents will be reviewed by the immediate supervisor and then forwarded to the chief of police for final review. Any and all such incidents will be logged in the department "use of force file".

In any review or investigation, the designated supervisor shall assume control of the scene if necessary, ascertain the facts and evaluate the situation, and direct the manner in which the review or investigation shall be completed.

The designated supervisor shall coordinate the release of information to the news and the media. Information and press releases regarding these incidents shall be released only with the review and approval of the chief of police.

The designated supervisor shall review all the investigative reports of the incident, the applicable law, department policy, training standards and any other applicable information regarding the incident. The supervisor shall forward the findings and recommendations to the chief of police for final action.

The final action by the chief of police shall include consideration as to whether or not there are policy, procedure, training, weapon, equipment or disciplinary issues that should be addressed.*

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		**USE OF FORCE** ***Review Board***
REVISED DATE **January 1st, 2013**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.220**

In any case involving death or serious injury resulting from the use of force, or as the result of any action by an employee of the department, the chief of police may convene a review board of not less than three persons to review the facts and determine if the use of force or incident was within the perimeters and policies set forth in this manual and under the law. The majority decisions of the board shall then be presented to the chief of police for appropriate review and action.

If the employee involved is found to have acted outside department policy or the law, he or she may be subject to disciplinary action at the discretion of the chief.*

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*	Duty to Intervene and Report	
REVISED DATE **December 11th, 2021**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.230**

Any identifiable on-duty officer who witnesses another officer engaging or attempting to engage in the use of excessive force against another person shall intervene when in a position to do so to end the use of excessive force or attempted use of excessive force, or to prevent the further use of excessive force. "Excessive force" means force that exceeds the force permitted by law or this policy.

Officers shall also render aid at the earliest safe opportunity to any person injured as a result of the use of force in accordance with RCW 36.28A.445.

Any identifiable on-duty officer who witnesses any wrongdoing committed by another officer, or has a good faith reasonable belief that another officer committed wrongdoing, shall report such wrongdoing to the witnessing officer's supervisor.

"Wrongdoing" means conduct that is contrary to law or contrary to department policy, provided that the conduct is not de minimis or technical in nature.

No member of this department shall discipline or retaliate in any way against an officer for intervening in good faith or for reporting wrongdoing in good faith as required by law and this policy.

The department shall send notice to the Washington Criminal Justice Training Commission of any disciplinary decision it makes resulting from an officer's failure to intervene or failure to report wrongdoing as defined in this policy so the Commission may determine whether the officer's conduct may be grounds for suspension or revocation of certification under RCW 43.101.105.

LONG BEACH POLICE DEPARTMENT POLICY AND PROCEDURE		USE OF FORCE *Rendering First Aid After Using Force*
EFFECTIVE DATE **December 7th, 2022**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.240**

At the earliest safe opportunity, officers shall recognize and act with urgency to provide first aid and take life-saving measures to preserve human life for all persons at the scene.

Officers shall:

1. Remove or control any human, environmental, and/or physical threats
2. Request Emergency Medical Services
3. If there are multiple injured parties at the scene, triage and treat those with the most urgent need for life-saving measures, including maintaining a pulse, controlling bleeding, and maintaining breathing.
4. Provide appropriate first aid at the level of the officer's training until relieved by emergency medical personnel, a health care professional, or any other person on the scene with a higher level of skills and medical training
5. Identify and utilize available medical resources, such as first aid kits, AEDs, tourniquets, etc.
6. Utilize Personal Protective Equipment (PPE) to ensure the safety of everyone at the scene

1. Officers are only permitted to discharge a firearm at a person in situations where deadly force is authorized.

2. Pointing and drawing a firearm:

    a. Officers should only point a firearm at a person when deadly force is authorized.
    b. Officers should only draw a firearm in the low-ready position when the officer makes reasonable observations based on the totality of the circumstances that the situation may evolve to the point where deadly force would be authorized.
    c. When it is determined that the use of deadly force is not necessary, officers should, as soon as safe and feasible, lower, holster, or secure their firearm.
    d. Pointing a firearm at a person is a reportable use of force, and its justification and circumstances shall be documented in accordance with procedures set by the statewide use of force data collection program (RCW 10.118.030).

3. When feasible, officers should give a verbal warning that a firearm will be discharged.

4. Before deciding to use a firearm, officers should consider the field of fire, backdrop, bystanders, the potential for ricochet, and other risks of life.

5. *Restricted Uses*:

    a. Officers shall not use firearms as impact weapons except when deadly force is permitted.

6. *Prohibited Uses.* Officers Shall not use a firearm in the following circumstances:
    a. When it appears likely that an innocent person may be injured.
    b. Firing a "warning shot."
    c. Discharging or pointing a firearm at a person who presents a danger only to themselves and does not have the apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the officer or another person. It should be noted this does not prevent the officer from having his firearm drawn at low ready based on the totality of the circumstances that the situation may evolve to the point where deadly force would be

authorized.

d. Discharging or pointing a firearm at a person who presents a danger only to property and does not have the apparent opportunity or intent to immediately cause death or serious bodily injury to the officer or another person. It should be noted this does not prevent the officer from having his firearm drawn at low ready based on the totality of the circumstances that the situation may evolve to the point where deadly force would be authorized.

All officers and supervisors shall review the use of force policy section at least annually.

LONG BEACH POLICE DEPARTMENT *POLICY AND PROCEDURE*		**FIREARMS** ***Discharge from/ at Vehicles***
EFFECTIVE DATE **December 7th, 2022**	**APPROVED** **Chief Flint R. Wright**	**POLICY #** **09.270**

Officers shall not discharge any firearm at or while in a moving vehicle unless the suspect represents a direct threat to the life of the officer or other persons to such a degree as to warrant deadly force, and then they may do so only as a last resort.

A vehicle is not considered a deadly weapon unless the operator is using the vehicle as a deadly weapon and no other reasonable means to avoid potential serious harm are immediately available to the officer.

RCW 10.116.060

When feasible, officers should attempt to move out of the path of a moving vehicle rather than discharge their weapon at the operator.

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

An officer using a weapon in such a situation will be responsible for all the rounds discharged.*