

Hermosa Beach Police Department

–March 2022–August 2022 CUP Review

Police Reporting:

The Hermosa Beach Police Department (HBPD) conducts a thorough review of all police reports related to establishments which hold an ABC alcohol permit. Each report is typically reviewed by several people. The review process 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 will contact owners and/or managers of establishments related to any concern(s) the Police Department may have of issues that do not rise to a CUP violation. 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 may be taken. 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 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.

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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 March 1, 2022, and August 31, 2022, there were 10 police reports and 10 calls for service related to establishments with CUPs that merited review by police staff.

Of the 10 police reports reviewed, five were previously reviewed during the last CUP. No reports were deemed to count for CUP violations.

4 reports that were reviewed, were assaults in which two were reviewed previously. None of the assault reports were deemed to be counted as a CUP violation. One reviewed report was a sexual assault and was previously reviewed during the last report. There was a total of 5 other report types reviewed (2 of which were reviewed previously) and none were considered violations.

There were 10 calls for service that were reviewed. None were determined to count for any CUP violations.

See attached Attachment #4 - March 2022-August 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
10(6)	0	0	4(2)	1(1)	0	5(2)	10(3)	9(2)	0

*CFS- Calls for Service

(#) number that were counted in the previous report

ABC Activity:

Hermosa Beach Police Department was just recently awarded a joint ABC grant with Manhattan Beach Police Department and El Segundo Police Department to conduct ABC enforcement of our retailers through June 2023.

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DUI and Drunk in Public Summary:

As part of DUI and Public Intoxication arrests, HBPD officers, to the best of their abilities, ask arrestees where the last place they recall drinking. Not all contacts with arrestees are asked the questions due to the level of intoxication or cooperative state and not all provide an answer. Any answers received by officers are documented and are presented here.

See Attachment #6 - Mar 2022-Aug 2022