

PRESS RELEASE



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Overview of the Seal Beach Police Department's Use of Force Policy and Practices

SEAL BEACH, CA — As a result of the recent, high-profile events which have occurred throughout the country, several members of the Seal Beach community have contacted the Seal Beach Police Department to inquire about the Seal Beach Police Department's use of force policy and practices. We appreciate the public's interest in our policies and are committed to being transparent in our communication by discussing our practices with the community.

Here in the City of Seal Beach, our Police Department works collaboratively with all residents, the Chamber of Commerce Business Community, our religious institutions, and a number visitors to ensure we are always following the below four central principles:

1. Treating all people with dignity and respect.
2. Giving individuals a 'voice' during encounters.
3. Being neutral and transparent in decision making.
4. Conveying trustworthy motives.

Seal Beach Police Department Mission Statement and Core Values

The Seal Beach Police Department's Mission is to drive down crime and improve the quality of life for the residents and visitors of Seal Beach. The provision of quality services with the highest professional standards is our primary aspiration. Our Department's Core Values illustrate how we intend to achieve this mission.

HONESTY & INTEGRITY - Honesty is truth, fairness, and the straightforwardness of personal conduct. It is the adherence to the facts and dedication to truthfulness in doing what's right, legally and morally. Integrity is a quality you develop by adhering to moral principles. It requires that you do and say nothing that deceives others. As your integrity grows, so does the trust others place in you.

SERVICE - Put the welfare of the community, the Seal Beach Police Department, and your team before your own. Selfless service is larger than just one person. In serving your community, you are doing your duty loyally without thought of recognition or gain. The basic building blocks of selfless service are the commitment of each team member to go a little further, endure a little longer, and look a little closer to see how he or she can add to the effort.

RESPECT - Treat all people as you would want to be treated. Respect is what allows us to appreciate the best in other people no matter who they are. Respect is also trusting that your fellow Department employees have done their jobs and fulfilled their duty. Self-respect is a vital ingredient of our team, which results from knowing you have put forth your best effort every day. The Seal Beach Police Department is one team and each of us has something to contribute.

PROFESSIONALISM - We are committed to providing the highest quality of professional law enforcement service and having a clear sense of commitment, perspective, and direction. This is accomplished by creating an environment that encourages teamwork, innovation, and constant evaluation of ourselves and the needs of those we serve.

CARING - We are to be sensitive to the needs of others and demonstrate compassion for all people. Working for the Seal Beach Police Department should be challenging and rewarding. Our people are our most important resource. We can best serve the many and varied needs of our communities by empowering our employees to fulfill their responsibilities with knowledge, authority, and appropriate discretion. We encourage our people to submit ideas, we listen to their suggestions, and we help them develop to their maximum potential. We believe in treating all people with respect and dignity. We show concern and empathy for the victims of crime and treat violators of the law with fairness and dignity. By demonstrating respect for others, we will earn respect for the Seal Beach Police Department.

8CANTWAIT Campaign

Several members of the community have inquired about the SBPD's procedures related to the 8CANTWAIT campaign. Below are the eight policy recommendations from this campaign and the SBPD's response to each item.

1. Require officers to de-escalate situations, when possible, before using force.
 - Seal Beach Police Officers are required to use de-escalation techniques whenever possible, especially when dealing with people in crisis or with mental health concerns. SBPD officers are trained on de-escalation methods.
2. Use a force continuum or matrix that defines/limits the types of force and/or weapons that can be used to respond to specific types of resistance.
 - Many modern, professional law enforcement agencies and training institutions have moved away from the "force continuum" standard and instead utilize the force options method. With a "continuum," officers are expected to use each method of force before moving on to the next force method. This is unreasonable in certain circumstances. For instance, if

officers respond to an active shooter incident at a local school, they should not be expected to use control holds or pepper spray on a suspect with a firearm who is actively shooting school children. The SBPD utilizes force options in which the officers are required to use only the amount of force which is reasonable to accomplish a legitimate law enforcement purpose.

3. Restrict chokeholds and strangleholds (including carotid restraints) to situations where deadly force is authorized or prohibiting them altogether.
 - The SBPD does not use “chokeholds” or “strangleholds.” The SBPD is trained and authorized to use carotid control holds. We receive very specific training on the correct way to administer this hold to minimize the risk of long-term injury to the subject. The hold is authorized only when circumstances perceived by the officer at the time indicate that such application reasonably appears necessary to control a person in any of the following circumstances: 1) the suspect is violent or physically resisting, and 2) the subject, by words or actions, has demonstrated an intention to be violent and reasonably appears to have the potential to harm officers, him/herself or others. SBPD officers are not trained, nor authorized, to place their knee or bodyweight on a subject’s neck unless deadly force is reasonable and necessary.
4. Require officers to give a verbal warning, when possible, before using deadly force.
 - SBPD officers are required, when reasonable, to give a verbal warning to subjects and allow subjects the opportunity to comply before force is used.
5. Prohibit officers from shooting at people in moving vehicles unless the person poses a deadly threat by means other than the vehicle (for example, shooting at people from the vehicle).
 - SBPD officers understand that shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.
6. Require officers to exhaust all other reasonable alternatives before resorting to using deadly force.
 - SBPD officers are required to use only the minimum amount of force reasonable and necessary to achieve a legitimate law enforcement purpose. SBPD officers may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person. An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Where feasible, the officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts. In certain situations, there may be no

other reasonable option other than deadly force, therefore, SBPD officers are not required to exhaust all other options before resorting to deadly force.

7. Require officers to intervene to stop another officer from using excessive force.
 - SBPD officers have a duty to intercede. Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.
8. Require comprehensive reporting that includes both uses of force and threats of force (for example, reporting instances where an officer threatens a civilian with a firearm).
 - Any use of force by a member of the SBPD shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law. Anytime an officer points a firearm at any person the officer shall complete an Incident Report or document the pointing of a firearm in the crime report narrative if applicable.

President Obama's Task Force on 21st Century Policing

The Obama administration undertook an in-depth study to review the state of law enforcement and make recommendations for improvement. The result was the May 2015 Final Report of the President's Task Force on 21st Century Policing which establishes six "pillars" or main topic areas that propose examination and changes to how policing is done. These pillars are: Building Trust and Legitimacy; Policy and Oversight; Technology and Social Media; Community Policing and Crime Reduction; Training and Education; and Officer Safety and Wellness. The SBPD has developed numerous policies and programs that implement many of the recommendations made in the Report. Below is a synopsis that address each of the pillars and steps the SBPD has taken to embrace the spirit and substance of these principles (link to the Report: <https://assets.documentcloud.org/documents/2082979/final-report-of-the-presidents-task-force-on.pdf>).

Building Trust and Legitimacy

The SBPD practices transparency in how it operates by making its Policy and Procedure Manual public by posting it on the City of Seal Beach website home page (<https://www.sealbeachca.gov/Portals/0/Documents/Seal%20Beach%20Department%20Online%20Policy%20Manual%20January%202020.pdf?ver=2020-01-29-113743-830>). Additionally, the SBPD works with the local media to make crime statistics such as citations, arrests and reported crime available to the public for review. When serious

incidents involving police misconduct occurs, the SBPD makes these occurrences public, such as when a member of the jail staff was engaged in criminal conduct (<https://latimesblogs.latimes.com/lanow/2012/05/jailer-sentenced.html>). The SBPD incorporates procedural justice in its internal disciplinary process by emphasizing values adherence to any proposed discipline. The SBPD creates opportunities for positive, non-law enforcement interaction with the police through a number of different programs (i.e. Citizens Academy, Community Emergency Response Team, Volunteers in Police Services, the Neighbor 4 Neighbor program, Coffee with a Cop, Police Explorer Program, College Internship Program, and Police Chaplain Program). The SBPD practices procedural justice through consistent and on-going training of our personnel to engage in unbiased and procedurally based investigations of criminal acts. The SBPD uses several flexible staffing models to better respond to the community and improve efficiency including a 3/12 schedule and a Team Policing scheduling model.

Policy and Oversight

The SBPD has a comprehensive policy of use of force that is constantly being evaluated and updated to adhere to best practices and changes in State and Federal laws. The Seal Beach Police Department utilizes Lexipol, LLC to provide a solution for policy creation and training practices to ensure our actions fall within both the law and best practices for law enforcement. Through this partnership with Lexipol, the SBPD has implemented a very thorough policy manual that is both legally defensible and continuously updated. Lexipol employs several attorneys and subject matter experts who constantly monitor police practices, new case law, and changing regulations to ensure that our policies are sufficient to address changing trends. They replaced outdated and inadequate policies and replace them with policies that better insulate the agency from liability and ensure our officers act within the scope of the law. Lexipol bases their policies on nationwide standards while incorporating state and federal laws and regulations. While Lexipol creates policies, they do not implement them. Lexipol policies are not cookie cutter and policies are tailored to the specific needs of the Seal Beach community. Not only does Lexipol constantly review policies, but we also review them on a regular basis in-house and work with Lexipol if a particular policy is not in line with our agency's best interest. There are daily training bulletins that our entire staff members review to ensure they are up to date on changing policies and are familiar with some of the more nuanced sections of our policy manual. The Seal Beach Police Department's policies are often more restrictive than state or federal laws to ensure our officers are held to an even higher standard. Over 3,500 public safety agencies in 35 states use Lexipol to manage policies and procedures. The SBPD has comprehensive policies on the use of force that include training, investigations, prosecutions, data collection, and information sharing. These policies are clear, concise, and openly available for public inspection through the City of Seal Beach website. The SBPD also uses external and independent prosecutors in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths. In the event of a death resulting from a use of force, the Orange County District Attorney's Office independently investigates the incident, in addition to any internal investigation.

Technology and Social Media

The SBPD has implemented appropriate technology which is designed considering local needs and aligned with national standards. The SBPD is currently working to

implement multiple technology projects which will improve both our efforts to keep the community safe, but also to ensure officer accountability. Some of these projects include body-worn cameras which once implemented will be issued to uniformed patrol personnel. Automated license plate readers will record only the rear license plate of vehicles on our streets (it will not capture photos or drivers or other personal identifying information). The SBPD uses several “less than lethal” force options. Our officers are equipped with several technologies such as Tasers and other tools designed to de-escalate combative subjects using the least amount of force necessary. The SBPD has adopted policies and best practices for technology-based community engagement that increases community trust and access. Notably, the SBPD is very involved in social media to ensure that we are open, available, and transparent in our communication. We have thousands of followers on Facebook, Instagram, and Twitter and use these platforms to both relay community safety messages but also to maintain open lines of communication between the public and police. We have also implemented a weekly column in our local newspaper where readers can ask questions via emails sent to askacop@sealbeachca.gov and our responses will be published in each week’s edition.

Community Policing and Crime Reduction

The SBPD has developed and adopted policies and strategies that reinforce the importance of community engagement in managing public safety. The SBPD engages the youth through our robust programs instituted in both partnership with the Los Alamitos Unified School District (LAUSD) and our sole elementary school, J.H. McGaugh. We work in unison with the LAUSD Superintendent, Dr. Andrew Pulver, and McGaugh Elementary School Principal, Roni Ellis. An example of these partnerships includes our annual Red Ribbon Week, where SBPD demonstrates the importance of building our relationships with children aged K-5 engaging in drug, alcohol and tobacco use/awareness. We have also held other programs relative to anti-bullying and graduation speeches/discussions about understanding diversity and lifelong decision making.

Within our community, we work closely with our Seal Beach Naval Weapons Installation partners and participate in joint training with other law enforcement agencies across the state. Furthermore, we have held citizen academies, ride-alongs, and have instituted quality of life teams with other agencies experiencing similar quality of life issues. Additionally, the SBPD has a Community Orientated Policing (COP) Team which is specifically tasked with employing methods and strategies which directly engage the community and build trust through community engagement. Community policing is infused throughout the culture and organizational structure of the SBPD. The SBPD evaluates officers on their efforts to engage members of the community and the partnerships they build making this part of the performance evaluation process. Additionally, the SBPD uses various patrol deployment practices to allow sufficient time for patrol officers to participate in problem solving and community engagement activities. The SBPD partners with trauma counselors such as the Trauma Intervention Program who can provide immediate support to victims of crime. The SBPD has programs that create opportunities for patrol officers to regularly interact with neighborhood residents, faith leaders, and business leaders, such as the Police Chaplain program. The SBPD has a Homeless Liaison Officer (HLO) program wherein Police Officers are specially trained to engage in outreach to the homeless community

and employ alternatives to arrest and citation, such as offering social services, assisting with enrolling in substance abuse programs and assisting the mentally ill. The SBPD schedules regular forums and meetings where all community members can interact with police and help influence programs and policy, such as the Coffee with a Cop program.

Training and Education

The SBPD supports the development of partnerships with training facilities across the country to promote consistent standards for high quality training and establish training innovation hubs. The SBPD is a member of the Orange County Training Managers' Association and partners with numerous training providers to provide the most advanced training to our police officers. This training includes training in bias-based policing and procedural justice. We adhere to all State of California and legislatively mandated training requirements. The SBPD employs programs that use adult-based and scenario-based learning curricula. The SBPD also partners with academic institutions to develop rigorous training practices. The SBPD maintains a close working relationship with the California Commission on Peace Officer Standards and Training (P.O.S.T.) and is regularly audited by this state regulatory agency. The SBPD partners with the community in several different crime prevention and community outreach programs. The SBPD recognizes that strong, capable leadership is required to create a cultural transformation and invests in leadership training at every level of leadership, especially at the critical line-level leadership. All SBPD supervisors are sent to the Sherman Block Supervisory Leadership Institute. The SBPD and City of Seal Beach support a culture that values ongoing education by supporting a tuition reimbursement program for all police officers. This has resulted in over 71% of Seal Beach officers achieving advanced degrees including several officers who have earned Master's Degrees. The SBPD has developed a partnership with national post-graduate institutes of policing for senior executives, preparing them to lead agencies into the 21st century. The SBPD has implemented crisis intervention training as part of its in-service officer training as well as in-house tactical communications training that promotes de-escalation of force. Additionally, the SBPD has implemented implicit bias and cultural responsiveness training and ongoing top-down training for all officers in cultural diversity and related topics. The SBPD conducts regular training that reinforces policies for the prevention of sexual misconduct and harassment. The SBPD has implemented a field training officer program that adheres to all the standards set forth by P.O.S.T. This program addresses changing police culture and organization procedural justice issues.

Officer Safety and Wellness

The SBPD promotes a multifaceted officer safety and wellness initiative, including promoting a culture from the top down that mental wellness is important for sustainability and longevity in a very stressful occupation. The goal is to positively affect each employee to improve job satisfaction, performance, and morale; and to encourage physical, mental and relationship health. The SBPD provides mental health and psychological assistance for all officers, Employee Assistance Programs (EAP) and peer support teams for all employees. First responders (police officers and firefighters) are more likely to die by suicide than in the line of duty. In 2019, the number of police officers who died by suicide was more than double the number killed in the line of duty (228 officers died by suicide, while 132 officers died in the line of duty). California ranked second with 21 suicides in 2019, behind New York with 23. Peer Support is a

mitigating effort to educate and serve our peers, fostering relationships and building rapport so that they feel more comfortable to reach out if and when they are feeling overwhelmed by personal or professional stressors. Suicide is a result of mental illness, including depression and PTSD, which stems from constant exposure to death and destruction. The SBPD has adopted policies that require officers to wear seat belts and bullet-proof vests and utilizes the federal Bulletproof Vest Partnership (BVP) grant program. All SBPD officers have been issued individual tactical first-aid kits and anti-ballistic vests. Additionally, the SBPD has policies limiting the number of hours an Officer can work in a 24-hour period.

Chief Gonshak's Statement on the Killing of Mr. George Floyd

When I was sworn in as your Chief of Police, I vowed to put the entire City of Seal Beach first. I believe we've worked diligently to earn this community's trust through transparent communication and consistent community engagement. One way to continue to build that trust is to speak up against injustices, especially when it involves the profession which most of us have dedicated more than half of our lives to.

Just like many members of our Seal Beach community, and all members of the Seal Beach Police Department, we are deeply furious with the recent events that took place in Minneapolis, which resulted in the unnecessary death of Mr. George Floyd. The actions of those four Minneapolis police officers involved in this incident do not represent the Core Values that our Seal Beach Police Officers have promised to uphold. These values include honesty, integrity, service, respect, professionalism and caring. (<https://www.sealbeachca.gov/Departments/Police/Core-Values>).

In my opinion, we cannot stand by and say/write nothing. What happened with Mr. George Floyd tears away at the moral fabric of what law enforcement professionals stand for. As your Chief of Police, I understand that national events create concerns for members of our community and the trust that all of you have in our police department.

The City of Seal Beach has been very selective in our hiring practices, and for good reason. I can only hope you believe we have some of the most professional police officers and staff in the State; but good hiring practices aren't enough. Our officers are consistently trained to be sensitive to the needs of our community; which includes de-escalation of force if possible and "bias-based policing" training. But I recognize that good training is not enough. One way we can ensure that incidents like this do not occur in our community, is through the development of a culture of compassion, understanding, respect, and accountability. As your Chief of Police, I would expect nothing less.

As a Seal Beach resident myself, I stand with all of you as not only a police officer, but as your neighbor. With that, I am so thankful for the Seal Beach community and wish for your continued support. In closing, I can assure you that the Seal Beach Police Department is here to protect **ALL** lives, and we will continue to do our best to be part of the solution, not part of the problem.

Our thoughts are with the family and friends of Mr. George Floyd.

Sincerely,

Phil Gonshak

The Seal Beach Police Department encourages the community to follow us on Facebook, Instagram, and Twitter, to receive updates and see how the SBPD is working directly with the community to ensure the safety and security for all of those in Seal Beach.

To report a violation, suspicious activity, or crime (non-emergency) please call (562) 594-7232. For emergencies, dial 9-1-1.

Visit <https://www.sealbeachca.gov/Departments/Police> for more information.

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