

Central Marin Police Response to the California Attorney General's Proposed Police Reforms

On June 15, 2020, Xavier Becerra, the California Attorney General, issued a press release titled: *Attorney General Becerra Calls for Broad Police Reforms and Proactive Efforts to Protect Lives*. The press release can be found in its entirety by clicking on the below link.

<https://oag.ca.gov/news/press-releases/attorney-general-becerra-calls-broad-police-reforms-and-proactive-efforts>

In the press release the Attorney General requests all law enforcement agencies to develop and implement policies regarding nine (9) use of force reforms. **The Central Marin Police have reviewed the reforms and already have policies and trainings in place which comply with all of the recommendations.**

The Attorney General's law enforcement policy recommendations are as follows:

- **Intervention:** All agencies should have a policy requiring officers to intervene to stop another officer from using excessive or unnecessary force;
- **Ban Chokeholds and Carotid Restraints:** All agencies should have a policy prohibiting the use of chokeholds, strangleholds, carotid restraints or other restraints, or body positioning that is designed to, or which may foreseeably result in, the cutting off of blood or oxygen to the person;
- **De-Escalation:** All agencies should require officers to de-escalate situations, when possible, before using force;
- **Proportionality:** All agencies should provide express guidance on proportionality to ensure officers understand the relationship that should exist between the force they use and the threat presented in a particular situation. The guidance may include adopting a spectrum, chart, or matrix, which can take the form of a graphical representation;
- **Verbal Warnings:** All agencies should require officers to give verbal warning, when feasible, before using force, whether lethal or less-lethal;
- **Moving Vehicles:** All agencies should prohibit officers from discharging a firearm at the operator or occupant of a moving vehicle unless the operator or occupant poses an imminent threat of death or serious bodily injury to the public or an officer. All agencies should also prohibit officers from discharging a firearm from their moving vehicle, providing only for exceptions that require such actions to end an imminent threat to human life;
- **Deadly Force As Last Resort:** Consistent with the core concepts of de-escalation, necessity, and proportionality, all agencies should require that deadly force be used only as a last resort when reasonable alternatives have been exhausted or are not feasible to protect the safety of the public and police officers;
- **Comprehensive Reporting:** All agencies should create a general order dedicated to use of force reporting and investigations, requiring comprehensive reporting that includes both uses of force and threats of force; and

- ****This recommendation does not apply to CMPA as we do not have a Canine Program** Canine Use:** All agencies should discontinue the use of “find and bite” and “bite and hold” techniques and instead implement “find and bark” or “circle and bark” techniques, where canines are trained and deployed to alert by barking, rather than biting a suspect as a first response, and then circling and barking until the handler takes control.

In addition to the recommended policy reforms, the Attorney General also recommended a series of state law reforms with regards to use of force. These recommendations would require legislation at the state or federal level. **The Central Marin Police reviewed the legislative reform recommendations and are supportive of their ideas in principal.**

The Attorney General’s legislative reform recommendations are as follows:

- **Decertify peace officers for serious misconduct**, including provisions requiring law enforcement agencies to complete investigations even after a peace officer leaves a department;
- **Expand reviews of law enforcement policies and practices**, by enhancing DOJ’s capacity to review and proactively help law enforcement agencies across the state reform their policies and practices to align with community needs;
- **Require policies and training on bias by proxy**, which occurs when a person calls the police and makes false or ill-informed claims about individuals they are biased against — as well as provisions for auditing the effectiveness of such training;
- **Place clear limits on crowd control techniques during protests or mass gatherings**, including restrictions and guidance on the use of rubber bullets, tear gas, pepper spray, and batons;
- **Forbid the use of pepper spray against children in juvenile detention**, which can traumatize juveniles and undermine efforts to build trust; and
- **Reexamine the role of police in addressing homelessness and mental health crises**, recognizing that police officers are increasingly called upon as first responders to engage with people facing homelessness who may suffer from mental illness or other medical conditions, and that officers are not generally equipped to handle situations involving mental health crises or referrals for social services.