

Memorandum

TO: ALL DEPARTMENT PERSONNEL **FROM: Edgardo Garcia**
Chief of Police

SUBJECT: SEE BELOW

DATE: June 9, 2020

Memo# 2020-026

SUBJECT

DUTY MANUAL REVISION – L 2627 CAROTID RESTRAINT USE PROHIBITION

DUTY MANUAL REVISION – L 2628.1 CHOKEHOLD USE PROHIBITION

BACKGROUND

The Department has conducted a review of its Use of Force policies and is revising the language of Duty Manual section L 2628.1 - CHOKEHOLD USE PROHIBITION.

In addition, on June 5th, 2020, Governor Newsom issued an Executive Order directing that the carotid hold/restraint be removed from the state police training program and state training materials. As a result, the Commission on Peace Officer Standards and Training (POST) has decertified Carotid Restraint training in California and is working to remove the POST regulation requiring Carotid Restraint training in the standard police academy curriculum. The Department is moving now to revise DM section L 2627 – USE OF CAROTID RESTRAINT.

ANALYSIS

The Duty Manual has been revised to reflect changes described below. Additions are shown in *italics and underlined*. Deletions are shown in “~~strike-through~~” form.

L 2627

USE OF CAROTID RESTRAINT USE PROHIBITION:
Revised 06-09-20

The "Carotid Restraint," in which pressure is applied to the sides of a suspect's neck compressing the carotid arteries, is ~~authorized~~ *prohibited as an authorized control technique to overcome resistance and shall not be used for this purpose.*

DEADLY ENCOUNTER EXEMPTION: The "Carotid Restraint" may be used ~~when other control techniques have failed or are inappropriate and deadly force may become objectively reasonable if the "Carotid Restraint" is not used~~ *only be*

used by an officer as a deadly force option (i.e. when the force being responded to is likely to cause death or serious bodily injury) when the use meets the requirements of Duty Manual Section L 2602.1 – DEADLY FORCE.

The Carotid Restraint is not the same as a chokehold. It does not compress the trachea and therefore does not restrict the person's ability to breathe. Instead, the Carotid Restraint technique applies pressure to the sides of the neck in order to restrict blood flow in the carotid arteries and jugular veins but does not compromise the airway by placing pressure on the trachea.

After resistance is overcome with the "Carotid Restraint," the suspect will be handcuffed to minimize the potential of further violence. The suspect should then be placed in the recovery position if possible.

L 2628.1 CHOKEHOLD USE PROHIBITION:

Revised 06-09-20

The chokehold, in which pressure is applied to the neck to restrict the ability to breathe, is prohibited as an authorized control technique to overcome resistance and shall not be used for this purpose. However, a Chokeholds are prohibited regardless of whether they are applied using an officer's body part (e.g. hand, arm, knee, or foot) or with an inanimate object (e.g. flashlight or baton).

DEADLY ENCOUNTER EXEMPTION: A chokehold may only be used by an officer as a deadly force option (i.e. when the force being responded to is likely to cause death or serious bodily injury) when the use meets the requirements of Duty Manual Section L 2602.1– DEADLY FORCE.

A chokehold is not the same as a Carotid Restraint. By definition, a chokehold applies pressure to the ~~front structures of the neck~~ and restricts a person's airway by compressing the trachea which restricts the person's ability to breathe.

After resistance is overcome with the chokehold, the suspect will be handcuffed to minimize the potential of further violence. The suspect should then be placed in the recovery position if possible.

~~The Carotid Restraint does not compress the trachea and therefore does not restrict the person's ability to breathe. Instead, the Carotid Restraint technique applies pressure to the sides of the neck in order to restrict blood flow in the carotid arteries and jugular veins, but does not compromise the airway by placing pressure on the trachea. (See Duty Manual Section L 2627 Use of Carotid Restraint.)~~

ALL DEPARTMENT PERSONNEL

SUBJECT: DM REVISIONS - CAROTID RESTRAINT & CHOKEHOLD PROHIBITIONS

June 9, 2020

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ORDER

Effective immediately, all sworn personnel will adhere to the above listed Duty Manual changes.

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above the printed name and title.

EDGARDO GARCIA

Chief of Police

EG:PC