

8 Can't Wait Policies

Human Relations Commission & Palo Alto Police Department

August 24, 2020

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Timeline of Review Process

Council directed the HRC to lead the “8 Can’t Wait” campaign (June 15, 2020)

- “Direct the Human Relations Commission (HRC) to lead the ‘8 Can’t Wait’ campaign and to produce a report on the Black and Brown history and current community in Palo Alto, within 60 days.”

HRC discussion on 8 Can’t Wait including panel of experts (July 9, 2020)

Asst. Chief Binder presented current PAPD policies to HRC (July 22, 2020)

HRC discussion and recommendations for revising current PAPD policies and additional considerations (July 22, 2020)

8 Can't Wait Policies

- 1. Ban Chokeholds and Strangleholds**
- 2. Require De-escalation**
- 3. Require Warning before Shooting**
- 4. Exhaust all Alternatives before Shooting**
- 5. Duty to Intervene**
- 6. Ban Shooting at Moving Vehicles**
- 7. Require Use of Force Continuum**
- 8. Require Comprehensive Reporting**



HRC Recommendations

1. Ban Chokeholds and Strangleholds

HRC Motion: The HRC recommends that the language “Chokeholds, strangleholds, lateral vascular neck restraints, chest compressions, or any other tactics that restrict blood flow to head or neck” be explicitly prohibited and added to PAPD policy.

2. Require De-escalation

HRC Motion: The HRC recommends the model use of force language with respect to de-escalation, “prior to using physical, verbal and/or mental, non-deadly and/or deadly force, all law enforcement officers must use proper de-escalation techniques.” The HRC also recommends elaboration with a clear explanation of de-escalation tactics modeled after San Francisco and Mountain View.



HRC Recommendations

3. Require Warning Before Shooting

HRC Motion: PAPD policy is consistent with 8 Can't Wait. No change proposed.

4. Requires Exhaust all Alternatives Before Shooting

HRC Motion: The HRC recommends that the Council adopt the San Francisco PD policy which states that, "It is the policy of the department to use deadly force only as a last resort when reasonable alternatives have been exhausted or not feasible to protect the safety of the public and/or police officers."

5. Duty to Intervene

HRC Motion: PAPD policy is consistent with 8 Can't Wait. No change proposed.



HRC Recommendations

6. Ban Shooting at Moving Vehicles

HRC Motion: The HRC recommends that shooting at moving vehicles be banned unless the person poses a deadly threat.

7. Require Use of Force Continuum

HRC Motion: The HRC recommends that this matter be referred to the Council's Police Policy Manual, Data, and Hiring Ad Hoc Committee and request the Ad Hoc work with the HRC and PAPD to explore optimizing use of force options.

8. Require Comprehensive Reporting

HRC Motion: PAPD policy is consistent with 8 Can't Wait. No change proposed.



RECOMMENDED MOTION

1. Accept the Human Relations Commission report on their review of “8 Can’t Wait” policies in relation to current PAPD practices, and
2. Review and accept the department response, and direct the City Manager to revise Use of Force policies to:
 - a. explicitly prohibit the use of chokeholds and strangleholds;
 - b. add more comprehensive use of force language with respect to de-escalation; and
 - c. revise deadly force application to require officers to evaluate each situation in consideration of the circumstances in each case and to use other available resources and techniques when reasonably safe and feasible to do so, including that an officer must reasonably believe the use of deadly force is necessary to justify its use.

Note: Implementation of policy changes are dependent on process and review by the PAPD, Palo Alto Police Officers Association, and City Attorney



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