

### **STATEMENT OF IA INVEST TO UOF OF REPORTER**

The LBPd initiated an internal investigation into the use of force incident that resulted in the injury to reporter Adolfo Guzman. It is believed that Guzman was injured in the neck by a less-than-lethal round from a 40 mm launcher during the protest and unlawful assembly that occurred on Sunday, May 31, 2020. The investigation is still in progress and the department has been in contact with Mr. Guzman and station management at KPCC. No new information has been released, beyond what Mr. Guzman has posted on his personal social media account.

### **STATEMENT OF UOF OF REPORTER**

We are aware of a use of force incident that occurred during yesterday's demonstration in the Downtown Long Beach area. In anticipation for the demonstration, our officers were deployed to the area with the purpose of preserving order and public safety to ensure individuals were able to express their First Amendment Rights peacefully and lawfully.

The incident occurred at approximately in the area of 3<sup>rd</sup> Street and Pine Avenue, a location that experienced a significantly large number of demonstrators during a several hour period. While the exact circumstances leading to this incident are still under investigation, we ensure the public that the Long Beach Police Department (LBPd) will investigate this use of force thoroughly.

Per our department policy, all use of force incidents are required to be reported to a supervisor and undergo an extensive multi-level review process. Our Internal Affairs Division is aware of this incident and continue to investigate. We hope to speak directly with Mr. Guzman-Lopez to express our apologies and to gain further insight into the circumstances of the incident.

The LBPd strives to protect our community's First Amendment Right to peacefully protest and the freedom of the press to provide information of current events to all residents.

### **STATEMENT OF BARREIRS**

In short, these barriers were strategically placed to assist the Long Beach Police Department in deploying resources city-wide to preserve order and public safety.

### **STATEMENT OF 40MM CHILD PHOTO**

The Long Beach Police Department is aware of the image circulating on social media of an officer appearing to point a less than lethal platform launcher at a man with a child on his shoulders. The image is disturbing and the Department shares the concerns of the community for the safety of the child, the peaceful demonstrators, and the officers.

While the review of the incident is still in progress, we do know that this image was taken at the time that violent disrupters to the peaceful demonstration were throwing bottles and pyrotechnics directly at the officers and the officers deployed rubber baton munitions. The man and child were not the focus of the officers' response or part of the group that the officers were addressing, and remained standing in front of the officers, despite numerous dispersal orders that had been broadcast to the crowd. We offer this alternate image from the body worn camera of the officer involved that we believe shows a

more accurate depiction of the distance and point of focus of the officer. LBPd will continue to support our community in expressing their Constitutional rights, but will not tolerate violence against our community or officers.

#### **STATEMENT OF 40MM CHILD PHOTO – REVISED**

The LBPd is aware of the image posted to social media of an officer appearing to point a less than lethal launcher toward a man with a child on his shoulders. We agree the image is disturbing and we all share the community's concerns for the safety of the child, the peaceful demonstrators, and the officers.

While the review of the incident is underway, we do know that this image was taken at the time that violent disrupters were throwing bottles and pyrotechnics that could cause great bodily injury to anyone in the area. We are reviewing all of the related video footage to determine the facts of the situation.

LBPd will continue to protect and support individuals expressing their Constitutional rights, but will not tolerate violence against our community members or officers.

#### **RIOT SOCIAL MEDIA PHOTO FROM TERMINATED OFFICER**

The Department has been made aware of these photos today and we immediately began an Internal Affairs Investigation. Our social media policy requires our officers to use appropriate discretion when posting photographs or speech that may jeopardize investigations or discredit our Department. Upon conclusion of this investigation disciplinary action will be taken, if necessary.

When we take our oath of office, we accept a tremendous responsibility to serve and protect the residents of this City. "The images depicted here are very disturbing and are not in line with the high standards we hold our officers accountable for," said Police Chief Robert Luna. We will continue to work on re-building our public trust and we ask that the actions of one don't deter you from the great things we do every day to keep our community safe.

The officer has been removed from his patrol duties pending the outcome of the investigation.

#### **STATEMENT ON TEAR GAS DEPLOYMENT DURING PROTEST**

The Long Beach Police Department has not deploy (carry) or used tear gas during any protest since May 26.

Per our policy of chemical agent, officer may use tear gas in lieu of other force options when a situation develops where it is probable that either an arrestee or officer may be injured. Please note that officers assigned to routine patrol are not deployed with tear gas as a standard de-escalation tool.

We will not provide specifics details on inventory of our equipment as that is considered part of our department tactics.

#### **STATEMENT FROM LBPd RE: UOF EVALUATION**

The Long Beach Police Department (LBPd) has previously made changes to our use of force policy and will continue to do so. In January of 2020, the LBPd issued a special order emphasizing the fact that

officers have a duty to intervene when they observe another using unlawful or inappropriate force. The special order also included the addition of a preamble highlighting the reverence for human life and ensuring all force is reasonable. This LBPd is continuing to discuss possible modifications to our use of force policies. This includes any adjustments that should be considered related to the application of the carotid restraint, which is much different than what many people know as a “chokehold.”

The department consistently evaluates our force policies based on best practices, legal mandates, and incident review. We developed an updated use of force policy that is consistent with AB 392, and includes a reverence for life, duty to intervene, verbal warnings and de-escalation. A Special Order was put into effect on January 1, 2020, to implement immediate change while the policy was being rewritten.

The LBPd believes in community partnerships and in 2018 we partnered with PICO California to participate in the H.E.A.T Program. The Department attended a series of meetings with community members and activists where we engaged in open conversations about hiring, accountability, equipment, and training in law enforcement. The department also worked very closely with the LA County Commission on Human Relations on a collaborative report “Redefining Policing with our Communities”, in which we discussed many topics, including hiring standards, training, community engagement, use of force and oversight.

The LBPd is committed to ensuring that we equip our employees with the appropriate tools and training to keep everyone safe, and will continue evaluate and update our use of force options based on current data, best practices, and community input.

#### **STATEMENT REGARDING MENS SUIT OUTLET**

During the recent civil unrest, there were a significant number of looting incidents that occurred simultaneously at multiple locations in the Downtown Long Beach area. We are aware that officers were in the area of 7<sup>th</sup> Street and Pine Avenue attempting to mitigate incidents of looting at multiple businesses in the immediate area, however at this time we cannot provide further details regarding the circumstances for each individual location. In addition to the active looting, we were also experiencing an extremely high number of calls for service during this time, nearly four times the normal number of calls, which led to longer wait times for officer arrivals. At this early point in our investigations, we do not know if the suspects involved in this looting incident have been apprehended.

We understand the impacts this destruction has caused on our local businesses owners, and we empathize with their current struggles. In a proactive effort to bring justice to affected businesses, the Long Beach Police Department launched an [online portal](#) seeking the public’s help in receiving video and photo evidence of criminal activity that occurred. This will assist detectives in investigating these looting incidents and identifying those responsible. The partnership and trust that we have with our community has been shown by the overflow of emails and videos we have already received. All attempts will be made to link the evidence we receive to current crime reports and investigations.

#### **RIOT/ PROTEST UOF’S STATEMENT**

Over 4,000 people came to Long Beach on Sunday, May 31, to protest in response to the death of George Floyd in Minneapolis. While the majority of the protesters in Long Beach were peaceful, there

was a portion of the crowd who became violent and began throwing bottles, pyrotechnics, and other items at the officers as well as peaceful protesters. Unlawful assembly dispersal orders were given in multiple instances, which required everyone to immediately cease all activity and leave the area. Additionally, in some areas of the City, violent protesters also began breaking into stores and looting.

Many of these instances are captured on both body worn cameras and surveillance video in the area. Officers responded to the violence with a variety of force options.

We do not publicly provide specific details regarding tactical or operational plans. The Police Department is in the process of documenting, reviewing, and evaluating all use of force incidents related to Sunday night's civil unrest. If a member of the community was injured during the protest activity, they are encouraged to contact the Long Beach Police Department's Internal Affairs Division at (562) 570-7343 or [Internal.Affairs@longbeach.gov](mailto:Internal.Affairs@longbeach.gov), or the Citizen Police Complaint Commission at (562) 570-6891.