



# El Segundo Police Department

## Training Section

348 Main Street, El Segundo, CA 90245

Phone (310) 524-2253

## TRAINING BULLETIN

January 3, 2024

---

### 2024 Law Updates

CVC 2806.5: Stops: notification by peace officers.

(a) A peace officer making a traffic or pedestrian stop, before engaging in questioning related to a criminal investigation or traffic violation, shall state the reason for the stop. The officer shall document the reason for the stop on any citation or police report resulting from the stop.

(b) Subdivision (a) does not apply when the officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat, including, but not limited to, cases of terrorism or kidnaping.

(c) This section shall become operative on January 1, 2024.

**Note: While this was merely a “best practice” before, it is now California Law and reason for the stop must be given to the detained person(s) before any questioning and documented accordingly i.e. on a citation, crime report, or RIPA.**

AB 360: Excited Delirium.

This bill prohibits a peace officer from using the term “excited delirium” to describe an individual in an incident/crime report, but would not prohibit the peace officer from describing an individual’s specific behaviors related to agitation, intoxication, mental health crisis, etc.

This bill also prohibits “excited delirium” from being recognized as a valid medical diagnosis or legal cause of death in the State of California.

AB 436: Cruising law restriction repealed.

This bill repeals the authority to restrict “cruising” as previously defined in CVC 21100 (k)(1)-(3) [see below] by local law enforcement.

21100 (k)(1)-(3) CVC **REPEALED**

(k) (1) Regulating cruising.

(2) The ordinance or resolution adopted pursuant to this subdivision shall regulate cruising, which is the repetitive driving of a motor vehicle past a traffic control point in traffic that is congested at or near the traffic control point, as determined by the ranking peace officer on duty within the affected area, within a specified time period and after the vehicle operator has been given an adequate written notice that further driving past the control point will be a violation of the ordinance or resolution.

(3) A person is not in violation of an ordinance or resolution adopted pursuant to this subdivision unless both of the following apply:

(A) That person has been given the written notice on a previous driving trip past the control point and then again passes the control point in that same time interval.

(B) The beginning and end of the portion of the street subject to cruising controls are clearly identified by signs that briefly and clearly state the appropriate provisions of this subdivision and the local ordinance or resolution on cruising.

**Note: While “cruising” itself may be authorized, this does not authorize vehicles engaging in cruising to violate all traffic offenses and enforcement action could still be warranted to ensure the safety of the public and reasonable flow of traffic.**

Taylor v. City of Saginaw decision: Chalking tires for parking violations.

In 2019, the case of Taylor v City of Saginaw challenged the long-standing practice of using chalk to mark vehicle tires for the purpose of enforcing parking violations. At the time, the Sixth Circuit Court deemed chalking tires an “unconstitutional search” and prohibited its use as it did not meet the exemption for a warrantless search. However, in a 2023 decision, the Ninth Circuit Court determined in Verdun v. City of San Diego that chalking is not a search as the purpose was NOT gathering evidence or general crime control. The Court also determined, even if chalking was considered a search, it would fall under the “administrative search exception.” Due to the ruling in Verdun, cities and counties in California and other 9th Circuit states can continue to use tire chalking as a way to enforce their parking regulations.

AB 413: Vehicles: stopping, standing, and parking.

Existing law prohibits the stopping, standing, or parking of a vehicle in certain places and under certain conditions, including within an intersection, on a sidewalk or crosswalk, or in front of a fire station. Existing law additionally authorizes local jurisdictions to, by ordinance, restrict parking in certain areas, at certain times, and for certain reasons, and to establish metered parking.

This bill prohibits the stopping, standing, or parking of a vehicle within 20 feet of the vehicle approach side of any unmarked or marked crosswalk or 15 feet of any crosswalk where a curb extension is present, as specified. See CVC Section 22500 (n)(1)-(4).

**Note: The bill would, prior to January 1, 2025, authorize jurisdictions to only issue a warning for a violation, and would prohibit them from issuing a citation for a violation, unless the violation occurs in an area marked using paint or a sign.**