# FORCE OPTIONS SIMULATOR COURSE (6 – hours PSP )

Maximum class size is 8 students with 2 instructors.

- I Introduction and Lecture (1.5 hours)
  - A Goal: Improve decision making skills related to use of force.
  - B Objectives:

Increase awareness in current law and departmental policy in the use of force.

Increase proficiency in selection of appropriate force options.

Improve skills in tactics and force options by utilization of simulator.

C Law

I(h)

Federal law

- a. Title 18, USC Sec 242 and 1983 (Civil Rights)
- 2. State
  - a PC 835, Method of making arrest, amount of restraint
  - b PC 835a, Use of reasonable force to effect arrest, prevent escape or overcome resistance
  - c PC 843, Arrest under warrant; force permissible, what force may be used.
  - d PC 196, Justifiable homicide; public officers
  - e PC 197, Justifiable homicide; any persons
  - f PC 198, Justifiable homicide; sufficiency of fear
  - g PC 198.5, Home protection; use of deadly force: Presumption of fear of death or great bodily injury
- 3. Case Law Reasonable Force

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- <u>**Tenn. vs Garner**</u> (deadly force) In order for peace officers to employ lethal force, they must consider:
  - 1) Life-threatening escape-"Where the officer has probable cause to believe that the suspect poses a threat of serious physical harm, either to the officer or others.."
  - 2) Life-threatening felony "...if the suspect threatens the officer with a

weapon or there is probable cause to believe that he has committed a crime involving the infliction of serious bodily harm..."

- Give warning where feasible "...the court imposes a constitutional requirement that some warning be given prior to the use of lethal force where feasible..." "HALT, POLICE! Stop or I'll shoot!."
- 4) If necessary to prevent escape "...in order for lethal force to be constitutionally permissible, there must be probable cause to believe that the use of lethal force is reasonably necessary..."
- b <u>Graham vs Conner</u> (reasonable force) I (i, j) The reasonableness of a particular use of force must be:
  - 1) Judged from the perspective of a reasonable officer
  - 2) Examined through the eyes of an officer on the scene at the time the force was applied
  - 3) Based on the facts and circumstances confronting the officer without regard to the officer's underlying intent or motivation
  - 4) Based on the knowledge that the officer acted properly under the established law at the time

c <u>Forrester vs San Diego</u> (Level of force used) I (
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- 1) Officers do not necessarily need to use the least intrusive force
- 2) Force must be reasonable and justified
- 3) Example: Officers don't have to carry protesters, they can use pain compliance or other means to effect arrest
- 4. Agency Policy
  - a Generic overview of policies
    - 1) Each student will be responsible for knowledge of their department use of force policy prior to attending the class.
    - 2) Duty to know agency policy
  - b Force Options Defined (LD 20):
    - 1) Choices available to a police officer concerning the methods available as identified in each agency or department policy documentation.
- 5. Tactical Overview
  - a Awareness
    - 1) Familiarization with equipment
    - 2) Accuracy (target acquisition), center mass
    - 3) Avenue of escape/surroundings
    - 4) Movement
    - 5) Cover (generally stops bullets)

## I (d, e, i)

I (h, i)

6) Concealment (hides officer's positio
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7) Distance to enhance tactical advantage (distance = time)

I (i)

**I**(c)

- 8) Communications
  - a) With subject/suspect
  - b) Fellow officers
  - c) Dispatch
- 6. Force options
  - a Uniform Presence
  - b Verbal
  - c Chemical Agents
  - d Hands/ Control Holds
  - e Impact Weapons
  - f Electronic Disruption Weapons
  - g Less Lethal
  - h Lethal Force

#### 7. Weapons Safety

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- Four basic safety rules.
- 1) Guns are always loaded
- 2) Never allow muzzle to cover anything you are not willing to destroy.
- 3) Keep finger off trigger until ready to shoot.
- 4) Be sure of your target and background.

		8. Weapons Familiarization specific to simulator	<b>I</b> ( <b>f</b> )
II.	Pract	tical Application Simulator Scenarios (2 - hours)	<b>I</b> (a) (g)
	A.	Minimum of 3 scenarios for each student (one non-shoot)	II (a,b,c)
	В	Critique and debrief after each scenario.	

III. Course Evaluation and Final Review (1/2 - hour)

## **ADDITIONAL**

Use of Force Report Writing Portion– 2 hours Instructor Steven Dexheimer only teaches for these 2 hours

V. Write a BART Police Department Use of force Report

- A. Debrief of Scenario
- B. Pre-Load of Call for Service
  - 1. Type of Call/ Seriousness of Offense as reported
  - 2. Potential for injury to citizens, officers, and suspects
- C. Observed Behavior
  - 1. Proximity of weapons
  - 2. Pre-Assaultive Indicators
    - a) Suddenness
    - b) Aggressiveness
    - c) Destructiveness
- D. Conclusions/ Decision-making
  - 1. DUI/ 647(f) example
    - a) Objective symptoms of intoxication  $\rightarrow$  impairment
  - 2. Given the observed behavior, what did you feel?
- E. Writing Exercise (1/2 Hour)
  - 1. Narrative format
    - a) Outline/ Highlights acceptable
  - 3. Limited Time
- F. Use of Force/ Legal Issues
- (1/2 Hour)
- 1. Discussion
- 2. Example: Knife Attack by Woman
  - a) Details matter
  - b) Perception matter
  - c) Distance matters
    - (1) 21-foot rule/ fallacy
- G. Guidelines for Report Writing (15 Minutes)
  - 1. Review Policy 300.2.2
- H. Basic Report Writing Techniques (15 Minutes)
  - 1. Make an outline

## (15 minutes)

- a) Review the video
- b) Review the call notes
- c) Add thoughts, feelings, training and experience
- 2. Chronological
  - a) Logical
  - b) In order
- 3. Don't
  - a) Use generic/ canned expressions
    - (1) "your safety and mine"
    - (2) "officer safety"
  - b) Assume the reader knows what's going thru your mind
- I. Today's Reports and Video (15 Minutes)
  - 1. Review the video first
  - 2. Use the call notes
  - 3. If you can, review the radio traffic
  - 4. Make notes