



The City of Brea Police Department

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Brea Police Department's Response to #8CantWait Recommendations

In light of recent, high profile events occurring around the country, a national movement, known by the hashtag, #8CantWait, developed by the *Police Use of Force Project* (useofforceproject.org), has identified and proposed eight areas of police department policy that could be strengthened to reduce use of force and deadly force incidents. The following is a review of the Brea Police Department's practices and policies in relation to those recommendations.

First and foremost, the Brea Police Department is committed to enhancing safety and quality of life through smart, empathetic, responsive policing in partnership with our community. To accomplish our mission, the Brea Police Department adheres to the Law Enforcement Code of Ethics and the Core Values of the Brea Police Department. These core values were developed by members of the Department and serve as guiding principals for everything we do.

The Core Values of the Brea Police Department

INTEGRITY - Adherence to moral and ethical behavior in our personal and professional lives in a manner that brings honor to ourselves, our families, and our profession.

GOLDEN RULE - Treat others as we would like to be treated. We will strive to treat everyone with respect, dignity, and fairness at all times.

LOYALTY - Faithfully dedicated to our values, family, profession, and community.

Regarding policy, the Brea Police Department, like most law enforcement agencies in Orange County, uses Lexipol software to maintain our police policies. Lexipol is the nation's leading provider of public safety policy and training solutions for law enforcement, fire and rescue, and corrections personnel. Lexipol ensures that all police department policies are aligned with State and Federal law, and their suggested policies are continuously updated as laws change.

The following points contain a summary concerning how our current department policies address the recommended policy changes identified by the *Police Use of Force Project*. The following link will take you to all the policies in their entirety:

[Brea Police Department Policy & Procedure Manual](#)

Brea Police Department Policies in Response to 8CantWait.org Recommendations:

- **Require officers to utilize de-escalation techniques.** De-escalation is included in the Brea Police Department policy manual as it relates to various operations in which there is a heightened possibility of agitation. These include Use of Force, Crisis Intervention Incidents, Mental Illness, Civil Disputes, Kinetic Energy Projectiles, and the use of Controlled Energy Devices (TASERs).
 - **Policy Sections – 300.3.1, 303.9, 304.9, 409.5, 409.6, 410.4, & 432.3**
- **Prohibition of chokeholds or carotid control holds.** In light of recent events, and in conjunction with local law enforcement agencies, effective immediately, the Brea Police Department is prohibiting the use of the Carotid Control Hold until a full review can be conducted.
 - **Policy Section – 300.3.4**
- **Require officers to intervene to stop excessive or unnecessary force.** Brea Police Department policy requires officers to intercede if they observe the use of unreasonable force by another officer.
 - **Policy Section – 300.2.1**
- **Restrict officers from shooting at moving vehicles.** Brea Police Department policy only permits shooting at a moving vehicle or its occupants when the officer reasonably believes there is an immediate threat to officers or others. Officers are trained and encouraged to move out of the vehicle path and away from danger rather than using a firearm whenever possible.
 - **Policy Section – 300.4.1**
- **Limit the types of force and/or weapons that can be used to respond to specific types of resistance and specific characteristics.** Brea Police Department policy requires officers to use only the amount of force that reasonably appears necessary given the facts and totality of circumstances. Factors to be considered by an officer include the age and size of the involved parties, their mental state or capacity, and the availability of other reasonable and feasible options, among other factors.
 - **Policy Sections – 300.3.1 & California Penal Code 835(a)**
- **Require officers to exhaust all other reasonable means before resorting to deadly force.** Officers may only use deadly force when there is an imminent threat of death or serious bodily injury to the officer or another person. Under California law and Brea Police Department policy, officers are to evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force.
 - **Policy Sections – 300.4 & California Penal Code 835(a)**
- **Require officers to give verbal warnings prior to using serious force.** Brea Police Department policy requires verbal warnings be given, when feasible, prior to using deadly force on a fleeing felon, prior to the use of a Control Device, Kinetic Energy Projectile,

Conducted Energy Device (TASER), use of a canine, or prior to a use of force at an unlawful assembly.

- **Policy Sections – 300.4, 303.3, 303.9.2, 304.4, 309.6.2, & 431.7**
- **Require officers to report each time force is used or threatened.** Brea Police Department policy requires all use of force incidents to be reported, documented, and investigated. The Department annually provides data to the California Department of Justice regarding any officer-involved shooting or use of force resulting in serious bodily injury.
 - **Policy Sections – 300.5 & 323.2.2**

In addition to these policies, the Brea Police Department utilizes a Use of Force Review Committee to objectively evaluate the use of force to ensure that the officer's authority was used lawfully, appropriately, and was consistent with training and policy. The role of this committee is described in detail in **Policy Section 301**.

The Brea Police Department, in partnership with our community, city leadership, and our legal advisors, regularly evaluate our policy & procedure manual and make changes to it in compliance with state and federal law and best practices. Further, we hold our employees accountable to stay current of new laws, case law decisions, and policy changes through training and sharing of information. We welcome questions and dialogue with our community and highly encourage our community to engage with us through our social media platforms, community events, and interaction with our employees. Together, we can continue to keep Brea a safe place to live, work, and play.