



# OCEANSIDE POLICE DEPARTMENT

## POLICIES / PRACTICES RELATING TO CAMPAIGN ZERO'S #8CANTWAIT CAMPAIGN

The City of Oceanside Police Department utilizes a community policing approach and embraces positive relationships with the community. OPD has practices and policies in place **for all eight areas** recommended by Campaign Zero's 8 Can't Wait campaign, as follows:



- **BAN CHOKEHOLD AND STRANGLEHOLDS**

**Volume I, Section 501.05** Use of Force Prohibited. The use of force is not authorized under the following circumstances:

- a. The use of the arm-bar restraint, or any other hold that intentionally brings pressure against the trachea or **windpipe** of a person.
- b. The use of the Carotid Restraint.
- c. For purposes of punishment.
- d. For purposes of obtaining a confession, admission, or similar statement or assistance.
- e. If it exceeds a level of intensity reasonably necessary to accomplish the purpose for which it is approved.
- f. If it continues beyond the point where resistance or aggressive action has been overcome, or where further force is no longer reasonably necessary.
- g. If used to accomplish a purpose beyond the authority of the involved member.

- **REQUIRE DE-ESCALATION – Practice in place, Policy in progress**

**AB-392**

- UOF conducted with respect for human rights, dignity and sanctity of human life
- Deadly force used only when necessary in defense of human life. Evaluate each situation and use other available resources and techniques if reasonably safe and feasible
- Decision to use force evaluated carefully and thoroughly
- Decision to use force made based on totality of circumstances known or perceived by officer at the time without benefit of hindsight

- Recognition that individuals with physical, mental health, developmental or intellectual disabilities may affect their ability to understand or comply with officers' commands
- Use objectively reasonable force to effect arrest, prevent escape or overcome resistance

- **REQUIRE WARNING BEFORE SHOOTING**

- OPD Policy Volume I Section 515.01**

- When a Police Officer May Use Deadly Force.** When the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for the following reasons: a. To defend against an imminent threat of death or serious bodily injury to the officer or another person; b. To apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes the person will cause death or serious bodily injury to another unless immediately apprehended. c. **When feasible, the officer shall, prior to the use of deadly 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 suspect is aware of those facts.** d. Officers shall not use deadly force against a person based on the danger that person poses to themselves, if the person does not pose an imminent threat of death or serious bodily injury to the officer or another person.

- **EXHAUST ALL OTHER MEANS BEFORE SHOOTING**

- Volume I, Section 120.04 Use of Force.** An officer's use of force shall be in accordance with law and established Department procedures. **The officer shall not use more force than is reasonable under the circumstances.**

- Volume I, Section 501.01 It is general policy of the Department that police officers and others acting under the authority of the Department are authorized to use only that degree of force which, based on the totality of the circumstances, is appears reasonably necessary to accomplish a legitimate and legal purpose.** The use of any force is governed by the Department's policy and procedure as it relates to a specific force option. The use of deadly force is authorized only when exercised in accordance with the provisions of the Department Firearms and Shooting Policy. The use of the police baton is authorized only when exercised in accordance with the provisions of the Department Baton Policy.

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- **DUTY TO INTERVENE**

**Volume I, Section 115.02** Duty to Report Misconduct.

Members, who become aware of possible misconduct by another member, shall immediately notify a supervisor. **Any member who observes serious misconduct shall take appropriate action to cause the misconduct to immediately cease. The fact that a supervisor is present and not taking immediate action to stop the misconduct does not relieve other members present from this obligation.** Experience, rank or tenure are not factors in knowing the difference between right and wrong, and do not provide an excuse for failing to take appropriate action. Although supervisors are responsible for investigating allegations of misconduct, all department members are responsible for preventing, in so far as they are able, and reporting misconduct. The responsibility to report misconduct begins the moment the person becomes a member of the Oceanside Police Department.

- **BAN SHOOTING AT MOVING VEHICLES**

**Volume I, Section 515.03** An officer should not discharge a firearm at or from a moving vehicle except as reasonably necessary **for self defense or defense of another when the suspect has used deadly force** or when the officer meets the criteria as set forth in paragraph 515.01(b).

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- **REQUIRE USE OF FORCE CONTINUUM**

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- **REQUIRE COMPREHENSIVE REPORTING EACH TIME AN OFFICER USES FORCE**

**Volume III, Section 801.01 Duty to Document All Police Incidents.** Members are required to document all police incidents on the appropriate report form. This applies to incidents resulting from citizen calls for service and to incidents resulting from the officer's personal observation.

**Volume III, Section 840** Use of Force Reporting. When physical force is used, it shall be reported.

**Volume III, Section 840.01** Any use of physical force (including a police canine bite or vehicle pursuit) must be reported to a supervisor and the officer will include in their Arrest or Officer's Report the fact that physical force was used.

**NOTE:** Some of the specifics in the Use of Force reports may include:

- A clear, detailed description of the incident, including any application of weapons or restraints
- The identity of all individuals involved in the incident
- The specific reasons for the application of force
- Witness statements
- Description of injuries

[Letter to the community from Chief Frank McCoy](#)