

Hermosa Beach Police Department CUP Review

July 1, 2022 - December 31, 2022

Police Reports

The Hermosa Beach Police Department (HBPD) conducts a thorough review of all police reports related to establishments which hold an ABC alcohol permit. The review process of each report is initiated by the Crime Analyst, then a review by the Operations Bureau Division Commander (Captain). The Division Commander makes recommendations to the Police Chief regarding their determination of an establishment's culpability related to Conditional Use Permit (CUP) standards. In addition, the Operations Bureau Division Commander or designated personnel may contact owners or managers of establishments related to any concern(s) the Police Department may have of issues that have occurred. The purpose of this communication is to ensure that the establishment hears directly from the Police Department. This open line of communication is an effort to address issues with the establishment before they rise to CUP violations or other potential safety concerns.

Police reports are initiated by a Call for Service (CFS). A CFS begins when someone requests police response (typically by a call to dispatch) or if an officer observes an incident/violation/or contacts someone in an enforcement capacity. A CFS may result in a report, citation, arrest, or no action. HBPD reviews both CFS and police reports related to ABC permitted addresses. It is important to understand that a CFS or a report at a specific address does not mean an incident happened inside the address or is directly related to a specific business. *As an example*, a traffic accident or a fight reported at 1234 Main Street does not mean the incident occurred inside the address or is associated with the business. The address may simply be associated as a landmark (identifying the location of an incident) wherein the location itself had nothing to do with the incident. A location with a CFS or report should not be assumed to be problematic or involved in the incident as the CFS or report may have nothing to do with the specific address or location other than used as a landmark/identifying the location of an incident which may have occurred outside of the location.

In reporting back to the Planning Commission, HBPD will note the number of CFS and Reports associated with an address. We also report back the category of the reports (e.g., Drunk, Disturbance, Assault, etc.). An establishment will not have a CUP violation charged against them, unless, in HBPD's review process it is determined that the establishment was complicit or clearly negligent in its actions which results in a violation of the CUP standards (Table 1.) As an example, two people bump into each other inside of an establishment and one person hits the other person without warning. Without

additional information demonstrating the establishment's complicity or negligence, the establishment would not be charged with a CUP violation.

As the Planning Commission reviews HBPD's statistics related to each location, a location may have 4 "Total" reports, of which only 3 are "reviewed" would mean one of the four reports has nothing to do with the location. The number under the type of report (e.g., Drunk, Disturbance, Assault, etc.), may or may not be charged against the establishment based on the determination made by the HBPD Chief of Police. As noted, this determination will be made based on information demonstrating the establishment's complicity or negligence. If it is determined that an establishment is complicit or negligent, a number will be assigned to the "Counted for CUP" column.

For context, the HBPD and the FBI categorizes assaults, sexual assaults, and narcotics violations as 'serious crime.' With the agreement of the Planning Commission, it has been determined that two (2) incidents of "Serious Crime on Premises Indicative of Lack of Adequate Security" is the established criteria needed for the Chief of Police to request a Conditional Use Permit (CUP) review by the Planning Commission (as noted on Table 1 of the CUP review standards). The municipal code also provides: *"the Chief of Police retains authority to recommend CUP reviews to the Planning Commission at his/her discretion—regardless of the number of incidents in any period of time, as stipulated in many current CUPs and the Municipal Code."*

Between July 1st - December 31st, 2022, 7 police reports and 25 CFS related to establishments with CUPs merited review by police staff. Of these 7 reports, two were previously reviewed during the last CUP. No reports were deemed to count for CUP violations.

Of the 7 reports reviewed, 3 were assaults, none of which were deemed to be counted as a CUP violation against a business, and one was previously reviewed. Further there were other report types that were reviewed, yet none were considered violations.

There were 25 calls for service that were reviewed. None were determined to count for any CUP violations.

See attached July – December 2022 CUP 6 Month Review Chart.

Reports							CFS		
Total Reviewed	Drunk in Public	Disturbances	Assaults	Sexual Assaults	Narcotics	Other Reports	Total Reviewed	Disturbance or Assault	CUP Violations
7(2)	2	0	3(1)	0	0	2	25(6)	18(4)	0

*CFS- Calls for Service

(#) number that were counted in the previous report

ABC Activity

In August of 2022, Hermosa Beach Police Department was approved for a tri-city (Hermosa Beach, Manhattan Beach and El Segundo) grant with Alcohol Beverage Control (ABC) that will end on June 30, 2023.

On November 14, 2022, HBPD and ABC personnel conducted Compliancy Inspection checks in Hermosa Beach. On December 12, 2022, a Compliancy Enforcement Detail of businesses in Hermosa Beach was conducted. 4 businesses in Hermosa Beach were issued warnings during the compliancy detail (Lighthouse Café, Silvio's Brazilian BBQ Bar & Grill, Robert's Liquor, Mickey's Italian Deli & Liquor).

DUI and Drunk in Public Summary

As part of DUI and Drunk in Public arrests, HBPD officers, to the best of their abilities, ask arrestees to tell them where they have previously been drinking, and more specifically the last place they recall drinking. Not all contacts with arrestees provide an opportunity to ask these questions. The answers are documented and are presented here.

Driving Under the Influence July - December 2022	
American Junkie	5
Hennessey's	1
Hermosa Beach	13
Home/Residence	2
Other City	23
Red Louie's	1
Refused	5
Sharkeez	15
Silvios	1
Tower 12	1
Underground	1
Unknown	9
Work	2
Grand Total	79

Public Intoxication July - December 2022	
American Junkie	1
AVP Tournament	1
Barnacles	1
Fiesta Beer Garden	1
Lighthouse	1
Other City	2
Rockefeller	1
Sharkeez	2
Tower 12	0
Unknown	79
Grand Total	89