

# SERVING OUR COMMUNITY

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## WHERE WE STAND

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A comprehensive look at your  
Fremont Police Department...  
(Revised March 2021)





## MESSAGE FROM POLICE CHIEF KIMBERLY PETERSEN

*"During this time of uncertainty, the members of the Fremont Police Department remain steadfast in our commitment to building strong relationships and trust with our community. Working with you, we will seek opportunities to listen, share more information and adjust operational policing strategies according to your priorities. We will continue to hire the best people, train them to exceptional standards and provide the highest level of professionalism to meet your needs. We work for you!"*



### REQUIRE DE-ESCALATION

Our department follows the law (PC835a(2)) which requires officers to "evaluate each situation in light of the particular circumstances of each case, and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer." In addition to the law, **FPD Policy 300.3** states: "As time and circumstances reasonably permit, and when community and officer safety would not be compromised, officers and employees shall consider strategies and use other available resources and techniques intended to decrease the intensity of the situation, increase officer and community safety, and decrease the need for using force." Our department prioritizes training officers on de-escalation techniques and reviews expectations which are embedded into annual training objectives. In addition to the police academy curriculum, Crisis Intervention Technique (C.I.T.) seminars and P.O.S.T. certified refresher courses provide de-escalation training.

### EXHAUST ALL OTHER MEANS BEFORE SHOOTING

FPD officers are trained to utilize the most appropriate force option based on the threat, the need to accomplish a legitimate law enforcement objective and requirements of Penal Code Section 835a, subsection (a)(2). Officers are expected to adhere to **FPD Policy 300 .5** - "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. **FPD Policy 330.5.2** - CANON TWO, subsection (a) also outlines department expectations and states: "Employees shall use no more force than is necessary in the performance of their duties as set forth in departmental policies and the law."



## ☑ REQUIRE WARNING BEFORE SHOOTING

We follow the law (Penal Code 835a(B)) and require officer to adhere to **FPD Policy 300.4(b) – DEADLY FORCE APPLICATIONS:** “Where feasible, a peace 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.”

## ☑ BAN CHOKEHOLDS & STRANGLEHOLDS

We do not validate or authorize chokeholds or strangleholds. **Policy 300.4.7** states the following: “Officers of this department are not authorized to use a carotid restraint or choke hold.”

## ☑ REQUIRE USE OF FORCE CONTINUUM

Each use of force situation is different and may call for a particular technique or appropriate level of force to control the situation. The Fremont Police Department follows the law (Penal Code Sections 835a(2) and 835a(4)) and trains officers in the “Koga Method” which utilizes a use of force paradigm. The force paradigm is used to identify the appropriate tool or level of force necessary as allowed by state law.

## ☑ DUTY TO INTERVENE

We require officers to intervene and report when unreasonable force is observed. **FPD Policy 300.2.2 – DUTY TO INTERCEDE** states the following: “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. When feasible, appropriate and reasonable (as defined in this policy), officers are advised to be mindful of the department’s expectation to assist other officers in identifying de-escalation opportunities prior to the situation unnecessarily escalating and before the application of force .

## ☑ REQUIRE COMPREHENSIVE REPORTING

We require officers to document any use of force in an appropriate report. FPD Policy 300.4.3 requires “Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident”. Additionally, FPD Policy 300.2.3 requires officers to report excessive force and states: “Any officer who observes a law enforcement officer or an employee use force that potentially exceeds what the officer reasonably believes to be necessary shall promptly report these observations to a supervisor as soon as feasible”.

# ROBERT WASSERMAN FREMONT POLICE CENTER



Our policies are available online at our Transparency Portal:  
[www.FremontPolice.gov/Transparency](http://www.FremontPolice.gov/Transparency)



## SHOOTING AT MOVING VEHICLES

The Fremont Police Department recognizes that shooting at moving vehicles is rarely effective and officers should make a reasonable attempt to move out of the path of an approaching vehicle. We also recognize that there may be situations that leave officers no choice but to protect a member of the community, other officers or their own life utilizing a firearm. FPD follows guidelines in **Policy 300.5.2- SHOOTING AT OR FROM MOVING VEHICLES** which states the following; when feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

When the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle to the officer or others, or if deadly force other than the vehicle is directed at the officer or others, the officer may shoot at the driver or return fire at a passenger who is firing at the officer.

## CONNECT WITH US

[www.FremontPolice.gov](http://www.FremontPolice.gov)

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