

Pleasanton Police Department
Community Advisory Board
Tuesday December 3, 2024
3333 Busch Road, Remillard Room

Department Attendees: Acting Captain Roy Gamez, Acting Lieutenant Ben Sarasua, Sergeant Jason Hunter, Officer Leslie Montgomery, Administrative Assistant Kim Monfort

CAB Members in Attendance: Bill Foley, Torin Fischer, Erica Gallegos, Andrew Gelb, Bryan Hardwick, Carroll Jacoby, Raffiq Rajabali, Mary Scott, Camron Shimy, Kenya Sullivan, Mike Telang, Elizabeth Zhuge

Absent: Pinky Mukherjee, Maritess Simmons

I. Welcome

Acting Capt. Gamez welcomed the group to the meeting. He relayed that Chief Anderson is providing the Police Department's Bi-annual Update to City Council this evening and won't be in attendance. He introduced Lt. Ben Sarasua, Sgt. Jason Hunter, and Ofr. Leslie Montgomery, who are members of the Department's Force Options Group and will be presenting in tonight's meeting. Tonight, will also be an opportunity for CAB members to run through a few Force Options Simulator Scenarios.

II. Police Department Updates

a. Chief Announcement

Acting Capt. Gamez shared that the Department's new Police Chief Tracy Avelar will start on Monday, Dec. 9th. Chief Avelar brings more than 20 years of law enforcement experience to the City of Pleasanton and has been Police Chief with the Foster City Police Department for the past few years. Capt. Gamez distributed the Press Release announcing her appointment to the department.

b. Staffing Update

Acting Capt. Gamez provided a hiring update. PPD currently has 2 police officer openings, which is down from the past few years in part due to PPD holding Pellet B testing in Pleasanton throughout the year. Offering the Pellet B in town gives staff an opportunity to build relationships with candidates to help them be successful through the hiring process. In addition, there are five officers out on industrial leave, and it's not known at this time if they will return to work.

c. CCW Process Live

Acting Capt. Gamez advised that the Carry Concealed Weapons system is up and running. The department has received 12 CCW applications to date.

III. Old Business

a. Officer Uniform and Appearance

CAB asked for follow-up to a discussion from a previous meeting relative to staff having to cover tattoos. Acting Capt. Gamez shared that the decision has been deferred to incoming Chief Avelar.

IV. New Business

a. Force Options Group Presentation - Policy

Sgt. Jason Hunter gave an overview of the plan for the rest of the evening which will include a discussion of department policy related to Use of Force and De-escalation, video, break, transition to the Force Options room for simulated scenarios, and a return to the Remillard Room for Officer Leslie Montgomery's presentation on Force Science. CAB was encouraged to ask questions throughout the presentation.

Sgt. Hunter began by sharing a little bit about himself. He has been with the Pleasanton Police Department for over 17 years. He is currently the Sergeant of the Professional Standards Unit, Assistant Team Leader for the Force Options Group and Supervisor of the Crime Scene Investigations Unit. Prior to that he was a detective with the Special Enforcement Unit, SWAT member, and Board Member for the Pleasanton Police Officers Association.

Sgt. Hunter proceeded to review PPD Policy 300 which relates to Use of Force and De-Escalation. Specifically, he discussed the following subsections of Policy 300:

Policy 300.2 - Policy

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

Policy 300.3 – Use of Force

Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code 835a).

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. Officers may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance (Government Code 7286(b)).

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the approved or authorized tools, weapons, or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

Policy 300.4 – Deadly Force Applications

Where feasible, the officer shall, prior to the use of deadly 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 (Penal Code 835a).

If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers shall evaluate and use other reasonably available resources and techniques when determining whether to use deadly force. To the extent that it is reasonably practical, officers should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code 7286(b)).

The use of deadly force is only justified when the officer reasonably believes it is necessary in the following circumstances (Penal Code 835a):

An officer may use deadly force to protect themselves or others from what the officer reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person.

An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

- i. Officers shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury or to another person (Penal Code 835a).
- ii. Additionally, an officer should not use deadly force against a person whose actions are a threat solely to property.

Sgt. Hunter then showed the group a video that looked at the word De-Escalate as a noun and a verb.

b. Force Options Simulator Scenarios

The group walked over to the PD Range and CAB members were given the opportunity to participate in several real-life use of force simulator scenarios. CAB members commented about how quickly situations can change, and how quickly decisions must be made. They really appreciated the insight into what it might be like to be a police officer. Overall, CAB did very well with the scenarios.

c. Force Options Group Presentation – Force Science

Officer Montgomery began her presentation by sharing a little bit about herself. She has been with the department for 12 years. She is a Force Options Instructor, member of the Crime Scene Investigations Team, Peer Support team member, and Board Member for the Pleasanton Police Officers Association.

Officer Montgomery stated that Force Science looks at what happens to officers in these types of situations. Its goal is to bring the behavioral sciences to officer-involved use of force. Studies on assaults on officers have shown that 80% occur outside, 70% are unplanned, 64% the officer is alone, 78% there was no known prior relationship, 94% the assailants used firearm, 73% the assailants had a prior record, 60% the assailants acted alone.

Officer Montgomery spoke about tactics used by aggressors, what happens to an officer's sympathetic nervous system in these instances, and what happens to their vision and memory. Officer Montgomery also discussed heuristics in law enforcement, for example, determining if a driver is a yes or no to conducting a traffic stop alone, or how quickly do you decide if you should close the distance or call for backup, or determining if someone is armed, or quickly looking for cues (sweating, dilated pupils), drawing on similar past encounters with the subject or location, and determining if the person is armed, and tactically responding with no time to weigh options and no one to consult. CAB was very involved in the discussion and left with a better understanding of what happens to officers in these types of situations.

V. Next Steps

a. Next Meeting TBD

Acting Caption Gamez thanked the group for their participation. Pending conversations with Chief Avelar, the next CAB meeting is not yet calendared.

Meeting adjourned at 9:15 pm.