



CITY OF FOUNTAIN VALLEY | POLICE DEPARTMENT

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June 22, 2020

City of Fountain Valley Community Members,

First and foremost as the Chief of Police, I would like to acknowledge that the death of George Floyd was wrong; and the three Officers who stood by and did nothing should have intervened.

Know that the Fountain Valley Police Department is dedicated to encouraging and supporting a law enforcement culture that treats all persons with respect and dignity; and we are committed to providing policy and training that promotes de-escalation and respect for human life.

I take the leadership responsibility to ensure that your Police Department provides public safety and the quality of life which promotes public trust. Our Department takes every opportunity to ensure we provide the highest quality of service in a fair, impartial, and ethical manner.

For transparency I have listed several Department Policies that have been recent national topics of discussion. You can also see the entire Fountain Valley Police Department Policy Manual on our website.

Ban Chokeholds and Strangleholds

The Fountain Valley Police Department does not use, train nor authorize Officers to use a chokehold or stranglehold. Officers are not trained, nor authorized, to place their knee or bodyweight on a subject's neck.

Carotid Control Hold

The Department has suspended use of the carotid control hold and will be evaluating its use once the final state regulations have been adopted.

Require De-Escalation

Fountain Valley Police Officers are required to use de-escalation techniques whenever possible before resorting to force options, especially when dealing with people in crisis or with mental health concerns. FVPD Officers receive on-going training throughout their career on de-escalation techniques and conflict resolution. All FVPD Officers are required to complete a minimum of 24 hours of advanced officer training every two years, which includes de-escalation tactics and concepts.

Warning Before Shooting

The Fountain Valley Police Department values the dignity of all human life. Officers are expected to make all use of force decisions in a professional, impartial and reasonable manner. FVPD Policy 300.4 states, "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, unless the officer has objectively reasonable grounds to believe the person is aware of those facts." There may be times when the dynamics of a scenario do not allow this to happen, such as being ambushed and immediately returning fire.

Exhaust All Alternatives Before Shooting

FVPD Policy 300.3 states, "Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose."

Training and policy also reinforce that Officers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force, if safe and feasible to do so under the totality of the circumstances. Sometimes exhausting all other means is not possible. If an Officer is faced with an imminent threat of death or serious bodily injury, that Officer may not have time to exhaust lower levels of force. Example: If an Officer is responding to an active shooter who is actively killing people, it would not be feasible to first exhaust the use of verbal commands, control holds, a Taser, a baton, or any other level of force. Our Officers are trained to go immediately to the most appropriate level of proportional force.

Duty to Intervene

Fountain Valley Police Officers' duty to intervene is outlined in Policy 300.2.1, which states, "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."

Ban Shooting at Moving Vehicles

FVPD Policy 300.4.1 states, "Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. 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. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle."

Require Use of Force Continuum

The concept of a Use of Force Continuum is an outdated philosophy that can limit an Officer's ability to bring situations to a safe conclusion. This concept portrays use of force in a linear manner, with the smallest amount of force at one end and deadly force at the other. Many different levels and types of force lie in between. An Officer cannot reasonably be expected to employ every level of force along the continuum if met by an overwhelming force against the Officer.

Rather, our Officers are trained and highly skilled in a number of different force options. They are permitted to use any of these force options available to them based on the specific facts known at the time of the event. Any force used must be objectively reasonable and articulated in a report documenting the use of force.

Require Comprehensive Reporting

Use of Force reporting and required Supervisor notification are outlined in FVPD Policy 300.5 and 300.5.1. All uses of force by Fountain Valley Police Officers are required to be thoroughly documented in a written report and contain specific information regarding the circumstances related to the incident. A Supervisor must be notified as soon as practicable after any use of force so it can be thoroughly reviewed from a policy and training perspective. Furthermore, California Government Code 12525.2 requires the department to report use of force incidents that result in serious bodily injury or death, or involved the discharge of a firearm.

As a member of this community, I stand beside you in making sure our Police Department is here to protect all lives and that we continue to be part of the solution. I am very thankful to be a part of this community and encourage your support as we embrace the future changes together.

MATTHEW L. SHEPPARD
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