

Event 2 – Force Options – ARCON
Session 1 – Introduction to Use of Force
LD 20 – Force Options

Date Revised: 12/03/19

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Event Goal: To teach recruit officers when and how to use reasonable force.

Session Goal: To teach recruit officers the basic concept of use of force law and policy, and the guiding principle of reverence for human life.

Learning Objectives:

- Discuss reasonable force as stated by law [20.I.A]
- Discuss the components of the Fourth Amendment standard for determining objective reasonableness as determined by the U.S. Supreme Court [20.I.B]
- Explain the legal framework establishing a peace officer's authority during a legal arrest, including: [20.I.C]
 - A subject's requirement to submit to arrest without resistance [20.I.C.1]
 - Peace officer's authority to use reasonable force during a detention or arrest [20.I.C.2]
- Identify the circumstances set forth in the California Penal Code when a peace officer has the authority to use force [20.I.D]
- Discuss the level of authority agency policies have regarding the use of force by a peace officer [20.I.E]
- Define the term "force option" [20.III.A]
- Identify that the objective of using force is to overcome resistance to gain control of an individual and the situation [20.III.B]
- Recognize force options and the amount of force peace officers may use based on the subject's resistance [20.III.C]
- Explain the importance of training and ongoing practice when responding to potentially dangerous situations that may require the use of force [20.III.D]
- Discuss the importance of effective communication when using force [20.III.E]
- The student will demonstrate an understanding of how our Department's guiding value of Reverence for Human Life is the moral and ethical foundation of de-escalation, tactics, reasonable force, and officer safety.
- By the conclusion of the training, students will understand how the application of this training is in keeping with our Department's UOF policy, philosophy and tactical planning.

Session Time: 1 hour

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Resources:

- Classroom w/tables
- White board
- Dry-erase marker
- Use of Force Tactics Directive No. 1 (2009) (1 per student)
- Special Order No. 5 (2017) (1 per student)
- Notice 3.2 (April 2017) (1 per student)
- Notice 1.3 (January 2018) (1 per student)
- Use of force standard poster board

Session Summary: The instructor will hand out Directive No. 1, Special Order No. 5, Notice 3.2 (April 2017) and Notice 1.3 (January 2018). Then he/she will lead an overhead facilitated discussion with the class.

Outline	Instructor Notes
<p>I. Introduction to use of force</p> <p>A. Reverence for human life - PC 835(a)(1) [1]</p> <ol style="list-style-type: none"> 1. Guiding principle in any use of force situation 2. It is both moral and ethical to place the highest value on human life 3. Not policy, but a philosophy for how to approach police work 4. Consistent with the department's mission, vision, and values 5. Helps build public trust 6. Using tactical de-escalation techniques and reasonable force demonstrates this principle <p>B. Definition of a use of force</p> <ol style="list-style-type: none"> 1. Categorical <ol style="list-style-type: none"> a. Officer involved shooting b. Carotid Restraint Control Hold c. Intentional head strikes with an impact weapon d. Hospitalization 2. Non-categorical definition [2] <ol style="list-style-type: none"> a. An officer uses a less-lethal control device or physical force to b. Compel a person to comply with the employee's direction c. Overcome resistance of a person during an arrest or a detention d. Defend any individual from an aggressive action by another person 3. Notice 3.2 	<p>Handout – Directive No. 1, Special Order No. 5, Notice 3.2, Notice 1.3</p> <p>Facilitated discussion (1 hour):</p> <p>Explain – All use of force should be guided by the principle of reverence for human life.</p> <p>[1] Ask – What do you think we mean by reverence for human life?</p> <ul style="list-style-type: none"> • What are your moral and ethical responsibilities as a police officer as it relates to using force? • How can valuing human life build public trust? • What are some of the things that officers can do to demonstrate this principle? <p>[2] Explain – There are two classifications for a use of force. Categorical vs Non-categorical</p> <ul style="list-style-type: none"> • Ask – What do you think constitutes a reportable use of force?

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<p>a. Any overt exertion by the officer</p> <p>b. To maintain control</p> <p>c. And/or any struggle by the suspect</p> <p>d. Would then become a reportable use of force</p> <p>C. Use of force law</p> <p>1. 835(a)PC – authority to use force [20.I.C]</p> <p>a. Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to: [20.I.C.1][3]</p> <p>1) Effect an arrest [20.I.D]</p> <p>2) Prevent escape</p> <p>3) Overcome resistance</p> <p>b. LAPD policy includes that officers may use reasonable force to:</p> <p>1) Defend yourself</p> <p>2) Defend others</p> <p>c. Officers do not have to retreat or desist from efforts to make an arrest by reason of the resistance or threatened resistance of the person being arrested</p> <p>1) Officers will not be deemed the aggressor</p> <p>2) Officers will not lose their right to self-defense by the use of reasonable force</p> <p>d. The decision by a peace officer to use force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force.</p> <p>1) Graham v. Connor (Supreme Court, 1989) [20.I.A][4]</p> <p>a) Incident Summary</p> <p>(1) Graham was a diabetic having an insulin reaction</p>	<p>Explain – 835(a)P.C. gives officers the legal authority to use force</p> <p>[3] Ask – Can you give me some examples of:</p> <ul style="list-style-type: none"> • Effecting an arrest • Preventing escape • Overcoming resistance <p>[4] Explain – Graham v Connor summary</p> <ul style="list-style-type: none"> • Describe the incident • Stop at various points and ask students to consider what the officers perceived
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<p>(2) He had his friend drive him to a convenience store to buy orange juice</p> <p>(3) There was a long line so he quickly ran out of the store and back to the vehicle</p> <p>(4) The vehicle quickly drove away</p> <p>(5) Officer Connor believed a 211 occurred at the store and conducted a traffic stop</p> <p>(6) Graham exited the vehicle, ran around the vehicle twice and passed out on the curb</p> <p>(7) Officer Connor believed that Graham was drunk</p> <p>(8) Officer Connor and backup officers handcuffed Graham and placed him face down against the hood</p> <p>(9) When Graham regained consciousness, he attempted to explain that he was diabetic</p> <p>(10) An officer shoved his face back down and then officers picked him up and put him in the backseat head first</p> <p>(11) After discovering that there was no crime at the store, officers released Graham at his home</p> <p>e. Objective reasonableness guidelines [20.I.B][5]</p> <p>1) Judged through the perspective of a reasonable officer</p> <p>2) Based on the totality of facts known to the officer at the time that the force was applied</p> <p>a) Examined through the eyes of an officer on scene at the time</p> <p>b) No 20/20 hindsight [6]</p>	<p>[5] Discuss – Objective reasonableness guidelines and the importance of the “totality of the circumstances” in judging reasonableness</p> <p>[6] Ask – How does the no 20/20 hindsight ruling impact how reasonable force is determined?</p>
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- 3) Based on the facts and circumstances confronting the officer without regard to the underlying intent or motivation
 - 4) Based on the knowledge that the officer acted properly under established law at the time
 - 5) Must account for the fact that officers are often forced to make split-second judgments about the amount of force that is necessary in circumstances that are tense, uncertain, and rapidly evolving
- f. Reasonable officer standard [7]
- 1) Would another officer with similar training and experience
 - 2) Facing similar circumstances
 - 3) Act the same way or use similar judgment
 - 4) Does not have to be the best decision, just a reasonable decision
- g. Factors used to determine reasonableness [8]
- 1) The seriousness of the crime or suspected offense
 - a) The crime that the officer is responding to with force
 - b) Not necessarily the original crime
 - 2) The level of threat or resistance presented by the subject [20.III.C]
 - 3) Whether the subject was posing an imminent threat to officers or a danger to the community
 - 4) The potential for injury to citizens, officers, or subjects
 - 5) The risk or apparent attempt by the subject to escape
 - 6) The conduct of the subject being confronted (as reasonably perceived by the officer at the time)
 - 7) The amount of time and any changing circumstances during which the officer had to determine the type and amount of force that appeared to be reasonable

[7] Ask – What do you think the reasonable officer standard should include?

[8] Explain – The court listed factors that should be used to determine reasonableness.

- **Ask –** What do you think these factors are?

Show video case study – 72 year old Woman Tased

(<https://www.youtube.com/watch?v=UNPuVh5eACw>)

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<p>8) The availability of other resources</p> <p>9) The training and experience of the officers</p> <p>10) The proximity or access of weapons to the subject</p> <p>11) Officer vs subject factors</p> <ol style="list-style-type: none"> a) Age b) Size c) Relative strength d) Skill level e) Injury or exhaustion f) Number of officers vs number of suspects g) Environmental factors or other exigent circumstances <p>h. The objective of a use of force is to ultimately gain or maintain control of an individual and the situation [9]</p> <p>i. 835(a)(5)</p> <ol style="list-style-type: none"> 1) Individuals with physical, mental health, developmental, or intellectual disabilities are significantly more likely to experience greater levels of physical force during police interactions, as their disability may affect their ability to understand or comply with commands from peace officers. It is estimated that individuals with disabilities are involved in between one-third and one-half of all fatal encounters with law enforcement. <p>2. 834(a)PC [20.I.C.2]</p> <ol style="list-style-type: none"> a. If a person has knowledge, or by the exercise of reasonable care, should have knowledge b. That he is being arrested by a police officer c. It is the duty of such a person to refrain from using force or any weapon to resist such an arrest [10] <p>D. LAPD use of force policy [11]</p> <ol style="list-style-type: none"> 1. Federal and state law are guidelines, but officers must adhere to the department use of force policy [20.I.E] 	<p>[9] Ask – What is the ultimate objective of a use of force?</p> <p>[10] Ask – Are people required to submit to arrest by a police officer?</p> <p>Follow-up: Why would someone choose to resist arrest?</p> <p>Seeking:</p> <ul style="list-style-type: none"> • To escape/flee • To cause malicious harm to the officer • They do not trust the police • Fear of consequences <p>[11] Explain – LAPD Use of force policy is based on the Graham v Connor ruling, including objectively reasonable force, the factors that determine reasonableness, and the reasonable officer standard</p> <ul style="list-style-type: none"> • Note: Officers shall attempt to de-escalate and should always be guided by the principle of reverence for human life • There will be additional in depth training on de-escalation in future classes
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<ol style="list-style-type: none">2. Officers may only use that force which is objectively reasonable3. LAPD policy is based on the factors used to determine reasonableness4. Officers must consider the totality of the circumstances when selecting a reasonable force option5. Officers are not required to choose the “best” option, just a reasonable one6. Officers shall attempt to control an incident by using time, distance, communications, and available resources to de-escalate the situation, whenever it is safe and reasonable to do so7. Training circle in use of force tactics directive No. 1, 2009 [12]<ol style="list-style-type: none">a. The circle is a training tool, not the policyb. The incident starts as soon as you get the callc. Assess<ol style="list-style-type: none">1) While enroute2) Upon arrival3) When you enter a location or scene4) Throughout the entire incident<ol style="list-style-type: none">a) What are the surroundings?b) What are the suspect’s actions?c) What force options are reasonable?d) Continually reevaluate the suspect’s actions and be prepared to transition to the appropriate force optionsd. Verbalize [20.III.E][13]<ol style="list-style-type: none">1) Give clear, direct commands2) It is important to communicate with the subject before, during, and after a use of force<ol style="list-style-type: none">a) Ensure that you verbalize when appropriate and safe to do so, such as when you are in a position of controlb) You will learn many communication skills throughout your training that can aid you in a use of force	<p>[12] Show – LAPD use of force standard poster board</p> <ul style="list-style-type: none">• Explain that the LAPD use of force policy always judges force based on a specific set of facts, the totality of the circumstances, and objective reasonableness• The use of force circle is simply a tool to help visualize the policy• There are no specific categories for when to use force, it must always be based on the objectively reasonable standard• UOF situations are tense, uncertain, and rapidly evolving – officers may start at any level of force or move to any other level of force at any time based on the totality of the circumstances <p>[13] Ask – Why is it so important to verbalize and communicate clearly?</p>
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LD 20 – Force Options

- e. Compliant
 - f. Resistant [14]
 - 1) Passive
 - a) Does not respond to verbal commands
 - b) Offers no physical form of resistance
 - 2) Active
 - a) Physically evasive movements to defeat an officer's attempt at control
 - (1) Bracing
 - (2) Tensing
 - (3) Pulling away
 - b) Verbally signaling an intention to avoid or prevent being taken into custody
 - g. Assaultive
 - 1) Aggressive
 - 2) Combative
 - 3) Attempting to or threatening to assault the officer or another person
 - h. Fleeing
 - Life threatening or threat of serious bodily injury
- options overview [15]
- definition of force options [20.III.A]
- Choices available to an officer when using force
- Objective of using force [20.III.B][16]
- 1) Overcome resistance
 - 2) Gain control of the individual and the situation
- Officers must be able to justify their use of force option compared to other available options
- PD force options available to officers [17]
- Control holds
 - OC Spray
 - TASER
 - Bean bag shotgun
 - Takedowns
 - Impact weapons
 - Personal weapons
 - Ground control
 - Carotid restraint control hold

[14] Ask – What do you think is the difference between passive and active resistance?

[15] Ask – What do you think we mean by the term force options?

[16] Ask – What is the objective of using force?

[17] Ask – What are the options available you as LAPD officers?

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<p>j. Firearm</p> <p>4. Training is essential [20.III.D][18]</p> <ol style="list-style-type: none"> Officers must continue training beyond the academy Arrest and control skills are perishable and must be trained often Officers must be ready because they do not know when they will be in a use of force Officers are required to respond to dangerous situations <p>F. Tactical de-escalation</p> <ol style="list-style-type: none"> Definition of tactical de-escalation [19] <ol style="list-style-type: none"> The use of techniques To reduce the intensity of an encounter with a suspect And enable an officer to have additional options To gain voluntary compliance Or mitigate the need to use a higher level of force While maintaining control of the situation Officer safety considerations [20] <ol style="list-style-type: none"> Tactical de-escalation does not require that an officer compromise his or her safety Nor increase the risk of physical harm to the public De-escalation techniques should only be used when it is safe and prudent to do so Using force does not equate to a failure of tactical de-escalation techniques [21] <ol style="list-style-type: none"> In many circumstances, using decisive force quickly is the most effective technique to reduce the intensity of the encounter and mitigate the need for a higher level of force [22] De-escalation means using good tactics, but the suspect's mindset and subsequent behavior will determine if voluntary compliance can be gained [23] In many circumstances, successful use of de-escalation techniques will still result in a use of force 	<p>[18] Ask – Why is regular, continuous training in various force options so important?</p> <p>[19] Ask – What do you think the term tactical de-escalation means?</p> <ul style="list-style-type: none"> Are you familiar with these techniques? In what situations do you think de-escalation would be helpful? <p>[20] Ask – What are some of the officer safety issues that you should consider when implementing tactical de-escalation techniques?</p> <p>[21] Ask – Does using force mean that tactical de-escalation techniques failed?</p> <p>[22] Ask – Can officers use decisive force to reduce the intensity of the encounter and mitigate the need for a higher level of force? Explain. Seeking: Yes, sometimes the best way to de-escalate is to use decisive force quickly.</p> <p>[23] Ask – What factor best determines if decisive force can be gained? Seeking: The suspect's behavior</p>
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<p>d. The use and success of tactical de-escalation techniques should be judged from the perspective of all parties involved, not just the suspect's</p> <ol style="list-style-type: none"> 1) Victims or potential future victims 2) Officers 3) Community members/bystanders <p>e. Even the perfect "textbook" application of tactical de-escalation techniques may result in a use of force and injury to the suspect due to <i>their</i> behavior [24]</p> <p>4. Purpose of de-escalation [25]</p> <ol style="list-style-type: none"> a. Safely gain control b. Resolve the situation c. Reverence for human life <ol style="list-style-type: none"> 1) Public 2) Suspects 3) Victims 4) Officers d. Increases the likelihood of safely and successfully resolving a situation e. Managed and coordinated response f. Includes the transition from one force option to a lower level force option, thereby reducing the intensity of the encounter g. Build public trust <p>5. Elements of de-escalation [26]</p> <ol style="list-style-type: none"> a. Planning b. Assessment c. Time d. Redeployment and or containment e. Other resources f. Lines of communication <p>6. De-escalation is not always a viable option [27]</p> <ol style="list-style-type: none"> a. Tactical situations vary greatly b. There is no single solution to resolving every incident c. There are situations that cannot be de-escalated d. The safety of all parties involved is of the highest priority <p>G. Use of force reporting (Manual Volume 4, Section 245.05)</p> <ol style="list-style-type: none"> 1. Importance of use of force reporting [28] 	<p>[24] Ask – What are some examples of how the suspect's behavior may determine the result of an incident, even when officers perfectly apply tactical de-escalation techniques?</p> <p>[25] Ask – What is the purpose of de-escalation?</p> <ul style="list-style-type: none"> • Why is it important? • What are the benefits? • What are the costs? <p>[26] Explain – P.A.T.R.O.L. acronym and each of the elements of de-escalation. Tell the students that they will receive more in depth training on de-escalation in other classes.</p> <p>[27] Ask – What are some examples of when de-escalation may not be a viable option?</p> <p>[28] Ask – Why is it important to correctly and accurately report and document a use of force?</p> <p>Follow-up:</p> <ul style="list-style-type: none"> • What are some of the possible negative effects of incorrect or incomplete use of force reporting? • Who could be affected by negligent use of force reporting?
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<ul style="list-style-type: none">a. Thorough and accurate documentation<ul style="list-style-type: none">1) For court purposes2) For administrative purposesb. Self-accountabilityc. Transparency to the public [29]d. Not reportable as a non-categorical use of force<ul style="list-style-type: none">1) The use of a C-grip, firm grip, or joint lock to compel a person to comply which does not result in an injury or complained of injury and where the person to be detained offers no active resistance.2) The use of force reasonable to overcome passive resistance due to physical disability, mental illness, intoxication, or muscle rigidity of a person which does not result in an injury or complained of injury<ul style="list-style-type: none">a) Use of a C-gripb) Firm gripc) Joint lockd) Joint lock walk downe) Body weight2. Notify a supervisor as soon as feasible after a reportable use of force	<p>[29] Ask – How does proper use of force documentation affect public trust?</p>
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Event 2 – Force Options
Session 2 - Use of Deadly Force
LD 20 - Use of Force/De-Escalation

Date Revised: 12/26/2019

Event Goal: To teach recruit officers the laws on the use of deadly force.

Session Goal: To give recruit officers an understanding of use of deadly force law and policy.

Learning Objectives:

- Discuss objectively reasonable force as stated by law [20.I.A]
- Discuss the components of the Fourth Amendment standard for determining objective reasonableness as determined by the U.S. Supreme Court [20.I.B]
- Explain the legal framework establishing a peace officer's authority during a legal arrest, including: [20.I.C]
 - A subject's requirement to submit to arrest without resistance [20.I.C.1]
- Identify the circumstances set forth in the California Penal Code when a peace officer has the authority to use force [20.I.D]
- Identify the legal standard for the use of Deadly Force [20.IV.A]
- Identify the factors required to establish sufficiency of fear for the Use of Deadly Force [20.IV.B]
- Recognize facts an officer should consider when determining whether or not to use Deadly Force [20.IV.C]
- Discuss the role of agency policies regarding the Use of Deadly Force [20.IV.D]
- Recognize the law regarding justifiable homicide by a public officer and the circumstances under which the homicide is considered justifiable [20.IV.E]

Session Time: 3 hours

Resources:

- Classroom w/tables
- White board
- Dry-erase marker
- Use of Deadly Force Handout (1 per student)
- Audio visual equipment

Session Summary: The instructor will lead a facilitated discussion with the class.

Outline	Instructor Notes
<p>I. Use of force [1]</p> <p>A. Law and policy</p> <p>1. 835a PC – Review the amended penal code section that became effective on January 1, 2020.</p> <p>2. Graham v. Connor (Supreme Court, 1989) [20.I.A]</p> <p>A. Objective reasonableness guidelines [20.I.B]</p>	<p>Facilitated discussion (1 hour):</p> <p>[1] Ask – Can anyone tell me what you remember about 835a PC?</p>

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- a. Judged through the perspective of a reasonable officer
- b. Based on the totality of facts known to the officer at the time that the force was applied
 - a) Examined through the eyes of an officer on scene at the time
 - b) No 20/20 hindsight [2]
- c. Based on the facts and circumstances confronting the officer without regard to the underlying intent or motivation
- d. Based on the knowledge that the officer acted properly under established law at the time
- e. Must account for the fact that officers are often forced to make split-second judgments about the amount of force that is necessary in circumstances that are tense, uncertain, and rapidly evolving
- B. Reasonable officer standard [3]
 - a. Would another officer with similar training and experience
 - b. Facing similar circumstances
 - c. Act the same way or use similar judgment
 - d. Does not have to be the best decision, just a reasonable decision
- C. Evaluation factors for the use of force (Graham Inquiry of Reasonableness)
 - a. The seriousness of the crime or suspected offense
 - a) The crime that the officer is responding to with force
 - b) Not necessarily the original crime
 - b. The level of threat or resistance presented by the subject
 - c. Whether the subject was posing an immediate threat to officers or a danger to the community
 - d. The potential for injury to citizens, officers or subjects
 - e. The risk or apparent attempt by the subject to escape
 - f. The conduct of the subject being confronted (as reasonably perceived by the officer at the time)

[2] Ask – Why is it significant that the courts ruled that 20/20 hindsight may not be a factor used to determine reasonableness?

[3] Ask – What do you think the reasonable officer standard includes, or should include?

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- g. The amount of time and any changing circumstances during which the officer had to determine the type and amount of force that appeared to be reasonable
- h. The availability of other resources
- i. The training and experience of the officer
- j. The proximity or access of weapons to the subject
- k. Officer versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number officers versus subjects
- l. The environmental factors or exigent circumstances
- D. The objective of a use of force is to ultimately gain or maintain control of an individual and the situation
- E. The reasonableness of an officer's use of deadly force includes consideration of the officer's tactical conduct and decisions leading up to the use of deadly force
- 3. 834(a)PC [4][20.I.C] [20.I.C.1]
 - A. If a person has knowledge, or by the exercise of reasonable care, should have knowledge
 - B. That he/she is being arrested by a police officer
 - C. It is the duty of such a person to refrain from using force or any weapon to resist such an arrest

END OF HOUR 1 DEADLY FORCE

- 4. Legal Standard for Use of Deadly Force [20.IV.A]
 - A. The courts as well as the officers must balance the nature and the quality of the intrusion on the individual's Fourth Amendment interests against the importance of the governmental interests alleged to justify the intrusion.
 - B. Sufficiency of Fear. 198 PC states officers cannot use deadly force based on fear alone. [20.IV.B] [4]
 - C. Recognize facts an officer should consider when determining whether to use deadly force. [20.IV.C]
 - a. Training and Experience

[4] Ask – What are some factors to establish fear?

- 1. Sufficient to excite the fears of a reasonable person.
- 2. cannot act on fear alone
- 3. Use of deadly force must be to protect from SBI/Death.

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<ul style="list-style-type: none"> b. Judgement c. Mental Alertness d. Emotional Maturity e. Facts and Circumstances Known at the time f. Understanding Law and Agency Policy [5] <p>D. 196 PC, Justifiable Homicide (amended penal code section that became effective on January 1, 2020); Homicide is justifiable when committed homicide is committed by peace officers and those acting by their command in their aid and assistance, under the following circumstances: [6] [20.IV.E]</p> <ul style="list-style-type: none"> a. In obedience to any judgment of a competent court; b. When the homicide results from a peace officer's use of force that is in compliance with Section 835a. <p>E. 197 PC, Excusable of further on Justifiable Homicide; When any person in self-defense or protection of domicile. When resisting any attempt by a person to stop a murder or an attempt to commit a felony where actions can cause serious bodily injury.</p> <p>5. Preamble to the use of deadly force. [7]</p> <ul style="list-style-type: none"> A. The use of deadly force is in all probability the most serious act an officer will encounter during their entire career in law enforcement. B. It has the potential to have the most consequences for all of the parties involved. Therefore, it is imperative for the officer to act within the guidelines of the law, policy, ethics, moral values and good judgment. C. The Department is committed to supplying training, leadership and direction to act wisely when the use of deadly force is required in the line of duty. <p>6. LAPD Policy, Department Manual section 1/556</p> <ul style="list-style-type: none"> A. Policy is provided as a guideline when using deadly force, so that officers can be confident in their actions and make good judgments. <p>[8] The policy must be reviewed as an administrative guide for decision making and</p>	<p>[5] Ask – What is the difference between law and LAPD policy?</p> <p>[6] Ask – If 835a PC gives officers the authority to use objectively reasonable force. What gives officers the right to use deadly force? (Answer- 835a PC)</p> <p>[7] Ask – Why do we need a policy for using deadly force?</p> <p>[8] Ask – What force options do you know of that are available to police officer?</p>
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as a standard for external review. The review is the "Objectively Reasonable Standard" as set forth by the US Supreme Court case "Graham v Conner"

- B. "An officer is authorized to use deadly force when it reasonable appears:" [20.IV.D]
 - a) To protect themselves or others from an imminent threat of death or serious bodily injury, or
 - b) To apprehend a fleeing felon for a crime involving serious bodily injury or death where there is a substantial risk that the person whose arrest is sought will cause death or serious bodily injury to others if apprehension is delayed.
 - C. Deadly force shall only be exercised when all reasonable alternatives have been exhausted or appear impracticable.
 - D. An officer may draw or exhibit their firearm when, based on the tactical situation, it reasonable appears there is a substantial risk that the situation may escalate to the point where deadly force may be justified. When an officer has determined that the use of deadly force is not justified or reasonable the officer shall, as soon as practical, re-holster or secure their firearm. (Dept. Manual 1/556.80)
 - E. Drawing and/or exhibiting the firearm is one factor that makes LAPD policy more restrictive than both Federal and State law.
7. Why are officers armed with the ability to use deadly force?
- A. As long as members of our communities are victims of violent crimes, it will remain necessary for officers to be properly armed to confront these suspect(s).
 - B. Suspect(s) do not rely on firearms alone to inflict violence upon society. These are just a few of the more common weapons that are potentially fatal.
 - a) Edged weapons, (knives, swords, etc.)

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<ul style="list-style-type: none">b) Blunt objects, (hammers, sports bats, etc.)c) Puncture weapons, (screwdrivers, ice picks, etc.) <p>END OF HOUR 2 DEADLY FORCE</p> <p>II. Conduct a live scenario using a student as an officer walking into the scene of an armed robbery in progress.</p> <ul style="list-style-type: none">1. Was the officer within policy to shoot?2. Was there any training you feel the officer needed to improve for the next time a similar scenario occurs?3. Discuss the acronyms "IDOL" and "BALKS"4. IDOL – Imminent Defense of Life5. BALKS – Background, Age, Last Resort, Knowledge of the Circumstances and Seriousness of the Crime.6. These acronyms help officers remember policy and understanding deadly force policy.	<p>Tabletop exercise</p> <p>Conduct a scenario of an armed robbery in progress. You as the instructor, will point a scenario gun at another student and simulate taking their money. Do the same scenario but point the scenario gun at the responding student immediately when the scenario starts. Have the students work as a team to determine if the responding student acted appropriately for both scenarios.</p>
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Event 2 – Force Options
Session 04 - Use of Deadly Force
LD20 - Use of Force

Date Revised: 12/26/2019

Event Goal: To teach recruit officers when and how to reasonably use lethal force.

Session Goal: To give recruit officers an understanding of use of Deadly force law and policy.

Learning Objectives:

- Discuss Department Policy when using Deadly Force

Session Time: 3 hours

Resources:

- Classroom w/tables
- White board
- Dry-erase marker
- Use of Deadly Force Handout (1 per student)
- Audio visual equipment

Session Summary: The instructor will lead an overhead facilitated discussion with the class.

Outline	Instructor Notes
<p>I. Fleeing Felons</p> <ol style="list-style-type: none">1. The Department policy in regard to fleeing felons is comprised of Federal, State Law [835a(c)(1)(A) PC] and LAPD policy. There is case law that helps direct decision making when deciding to deploy deadly force on a fleeing felon suspect. [1]2. Tennessee v. Garner3. The US Supreme Court case from 1984 gives a clear path to understanding the following legal requirements when using deadly force to capture a fleeing felon; [2]4. "If the subject 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 injury or death"5. "Probable cause to believe the subject poses a threat of serious bodily injury or death if apprehension is delayed"6. "Probable cause to believe that the use of deadly force is reasonably a last resort"7. "Some verbal warning given prior to the use of	<p>[1] ASK – What is the difference between probable cause and reasonable suspicion?</p> <p>[2] Facilitate a discussion – Instructor may choose to use the "night stalker" Richard Ramirez incident or the "Christopher Dorner" incident.</p>

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deadly force where feasible.”

II. Shoot to Stop

1. It shall be the intent of every officer to “shoot to stop” not “shoot to kill”.
2. Officers are instructed to aim for the largest target and when appropriate slow their rate of fire to enhance accuracy. This is done to ensure the greatest opportunity to stop the suspect’s deadly behavior and to limit the danger to the surrounding community.
3. Officers are taught and expected to do whatever is possible to minimize the risk of death; however, once a decision is made to use deadly force by an officer the risk of death becomes a distinct possibility.

III. Doubt in the mind of the officer. [3]

1. When an officer is uncertain in their mind as to the appropriate use of deadly force, the officer should not use deadly force.
2. Officers are not permitted to use deadly force to prevent assaults which will not likely result in serious injury. [4]

IV. Protecting Property. [5]

1. The use of deadly force to merely protect property is not justified by law.
2. This includes Police K-9 and Police mounted units.

V. Dogs Shootings.

1. Rarely are dogs a threat to life, however they can cause serious bodily injury. [6]
2. Deadly force against a dog is adjudicated the same, by the Department, as a use of deadly force against a person. Therefore, the policy remains the same. [7]
3. Department Manual Section 4/204.80 states, when an animal is critically injured and the Department of Animal Regulation is not readily available, the owner’s permission shall be obtained to destroy the animal by shooting with

[3] Instructor should Quote – “When in doubt, don’t shoot”.

[4] Instructor demo – Use the smallest person in the class and demonstrate an assault versus a deadly threat.

[5] ASK – If a suspect was attacking a Police K-9 with a knife could you shoot to protect the dog?
 (No, by California law the Police K-9 dog is classified as property.)

[6] ASK – Is there a difference in the threat from a Pit-bull vs. a Chihuahua?

[7] Ask – What are some signs that a dog is present at the scene of a radio call?
 -Dog manure in the yard
 -Animal feeding bowls
 -Worn out paths along a fenced yard

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<p>a service firearm.</p> <p>VI. Juvenile Subjects.</p> <ol style="list-style-type: none">1. The LAPD has always utilized extreme caution with regards to using deadly force against youthful looking offenders.2. Juveniles, due to their age, immaturity and inexperience may not have a full understanding of the seriousness and consequences of their actions when involved in the commission of a felony crime.3. Officers are reminded the same laws and policy with regard to the use of deadly force apply to juveniles as they do with adults. However, using good judgment as to the capability of the juvenile is a vital issue that must be addressed prior to the decision to use deadly force. <p>VII. Misdemeanor Suspect(s).</p> <ol style="list-style-type: none">1. There are no crimes classified as a misdemeanor that elevate to the level where deadly force would be justified.2. Incidents may start as a misdemeanor then escalate to a felony such as; carrying a concealed weapon that evolves into a ADW or attempt murder. <p>VIII. Warning Shots.</p> <ol style="list-style-type: none">1. Generally warning shots are prohibited.2. Warning shots are considered deadly force by the Department.3. Must be a situation to prevent a threat of serious bodily injury or death.4. "To prevent the taking of a life, by not taking a life!"5. Warning shots shall only be used in exceptional circumstances where it might reasonably be expected to avoid the need to use deadly force <p>IX. Cover Fire.</p> <ol style="list-style-type: none">1. Controlled and deliberate fire, directed at a life endangering threat, where the officer reasonably	<p>-Signs on fences -Always listen upon approach</p>
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<p>believes the threat to be located.</p> <p>2. Cover fire is considered a use of deadly force.</p> <p>X. Shooting at and from a moving vehicle.</p> <p>1. Firing at and from a moving vehicle is generally prohibited.</p> <p>2. Experience shows such action is rarely effective and is extremely hazardous to innocent people.</p> <p>3. Sight alignment is very difficult due to the unstable shooting platform.</p> <p>XI. Officers surrendering their weapon, (hostage situations).</p> <p>1. When officers are at the mercy of an armed suspect who has the advantage, experience shows the danger is not reduced by giving up their weapon.</p> <p>2. It may be your only chance at survival.</p> <p>3. Officers are encouraged to use every tactical tool at their disposal to avoid giving up their weapon.</p> <p>4. In addition, statistics indicate that if the suspect(s) are permitted to leave an area of containment with a hostage, the ability to protect the victim from serious bodily injury or death is very limited if not extinct.</p>	
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Event 2 - Force Options
Session 06 - Use of Deadly Force
LD20 - Use of Force

Date Revised: 12/26/2019

Event Goal: To teach recruit officers when and how to reasonably use lethal force.

Session Goal: To give recruit officers an understanding of use of Deadly force law and policy.

Learning Objectives:

- Identify that the objective of using force is to overcome resistance to gain control of an individual and the situation [20.III.B]
- Describe why complete documentation of the use of force is critical to the peace officer and the peace officer's agency, to include: Justification for using force and relevant factors and detail [20.V.A.1,2]
- Discuss factors that can affect a peace officer's response when threatened with danger, to include fear: reasonable and unreasonable [20.VI.A.1.a,b]
- Discuss factors that can affect a peace officer's response when threatened with danger, to include anger, indecision and hesitation [20.VI.A.2,3]
- Give examples of acceptable techniques for managing anger [20.VI.B]
- Describe the benefits of ongoing physical and mental training for peace officers involving the use of force [20.VI.C]
- Explain the legal and administrative consequences associated with the use of unreasonable force [20.VII.A]
- Explain an agency's potential liability associated with the use of unreasonable force [20.VII.B]
- Explain the consequences of an officer's failure to intervene when unreasonable force is used by another peace officer [20.VII.C]
- Discuss immediate and delayed intervention techniques [20.VII.D]
- Discuss factors that may inhibit a peace officer from intervening in a situation where a fellow officer may be applying unreasonable force [20.VII.E]

Session Time: 2 hours

Resources:

- Classroom w/tables
- White board
- Dry-erase marker
- Use of Deadly Force Handout (1 per student)
- Audio visual equipment

Session Summary: The instructor will lead an overhead facilitated discussion with the class.

Outline	Instructor Notes
This final session of deadly force in the classroom focuses	

Event 2 - Force Options
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entirely on proper documentation of a use of force and De-Escalation of force. [1]

I. When a force option has been employed peace officer's reports must include critical information to ensure the chronology, specifics of the events and the people involved are properly documented. (Learning need V)

1. Complete documentation of a use of force is critical to the officer and the agency. [20.V.A] It assist with justification for using force and describes all factors or details. [20.V.A.1]
2. Each use of force report should be thorough and comprehensive to assist with the officer's memory of the event, prevent the destruction of evidence and witness availability. [20.V.A.2]

II. Reverence for Human Life

1. The number one factor for developing tactics for the Los Angeles Police Department is the reverence for human life.
2. Tactics decision making is the one prominent factor that can alter the outcome of a given incident other than the suspect(s) actions.
3. Proper tactics can assist the officer in minimizing the risk of harm to officers and citizens, thus precluding the need for the use of deadly force.

III. Peace Officers must be ready to, and capable of, safely taking control of a dangerous situation.

1. The goal of any use of force is to gain control of an individual thus gaining control over the situation. [2] [20.III.B]
2. There are two factors that affect a peace officers response when threatened with danger.
3. Fear – Normal emotional response to a perceived threat, real or unreal, controlled and legitimate. [20.VI.A.1,a,b]
4. Anger – is a feeling of displeasure from perceived injury, mistreatment or opposition, to one's self or another person. [20.VI.A.2] [3]
5. Indecision and hesitation [20.VI.A.3]
6. Fear and anger can lead to indecision and hesitation.

[1] ASK – What should be documented on a use of force report?

Suspect(s) behavior or actions

Officer(s) re-action

Prior knowledge such as: prior contacts, prison or gang tattoos, specific gang attire, weapons and environmental factors, (high crime area, friendly neighborhood for the suspect, etc.).

[2] Ask – What are some examples of acceptable techniques for managing anger?

Depersonalizing what people say or do.

Identifying anger inducing scenarios.
Developing problem solving solutions.

Recognizing the on-set of anger.

[3] Ask – What are the benefits of on-going physical and mental training for peace officers involving the use of force?

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<p>7. Self-control is mandatory [20.VI.B]</p> <p>8. Identifying your own physical and social fears can help you control fear and anger. [20.VI.C]</p>	<p>Discipline the mind to remain calm and alert.</p> <p>You become less predictable to the suspect.</p> <p>You can make rapid corrections.</p> <p>Flexible</p> <p>Increased self-control</p>
<p>IV. Consequences of using unreasonable force. [20.VII.A]</p> <p style="text-align: right;">[4]</p> <ol style="list-style-type: none"> 1. If officers use unreasonable force, meaning the type, degree and/or duration of force employed was not appropriate the officer could face, <ol style="list-style-type: none"> 1. Criminal action 2. Civil Lawsuits 3. Civil Rights violation 4. loss of job 2. When an officer uses unreasonable force the agency also has potential consequences. [20.VII.B] <ol style="list-style-type: none"> 1. Disciplinary action or loss of an employee 2. Moral impact to department 3. Vicarious liability (failure to train) 	<p>[4] Ask – What are the consequences associated with the use of unreasonable force.</p>
<p>V. Intervention</p> <p>This topic explains the consequences of an officer's failure to intervene when another officer is using unreasonable force. [20.VII.C]</p> <ol style="list-style-type: none"> 1. Intervention is the act of attempting to prevent or to stop the inappropriate or unlawful behavior of another. 2. Intervention can take the form of a strong caution, physical restraint and/or immediately reporting the incident. 3. If an officer who knows to intervene and has an opportunity to intervene and fails to do so could face criminal charges and/or civil liability. 4. There are two intervention techniques. [20.VII.D] <ol style="list-style-type: none"> 1. Immediate Technique 2. Delayed Technique 3. Immediate intervention methods <ol style="list-style-type: none"> a. verbal b. physical touching c. physical restraint 4. Delayed intervention methods <ol style="list-style-type: none"> a. Discussion 	

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<ul style="list-style-type: none">b. Admonishmentc. Training <ol style="list-style-type: none">5. There are factors that may inhibit a peace officer from intervening in a situation where a fellow officer may be applying unreasonable force. [20.VII.E]6. The following are the three most common factors that could lead to an officer failing to intervene in a use of force situation.<ul style="list-style-type: none">a. Transfer of responsibilityb. Rationalizationc. Self-Doubt7. Personal and psychological factors that could lead to a failure to intervene.<ul style="list-style-type: none">a. New partnersb. inexperiencec. peer pressured. fear of being ostracizede. retaliation from other officers8. Consequences of not intervening.<ul style="list-style-type: none">a. increased stressb. embarrassmentc. disciplinary actiond. criminal prosecutione. civil litigationf. loss of careerg. loss of public confidence	
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Event 2 – Force Options
Session 07 – De-escalation Techniques
LD 20 – Use of Force

Date Revised: 11/14/19

Author: 34359 **Approved by:** 27061

Event Goal: To teach recruit officers how De-escalation and tactics work together.

Session Goal: Have recruit officers identify de-escalation techniques to reduce the intensity of an encounter with a suspect.

Learning Objectives:

- Define De-Escalation [20.II.A]
- De-Escalation is the process of using strategies and techniques intended to decrease the intensity of the situation [20.II.A.1]
- Recognize common misconceptions and benefits of de-escalation [20.II.A.2]
- Understand the history of de-escalation [20.II.A.3]
- Recognize the four core concepts of de-escalation [20.II.B.1,2,3,4]
 - Self-control
 - Effective communication
 - Scene assessment and management
 - Force options
- Understand the components of a Critical Decision-making Model including [20.II.C.1,2,3,4,5]
 - Collect information
 - Assess situation, threats, and risks
 - Law and policy
 - Plan
 - Act, review, and reassess
- Recognize how tactical methods that use time, distance, cover, and concealment assist in de-escalation [20.II.D]
- Recognize how strategic communication may enhance de-escalation [20.II.E]

Session Time: 2 hours

Resources needed:

- Classroom w/tables
- Projector with cables and video capability
- De-escalation directive (1 per student)
- De-escalation power point
- Dry-erase marker

Event 2 – Force Options
Session 07 – De-escalation Techniques
LD 20 – Use of Force

Session Summary: The instructor will lead a facilitated discussion about de-escalations techniques which will include one video case study. The instructor will pass out the LAPD de-escalation directive and lead a facilitated discussion about the various elements in the directive

Outline	Instructor Notes
<p>Hour one:</p> <p>I. Tactical De-Escalation [20.II.A]</p> <p>II. Have a recruit officer read the department's definition of Tactical De-Escalation</p> <ul style="list-style-type: none"> ○ Tactical de-escalation involves the use of techniques to reduce the intensity of an encounter with a suspect and enable an officer to have additional options to gain voluntary compliance or mitigate the need to use a higher level of force while maintaining control of the situation. [20.II.A.1] ○ De-Escalation is the process of using strategies and techniques intended to decrease the intensity of the situation. [20.II.A.1] ○ Recognize common misconceptions and benefits of de-escalation [20.II.A.2] ○ Understand the history of de-escalation [20.II.A.3] <p>Group exercise</p> <p>III. Show PATROL</p> <ul style="list-style-type: none"> A. Challenge recruits to define PATROL B. Explain that it does not need to be one word C. Give recruits the "O" (other resources) to get them started D. Have them come up with at least two thoughts for each letter. E. Give them approximately five minutes to discuss in their groups. <p>IV. Have partner scribe as you go around the room.</p> <p>V. Using power point reveal and facilitate discussion on what each letter stands for.</p> <p>VI. Acknowledge that recruits understood and defined</p>	<p>Facilitated discussion:</p> <p>[1] Ask – What do you think the term tactical de-escalation means?</p> <p>[2] Ask – What does the definition mean to you?</p> <p>[3] Ask – What is an acronym and what are some LAPD acronyms</p> <p>[4] Ask- What are some strategies and techniques?</p> <p>[5] Ask- Is de-escalation new to law enforcement?</p> <p>✓ Each table will come up with thoughts of what each letter means to them</p>

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<p>Tactical De-Escalation.</p> <p>VII. Why is it important to know the law and policy? [20.II.C.3]</p> <p>Hour 2:</p> <p>Group exercise</p> <p>Show video case study "Texas Pool Party"</p> <p>I. Ask recruits how the officer could have applied the PATROL acronym and what other officer could have done.</p> <p>II. Give them approximately five minutes to discuss in groups.</p> <p>III. Have partner scribe recruit's thoughts as you go around the room.</p> <p>IV. Discuss the importance of intervention.</p> <p>V. Handout the De-Escalation Tactics Directive and have recruits read it to themselves.</p> <p>VI. Solicit final thoughts.</p>	<p>[6] Ask- How does law and policy pertain to de-escalation?</p>
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Session 07 – De-escalation Techniques
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GOAL: EMPHASIZE effective communication skills and de-escalation. Officer should use the acronym PATROL to assist in their problem solving and de-escalation efforts.

TACTICAL CONSIDERATIONS P PLANNING	Pre-plan / Code 6 [20.II.C.4] Contact / Cover Roles Distance / Cover / Triangulate Command and Control Less Lethal Force Options [20.II.B.4] Movement of Train Concerns	Did you formulate a plan? Did you utilize any cover or distance? What force options did you have? What issues or concerns did you have? Could you have removed the suspect from the train?
DE-ESCALATION TECHNIQUES / A ASSESSMENT	Communication Elements Verbalization Non-Verbal Communication Active Listening Collect information [20.II.C.1] Defusing Redirecting Scene assessment and management [20.II.B.3] Assess situation, threats, and risks [20.II.C.2]	What techniques did you use to de-escalate the situation? Were you able to communicate with the subject? Was it effective? Why? Or Why not? Did you state your purpose / reason for your investigation? What was the subject asking for? What are some threats? Risks?
T TIME	Distance and Cover = TIME [20.II.D] <ul style="list-style-type: none"> Is the suspect posing an immediate threat? 	Is Cover available? Is the suspect contained?
R REDEPLOYMENT CONTAINMENT	Continue assessment <ul style="list-style-type: none"> Communicate with suspect Act, review, and reassess [20.II.C.5] 	Is redeploying an option? Are other tactics optional?
O OTHER RESOURCES	Additional Units / Recourses. <ul style="list-style-type: none"> MTA security LAPD additional units Metro 	What is the advantage of communicating with the ROC? What is the policy for removing the suspect from the train?
L LINES OF COMMUNICATION	Communication to: [20.II.E] RTO Supervisor Suspect and passengers Partner	Did the officers communicate? Did the communication slow down the incident? Were all commands clear and given by one officer?
KEY LEARNING POINTS Did your response demonstrate	Utilize distance and cover Effective Communication [20.II.B.2] <ul style="list-style-type: none"> Verbal and Non-verbal Utilize De-escalation Techniques Active Listening Deflecting	Did any crime occur? What resources does the department have available to you to resolve this issue peacefully?

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reverence for human life?	Empathy Reassurance Self-control [20.II.B.1]	
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Event 2 - Force Options
Session 8 – Use of Deadly Force Review
LD 20 - Use of Force/De-Escalation

Date Revised: 12/26/2019

Course Goal: The students will review the use of Deadly Force law and policy.

Learning Objectives:

- The recruit officers will understand the difference between LAPD vocabularies versus Post vocabulary.
- The recruits will review the Deadly Force policy as it pertains to LAPD policy and the law.

Session Time: 1 hour

Resources: <ul style="list-style-type: none"> • Classroom with tables 	
Session Summary: The instructor will have a facilitated discussion in the classroom reviewing California laws and case law.	
Outline	Instructor Notes
I. The difference between LAPD vocabulary vs. POST vocabulary A. <u>LAPD</u> <u>POST</u> 1. OC Chemical Agent 2. Taser ECD 3. Baton Impact Device 4. Beanbag Control Holds	✓ <i>Quality through continuous improvement</i> ✓ <i>Service to our communities</i> ✓ <i>Respect for people</i>
II. Case Law A. Graham Vs. Conner 1. Objective reasonableness guidelines 2. No Hindsight 20/20 3. Judged through the perspective of a reasonable officer 4. Based on totality of facts known at the time 5. Would another officer with similar training and experience, facing similar circumstances act the same way or use similar judgment	<i>Ask the class for evaluation factors for the use of force</i> <ul style="list-style-type: none"> ➤ Severity of the crime ➤ Time available to the officer to make a decision ➤ Availability of other resources ➤ Training and experience of the officer ➤ Size of suspect...etc.

<p>6. Does not have to be the best decision just a reasonable decision</p> <p>B. Tennessee vs. Garner</p> <ol style="list-style-type: none"> 1. Violent Felony Suspect who is fleeing 2. Probable cause to believe the suspect poses a threat of serious bodily injury if apprehension is delayed 3. The use of deadly force is a last resort 4. Verbal warning given prior to the use of deadly force, when feasible <p>III. Law</p> <p>A. 835a PC – Review the amended penal code section that became effective on January 1, 2020.</p> <p>B. 834(a)PC</p> <ol style="list-style-type: none"> 1. If a person has knowledge or should have knowledge that he/she is being arrest by a police officer, 2. It is the duty of such person to refrain from using force or any weapon to resist such an arrest <p>C. 196 PC, Justifiable Homicide (amended penal code section that became effective on January 1, 2020); Homicide is justifiable when committed homicide is committed by peace officers and those acting by their command in their aid and assistance, under the following circumstances:</p> <ol style="list-style-type: none"> 1. In obedience to any judgment of a competent court; 	<ul style="list-style-type: none"> ➤ Have students discuss what types of felony crimes ➤ Example of fleeing felon <ul style="list-style-type: none"> ➤ Do police officers have to retreat? NO, 835a(d) PC states, "A peace officer who makes or attempts to make an arrest need not retreat or desist from their efforts by reason of the resistance or threatened resistance of the person being arrested." ➤ Tactically, it may be a good option to reposition (redeploy) or utilize other de-escalation tactics; however, under the law, this is not considered "retreating."
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<p>2. When the homicide results from a peace officer's use of force that is in compliance with Section 835a.</p>	
<p>D. 197 PC- Justifiable Homicide by any person</p> <ol style="list-style-type: none"> 1. When any person in self-defense or protection of domicile. 2. When resisting any attempt by a person to stop a murder or an attempt to commit a felony where actions can cause serious bodily injury 	<p><i>Any person includes a non-citizen</i></p>
<p>E. 198 PC- Sufficiency of Fear</p> <ol style="list-style-type: none"> 1. Cannot use deadly force based of fear alone 2. Sufficient to excite fears of a reasonable person. 3. Use of deadly force must be to protect oneself from serious bodily injury or death. 	
<p>IV. LAPD Policy</p>	
<p>A. Law enforcement officers are authorized to use deadly force to:</p>	
<ol style="list-style-type: none"> 1. Protect themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury; or, 2. Prevent the escape of a violent fleeing felon when there is probable cause to believe the escape will pose a significant threat of death or serious bodily injury to the officer or others if apprehension is delayed. In this circumstance, officers shall, to the extent practical, avoid using deadly force that might subject innocent bystanders or hostages to possible death or injury. 3. Deadly force shall only be exercised when all reasonable alternatives have 	<p><i>"Shoot to stop"</i></p> <p><i>The goal of any use of force is to gain control.</i></p>

Event 2 - Force Options
Session 8 – Use of Deadly Force Review
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<p>been exhausted or appear impracticable.</p> <p>4. When an officer is uncertain in their mind as to the appropriate use of deadly force, the officer should not use deadly force.</p> <p>V. Officers are not permitted to use deadly force to prevent assaults which will not likely result in serious injury.</p> <p>A. Drawing and exhibiting policy</p> <p>1. An officer may draw or exhibit their firearm when, based on the tactical situation, it reasonable appears there is a substantial risk that the situation may escalate to the point where deadly force may be justified.</p> <p>2. When an officer has determined that the use of deadly force is not justified or reasonable the officer shall, as soon as practical, re-holster or secure their firearm.</p> <p>B. Protecting property</p> <p>1. The use of deadly force to protect property is not justified by law.</p> <p>2. K-9 dogs and Police mounted units (horses) are considered property.</p> <p>C. Warning shots</p> <p>1. Generally warning shots are prohibited</p> <p>2. Considered deadly force</p> <p>3. Must be a situation to prevent a threat of SBI or death</p> <p>D. Cover fire</p> <p>1. Considered a use of deadly force</p> <p>2. Controlled and deliberate fire, directed at a life endangering threat, where the officer reasonably believes the threat to be located.</p>	<p><i>"When in doubt, don't shoot"</i></p> <p>➤ <i>What if your K-9 was being stabbed by a suspect and you considered the K-9 your partner? Can you use deadly force?</i></p> <p><i>Warning shots- "To prevent the taking of a life by not taking a life."</i></p>
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<p>E. Shooting at or from a moving vehicle</p> <ol style="list-style-type: none">1. Firing at and from a moving vehicle is generally prohibited2. Firearms shall not be discharged at a moving vehicle unless a person in the vehicle is immediately threatening the officer or another person with deadly force by means other than the vehicle.3. Firearms shall not be discharged from a moving vehicle, except in exigent circumstances and in the immediate defense of life. <p>F. Officers surrendering their weapon</p> <ol style="list-style-type: none">1. When officers are at the mercy of an armed suspect who has the advantage, experience shows the danger is not reduced by giving up their weapon.2. Officers are encouraged to use every tactical tool at their disposal to avoid giving up their weapon.3. If may be your only chance of survival. <p>VI. Intervention</p> <p>A. Intervention is the act of attempting to prevent or to stop the inappropriate or unlawful behavior of another.</p> <ol style="list-style-type: none">1. Intervention can take the form of a strong caution, physical restraint and/or immediately reporting the incident. <p>VII. If an officer who knows to intervene and has an opportunity to intervene and fails to do so could face criminal charges and/or civil liability.</p> <p>A. Two intervention techniques</p> <ol style="list-style-type: none">1. Immediate Technique (verbal, physical touching, physical restraint)2. Delayed Technique (discussion, admonishment, training)	<p><i>What are the consequences if you shoot a suspect who is driving a vehicle? Who is controlling the vehicle?</i></p> <p><i>If a suspect leaves the area with a hostage who protects the victim from SBI or death?</i></p>
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<p>B. Three most commons factors that could lead to an officer failing to intervene in a use of force situation.</p> <ol style="list-style-type: none">1. Transfer of responsibility2. Rationalization3. Self-doubt	<p>➤ <u>What are some personal and psychological factors that could lead to a failure to intervene</u></p> <ul style="list-style-type: none">-Peer pressure-Inexperience-Retaliation from other officers-New partner <p>➤ <u>Consequences of not intervening</u></p> <ul style="list-style-type: none">-Embarrassment-Civil litigation-Loss of job-Disciplinary action-Loss of public confidence-Criminal prosecution
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Event 2 - Force Options
Session 11 – Taser Certification
LD 20- Use of Force/De-Escalation

Date Revised: 11/13/19

Author: 34359

Approved By: 33434

Course Goal: The recruit Officers will understand the Use of Force and Department Policy when using the Taser.

Session Goal: To provide the students with the theory and practical training necessary to safely and effectively operate the Electronic Control Device (ECD) deployed by the department.

Learning Objectives:

- Properly manipulate the X26P Taser
- Properly apply the Department's Use of Force policy with respect to Taser usage
- Know when it is tactically safe or unsafe to deploy the X26P Taser
- Fire three cartridges from the X26P Taser
- Understand the effects of the X26P Taser

Session Time: 4 hours

Resources:

- Classroom with tables
- X26P power point
- Eye protection
- X26P Tasers and holsters
- Live X26P Taser cartridges
- B/O X26P cartridges
- Numb John targets
- Traffic cones
- Mats
- Barricades

Session Summary: The instructor will begin with a facilitated discussion in the classroom followed by a written test with a minimum passing score of 75%. The students will then be exposed to the Taser on Range C at the Davis Training Facility. The students will participate in a practical application after learning how to manipulate and properly use the Taser.

Outline	Instructor Notes
I. Electronic Control Device Technological Development and Medical Research A. Definition: [1] The X26P Taser is an Electronic Control Device (ECD) that uses propelled wires or direct contact to conduct energy to affect the sensory and	<ul style="list-style-type: none">○ Need PT instructor✓ Quality through continuous improvement 2 hours in classroom○ Place a Taser at each table with a

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motor functions of the nervous system

*The X26P Taser is a brand name associated with specific conducted energy weapons manufactured by "Taser International".

B. History of Development

1. Taser (Thomas A. Swift Electric Rifle) was invented and patented by Jack Cover an N.A.S.A. scientist.
2. During the development of the Taser non-lethal weapon (1966-1974) it was discovered that very short duration of high energy (microseconds), predominately direct current (D.C.) pulses were non-lethal and non-injurious. However, they had a profound physiological and psychological effect upon humans and animals.
3. From 1971-1974 tests on volunteers were conducted by Dr. Frank Summers with two cardiologists, a physiologist at Saint Joseph's Hospital in Orange County, California.
4. 1976, the Treasury Department classified the Taser as a Title II weapon. This classification also included machine guns, destructive devices and certain other firearms. The Taser was classified as a firearm based on the fact that the Taser required black powder and a rifle primer as the propellant. It was classified as a Title II weapon because of its flashlight shape which caused it not to appear as a firearm.
5. After a re-design of the Taser, the Bureau of Alcohol, Tobacco and Firearms re-classified the Taser to Title I. The redesign of the cartridge from black powder to compressed air was the difference

C. Los Angeles Police Department Taser history [2]

1. In 1980, due to an increase of street and jail confrontations, the Department field-tested the Taser.
2. In November 1980, the Department purchased 700 Taser devices and eventually became the first

spent cartridge. Advise the students not to touch the Tasers until instructed to do so

[1] Ask- Definition of Taser?

- *Briefly go over the History of Development*

[2] Ask- When do you think LAPD started using the Taser?

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major law enforcement agency in the nation to deploy the device with field officers.

3. Taser deployed more than 600 times in 1986 alone. [3]
 - a. 1994, LAPD begins to replace the older TE-76 (11-watt system) with the TE-93 (5-7 watt system)
4. In 2000, the older Taser technology is used approximately fifteen times with an effectiveness of approximately 56%. A product evaluation begins on newer Taser technology.
5. 2001, a field test is conducted on the Taser
6. 2002, five hundred Taser's are deployed Department wide
7. Between 2002 and 2005, the Taser is deployed over 100 times a year with a success rate of approximately 80-85% effectiveness.
8. Currently the LAPD deploys 1,250 X26P Taser's

[3] Ask- How many times do you think the Taser was deployed in 1986 (LAPD)?

II. Taser Technology

A. Why does the Taser work?

1. Conducted energy weapons are effective because they override the central nervous system. [4]
2. The central nervous system communicates by means of simple electrical impulses.
3. The Taser sends out short duration, high voltage electrical waves, known as Taser waves or T-waves that overpower the normal electrical signals within the nerve fibers.

[4] Ask- Why are conducted energy weapons effective?

B. T-waves are very similar to the wave signals used by nerves to communicate within the body.

1. The body's communication is comparable to having a conversation on the telephone where signals are sent from one phone to another via electrical signals.
2. If a third party picks up the phone line and begins to scream the other two parties can no longer hear

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communication.

3. When the screaming stops communication begins again without damage to the phone line.

- C. Conducted energy weapons work within the body by jamming the central nervous system and overriding neuromuscular control of the body without long term damage (Neuro-muscular Incapacitation).

"Stun" systems (such as older Taser technology) jam the central nervous system with electrical noise. This only affects the body's sensory nervous system.

1. Central Nervous System is the command center (brain and spinal cord) that processes information and makes decisions. [5]
2. Sensory Nervous System is the nerves that carry information from the body to the brain (i.e. touch, temperature, etc.). [6]
3. Motor Nervous System is the nerves that carry commands from the brain to the muscles to control movement. [7]
4. "Stun" systems cause a tremendous amount of noise to the brain, these sensations that can be overwhelming to most people.
5. "Stun" systems do not cause a direct physical effect only causes pain compliance.

"Stun" systems may not incapacitate or affect a highly focused individual therefore does not affect the Motor Nervous System. [8]

D. Neuro-Muscular Incapacitation (NMI)

1. NMI systems such as the Taser override the central nervous system and takes direct control of the skeletal muscles.
2. NMI systems affect the sensory and motor nervous system.
3. Like a "Stun" system, NMI systems flood the nervous system with signals.
4. NMI systems also directly cause the muscles to

[5] Ask- What does the Central Nervous System do?

[6] Ask- What does the Sensory Nervous System control?

[7] Ask- What does the Motor Nervous System control?

[8] Ask- Does the "Stun" mode (no probe) affect the Motor Nervous System?

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contract.

5. Even someone whose sensory nervous system is impaired by drugs will have involuntary muscle contractions.
6. NMI systems cause direct physical incapacitation.
7. NMI systems help officers gain control of a given situation while minimizing the risk of injury to the suspect as well as the officer.

E. Stun vs. Neuro-Muscular Incapacitation (NMI) video

1. The video demonstrates older stun technology and its effects on volunteers versus the new technology Taser and its effects on volunteers

F. Taser Tracking Technology

1. The built-in tracking technology of the Taser provides solid documentation on the use of that particular unit.
 - a. This provides protection for officers from false allegations of misuse.
 - b. Also identifies misuse on behalf of the officer.
 - c. The Taser stores the date, time, temperature, duration of time that the Taser is fired and every time it is fired. The Data Port connects the Taser to a computer and this info can be retrieved.
 - d. Every time a cartridge from a Taser is fired, it disperses 20-30 tiny identification tags called "AFID's". These tags are printed with the serial number of the cartridge and can be utilized in determining who fired the cartridge.

III. Medical Research

A. Tests of the Taser have found:

1. Extensive animal testing has shown effect on heart rhythms or blood pressure to be insignificant.
2. 100,000 human volunteers with a 99% instant

Video Evolution of Stun System-Prior to showing the video explain to the class that they are about to see the evolution of Stun system TASERS to NMI TASERS and to observe the effects on the volunteers

○ "AFID'S" is covered during the Nomenclature slide.

○ Briefly cover medical research. This is covered during the

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incapacitation in less than a second. [9]

3. Subjects may experience stress caused by pain, minor skin irritation, temporary blisters, redness or minor bleeding if probes puncture skin. [10]
4. In rare instances, subjects may experience physical exertion type injuries including injuries to muscles, tendons, ligaments, backs, joints, and stress fractures. [10]

B. Heart failure tests were performed at the University of Missouri.

1. The Taser was applied directly to the chest of test animals.
2. Using worst case scenarios, two leading experts in cardiac safety found neither system to cause interference with the heart rhythms.
3. No arrhythmia provocation occurred even when the animals were given the stimulant drugs epinephrine and isoproterenol, agents that make the heart more susceptible to electrical stimulation.
4. Modern pacemakers and implanted cardiac defibrillators withstand external electrical defibrillators at least 800 times stronger than the Taser conducted energy pulses.

C. Common effects of Neuro-Muscular Incapacitation (NMI) [11]

1. Subject can fall immediately to the ground
2. Yell or scream
3. Involuntary muscle contractions
4. Subject may freeze in place with legs locked
5. Subject may feel dazed for several seconds/minutes
6. Potential vertigo
7. Temporary tingling sensation
8. May experience critical stress amnesia
9. May not remember any pain

(It is important for Officers to Identify the

Nomenclature slide.

[9] Ask- What do you think the success rate is with 100,000 human volunteers tested?

[10] Ask- What are some after effects that the Taser may cause?

[11] Ask- What are some common effects of Neuro- Muscular Incapacitation?

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effectiveness of the Taser) [12]

D. Possible Taser side effects

1. Might cause slight signature marks that resemble minor surface burns—appear red or may blister
2. Can cause eye injury if shot too high
3. Can ignite flammable liquids or gases [13]
4. Can cause strong muscle contractions
5. Can cause secondary injuries from person falling
6. Can cause pain and associated stress

E. What Taser weapons don't do

1. Doesn't damage nervous tissue
2. Generally doesn't cause urination or defecation
3. Preliminary animal tests delivering Taser current to the abdomens of pregnant pigs caused no adverse effect to the fetus. However, these results are preliminary and should not be considered conclusive. Pregnant females are at elevated risks from falling, muscle contractions, stress and other factors.
4. Doesn't cause "electrocution" in a wet environment
 - a. Exposure to water will not cause electrocution or increase the power delivered to the subject

F. Officers should avoid deploying the X26P when:

1. Suspect is in control of a motor vehicle.
2. Suspect is in danger of falling, which could cause death or serious bodily injury, (SBI).
3. Suspect could be caught in machinery or heavy equipment.
4. The X26P should not be deployed in environments containing flammable or combustible fumes.
5. Suspects known to have pacemakers.
6. Suspects known to be pregnant.

[12] Ask- Why is it important for Officers to know the common effects of NMI?

[13] Ask- What can happen if the suspect has a flammable liquid on himself/herself?

Flammability video - Video shows different liquids poured onto a mannequin and subsequently hit with a Taser to test flammability.

OC Flammability video - Video shows that some OC have either a flammable propellant or flammable ingredients that can catch fire from a spark from a Taser.

Ask- What would happen if someone is Tased while in a body of water?

Video Suspect in a lake- Video shows a suspect who is Tased while in a lake, officers entering lake taking suspect into custody.

Video Suspect Falling- Video shows suspect falling off a balcony after officers used the Taser.

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IV. In-Custody Deaths

A. A number of cases have occurred where individuals have died in police custody following Taser use.

B. In nearly all cases, the Taser has not been listed as a cause or contributing factor in the death.

1. Majority of deaths ruled drug related including "Agitated Delirium"

Definition: "A state of extreme mental and physiological excitement, characterized by extreme agitation, hyperthermia, hostility, exceptional strength and endurance without apparent fatigue."

2. Causes:

- a. Toxic:
- b. Cocaine
- c. Amphetamines
- d. Ecstasy
- e. PCP
- f. LSD
- g. Drug withdrawal
- h. Psychosis (psychiatric disorder)

3. Complications:

- a. Hyperthermia- Unusually high body temperature
- b. Rhabdomyolysis- The destruction or degeneration of skeletal muscle tissue (as from traumatic injury, excessive exertion, or stroke) that is accompanied by the release of muscle cell contents (as myoglobin and potassium) into the bloodstream resulting in hypovolemia, hyperkalemia, and sometimes acute renal failure
- c. Hyperkalemia- An abnormally high concentration of potassium ions in the blood
- d. Metabolic acidosis- Decreased pH and bicarbonate concentration of the body fluids caused either by the accumulation of excess

- *Emphasize that a suspect in this state may be considered uncooperative due to the effects of the causes listed, but that the Taser may still be an option based on the officers' training and experience in dealing with suspects in that mental state.*

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<p>acids stronger than carbonic acid or by abnormal losses of bicarbonate from the body.</p> <ul style="list-style-type: none"> e. Renal failure- Inability of the kidneys to excrete wastes and to help maintain the electrolyte balance f. Hypoxia- Deficiency in the amount of oxygen reaching body tissues g. Sudden death (arrhythmia) <ul style="list-style-type: none"> 4. Most occurred during transport or at hospital 5. Most involved subjects demonstrating extremely erratic and bizarre behavior 6. Most have occurred hours to days after actual Taser applications <ul style="list-style-type: none"> a. Electricity is instantly dissipated as heat and does not linger in the body 7. 1994 DOJ study of 63 deaths involving pepper spray <ul style="list-style-type: none"> a. Pepper spray cleared from contributing factor in all but 2 cases (asthmatics) <p>C. Sudden Death Common Factors (All cases, not just after Taser use):</p> <ul style="list-style-type: none"> 1. Toxic drug use 2. Pre-existing heart conditions 3. Obesity and poor cardiovascular condition 4. Diabetes and other pre-existing diseases 5. Protracted physical struggle 6. Exhaustive mania/ excited delirium 7. Compressive asphyxia <p>D. In-Custody Death Warning Signs</p> <ul style="list-style-type: none"> 1. Should one or more of the following behaviors manifest, the suspect may require immediate medical assistance due to pre-existing conditions, possible overdose, cocaine psychosis, excited delirium, etc. 2. Bizarre or violent behavior 3. Signs of overheating such as a naked person in a 	<ul style="list-style-type: none"> ○ Explain that medical personnel
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<p>public or cold place</p> <ol style="list-style-type: none"> 4. Slurring or slowness of speech 5. Self-mutilation 6. Disturbances in breathing patterns or loss of consciousness 7. Dilated pupils 8. Fear 9. Panic 10. Paranoia 11. Seizures 12. Unexpected physical strength <p>E. Possible Agitated Delirium</p> <ol style="list-style-type: none"> 1. Texas incident caught on an in-car camera showing some of the signs listed above Reminder: Once officers engage in detention and restraint procedures, regardless of the type of force option, it is important to minimize the duration of the physical struggle and amount of force used. The longer the struggle, the greater the risk of injury or death related to overexertion, trauma or escalation. <p>V. Taser Exposure</p> <p>A. Purpose</p> <ol style="list-style-type: none"> 1. Benefits [14] <ol style="list-style-type: none"> a. Officers can better understand the effects of the device b. For deployment c. Confidence to go "hands-on" with a suspect without receiving a shock d. Self-defense e. Court expertise <ol style="list-style-type: none"> 1) Mateyko v. Felix <ol style="list-style-type: none"> a) Two Oxnard officers utilize a Taser b) Arrest suspect ultimately sues the City of Oxnard and officers for \$400,000 c) Judge rules suspect is at fault 95% and the officers the other 5% and awards 	<p><i>may be requested prior to Taser deployment if any of these signs are observed.</i></p> <p><u>Video Texas incident caught on an in-car camera-</u> Suspect walking in the middle of the street showing signs of Agitated Delirium. (Notice suspects arms and legs still flailing, why? Possible probe spread or Taser not full charged, M26)</p> <p>➤ Learning Activity 1- Taser Exposure</p> <p>[14] Ask- Why do you think the department requires you to get exposed with the Taser?</p> <p>○ <i>Explain why court expertise is important- Mateyko vs. Felix</i></p>
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<p>the suspect approximately \$20,000</p> <ul style="list-style-type: none"> d) Officers were unable to testify the voltage of the Taser or the effects on the body e) Lecture provides students with knowledge of the voltage and medical information on the effects of the body. Exposure gives students more expertise since they can describe the effects they experienced f) Secondary exposures g) Getting exposed can cause involuntary reflexes <p>2. Risks</p> <ul style="list-style-type: none"> a. Risks of training injuries <p>3. Officers are to be reminded that the use of the Taser must be within 835(a) p.c. [15] Officers should be aware of the effect the Taser is having on the suspect, and monitor its prolonged use. If the Taser is not having the desired effect upon the suspect, officers are advised to move on to another type of force option.</p> <p>VI. X26P Specifications and Nomenclature</p> <p>A. Nomenclature</p> <p>1. X26P</p> <ul style="list-style-type: none"> a. Front and rear sites. b. Trigger. c. Built-in laser sight, (top dart). d. Blast doors e. APPM release. f. Illumination selector. g. APPM (Automatic Performance Power Magazine) h. Safety switch i. CID(Central Information Display) j. AFIDs k. Probes 	<p><u>Video Involuntary reflexes-</u> The video demonstrates the spotters holding an individual being exposed to the Taser</p> <p>[15] Ask- What Penal Code section allows you to use reasonable force?</p> <ul style="list-style-type: none"> ○ <i>Clearly identify the parts of the Taser and there functions. Demonstrate the proper finger placement of the trigger press and the duration of each press, and what happens when you hold the trigger past five seconds.</i> ○ <i>Demonstrate how the PPM (Performance Power Magazine) release button works.</i> ○ <i>Demonstrate how the Illumination selector button works</i>
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2. Expendable cartridges.
 - a. Solid yellow face is a live 15-foot cartridge.
 - b. Solid silver face is a 21-foot cartridge.
 - c. Solid green face is a 25-foot cartridge **[16]**
 - d. Solid blue is a simulation cartridge
 - e. Two-pressure release buttons.
 - f. Reversible design prevents jamming of the cartridges.
 - g. A cartridge missing the blast doors is B/O

B. Specifications for the X26P Taser:

1. Watts are the “broadcast power” that the weapon transmits into the nervous system of the target.
2. 6.8 watt system, compared to stun units that range from 5 to 11 watts.
3. “It’s not the volts that are dangerous; it’s the amps.” Volts only measure how far a spark can arc through the air.
4. 50,000-volt system **[17]**
 - a. Static discharge-door knob (35,000 to 100,000 volts).
5. Low amperage: X26P < 0.0021 amps
 - a. 110 Volt wall outlet: 16 amps
 - b. Christmas tree bulb: 1 amp
 - c. TASER output: 0.0021 amp or 2.1 milliamps
6. Pulses at 19 per second
7. Safe energy: X-26P = 0.36 joules (stored) 0.07 per pulse
 - a. Cardiac defibrillators are greater than 150-400 joules per pulse
8. Uses compressed nitrogen to fire two small probes
9. Maximum range is 21 feet. **[18]**
10. Optimum performance is 7-15 feet from target for

○ *Demonstrate how the Safety switch works*

○ *Explain the different symbols that may be displayed in the CID*

[16] Ask- What does the field cartridge look like?

[17] Ask- How many volts the Taser has?

[18] Ask- What is the maximum range of the field cartridges?

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probe spread, officer safety and accuracy [19]

- a. Greater probe spread increases effectiveness
- b. If possible, minimum 4 inch spread

11. "Automatic Impulse Regulation"

- a. Single trigger press discharges current for 5-second cycle [20]
- b. Trigger presses during the 5-second cycle will not affect the cycle unless held continuously
- c. Holding the trigger continuously beyond the 5-second cycle will continue the electrical discharge until trigger is released. (The discharge will cease immediately once the trigger is released) [21]
- d. Move safety switch down (SAFE) to immediately stop a discharge (e.g. if accidentally discharged)

12. Effective on suspects with as much as 2 inches of clothing on, including leather jackets. [22]

13. Effective in temperatures ranging from -4 to 122 degrees Fahrenheit.

14. 2 X 3 volt lithium energy cells power the X-26P provides up to 195 – 5 second cycles

15. Total weight is 7.20 ounces.

C. Probe Hits

- 1. Probe hits are almost always more desirable than drive stuns
 - a. More effective (NMI vs. Pain compliance)
 - b. Can be applied from a safe distance
 - c. Usually requires fewer cycles
 - d. Fewer injuries
- 2. The X26P Taser will always deploy/fire a live cartridge when activated. If loaded with a previously fired cartridge it will still have Drive Stun capabilities.

[19] Ask- What is the optimum range?

[20] Ask- Each trigger press discharges for how long? (Demonstrate Trigger Press)

[21] Ask- What happens if you leave your finger on the trigger after you press? (Demonstrate)

[22] Ask- Does the probes have to enter the suspect's skin to be effective? (Emphasize the Taser will work with thick clothing, up to 2 inches cumulative or 1 inch per probe)

- *Explain the difference between Drive Stun and Probe Hits.*

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- a. A drive stun with a live cartridge is possible. However, the probes will fire into the subject
- b. There is no over penetration or burning
- c. Cartridge might not deploy when in direct contact with subject, but will still have Drive Stun effect
- d. Probes can help maintain contact with a violent suspect
- e. You can then apply a drive stun away from probes to achieve NMI

- 3. Upon the deployment of the cartridge, the X26P Taser is capable of functioning in the stun mode immediately as backup weapon without having to remove the deployed cartridge.
- 4. To use drive stun without deploying probes, remove the live cartridge.
- 5. The drive stun mode affects the sensory nervous system ONLY making it a pain compliance weapon that will not cause NMI. [23]
- 6. If not effective, evaluate location of drive stun and change target of opportunity to pressure points or consider alternative force options.
- 7. For maximum effectiveness in Drive Stun mode, aggressively drive the Taser into the below listed areas:
 - a. Brachial plexus tie-in (upper chest)
 - b. Radial (forearm)
 - c. Common peroneal (outside of thigh)
 - d. Tibial (calf muscle)

D. Holster

- 1. The Taser should be stored in the protective holster when not in use.
- 2. Approved holster- SOTECH Nylon thigh holster and Blade Tech.
- 3. Can be carried in cross draw or support side draw
- 4. The Taser should be loaded with a cartridge
- 5. The Taser should not be carried in pants or jacket pockets since static electricity can deploy a cartridge

Video Drive Stun with cartridge- Three officers utilizing a close contact probe deployment followed by a drive stun on volunteer

- Explain avoid removing the live cartridge, drive stun still works with cartridge.

[23] Ask- Does the Drive Stun mode cause NMI?

Ask- Why carry the Taser holster on support side?

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VII. Use of Force Policy

A. Deployment by trained personnel

1. Only personnel specifically trained in the use of the X26P Taser shall be authorized to deploy this weapon system. Deployment of the Taser including minimum and maximum standoff distances, carrying, target location, care, cleaning, and maintenance shall be conducted in accordance with approved Training Division lesson plans and guidelines.

- B. The X26P Taser may be used when an officer reasonably believes that a suspect is violently resisting arrest or poses an immediate threat of violence or physical harm.[24]**

Less-Lethal force shall not be used for a suspect or subject who is passively resisting or **merely failing to comply** with commands. Verbal threats of violence or **mere non-compliance** do not alone justify the use of Less-Lethal force.

[24] Ask- What is the policy for using the Taser?

C. Deorle v. Rutherford Court Decision

1. Use of Force Warning [25]

A verbal warning shall be given, when feasible, to a suspect before a Taser is utilized. The verbal warning should include a command and a warning of potential consequences of the use of force. The command should be similar to, "drop the weapon," or "stop what you are doing," followed by "or we may use the Taser, which may cause you serious injury." The warning is not required when an officer is attacked and must respond to the suspect's actions.

[25] Ask- Is a verbal warning mandatory when using the Taser?

D. Duration of Field Applications

1. The application of the Taser is a physically stressful event. Although there is no predetermined limit

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to the number of cycles that can be administered to the suspect, officers should only apply the number of cycles reasonably necessary to allow them to safely approach and restrain the suspect. Especially when dealing with person in a health crisis such as excited delirium, it is advisable to minimize the physical and psychological stress to the suspect to the greatest degree possible.

E. Use of Deadly Force

1. Electronic Control Devices(ECD) are target specific weapons
2. Even though Electronic Control Devices are not considered lethal, they can incapacitate an officer if used against the officer.
3. If an Electronic Control Device were to be used against an officer **with** a partner officer present, the use of deadly force would generally not be authorized.
 - a. Since one officer may be temporarily incapacitated, the partner officer could resort to other less-lethal tactics and options available to de-escalate the situation
4. If an Electronic Control Device were to be used against an officer working alone, the officer may be authorized to use deadly force. If the officer reasonably believes that if the Electronic Control Weapon were to incapacitate the officer as designed, the suspect could cause the officer serious bodily injury or death with another weapon, possibly the officer's own weapon. Officers should attempt **to use distance and cover** as their first defense against a suspect armed with a Taser.

- *Explain the force options for an officer(s) when confronted by a suspect armed with an ECD.*

VIII. Medical Treatment and Reporting Procedures

A. Medical Treatment:

1. Whenever the Taser is used and the darts make contact with the suspect's clothing or skin, a

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physician at a contract hospital or jail dispensary shall immediately examine the suspect.

2. Only medical personnel may remove darts that are embedded in a suspect's skin. [26]
3. Officers shall immediately request an ambulance if the suspect loses consciousness. [27]
4. If officers observe that the suspect is possibly under the influence of a drug and they feel that the use of the Taser is a possibility, it is suggested that an R/A unit be requested to help stabilize the suspect after the use of the Taser is completed.

B. Reporting Procedures

1. An officer using a TASER shall notify a supervisor without delay. [28]
2. The full account of the Use of Force will be documented in the related Department crime or arrest report.
3. Should these reports not be required, officers shall document the incident on an Employee's Report, Form 15.7
4. Supervisors will conduct an investigation of the incident and report their findings on a Use of Force Report, Form 1.67.2
5. Supervisors shall photograph all visible as well as complained of injuries, even when evidence is not present.
6. If no contact is made, the circumstances shall be documented in the appropriated report such as a crime, arrest or Employee's Report, Form 15.7. [29]
7. Use of the laser sight or sparking of the TASER for purposes of gaining compliance is not considered a use of force if no other force was used before, during or after
 - a. Use of this tactic is not required before deployment of the TASER
 - b. Suspect's actions must be aggressive/combative

[26] Ask- If the darts are embedded in the suspect's skin who may remove the darts?

[27] Ask- What should you do if the suspect loses consciousness?

[28] Ask- After using a Taser who shall you notify?

IX. Taser Failures

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- A. One or both probes misses the suspect or subject.
1. If the electrical current is loud during field hit and the suspect is not reacting, the energy is most likely shorting out and may not be effective.
 2. The TASER device's electrical current is relatively quiet in actual human use

B. Clothing

1. If the electrical current is loud during field hit and the suspect is not reacting, the energy is most likely shorting out and may not be effective.
2. The TASER device's electrical current is relatively quiet in actual human use

C. Low Nerve/Muscle mass between the probes

X. Maintenance and Care

A. X26P TASER

1. Avoid dropping
2. Check APPM regularly
3. Check expiration of APPM
4. Secure in protective holster, when not in use
5. Do not store in pockets without holster
6. B/O Taser's and APPM's shall be returned to Tactics Unit, Training Division (DTF) for replacement
 - a. Tactics Unit shall download the Taser prior to return to Taser International
7. Do not let the Taser get excessively wet
8. Occasionally wipe out the APPM firing bay with dry cloth.

B. Dropped or Wet Taser

1. Safety switch down
2. Remove cartridge
3. Dry the Taser thoroughly

[29] Ask- Should the Taser be used but does not make contact with the suspect, what is the proper reporting procedure?

- *Explain to the students how to identify a Taser failure*

Video RCMP Testing- Shows Taser failures on volunteers

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4. Safety switch up and return to Tactics Unit, In-Service Training Division (ISTD), DTF immediately

XI. Tactics

A. Deployment

1. Officers should attempt to obtain sufficient back-up personnel to contain and control the suspect prior to using the Taser. Proper pre-planning will help in bringing a successful outcome of the situation, with a reduction of injuries to suspects and officer's.
2. To request a Taser, units must broadcast a "Code-Tom". [30]
3. Whenever possible, have a back-up Taser on-scene in case the primary Taser fails.
4. Request a supervisor to the scene; however a supervisor need not be present for the officers to deploy the Taser.
5. Isolate the suspect as much as possible.
6. Form an arrest team.
7. Communicate to the other officers at scene your back-up plan in the event the Taser is ineffective.

B. Arrest Team

1. Can be accomplished with two officers
2. Ideally a five-member team assembled to deploy the Taser.
 - a. Team Leader [31]
 - 1) Supervisor or senior officer at scene.
 - 2) Gives direction and commands to the officers.
 - 3) Control arrest teams movements and deployment.
 - 4) Responsible for decision making in deploying the Taser.
3. Arrest Team (two)
 - a. Responsible for the physical control of the suspect. [32]

[30] Ask- To request a Taser, what should units broadcast?

<ul style="list-style-type: none"> b. Handcuffs and if necessary "hobble" restraints the suspect. c. Places the suspect in the upright seated position and monitor the suspect for signs of distress. d. Can also be deployed as a "cover officer". <p>4. Taser officer</p> <ul style="list-style-type: none"> a. Must be trained and authorized to use the Taser. b. Deploys the Taser within established Department guidelines. 	<p>[31] Ask- What are the team leader responsibilities?</p>
<p>5. Contact Officer [33]</p> <ul style="list-style-type: none"> a. Verbalizes to the suspect in a constant effort to de-escalate the situation before, during and after. <ul style="list-style-type: none"> 1) If applicable, tell the suspect to drop any weapon or item held 2) Tell suspect to raise their hands or place their hands on their head 3) Tell suspect to turn around facing away from officers 4) Place suspect in a position that is advantageous to the officers 	<p>[32] Ask- What are the arrest team responsibilities?</p>
<p>C. Engagement Tactics</p> <ol style="list-style-type: none"> 1. Team Leader advises the take down team to deploy on the suspect. 2. Team members should avoid standing within range of the Taser. 3. The Taser officer is positioned within 25 feet of, optimally 7 – 15 feet from, the suspect, and preferable to the rear of the suspect <ul style="list-style-type: none"> a. Deploying to the rear of the suspect prevents the officer from telegraphing their intentions to the suspect. b. Prevents the darts from accidentally striking the suspect's face. c. More muscle mass on the back 	<p>[33] Ask- What are the Contact Officer responsibilities?</p>

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4. Preferred Target zones **[34]**
 - a. Avoid chest/breast shots whenever possible.
 - b. Frontal shots, the Taser has been found to be more effective if the probes are in the abdominal to pelvic region.
 - c. This will improve the effective use of the Taser while further increasing safety margins.
 - d. Back shots, below the neck, remain the preferred target area when practical.
5. The team leader advises the officers of the intentions to deploy the Taser by the use of a prearranged visual or audible signal to the Taser officer.
6. Once the Taser is activated and the darts have made proper contact the suspect will generally fall down.
7. The Taser officer will allow the Taser to run through its preset "Automatic Impulse Regulation" (5 seconds) or until the suspect stops their aggressive/combatative behavior. **[35]**
 - a. A full 5-second cycle deployment should be applied without interruption (unless circumstances dictate otherwise)
 - b. Each 5-second cycle is a "window of opportunity" for the arrest team to apprehend the suspect and go hands on **[36]**
 - c. The suspect is only incapacitated during the Taser cycle. The suspect can recover immediately.
 - d. Officers are encouraged to subdue and cuff the suspect during the Taser cycle.
 - 1) Do not touch probes
 - 2) Do not touch wires two inches from probes or Taser
 - 3) Do not place hands within two inches of probes
 - 4) Do not place any body parts between probes
8. The Taser officer then announces "clear" when the Taser is switched off.

[34] Ask- What are the preferred target zones?

[35] Ask- When using the Taser on a suspect how long should the Taser run?

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9. The Taser officer should continue to maintain control of the Taser and the ability to reactivate it, should it become necessary, until the suspect is in custody.
 - a. The Taser officer should not assist the arrest team officers with the handcuffing procedures unless it becomes absolutely necessary.

At the conclusion of the presentation the instructor should allow for any questions from the students.

The instructor will administer and grade the TASER test (15 mins.)

[36] Ask- When should the arrest team move in and take the suspect into custody?

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Learning Activity 1- Taser Exposure

Purpose- Provide the students with the effects during and after exposure of the X26P Taser.

Description- The safety ratio for Taser exposure is one instructor per eight students. No firearm loaded or unloaded shall be permitted in the training area. The instructors will demonstrate to the class how to support the student being exposed. If the student is currently "light duty," the student should not be exposed to the ECD until they have returned to "full duty." Prior to taking an exposure, the students should be encouraged to stretch.

Four mats will be set up in range C. There will be two students to support the student being exposed to the Taser. The instructor will determine if any pre-existing medical conditions or injuries exist with the students prior to exposure. If pre-existing conditions exist, instructors should avoid the area for exposure.

The student will stand in the center of the mat or center of the mat room and will be supported by two holders. The holders will support the student by each holding an upper arm of the standing student under the armpit, so that the shoulder, arm, elbow, and wrist are stabilized close to the body to prevent stress, tension, or torsion on the joints. This will additionally prevent the student from falling to the ground injuring oneself. The holders will discover that they will not feel the effects of the Taser while the student is exposed.

An instructor will attach the Taser wires or probes (hooks removed) to the right or left pocket and to the right or left boot. The wires or probes will be placed on the same side. The instructors shall not place the probes in sensitive areas such as the groin, neck and head. After the wires or probes are attached and the student has the holders, a Certified Tactics instructor will activate the Taser. If the student says "stop" after the Taser is activated, the instructor shall immediately deactivate the Taser. If the student does not say "stop" the student will experience the effects of the X26P Taser for 5 seconds.

No student shall be shot with the Taser even if the student request so.

After all the students are exposed with the X26P Taser, the instructor will advise the class to document the exposure in their Field Officers Notebook (Date and time).

Resources needed:

- X26P Tasers
- Mats
- Eye protection

Key learning points:

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- Effects of the Taser
- Effects of NMI

Time needed: 20-30 minutes (entire class)

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Learning Activity 2- Manipulations and Live Fire

Purpose- Familiarizes student with the basic operation of the ECD controls and provides students with the practical experience to safely and effectively operate the ECD.

Description- The safety ratio for Taser manipulations is one instructor per eight students. When students do live fire the safety ratio is one instructor to one student. No firearm loaded or unloaded shall be permitted in the training area. All participants during Taser live fire scenario-based training must wear eye protection. The students will treat all ECD's as if they are loaded.

There will be four stations equipped with TASER's with B/O cartridges, one live cartridge per student and a Numb John. The students will be divided into four groups. At each station students will receive a Taser and a spent/BO cartridge. The instructors will verify the cartridges the students receive are in fact B/O and cannot fire probes. One instructor will demonstrate the Taser manipulations.

The first drill will be Safety Switch/Spark drill. The instructor will demonstrate how to properly operate the safety switch and trigger on the ECD. The students will follow as demonstrated. The students will conduct a spark check allowing the cycle to run for the full five seconds. Next the students will be shown then demonstrate pressing the trigger and ending the cycle early.

The second drill will be loading and unloading cartridges. The students will have the opportunity to practice proper loading and unloading of the Taser cartridges. The instructor will ensure that the safety switch is down in the safe position while loading and unloading the Taser cartridge, rotating cartridge each time to emphasize the reversible fit. The student will load a B/O cartridge into the ECD held just below eye level so the student keeps his/her head up to monitor the threat while they are reloading. The student will put the safety in the down position (safe) and unload the cartridge keeping the Taser at eye level. The instructors will ensure the safety is in the down position before unloading. Additionally, the instructors will ensure the students are not covering their hand while loading and unloading. The students will demonstrate a spark test.

Drill number three will provide each student the opportunity to fire a live cartridge in a low stress environment.. The students will be issued a live cartridge with an ECD at the front of the line . The student will load cartridge at the firing line. The student will point the ECD at the Numb John, at the preferred target area. The instructors will remind the student to keep the Taser at eye level. The student will give a warning and a consequence to the Numb John, deploy probes and allow the Taser to cycle for the full 5 seconds. The student will put the safety switch down (safe) and remove the cartridge dropping it to the ground.

The instructors will ensure the students are giving the proper verbal command as well as aiming at the preferred target zones.

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Resources needed:

- X26P Tasers
- Eye protection
- Live X26P Taser cartridges
- Numb John
- B/O X26P cartridges
- Traffic cones

Key learning points:

- Components of the ECD
- Properly deploy cartridges from the ECD
- Proper preferred target areas when firing the ECD

Time needed: 20-30 minutes (entire class)

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Learning Activity 3- Live Fire with Tactical Reloads

Purpose-The activity is designed to force the student to reload a new Taser cartridge under stress after firing the first Taser cartridge. The student will additionally identify when the Taser cartridge is B/O.

Description- The safety ratio for Taser live fire is one instructor per one student. No firearm loaded or unloaded shall be permitted in the training area. All participants during Taser live fire scenario-based training must wear eye protection. The students will treat all ECD's as if they are loaded.

The students will line up with a partner outside of Range C. Each student will be given a Taser holster containing two live cartridges and a Taser with an expended cartridge placed inside. The students will place the holster on their belt. The students will run a short distance and perform approximately 10 pushups and 10 jumping jacks under the direction of a PT instructor. Upon completion, the student will run a short distance to a Taser target (Numb John). The student will draw their ECD and be told the suspect is attacking him/her. Through sight and sound, the student will identify the deployment was unsuccessful. The student will unload the expended cartridge and reload with a live cartridge. Student will deploy the live cartridge and allow the ECD to cycle for the full five seconds. After the full five seconds the student will be told there is a Code Sam request. The student will unload the cartridge and run a short distance to the next target (Numb John). The student will draw their Taser and load a live cartridge. The student will be told the suspect is threatening him/her and taking a fighting stance. The student will issue a warning and deploy the Taser. The student will allow the ECD to cycle for five seconds then unload the cartridge dropping it to the ground. The student will holster the ECD and the problem will be rendered cold.

Key observations the instructors will look for are:

- Verbal commands
- Aiming at preferred target zones (safety down)
- Proper reloading position
- Proper hand position on cartridge while reloading
- Holding ECD up just below eye level

Resources needed:

- Eye protection
- X26P Tasers and holsters
- Live X26P Taser cartridges
- B/O X26P cartridges
- Numb John targets
- Traffic cones

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- Barricades

Key learning points:

- Components of the ECD
- Properly deploy cartridges from the ECD
- Proper preferred target areas when firing the ECD

Time needed: 30 minutes (entire class)

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Learning Activity 4- Combative Arrest Control Team

Purpose-The students will understand the importance of communicating and forming together a Combative Suspect Control Team.

Description- The safety ratio for Taser scenarios is one instructor per eight students. No firearm loaded or unloaded shall be permitted in the training area. All participants during Taser live fire scenario-based training must wear eye protection.

A group of 6 students will simulate a Combative Suspect Control Team. They will be given a radio call of a “Female suspect with a box cutter threatening to cut herself.” One student will be the Taser operator. One student will be the team leader, one student as cover officer, one student as verbalization officer and 2 officers assigned as Arrest Team.

The team leader will assign a responsibility for everyone including having additional less lethal on standby. The suspect does not drop the box cutter so the team leader communicates any necessary information. The Taser operator will deploy the Taser and the suspect will fall to the ground. The team will move in to take the suspect in custody. Each student will assume their responsibility when moving in which will include securing the weapon.

The instructors will debrief the scenario which will include why it wasn’t feasible to issue a verbal warning and the importance of going hands on while the suspect is being exposed to the Taser.

Resources needed:

- Taser
- Live cartridge
- Red/Orange inert handgun
- Eye protection
- ‘Cuff Man’

Key learning points:

- Importance of communication
- Issuing verbal warning
- Having additional less lethal
- Importance of cover officer
- Not issuing a verbal warning
- Hands on while the suspect is being exposed to the Taser

Time needed: 10 minutes

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Learning Activity 5- Demonstration Close Contact with Probes

Purpose- The students will understand the effects of using the Drive Stun Mode with cartridge in place and achieving NMI (Neuro Muscular Incapacitation). The students will recognize that it is safe to leave the cartridge in the Taser while deploying the Taser at a close distance. Additionally, the demonstration will show the students that touching the cartridge wires will not affect the officers.

Description- The safety ratio for Taser demonstrations is one instructor per eight students. No firearm loaded or unloaded shall be permitted in the training area. All participants during Taser live fire scenario-based training must wear eye protection.

The 'Cuff Man' will be placed lying down. The instructor will deploy the Taser with the cartridge in the back of the 'Cuff Man' then move the Taser to the leg of the 'Cuff Man' creating NMI (Neuro Muscular Incapacitation). While the Taser is being deployed the students (arrest team) will simulate taking the suspect into custody. The students will discover the Taser will not affect them while taking the suspect into custody.

The instructor will demonstrate touching the wires while the Taser is deployed. While the Taser is activated the instructor will grab the middle of the wires demonstrating it is safe to touch the wires while being deployed (With the exception of within two inches from the cartridge and two inches from the probes).

Resources needed:

- Taser
- Live cartridge
- Eye protection
- 'Cuff Man'

Key learning points:

- Importance of communication
- Having additional less lethal
- Hands on while the suspect is being exposed to the Taser
- Creating NMI with the Drive Stun mode with cartridge in Taser

Time needed: 5 minutes

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LD 20 – Use of Force

Date Revised: 11/12/19

Author: 40525 **Approved by:** 31472

Event Goal: To teach recruit officers when and how to use objectively reasonable force.

Session Goal: To teach recruit officers how to use tactical de-escalation techniques to reduce the intensity of an encounter with a suspect.

Learning Objective:

- Students will understand how the principles of de-escalation can enhance contacts with the public and may result in improved decision-making, reduction in situational intensity, and opportunities for outcomes with greater voluntary compliance [20.II]
- Students will discuss tactical de-escalation techniques to reduce the intensity of an encounter with a suspect and mitigate the need for a higher level of force [20.II.A.1][20.II.D]
- Students will recognize the importance of effective communication and scene assessment and management as core concepts of de-escalation [20.II.B.2-3] [20.II.E].
- Students will understand the components of a Critical Decision-making Model to include:
 - Collect information [20.II.C.1]
 - Assess situation, threats, and risks [20.II.C.2]
 - Law and policy [20.II.C.3]
 - Plan [20.II.C.4]
 - Act, review, and reassess [20.II.C.5]
- The student will demonstrate an understanding of how our Department's guiding value of Reverence for Human Life is the moral and ethical foundation of de-escalation, tactics, reasonable force, and officer safety.
- By the conclusion of the training, students will understand how the application of this training is in keeping with our Department's UOF policy, philosophy and tactical planning.

Session Time: 2 hours

Resources needed:

- Classroom w/tables
- Projector with cables and video capability
- De-escalation Directive No. 16 (1 per student)
- Internet connection for video case studies

Session Summary: The instructor will pass out the LAPD de-escalation directive and lead a facilitated discussion about the various elements in the directive. The instructor will lead a

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facilitated discussion about reverence for human life and de-escalations techniques, which will include several video case studies.

Outline	Instructor Notes
<p>I. De-escalation techniques</p> <p>A. Reverence for human life [1]</p> <ol style="list-style-type: none"> 1. Guiding principle in any use of force situation 2. It is both moral and ethical to place the highest value on human life 3. Not policy, but a philosophy for how to approach police work 4. Consistent with the department's mission, vision, and values [20.II.C.3] 5. Helps build public trust 6. Using tactical de-escalation techniques and reasonable force demonstrates this principle <p>B. Tactical de-escalation policy change – special order No 5 – April 2017 [2]</p> <ol style="list-style-type: none"> 1. Officers shall attempt to control an incident 2. By using time, distance, communications, and available resources [20.II.A.1] 3. To de-escalate the situation 4. Whenever it is safe and reasonable to do so <p>C. Definition of tactical de-escalation [3]</p> <ol style="list-style-type: none"> 1. The use of techniques 2. To reduce the intensity of an encounter with a suspect 3. And enable an officer to have additional options 4. To gain voluntary compliance 5. Or mitigate the need to use a higher level of force 6. While maintaining control of the situation <p>D. Officer safety considerations [4]</p> <ol style="list-style-type: none"> 1. Tactical de-escalation does not require that an officer compromise his or her safety 2. Nor increase the risk of physical harm to the public 3. De-escalation techniques should only be used when it is safe and prudent to do so 4. In many incidents, using force may be the best way to reduce the intensity of the encounter <ol style="list-style-type: none"> a. Officers should not be hesitant to use force when reasonable if they reasonably believe that it would mitigate the need for a higher level of force 	<p>Facilitated discussion (1 hour):</p> <p>[1] Ask – How can using tactical de-escalation techniques demonstrate a reverence for human life?</p> <p>[2] Ask – What is the department policy on attempting to de-escalate prior to using force?</p> <p>Handout – De-escalation Directive No. 16</p> <ul style="list-style-type: none"> • Ask – What stands out to you in the department's directive? • Ask – Does this directive help or hinder your job as a police officer and why? • Ask – Do you think officers have changed anything in the way they police since the implementation of this directive? Why or why not? <p>[3] Ask – What do you think the term tactical de-escalation means?</p> <ul style="list-style-type: none"> • Are you familiar with these techniques? • In what situations, do you think de-escalation would be helpful? <p>[4] Ask – What are some of the officer safety issues that you should consider when implementing tactical de-escalation techniques?</p>

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- b. When the use of deadly force is justified and reasonable, officers should not hesitate to protect themselves or others
 - c. Officers who fail to use force when warranted may endanger themselves, the community, and fellow officers
- E. Using force does not equate to a failure of tactical de-escalation techniques [5]
 - 1. In many circumstances, using decisive force quickly is the most effective technique to reduce the intensity of the encounter and mitigate the need for a higher level of force [6]
 - 2. De-escalation means using good tactics, but the suspect's mindset and subsequent behavior will determine if voluntary compliance can be gained [7]
 - 3. In many circumstances, successful use of de-escalation techniques will still result in a use of force
 - 4. The use and success of tactical de-escalation techniques should be judged from the perspective of all parties involved, not just the suspect's
 - a. Victims or potential future victims
 - b. Officers
 - c. Community members/bystanders
 - 5. Even the perfect "textbook" application of tactical de-escalation techniques may result in a use of force and injury to the suspect due to *their* behavior [8]
- F. Purpose of de-escalation [9]
 - 1. Overall objective of any tactical situation
 - a. Safely gain control
 - b. Resolve the situation
 - 2. Reverence for human life
 - a. Public
 - b. Suspects
 - c. Victims
 - d. Officers
 - 3. Increases the likelihood of safely and successfully resolving a situation
 - a. If voluntary compliance is attained, safety for all parties' increases
 - b. Can increase the amount of time the officer has, to make good decisions
 - 4. Managed response

[5] Ask – Does using force mean that tactical de-escalation techniques failed?

[6] Ask – Can officers use decisive force to reduce the intensity of the encounter and mitigate the need for a higher level of force? Explain.

Seeking: Yes, sometimes the best way to de-escalate is to use decisive force quickly.

[7] Ask – What factor best determines if decisive force can be gained?

Seeking: The suspect's behavior

[8] Ask – What are some examples of how the suspect's behavior may determine the result of an incident, even when officers perfectly apply tactical de-escalation techniques?

[9] Ask – What is the purpose of de-escalation?

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- a. Use technique and tactics to reduce conflict **[20.II.D]**
 - b. Or avoid the escalation of a conflict
 - c. Includes the transition from one force option to a lower level force option, thereby reducing the intensity of the encounter
5. Build public trust
- G. Elements of de-escalation **[10-14]**
1. Planning **[20.II.C.4]**
- a. Arrive with a coordinated approach
 - 1) Based upon initial information
 - 2) Pre-existing knowledge of the suspect or involved parties
 - b. Tactical plans must be flexible
 - 1) Adapt as information becomes known **[20.II.C.1][20.II.C.2][20.II.C.5]**
 - 2) Coordinate with other officers
 - c. Contact and cover **[20.II.B.2]**
 - 1) Contact officer responsibilities
 - a) Make physical or verbal contact with the suspect
 - (1) Distance from the suspect
 - (a) Use as much distance as is reasonable based on the location and totality of the circumstances
 - (b) Use patterns of movement to stay in a safe range
 - (c) Increase the distance to create time if the suspect is high risk or is suspected of carrying weapons
 - (2) Verbalize with the suspect
 - (a) Ask questions
 - (b) Give commands
 - i Use command presence
 - ii Clear, firm voice
 - iii Loud and confident, but not yelling
 - (c) Obtain information
 - b) Communicate with your partner

➤ **Note** – There are five videos linked below. The instructor may use as many or as few as needed to cover the content.

[10] Show video case study – Police Deal with Belligerent Man

<https://youtu.be/0-WQsNOQQF4>

Debrief questions:

- What elements of de-escalation did you observe in this video?
- What did the officers do well?
- What could they improve?
- What techniques did they use to reduce the intensity of the incident?
- Why were these strategies successful or unsuccessful?
- With hindsight being 20/20, what other strategies do you think you could have attempted to de-escalate this scenario?
- Why would we try to reduce the intensity of an incident like this one?
- What role does the suspect's behavior play in our ability to de-escalate?
- Did the suspect display any pre-fight indicators? What were they?
- What plan did the officers make?
- Who was contact and who was cover? Did they stay in these roles? Why or why not?
- When is it unsafe to attempt de-escalation?
- What would you have done differently if you were in their shoes?

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<ul style="list-style-type: none"> <ul style="list-style-type: none"> (1) Notify your partner of possible weapons or other contraband (2) If you move a suspect or ask them to move, tell your partner first 2) Cover officer responsibilities <ul style="list-style-type: none"> a) Security and awareness <ul style="list-style-type: none"> (1) Maintain constant observation of the overall situation (2) Be aware of potential dangers (3) Protect the searching officer from possible interference by onlookers or associates of the subject b) Assist the contact officer <ul style="list-style-type: none"> (1) Restrain the suspect if necessary (2) Take possession of any found weapons or contraband c) Radio broadcasts 3) Multiple suspect responsibilities <ul style="list-style-type: none"> a) Contact officer <ul style="list-style-type: none"> (1) Order all suspects to a position of disadvantage (2) Move suspects back one at a time away from the other suspects (3) Search suspects one at a time b) Cover officer <ul style="list-style-type: none"> (1) Radio broadcasting (2) Request additional units if needed (3) Keep eyes on the additional suspects 2. Assessment [20.II.B.3] <ul style="list-style-type: none"> a. Continuously reassess as new information is received [20.II.C.5] b. The situation may change at any time c. Adjust your plan as necessary based on your assessment d. Assess the suspect's behavior <ul style="list-style-type: none"> 1) Visual search <ul style="list-style-type: none"> a) Not a search in the legal sense of the term 	<ul style="list-style-type: none"> • What are some of the reasons you think that officers might be reluctant to de-escalate? <p>[11] Show video case study – Traffic Stop Non-example https://www.youtube.com/watch?v=DbBFaWzMHAQ Note: Use of Force occurs at 4:00 in video</p> <p>Debrief questions:</p> <ul style="list-style-type: none"> • What elements of de-escalation did you observe in this video? • What did the officers do well? • What could they improve? • What techniques did they use to reduce the intensity of the incident? • Why were these strategies successful or unsuccessful? • With hindsight being 20/20, what other strategies do you think you could have attempted to de-escalate this scenario? • Why would we try to reduce the intensity of an incident like this one? • What role does the suspect's behavior play in our ability to de-escalate? • Did the suspect display any pre-fight indicators? What were they? • What plan did the officers make? • Who was contact and who was cover? Did they stay in these roles? Why or why not? • When is it unsafe to attempt de-escalation?
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<ul style="list-style-type: none"> b) Does not require reasonable suspicion or probable cause c) Part of an officer's general awareness d) Areas to be aware of <ul style="list-style-type: none"> (1) The suspect's clothing (2) The location of the subject's hands (3) The proximity of the subject's obvious or potential weapons (4) Any additional subjects (5) Failing to comply with orders 2) Pre-fight indicators <ul style="list-style-type: none"> a) Discernable pre-fight indicators <ul style="list-style-type: none"> (1) Closing the distance (2) Clenched fists (3) Tightened jaw/clenched teeth (4) Use of expletives b) Subtle pre-fight indicators <ul style="list-style-type: none"> (1) The adrenaline effect (2) Erratic head turning (3) Avoiding eye contact (4) Single words/verbal compression (5) Blading their stance (6) Unwarranted smile (7) Eye widening (8) Splaying of arms (9) Dropping of chin (10) The pause e. Attempt to assess the motive for the lack of compliance <ul style="list-style-type: none"> 1) Is it a deliberate attempt to resist? 2) Is the suspect attempting to escape? 3) Is it an inability to comply due to present conditions? <ul style="list-style-type: none"> a) Environmental b) Physical c) Cognitive d) Other conditions that could limit the suspect's ability f. Assess the location <ul style="list-style-type: none"> 1) Awareness, observation, and judgement are key factors to a thorough assessment of the scene 2) Environmental hazards 	<ul style="list-style-type: none"> • What would you have done differently if you were in their shoes? • What are some of the reasons you think that officers might be reluctant to de-escalate? <p>[12] Show video case study – Police Break Window with Kids Inside Car http://www.dailymail.co.uk/video/news/video-1125543/Too-far-Police-break-car-window-taser-passenger.html</p> <p>Debrief questions:</p> <ul style="list-style-type: none"> • What elements of de-escalation did you observe in this video? • What did the officers do well? • What could they improve? • What techniques did they use to reduce the intensity of the incident? • Why were these strategies successful or unsuccessful? • With hindsight being 20/20, what other strategies do you think you could have attempted to de-escalate this scenario? • Why would we try to reduce the intensity of an incident like this one? • What role does the suspect's behavior play in our ability to de-escalate? • Did the suspect display any pre-fight indicators? What were they? • What plan did the officers make? • Who was contact and who was cover? Did they stay in these roles? Why or why not?
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<ul style="list-style-type: none"> a) Vehicular or pedestrian traffic b) Makeshift weapons nearby c) Falling dangers d) Poor lighting 3) Accessibility <ul style="list-style-type: none"> a) Ingress b) Egress 4) Pets 5) Available cover and concealment 6) Lookouts 7) Escape routes g. Assess victim/s and/or witnesses <ul style="list-style-type: none"> 1) Evaluate their behavior 2) Listen to what they say 3) Do not assume you know the story just because of the type of radio call 4) Look for visible injuries or obvious signs of violence 5) Observe the behavior of bystanders, especially in public <ul style="list-style-type: none"> a) Running b) Screaming c) Or do they seem unconcerned h. Assess your resources <ul style="list-style-type: none"> 1) What do you have 2) What do you need 3) Adjust your plan accordingly 3. Time <ul style="list-style-type: none"> a. Essential element of de-escalation b. Allows officers the opportunity to communicate with the suspect c. Allows officers the opportunity to refine tactical plans d. Allows officers the opportunity to call for additional resources e. Provides an opportunity for the suspect to reconsider his actions and decisions f. Distance plus cover equals time <ul style="list-style-type: none"> 1) Distance <ul style="list-style-type: none"> a) Use as much distance as is reasonable based on the totality of the circumstances <ul style="list-style-type: none"> (1) Type of radio call (2) Every location presents different available distance <ul style="list-style-type: none"> (a) Sidewalk (b) Parking lot 	<ul style="list-style-type: none"> • When is it unsafe to attempt de-escalation? • What would you have done differently if you were in their shoes? • What are some of the reasons you think that officers might be reluctant to de-escalate? <p>[13] Show video case study – Calm Maine State Trooper (https://www.youtube.com/watch?v=GXY2flmfr7Y)</p> <p>Debrief questions:</p> <ul style="list-style-type: none"> • What elements of de-escalation did you observe in this video? • What did the officers do well? • What could they improve? • What techniques did they use to reduce the intensity of the incident? • Why were these strategies successful or unsuccessful? • With hindsight being 20/20, what other strategies do you think you could have attempted to de-escalate this scenario? • Why would we try to reduce the intensity of an incident like this one? • What role does the suspect's behavior play in our ability to de-escalate? • Did the suspect display any pre-fight indicators? What were they? • What plan did the officers make?
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- (c) Backyard
- (d) Studio apartment
- (3) Weapons involved
- (4) Suspect actions
- (5) Witness or victim statements
- b) Something to be aware of, but not always feasible
- c) When initiating contact, the availability of distance should be a consideration in when and where to contact the suspect
- d) If a suspect's behavior escalates, it may be necessary to create more distance
- 2) Cover
 - a) Cover refers to a physical barrier that could stop a bullet
 - b) Allows officers to increase their personal safety
 - c) Concealment is not necessarily cover
 - (1) Keeps the officer out of sight
 - (2) But still vulnerable to a bullet
 - (3) May still be effective as a tactical strategy and a component of de-escalation
- 3) Distance management strategies during a physical altercation
 - a) Whoever controls the distance controls the damage
 - b) Creating distance
 - (1) Use proper stances and patterns of movement
 - (a) Do not turn your back on the suspect
 - (b) Do not cross your feet
 - (c) Maintain base and balance whenever possible
 - (2) Stay outside of the effective striking range of the suspect
 - (a) Double arm distance minimum
 - (b) More distance is desirable, if feasible
 - (3) Utilize a force option to create the necessary distance

- Who was contact and who was cover? Did they stay in these roles? Why or why not?
- When is it unsafe to attempt de-escalation?
- What would you have done differently if you were in their shoes?
- What are some of the reasons you think that officers might be reluctant to de-escalate?

[14] Show video case study – Patience with Drunk Man

(https://youtu.be/Om6L_q4oe74)

Debrief questions:

- What are your initial thoughts and impressions of this incident?
- Do you like how the officer responded? Why or why not?
- Were his actions reasonable? Why or why not?
- What do you think he did well?
- What could he have done better?
- Do you think he used use good tactics? Why or why not?
- Do you think he was safe? Why or why not?
- What can you discern about this officer's ego based on this encounter?
- Why do you think he was so confident?
- If the suspect had attacked him and hurt him would we be critiquing this incident any differently?
- Is it dangerous for us to teach officers this type of behavior? Why or why not?

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<ul style="list-style-type: none"> (a) Strikes and kicks (b) Impact weapons (c) Push off and use patterns of movement c) Closing distance <ul style="list-style-type: none"> (1) Based on the suspect's actions and behavior (2) It may not be possible to create distance (3) Should be used when the suspect's actions place officers within their effective striking range (4) When creating distance is not feasible <ul style="list-style-type: none"> (a) Based on the environment (b) The nature of the initial contact (c) The number of suspects (d) Size, stature, and speed of the suspect (e) Type of aggression the suspect uses (5) Examples of closing the distance <ul style="list-style-type: none"> (a) Clinch control when a suspect attacks with punches (b) Sprawl and take the back when a suspect attempts to tackle an officer (c) Body lock control from various positions on the bottom of a ground fight (d) Team takedown of an unarmed, combative suspect (e) Overtaking and catching a fleeing suspect 4. Redeployment and or containment <ul style="list-style-type: none"> a. Can afford officers the added benefit of time and distance <ul style="list-style-type: none"> 1) Reassess 2) Communicate 3) Request additional resources 4) Deploy other tactics 	<ul style="list-style-type: none"> • What do we mean when we say that we want you to be competent and confident? • Based on what you see in the video, do you think this officer is competent to defend himself and others if the need arises? Why or why not? • What actions make you feel that he was confident and competent? • Why is it so important to have both confidence and competence? • What are the dangers of confidence without competence? • How can becoming competent help your confidence?
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- b. May reduce the likelihood of injury to both the public and officers
- c. May mitigate any potential ongoing threats
- d. Redeployment should not enable a subject to gain a tactical advantage, arm himself/herself, or flee and pose a greater danger to the public or officers
- 5. Other resources
 - a. Added personnel
 - 1) Additional unit request
 - 2) Backup
 - 3) Help call
 - 4) Air unit
 - 5) Supervisor request
 - b. Tools
 - 1) Beanbag shotgun
 - 2) Taser
 - 3) Breaching tools
 - 4) Patrol rifle
 - 5) Slug shotgun
- 6. Lines of communication [20.II.E]
 - a. Every situation is fluid and unique and requires ongoing communication
 - b. Radio communication
 - 1) Request initial information from RTO [20.II.C.1]
 - 2) Request additional resources if necessary
 - 3) Go code 6
 - 4) Request for additional units, backup, help, or a supervisor
 - 5) Using a tac channel to disseminate plans or communicate with other officers on scene is an option
 - c. Officer to officer communication
 - 1) Form tactical plans
 - 2) Disseminate information
 - 3) Keeps officers well organized, professional, and working as a team
 - a) May influence suspect not to flee
 - b) May influence suspect not to fight
 - 4) May slow down the incident, creating time to plan
 - 5) Responding with a coordinated approach is not possible without

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<p>good officer to officer communication</p> <p>6) This also includes communicating with the supervisor on scene and the incident commander, if one is designated</p> <p>d. Subject/suspect communication</p> <ol style="list-style-type: none"> 1) Active listening 2) Verbal warnings 3) Persuasion 4) Defusing 5) Empathy 6) Redirecting 7) Advisements 8) Building rapport 9) Asking open ended questions 10) Giving clear and direct orders <p>e. Victim/witness communication</p> <ol style="list-style-type: none"> 1) Can provide accurate and up to the minute information 2) Use the same communication skills as when talking to a suspect 3) Do not assume they will tell you everything 4) You get more information when you build a rapport and demonstrate empathy 5) “Just the facts, ma’am” is not the best approach 6) Sometimes witnesses may be part of the problem and officer’s may need to use communication skills to control the situation <p>H. De-escalation is not always a viable option [15]</p> <ol style="list-style-type: none"> 1. Tactical situations vary greatly 2. There is no single solution to resolving every incident 3. There are situations that cannot be de-escalated, however, using force does not automatically signify that the situation was not de-escalated <p>a. Some situations require an immediate response</p> <ol style="list-style-type: none"> 1) Using force does not mean that tactical de-escalations have failed or were not used 	<p>[15] Repeat: Using force does not mean that tactical de-escalations have failed or were not used. In many circumstances, using decisive force quickly is the most effective technique to reduce the intensity of the encounter and mitigate the need for a higher level of force.</p>
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| <ul style="list-style-type: none">2) In many circumstances, using decisive force quickly is the most effective technique to reduce the intensity of the encounter and mitigate the need for a higher level of force.<ul style="list-style-type: none">b. De-escalation techniques may not be viable or effective4. The safety of all parties involved is of the highest priority<ul style="list-style-type: none">a. Officers should never sacrifice their safetyb. The suspect's actions and other environmental factors must be considered when utilizing de-escalation strategiesc. De-escalation strategies should guide officers' actions when those strategies will increase the officers' safetyI. Reasons why officers may be reluctant to de-escalate<ul style="list-style-type: none">1. Ego<ul style="list-style-type: none">a. Peer pressure to prove yourselfb. Feeling of needing to show toughnessc. Shows weakness to de-escalated. Desire to test your abilities2. Past police culture<ul style="list-style-type: none">a. Suspects who run get beatb. Street justicec. Bias towards using force3. Physiological responses<ul style="list-style-type: none">a. Adrenaline rushb. Overwhelmed emotionally by the intensity of the situationc. Lack of managed, mature, competent critical thinkingd. Tunnel vision4. Fear<ul style="list-style-type: none">a. That not using force may result in injury to officersb. Of condemnation from co-workers if you choose not to use forcec. Of losing a tactical advantage by allowing timed. Of being ridiculed for not using force | |
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