



City of Santa Maria

POLICE DEPARTMENT

CHIEF'S BULLETIN June 19, 2020

Dear community member,

Modern day policing is an incredibly rewarding but challenging profession. Recent events involving officers in distant states have sparked a national conversation regarding law enforcement use of force. Here at home, this has led to appropriate inquiries about the composition of our Police Department, how it operates, and how it handles force encounters. When questions do arise, it's helpful to know that all Santa Maria Police Department (SMPD) policies can be located on the department's website.

I am extremely proud of the discipline, compassion, and professionalism the men and women of the Santa Maria Police Department display on a daily basis. As a department, we take pride in a culture of service and respect for others. Our work to provide professional law enforcement services is by design, and it is successfully accomplished through adherence to law, policy and best practices. Our personnel remain in a continuous state of training and honest self-evaluation. As members of this community, we believe in community policing and remain open to outside perspectives.

Who are Your Police?

Santa Maria is a diverse city, and your Police Department reflects that diversity. The vast majority of SMPD personnel live in the city of Santa Maria and its neighboring communities of Orcutt and Nipomo. Many were born and raised in the city. They are your neighbors, and they are invested in the community. The makeup of your police department, 136 sworn officers, is as follows:

<u>Race / Ethnicity</u>	<u>Sworn Personnel</u>	<u>% of Department</u>
Hispanic	60	44.1%
White	60	44.1%
Asian	5	3.6%
Black	3	2.2%
Native American	2	1.5%
Pacific Islander	2	1.5%
Others	4	2.9%

The Use of Force by Police Personnel

The use of force is an unfortunate necessity in law enforcement. I can assure you, it is a responsibility we take very seriously. We invest extensive time and resources to train our personnel in the employment of de-escalation techniques and tactics to reduce the likelihood that force will be necessary in the performance of our duties. While we work hard to reduce the need for force, we cannot eliminate it entirely. Much of our response is reactionary in nature. Nearly all occasions in which force is used by SMPD officers begin with individuals who are non-compliant, attempting to escape, or physically resisting our efforts to restrain them.

One of the common misconceptions about law enforcement is that officers are frequently engaged in force encounters. This simply is not true, so it's important to provide some numbers for context. Serious use of force incidents are rare at the Santa Maria Police Department. Over the past four years, (2016-2019), SMPD officers responded to an average of 95,617 calls for service per year (261 per day) and averaged over 5,600 arrests per year. Those figures do not include the hundreds of thousands of interactions with the public that do not involve a call for service. During that same period, on average officers used force 127 times per year. That's only one-tenth of one percent (0.1%) of our calls for service, and only two-point-two percent (2.2%) of arrests, resulting in an officer using any level of force.

Activity	2016	2017	2018	2019	4-Year Annual Average
Calls for service	99,038	95,226	88,887	99,318	95,617 calls/year
Arrests	5,943	5,587	5,283	5,717	5,632 arrests/year
Use of force	104	108	175	122	127 use of force/year

Our use of force reporting policy requires documentation and supervisorial review any time an officer uses any level of force. The great majority of force incidents involve officers using physical control holds and take-down techniques. In the past four years, SMPD officers made 22,530 arrests and used force 509 times. The vast majority of force incidents result in minor injury or no injury whatsoever.

We employ a robust procedure for reporting, investigating, and tracking use of force incidents. Officers are required to report to a supervisor every time force is used. A supervisor is then required to respond to the scene to oversee the subsequent investigation. Once all witnesses have been interviewed, evidence gathered, and reports written, each incident is reviewed separately by a sergeant, a lieutenant, then a commander, and often by our Training Bureau. I personally review higher threshold incidents where firearms are discharged, injuries occurred, or misconduct is alleged or suspected. Each level of review closely examines each occurrence for adherence to law, policy, proper tactics, de-escalation, training and equipment considerations. Training solutions or discipline are implemented when appropriate.

California Law, SMPD Policy and the #8Can'tWait Campaign

In 2019, California passed two pieces of legislation that are important to this conversation. [AB 392 \(Weber\)](#) set a new legal standard for police officers' use of deadly force here in California. [SB 230 \(Caballero\)](#) set national precedent by establishing a minimum use of force policy standard for ALL departments. Most of the recommendations outlined in the #8Can'tWait campaign are already addressed in SMPD policy or have been captured by these two new landmark laws. Outlined below are the provisions in the #8Can'tWait platform and the corresponding law or SMPD policies that address those concerns.

1. Require de-escalation – Yes

SB 230 and SMPD Policies 300, 409, and 430 require that officers utilize de-escalation techniques, crisis intervention tactics, and other alternatives to force when feasible. SMPD mandates officers to conduct all duties in a manner that is fair and unbiased. SMPD officers are trained in alternatives to deadly force, de-escalation techniques, and crisis intervention strategies. In addition, this month, all officers will receive respiratory distress training.

2. Require warning before shooting – Yes

AB 392 and SMPD Policy 300.4 require, "where feasible, a peace 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." This requirement is consistent with federal case law.

3. Duty to intervene – Yes

SB 230 and SMPD Policy 300.2 sets forth a "requirement that an officer intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances." This provision is consistent with federal law.

4. Require use of force reporting – Yes

SB 230 and SMPD Policy 300.5 require comprehensive and detailed requirements for prompt and internal reporting and notification regarding a use of force incident. SB 230 and SMPD Policy 300.2.1 also require officers to report excessive force they witness.

5. Ban chokeholds and strangleholds – Use is highly restricted.

SMPD Policy does not allow chokeholds or strangleholds as a control technique. They would be considered deadly force. SMPD Policy 300.3.5 does allow the use of the Carotid

control hold, but its use is restricted to violent or physically resisting individuals. It may not be used against pregnant females, juveniles, elderly, or those with neck deformities.

As of Friday June 5th, consistent with orders from the California Governor, SMPD will no longer instruct officers in the use of this technique in its POST certified courses. The use of this technique is currently under review by both Federal and state legislators.

6. Ban shooting at moving vehicles – Restricted, not banned.

An outright prohibition in all circumstances does not account for situations where the driver of a vehicle may be threatening death or great bodily injury to others. For example, a driver intentionally trying to run over pedestrians at a farmer's market might necessitate a deadly force response from police to save lives.

SMPD Policy 300.4.1, requires officers to move out of the way of an approaching vehicle instead of discharging their firearms, except when there are no other reasonable means to avert the threat.

7. Require a use of force continuum – No

The use of force continuum is an outdated model that has proven impractical, even dangerous, when applied to real life situations. The continuum as instructed required an officer to attempt the lowest level of force sequentially, when responding to a threat. It is often impractical to adhere to this requirement. For example, if a suspect is wielding a firearm, an officer should not have to begin to address the threat by using hands-on techniques. Instead, SMPD training and policy focus on creating space and separation in an attempt to utilize de-escalation techniques. The appropriate and reasonable force option is chosen based on the level of the threat presented to the officer.

8. Require exhausting all alternatives before shooting - No

Words like all, always, and never, rarely work well in real-world applications of policy. Some force options might be impractical, dangerous, or unsuited to the threat facing the officer. For example, an officer confronting a man with a gun, should not be required to attempt to tackle the suspect, or use a baton. This type of policy would likely result in great bodily injury or death for the officer.

In Closing

I believe strongly in something I like to call Constitutional Policing. By this term, I mean policing with the philosophy and recognition that as law enforcement personnel, we derive our authority from the very people we serve, and that part of our core responsibility is the preservation of their rights. This philosophy is continually incorporated in our discourse and our training. As a result, the SMPD has a healthy culture that honors service and respect for others.

We enjoy a wonderful relationship with this community that has shown us tremendous support. With that support, we will continue to serve, train and hold ourselves to the highest professional standards while maintaining an open mind to new ideas, policies and technologies that enhance public safety, while maintaining the safety of our personnel.

Respectfully submitted,

A handwritten signature in blue ink that reads "P. C. Hansen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Phillip C. Hansen
Chief of Police