

Annual Training – P.O.S.T Instructor Resume/Lesson Plan

POST EXPANDED COURSE OUTLINE

FORCE OPTIONS SIMULATOR COURSE

December 16, 2019

This course will:

Provide students with an increased knowledge of Department policy and procedures. Ensure students receive updated information regarding changes in force options available and increase their ability to articulate policy related to Use of Force (UOF). Use open ended questions to encourage critical thinking and decision-making skills. Evaluate a situation, formulate a plan, take appropriate action and articulate their reasoning behind their decision(s). Do so with honor and integrity while at all times conducting ourselves with the highest ethical standards to maintain public confidence. Lastly, provide students with de-escalation techniques that can effectively assist in achieving Department mandates.

This training will increase the officer's confidence and ability to articulate and assess their actions during a UOF situation to reduce liability with the Department.

The student will develop the skills and abilities to successfully accomplish the following:

- Demonstrate the ability to articulate and apply current State and Federal law and the Department's UOF Policy.
- Demonstrate the ability to apply the law and UOF Policy to various scenarios during simulator training.
- The students will better understand how the application of this training is in keeping with our Department's UOF policy, philosophy, and tactical planning.
- Understand the use of Tactical De-escalation Techniques

- I. Unit I - INTRODUCTION (5 minutes)
- A. Presenter Introductions
 - B. Overall expected objectives of the course
 - 1. Officers will be more proficient in force options
 - 2. Officers will have improved decision-making skills related to use of force
 - 3. Officers will have increased knowledge of law related to use of force
 - 4. Officers will be more comfortable with their department use of force policy
 - 5. Decision making skills will be improved by using the simulator
- II. Unit II - LAW (15 minutes)
- Learning Goal – The Student will be able to demonstrate the ability to articulate and apply current State and Federal law and the Department’s Use of Force policy***
- A. Peace officer and agency liability (federal)
 - 1. USC Section 242, Title 18 (criminal)
 - a. Peace officers are prohibited from depriving citizens of their rights under the color of law
 - b. If death results, the officer may be punished by life in prison
 - 2. USC Section 1983, Title 18 (civil)
 - a. Peace officers are prohibited from depriving citizens of their rights under the color of authority
 - b. Enforces civil rights that already exists
 - c. An Officer could be liable to civil damages for any violations of Federal civil rights
 - B. Justifiable homicide by a public officer – PC196
 - 1. In obedience with a court order
 - 2. When the homicide results from a police officer’s use of force that is in compliance with PC 835a
 - 3. When necessary to retake felons who have escaped
 - 4. When necessary when arresting a felon who was fleeing from justice or resisting such arrest.
 - C. Justifiable homicide, any person – PC197
 - 1. When resisting any attempt to murder any person, or to commit a felony, or to commit great bodily injury (GBI) to any person
 - 2. When committed in defense of habitation, property, or person, against one who intends to enter for the purpose of committing violence to anyone inside

3. When committed in the defense of a person against one who is about to commit a felony of GBI, and the person is in imminent danger
 4. When attempting to apprehend any person for a felony committed, suppressing a riot, or keeping the peace.
- D. Justifiable homicide, sufficiency of fear – PC198
1. Fear alone is not sufficient
 2. Must be a sufficient level to excite the fear of a reasonable person
 3. Party killing must have acted under the influence of such fears alone
- E. Protection of home – PC198.5
1. Presumption of reasonable fear of imminent peril, or death, or GBI
 2. Against another person, not a member of the household
 3. Who unlawfully and forcefully enters, or
 4. Where one reasonable believed unlawful and forceful entry had been made
- F. Method of making and arrest, amount of restraint – PC843
1. Actual restraint of the suspect
 2. Submission to custody
 3. Arrestee subject to the amount of restraint as is reasonable for his arrest and detention
- G. Arrest under warrant, force permissible – PC843
1. Arrest made under the authority of a warrant
 2. After announcing the intent of making the arrest
 3. Suspect flees or forcibly resists
 4. Officer may use all necessary means within compliance of PC 835 to effect the arrest

III. Unit III - CASE LAW (15 minutes)

Learning Goal – The student will demonstrate the ability to apply the law and Use of Force policy when making Use of Force decisions

- A. Use of deadly force/Tennessee Vs. Garner
1. Life threatening escape
 - a. The suspect poses a threat to public safety
 - b. The suspect poses a threat to officers
 2. Life threatening felony
 - a. Suspect threatened an officer with a weapon
 - b. Has committed a crime involving GBI

3. Give a warning when feasible
 - a. Identify self as officer
 - b. Announced the intention to detain or arrest
 - c. Give the suspect a chance to surrender
4. If force is necessary to prevent escape
 - a. Lethal force must be reasonably necessary
- B. Reasonable force/Graham Vs. Conner
 1. Judged from the perspective of a reasonable officer
 2. Examined through the eyes of the officers 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 that time.
- C. Agency policy / Long Beach Vs. Long Beach POA & Long Beach Vs. Peterson
 1. Officers must conform to department policy, regardless of what state or federal law says
 2. Common issues policies deal with
 - a. Defense of self and others against death or GBI
 - b. Use of warning shots
 - c. Shooting at:
 - i. Non-violent fleeing felons
 - ii. Juveniles
 - iii. Moving vehicles
 - d. Shooting from moving vehicles
- D. Agency policy
 1. Generic overview of department policy
 2. All students must be familiar with their own policy
- E. Forrester Vs. San Diego Police Department
 1. Level of force does not have to be the least intrusive
 2. Level of force must be reasonable

IV. Unit IV - TACTICAL OVERVIEW (15 minutes)

Learning Goal – The student should fully understand that a use of force encounter is constantly evolving and be aware of various force options and other factors that can contribute or negate their effectiveness

- A. Awareness
 1. Familiar with equipment
 2. Accuracy (target acquisition, center mass)

3. Avenue of escape, be familiar with surroundings
 4. Movement
 5. Cover (defined as something that generally stops bullets)
 6. Concealment (defined as something that hides the officer and does not generally stop bullets)
 7. Distance to enhance a tactical advantage
 - a. Distance equals time
 - b. Bullet ricochets etc.
- B. Communicate
1. With the subject/suspect
 2. Fellow officers
 3. Dispatch
 4. Supervisor
- C. Force Options
1. Force Options are defined choices available to an officer concerning methods of force available
 2. Identified in each agency's policy
 - a. Uniform presence
 - b. Verbal Commands
 - c. Chemical agents
 - d. Hands/control holds
 - e. Impact weapons
 - f. Electronic Weapons
 - g. Less lethal force
 - h. Lethal force
- D. Officer survival
1. First aid for self/others
 2. Combat breathing

V. Unit V - WEAPONS SAFETY (5 minutes)

Learning Goal – The student should fully understand the necessary safety requirements of utilizing the use of force options simulator

- A. Basic safety rules
1. Treat guns as if they are always loaded
 2. Practice muzzle discipline
 3. Keep your finger off the trigger until ready to shoot
 4. Be certain of your target, backdrop, and beyond
- B. Maintain control of all weapons
1. Knives can be deadly weapons
 2. Back-up guns

VI. Unit VI - TEST/SIMULATOR SCENARIOS (175 minutes)

Learning Goal – The student should fully understand all aspects of a use of force encounter and be capable of making appropriate decisions that are within established legal precedents and department policy

- A. Written test covering the law, use of force, basic safety rules and tactical overview
 - 1. Can be multiple choice or fill in the blank answers
 - 2. Ensures the officer understands the legal aspect of force applications
- B. Simulator weapons familiarization
 - 1. Review the weapons with the students
 - 2. Ensure only the scenario weapons are used
 - 3. Show the students how the weapons works with the system
- C. Practical application and simulator scenarios
 - 1. Minimum of three scenarios per student
 - 2. Critique and debrief the student’s actions and decisions after each scenario

Prior to entering the scenario, all weapons: guns, ammunition, knives, batons, OC, Tasers, etc..., SHALL be removed from the belt and secured away from the classroom and the scenario. All students SHALL be inspected by an instructor prior to participating in the activity for any concealed weapons. The inspection SHALL be conducted in a “clean room,” such as a different classroom or office, and all students SHALL respond directly to the scenario location to prevent additional weapons from being introduced into the scenario. All students will be provided with a training gun and other training weapons needed to the scenario. The training guns are to be used in place of actual weapons. A second instructor will be used to assist to ensure a proper ratio of student to instructor to ensure no weapons are introduced into the learning activity and the activity is conducted safely.

VII. Unit VII - COURSE EVALUATION AND REVIEW (5 minutes)

Learning Goal – The student will provide feedback that will enable the program to grow and adapt as needed

- A. Evaluation
 - 1. The students will complete an evaluation on the course and content
 - 2. The students will complete an evaluation on the instructor and the materials
- B. Debrief
 - 1. The instructor will debrief the class on the topics covered
 - 2. The instructor will review any issues that came up during the training to ensure the students understand the material