



ATHERTON PD LEXIPOL POLICIES

8 CAN'T WAIT

A national movement called '8 Can't Wait' regarding police departments to make eight major changes to policy and training.

These eight policies include the following:

1.Require De-escalation: De-escalation and crisis intervention techniques and consideration of alternatives to physical force are to be used and are less likely to result in death or serious physical injury. These techniques can be used in an attempt to de-escalate a potentially deadly situation.

2.Duty to Intervene: Any officer present and observing another using force that is clearly beyond what is objectively reasonable under the circumstances, when in a position to do so, should intercede to prevent the use of unreasonable force.

3.Ban Chokeholds & Strangleholds: Chokeholds and strangleholds are strictly prohibited. The use of the carotid control hold has been suspended, except in situations when an officer is defending against an imminent threat of death or serious injury.

4. Require Warning Before Shooting: Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent. In this case, when reasonable, a verbal warning and opportunity to comply should be done before the use of the devices.

5. Ban Shooting at Moving Vehicles: Officers should move out of the way of an approaching vehicle, instead of firing their weapon at the vehicle or any of its occupants. An officer should only fire their gun at a moving vehicle or its occupants when there is believed to be 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.

6. Require Exhaust All Alternatives Before Shooting: If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force.

7. Require 'Use of Force' Continuum: Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties. Vesting officers with authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interest.

8. Require Comprehensive Reporting: Any use of force by an officer should 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 they believed the use of force was reasonable under the circumstances.

Below you will find each policy outlined and listed for the specifics of "8 CAN'T WAIT."

REQUIRE DE-ESCALATION

- De-escalation is not a tactic. De-escalation is a desired end state. It is doing what is necessary to take a volatile and/or violent situation and making it less volatile and/or violent.
- Incorporated in Atherton PD Lexipol Policies 300, Use of Force, Policy 307 Conducted Energy Device (Taser) and Policy 466 Crisis Intervention Incidents are all components in on going training for Atherton Peace Officers.

DUTY TO INTERCEDE

► Use of Force Policy 300, section 300.2.1 -

“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.”

BAN CHOKEHOLDS AND STRANGLEHOLDS

- Chokeholds, strangleholds and the use of the carotid restraint are NOT authorized per the Atherton PD Lexipol Policy Manual.

REQUIRE WARNING BEFORE SHOOTING

- 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 per Atherton PD Lexipol Policy Use of Force 300, section 300.4(b).

BAN SHOOTING AT MOVING VEHICLES

- 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 per Atherton PD Use of Force Policy 300, section 300.4.1

EXHAUST ALL OTHER MEANS

- If an objectionably reasonable Officer would consider it safe and feasible to do so under the totality of the circumstances, Officers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force per Atherton PD Use of Force Policy 300, section 300.4.

REQUIRE USE OF FORCE CONTINUUM

- ▶ Atherton PD Lexipol Policy Use of Force 300, section 300.3.1 states any peace officer may use objectively reasonable force to effect an arrest, to prevent escape, or to overcome resistance.
- ▶ Section 300.3.2, addresses the factors used to determine the reasonableness of force.

REQUIRE COMPREHENSIVE REPORTING

► Use of Force Policy 300, section 300.5 -

“Any use of force by a member of this department 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.”

Statistical data regarding all officer involved shootings and incidents involving use of force resulting in serious bodily injury is reported to the California Department Of Justice per California Government Code 12525.2

A MESSAGE FROM CHIEF MCCULLEY

- ▶ The Atherton Police Department protects the Town with the community's safety in mind. Our policies and standard operating procedures demonstrated this core belief well before the "8 Can't Wait" campaign. The ideals expressed in "8 Can't Wait" are thoroughly covered by the requirements in SB 230, which was approved by California Governor Newsom in September 2019.
- ▶ It mandates important use of force policies and training, including an emphasis on de-escalation and the sanctity of life. We've developed a series of use of force principles to improve community relations while balancing the safety of our officers and the people we serve.