

LOS ANGELES POLICE DEPARTMENT
Pedestrian Stops 2hr
Expanded Course Outline
1850-22417

Instructional Goal: Review the concept of contact, cover, the responsibilities of each and the tactical considerations that need to be examined before, during, and after pedestrian stops.

Performance Objectives: Using lecture, learning activities and practical application the students will:

- Understand their responsibilities when either acting as the contact or cover officer
- Be aware of the tactical considerations confronted by officers before, during, and after pedestrian stops
- Understand the legal requirements for consensual encounters and lawful detentions
- Be able to safely conduct pedestrian stops on one or more suspects while either acting as the contact or cover officer.
- 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.

This Course complies with the legislative content and mandates of PC 835a

I. PEDESTRIAN STOPS OVERVIEW

0800-0805 (5 Min)

A. Introduction

1. Instructors (s)

- a. Name and assignment
- b. Experience
- c. Contact number

2. Brief overview of training goals and objectives

3. California Penal Code Section 835(a)¹

- a. Updated pursuant to Assembly Bill 392 that was signed into law on August 19, 2019 and effective as of January 1, 2020.

B. Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use objectively reasonable force to:

- a. Defend themselves
- b. Defend others
- c. Effect an arrest
- d. Prevent escape/detention, or
- e. Overcome resistance

C. **ICE BREAKER:** Danger of Pedestrian Stops

Procedures: Large group activity

- 1. **ASK** the class if any of them have been involved in an incident were a basic pedestrian stop escalated to a use of force

¹ California Penal Code Section 835a

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- a. Have a volunteer summarize the incident
- b. If no one in the class volunteers, summarize an incident that the instructor has knowledge of, to summarize the importance of tactical considerations
2. Debrief the activity by addressing and reinforcing the importance of planning, communication, observation, approach and flexibility

II. CONTACT AND COVER

0805-0815 (10 Min)

A. **LECTURETTE:** Contact and Cover Lecture

Procedures: Large group activity

1. Briefly overview the key points related to pedestrian stops
 - a. Ensure to point out issues specific to the audience, i.e.:
 - 1) Tenured patrol officers
 - 2) Detectives
 - 3) Plain clothes officers/detectives
 - b. This overview is to ensure consistency in terminology and not to address every nuance of a pedestrian stop
 - c. Each point will be thoroughly addressed during the learning activities and practical application of pedestrian stops
 - d. This information is consistent with recruit officer's instruction and is provided in totality as a resource to clarify current training
2. Contact officer
 - a. Generally, the contact officer initiates action
 - b. Responsible for conducting the "business of the contact"
 - c. Records necessary suspect or incident information, performs searches, recovers evidence, writes traffic or misdemeanor citations and handles radio communications
 - d. The contact officer should not rely solely on the cover officer for protection or suspect security, however protection and security is the cover officer's primary function
3. Cover officer
 - a. Generally, the cover officer is responsible for surveillance and control of all suspects, both to neutralize the possibility of assault, escape or destruction of evidence and to allow the contact officer to perform a thorough investigation
 - b. Discourages hostile acts, assaults or escape by devoting complete attention to security
 - c. In certain circumstances, the cover officer may be required to intervene with appropriate force to protect the contact officer if a suspect reacts violently
 - d. Responsible for surveillance of the surrounding area
 - e. The cover officer should not be required to recover evidence, search suspects, or engage in unnecessary conversation with either suspects or bystanders
 - f. If the cover officer observes anything of possible evidentiary value, such as an object dropped by a suspect,
 - g. Generally, the cover officer should not retrieve it
 - h. Advise the contact officer
4. Designation of contact v. cover **(117c)**

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- a. In some cases, the officers may agree to switch roles to meet the needs of the specific encounter
 - b. For example, the gender of the suspect requires that an officer of the same gender conduct a search
 - c. A matter of expertise exists
 - 1) Narcotic expertise
 - 2) Language
 - d. During such exchanges, the officer assuming the role of cover officer should be in position and fully prepared to respond to any sudden action by the suspect(s) before the original cover officer begins interacting with the suspect, relinquishes that duty
5. Additional units at the location
- a. Some major crime scenes, or disturbances involving several suspects may require the need for multiple contact or cover officers
 - b. If the officers initiating the contact determine the need for additional officers to effectively conduct the pedestrian stop, the request should be made through communications division. The requesting officer should ensure that the accurate priority level is requested
 - 1) Request and additional unit
 - 2) Back-up
 - 3) Assistance
 - 4) Help
 - 5) When two or more suspects must be separated, and other witnesses individually questioned, or when a potentially hostile crowd may interfere
 - c. Either the primary contact officer or a supervisor should assign contact and cover duties as appropriate
 - d. Assignments should be absolutely clear and as specific as the situation permits
 - e. Additional personnel, whether responding to an additional unit request, or simply stopping at the scene, should automatically assume the role of cover officer unless otherwise instructed
6. Single officer patrol units - L Cars
- a. In most L Car instances, the initiating officer is determined to be the contact officer and should always consider requesting an additional unit to act as cover officer
 - b. Units responding to such a request should automatically assume the role of cover officer
 - c. Contact officer should relay pertinent information to the responding units
7. Communication
- a. Upon arrival, the contact officer should advise the additional units:
 - b. The reason for the contact and suspected criminal activity
 - c. Observations made, or evidence obtained
 - d. The contact officer's immediate plans
 - e. Any previous knowledge of the suspect(s) and/or an appraisal of their potential for violence
 - f. Whether or not a search for weapons has been conducted
 - g. Any other suspicious persons or activity in the area

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- h. The arriving officer(s) should receive this information and brief the primary officer on:
 - 1) Previous knowledge of the suspect(s)
 - 2) Observations made while approaching the scene
 - 3) Any significant radio traffic the primary unit may have missed since requesting the additional unit
 - 4) Acknowledge their role as contact officers
- 8. Positioning
 - a. The ideal position for a cover officer
 - b. Provides a clear and unobstructed view of the suspect(s)
 - c. Best peripheral view of the surrounding areas
 - d. Safest possible background behind both the suspect(s) and contact officer in the event of gunfire and
 - e. A position controlling the likeliest route of escape
 - f. The cover officer assures control of the suspect(s), and when necessary directs their movements
 - g. The contact officer should avoid moving between the cover officer and the suspect(s) or into a position of vulnerability
 - h. Care should be taken by the contact officer not to place the suspect(s) directly between himself and the cover officer.
 - i. It is ultimately the responsibility of the cover officer to warn the contact officer if his or her actions might place them in jeopardy
 - j. Maintain a triangular or "L" shaped configuration on the suspect(s)
- 9. Searching
 - a. The most hazardous moment of the majority of contacts occurs during the contact officer's search for weapons or handcuffing
 - b. Definition of roles is most important at this point.
 - c. Adjusting their positions accordingly, the contact officer conducts the search or cuffing while the cover officer acts as security.
 - d. If resistance to searching or cuffing occurs, the cover officer should maintain his position as cover officer unless the resistance evolves into a struggle.
 - e. Then the cover officer should react accordingly
 - 1) In a one-on-one struggle the cover officer should radio for a back-up unit and immediately assist the contact officer
 - 2) If a struggle occurs in a situation with multiple suspects
 - a) Cover officer retains the responsibility for preventing the other suspects from joining the fight
 - b) The cover officer should again request a back-up if the tactical situation permits and place all other suspects in a position of disadvantage (prone face down)
 - c) Then assist the contact officer in subduing the original suspect
 - 3) If the contact officer is unable to control a suspect's physical resistance, the contact officer may elect to break contact, create distance between the officers and the suspect, and consider the appropriate use of force option. By breaking contact both officers will then be in a position to deal with any threat, particularly if the suspect(s) acquire weapons

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- 4) Should a suspect gain control of the contact officer's weapon, the contact officer should warn the cover officer and attempt to get out of the cover officer's line of fire
10. Release of additional units
 - a. Additional units may be released to go back into service upon the determination of the contact officer after
 - 1) The suspect(s) have been thoroughly searched and the contact completed
 - 2) The suspect(s) have been handcuffed and secured in the back of the police vehicle
 - b. Circumstances such as hostile bystanders, or the continued presence of the suspect(s) companions, may dictate that the cover officers remain at scene until the contact officer is completely through with the contact

B. *LEARNING ACTIVITY:* Pedestrian Stop – Demonstration

Procedures: Group activity

1. Assemble the students together near the center of the training location
2. The instructors will demonstrate how to conduct a basic pedestrian stop
 - a. 2 officers
 - b. 1 officer
3. Reinforce audience specific information

III. LEGAL CONTACTS WITH THE PUBLIC

0815-0825 (10 Min)

- A. Officers will often need to initiate various contacts with pedestrians observed on their beat. Officers must have knowledge and understanding of the different types of encounters in order to conduct a lawful and safe pedestrian contact **(117e)**

1. Consensual encounters²
 - a. Subject(s) are free not to cooperate with the police and may even leave if they choose
 - b. Officers must not restrain or exert any authority over the subject(s)
 - c. Officers may approach individuals in a public area, identify themselves as the police, and in a non-coercive manner, ask a few questions without converting the encounter into a situation that has Fourth Amendment significance
 - d. The subject(s) must *reasonably* feel that they are free to leave
2. Legal detentions³
 - a. Officer has a reasonable suspicion, requiring specific and articulable facts
 - b. Unusual activity has occurred, is occurring, or is about to occur
 - 1) The unusual activity is related to a crime
 - 2) The person detained is associated with the unusual activity
 - 3) The suspect(s) is not free to leave and may be arrested for 148 PC if he or she attempts to do so

² Lawful Contacts-Consensual Encounters-Legal Training Unit, LAPD

³ Lawful Contacts-Detentions-Legal Training Unit, LAPD

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- c. A detention may last as long as reasonably necessary for the officer to investigate the reason for the detention. As long as the officer is making progress with the investigation the detention remains reasonable
 - d. A thorough search for weapons should be conducted of the suspect(s) at the onset of the officer's investigation if legal justification is present
3. Justification for Frisk/Pat Down Search⁴
- a. A pat search of a detainee is permitted if there is reason to believe the detainee was armed or dangerous
 - b. The following circumstances are particularly relevant:
 - 1) Nature of crime under investigation
 - 2) Detainee on parole or probation
 - 3) Weapons and gang problems
 - 4) Night time and darkness
 - 5) Bulge under clothing
 - 6) Suspicious movements
 - 7) Hostility
 - 8) Nervousness
 - 9) Officers outnumbered
 - 10) Information from informant
4. Scope of the search⁵
- a. An officer who is conducting a pat search for weapons may remove a concealed object from under the detainee's clothing
 - b. Under the following circumstances
 - 1) conventional weapon
 - 2) hard object
 - 3) contraband
5. Arrest
- a. Probable cause is the standard for a lawful arrest
 - b. Probable cause is a set of facts that would cause an officer (or private person) of similar training or experience as the arresting officer to form an "honest and strong" opinion that the person to be arrested has committed a crime
 - c. A lawful arrest requires only a Fair Probability that the person committed a crime
 - d. Both an Arrest and a Detention should be evaluated based upon the totality of the circumstance
- B. 4th Amendment:
- 1. Point out that the 4th Amendment provides that persons, houses, and effects (belongings) shall be secure from **unreasonable** searches and seizures and requires probable cause for the issuance of warrants. ⁶
 - a. Does not give people an absolute right to privacy
 - b. Limits only those searches that are considered unreasonable by the courts
 - c. Is not violated unless a person's legitimate expectation of privacy is infringed upon
 - 2. Self-Assessment tool:
 - a. S.P.I.C.E. is the acronym used to assist officers in recalling how a person or

⁴ LAPD-Legal Bulletin, Legal Affairs Division Vol 20, Issue 2

⁵ LAPD-Legal Bulletin, Legal Affairs Division Vol 20, Issue 2

⁶ POST Basic Course Workbook LD 15, Laws of Arrest

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- place may be lawfully searched and items seized, within the scope of the 4th Amendment
- b. Every search situation will fall into one of these basic categories except for parole/probation and pat-down frisk searches
 - c. There is no murder scene or crime scene exception to a warrantless search
 - d. Do I have a ...
 - 1) **S** -Search Warrant
 - If I don't have a search warrant, do I have...?
 - 2) **P** -Probable cause-vehicle only
 - 3) **I** -Incident to arrest
 - 4) **C** -Consent
 - 5) **E** -Exigent Circumstances

IV. Tactical Considerations related to Pedestrian Stops

0825-0835 (10 Min)

A. Issues to consider prior to conducting the stop

- 1. The person's appearance
 - a. Does the person generally fit the description of a person wanted for a known offense?
 - b. Does the person appear to be suffering from a recent injury or under the influence of alcohol, drugs, or other intoxicants?
- 2. The person's actions
 - a. Is the person running away from an actual or possible crime?
 - b. Is the person behaving in a manner indicating possible criminal or aggressive behavior (posturing or "staring down")?
- 3. Prior knowledge of the person
 - a. Does the person have an arrest and or conviction record?
 - b. Has the officer had prior contact with the person for any type of offense, serious or otherwise?
 - c. Is the offense similar to the offense that has just occurred, or which is suspected is about to occur?
- 4. The area where the stop is to be conducted
 - a. Is the person near the area of a known offense shortly after it occurred?
 - b. Is the area known for criminal activity (a high crime area)?
 - c. If so is it the kind of activity the person is thought to have committed, be committing, or about to commit?
- 5. Time of the day
 - a. Is it a very late at night?
 - b. Is it unusual for people to be in the area at this particular time?
 - c. Is it the time of day during which particular types of criminal activity like the kind suspected, usually occurs?
- 6. Back-up
 - a. Is there a need for a back-up unit?
 - b. Should the stop be delayed until the back-up officer(s) arrive?

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B. Where to conduct the stop

1. Knowledge of the area in order to broadcast the officer's location to communications
2. Finding an area that has the;
 - a. Fewest escape routes for the person to be stopped
 - 1) Intersections
 - 2) alleys
 - b. The least amount of cover available to the suspect and, if possible, additional cover for the officer
 - c. Lighting beneficial to the officers
 - Suspect easily visible to the officers while the officers, if possible, remain in shadows and not readily seen by the suspect
 - d. Avoid places and locations that could pose additional risks to officers
 - 1) known trouble spots
 - 2) bars
 - 3) known gang locations
 - e. Fewest number of bystanders that could be injured or used as hostages

C. Approach tactics

1. When stopping one or more suspect(s) using the police vehicle;
 - a. Position the patrol vehicle to maximize officer safety for both officers (using the vehicle as cover).
 - 1) Stop the patrol vehicle with the suspect(s) positioned to the front of the vehicle.
 - 2) Place the vehicle at a safe and effective distance from the suspect(s)
 - 3) Provide enough room between the vehicle and suspect(s) in order to allow officers, the time needed to exit the vehicle and gain a position of advantage
 - 4) If possible, place the patrol vehicle near an alternate source of cover (e.g. telephone pole, tree or other structure)
 - b. Position the patrol vehicle to maximize the tactical advantage to both officers while keeping the suspect(s) in view at all times
 - 1) Place the suspect(s) in the open where they are easily visible to both officers
 - 2) Center the front of the patrol vehicle on the suspect(s) so that both officers maintain a triangular or "L" shaped configuration on the suspect(s)
 - c. Proper safety tactics **demand** that the officer **exit** the patrol vehicle
 - 1) Officers who are driving the patrol vehicle must divide their attention between operating the vehicle and watching the suspect(s)
 - 2) Officers seated inside a patrol vehicle do not have easy access to their weapons or a clear line of fire
 - 3) Officers seated inside the patrol vehicle may have their view of the suspect(s) partially blocked by parts of the vehicle
 - 4) Officers seated inside the patrol vehicle have no readily available cover and no ability to maneuver becoming trapped inside the vehicle
 - 5) Officers seated inside their patrol vehicle are not able to physically

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- detain and search suspects
- d. Apply contact and cover tactics

2. When stopping one or more suspect(s) on foot officers should;
 - a. Approach with and maintain a triangular or "L" shaped configuration on the suspect(s).
 - b. Use the standard field interview stance, which requires officers to place the weak foot forward and stand at a distance of at least one arm's length with their weapon side away from the suspect(s).
 - c. Watch the hands of all suspect(s) stopped.
 - d. Keep their weapon hand free.
 - e. Be aware of their surroundings
 - 1) Do not become so focused on writing the field interview or citation that they lose sight of the suspect(s) and/or the surrounding area
 - 2) Avoid "tunnel vision"
 - f. Utilize contact and cover tactics

3. When an L car initiates a pedestrian stop on one or more suspects:
 - a. Use the standard field interview stance, which requires the officer to place the weak foot forward and stand at a distance of at least one arm's length from the suspect(s)
 - b. Watch the hands of the suspect(s)
 - c. Keep weapon hand free
 - d. Be aware of surroundings and not become so focused on writing the field interview or citation that they lose sight of the suspect(s) or the surrounding area
 - 1) Avoid "tunnel vision"
 - 2) Writing an F.I. without taking eyes off the suspect, holding the F.I. at mid to upper chest level which allows the officer to see the FI and the suspect in the same frame of vision
 - e. Maintain an effective safety zone/distance from the suspect
 - f. When encountering multiple suspects consider requesting an additional unit

D. Initiating the stop:

1. If possible, approach the suspect from the rear
 - a. Places suspect(s) at the greatest disadvantage

 - b. Provides officers with the element of surprise

2. If making frontal approach:
 - a. Immediately instruct suspect to face away from officers
 - b. Extremely important if the suspect(s) hands are not visible
 - c. If the suspect's hands are in pockets, the suspect should not be allowed to remove them from their pockets facing officers
 - d. If other cover is available, officers should at this time consider moving to it in order to increase lag time should the suspect(s) initiate some form of attack

3. Watch for suspicious movements to avoid unexpected attacks

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4. Use clear and concise commands when speaking to the suspect(s)
 - a. "Move to your right. Stop. Slowly turn around." Etc.
 - b. Avoid statements such as, "Take two steps to the left or, Put your hands up. Higher. Higher."

5. Instruct the suspect(s) to extend their hands above their head, lock out their elbows, and spread their fingers
 - a. This may pull clothing above the waistline and tighter against the body allowing the officer to observe bulges in the clothing indicative of some type of weapon
 - b. Visually scan the suspect(s) from behind, hands to feet

6. Instruct the suspect to slowly turn around in a complete circle until they are again facing away from the officers
 - a. Visually scan the suspect(s) for bulges in the clothing indicative of some type of weapon
 - b. Once the suspect(s) has turned completely around, if additional cover is available, the officer should consider moving to it
 - c. If the suspect(s) should turn on the officers with some form of attack, it will likely be directed at the area where the suspect(s) last observed the officers

7. Direct the suspect(s) to a position of disadvantage
 - a. Facing away from the officers,
 - b. Facing a wall, fence or other structure
 - Eliminates an avenue of escape
 - c. Spread the suspect's legs to place suspect's off balance
 - d. Have suspect interlock fingers behind their head
 - 1) Initial contact with the suspect should be made with the suspect's hands behind the head
 - 2) Once the contact officer has searched the rear waistband area and rear pockets, the officer may elect to have the suspect(s) place his hands, palms together and fingers crossed, behind their back
 - e. Officers should attempt to utilize available cover until the suspect(s) are placed in the position of disadvantage at the time of contact
 - 1) Do not leave cover and approach the suspect(s) then move them to another location
 - f. Approach using contact and cover tactics

V. Situational Use of Force Options

0835-0845 (10 Min)

A. Individuals actions are Uncooperative

1. Verbalization
2. Joint locks
2. Joint Lock Walk-down
3. O.C. spray (3-12 feet)
3. Baton assisted joint locks

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B. Individuals actions are Aggressive/Combative

1. Verbalization
2. Distraction strikes
3. Kicks
4. Impact Device
5. TASER and less lethal munitions (0-21 feet)
6. Beanbag (30-45 feet)
7. Team Takedown, ground grappling or Joint Lock Takedown

C. Individuals actions may cause serious bodily injury or threat of death

1. Firearms

D. **GROUP DISCUSSION:** Use of Force Options

This course provides updated legislative content of Penal Code Section 835a

Purpose: To Discuss use of force considerations, policy, legal issues, moral and ethical dilemmas to include De-Escalation and Reverence for Human Life.

Procedures: Large group discussion

Review Department Manual Section 1/556.10, Policy on the Use of Force⁷ and openly discuss how it affects the use of less-lethal force options.

A. Reverence for Human Life

1. In Preamble for Use of Force Policy
2. Why?
3. How does this play into our decisions when using force?

B. **California Penal Code section 835(a)**⁸ As set forth below, it is the intent of the Legislature that peace officers use deadly force only when necessary in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer.

1. The totality of the circumstances
2. That 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.
3. Totality of the circumstances, that such force is necessary
4. 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;
 - a. Effect the arrest

⁷ Department Manual Section 1/556.10, Policy on the Use of Force

⁸ California Penal Code Section 835a

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- b. Prevent escape
- c. Overcome resistance
- d. Only reasonable force may be used
- e. You must have reasonable suspicion to believe that the person to be arrested has committed a public offense

Procedures: In a large group read the situations to the class and discuss the correct response.

1. *Patrol officers are assigned to a two-man unit working uniformed patrol, they receive a radio call, "415-man possible narcotics activity." At scene, they observe a suspect matching the description of the broadcast standing on the sidewalk. The officers stop their vehicle alongside the suspect and without exiting the vehicle, both officers begin a dialogue with the suspect in an attempt to determine whether a crime has been committed.*

Was this the appropriate method for conducting a pedestrian stop and the subsequent investigation?

Correct response:

- a. **No.** By stopping their vehicle alongside the suspect, the officers placed themselves at an extreme disadvantage. In addition, proper officer safety tactics demand that the officers exit their vehicle
 - b. The appropriate response by the officers would have been to stop their vehicle at a safe and effective distance from the suspect and immediately exit their vehicle. From this position one officer should act as the contact officer and place the suspect into a position of disadvantage. The officers should then make their approach to the suspect and utilizing the concept of contact and cover, continue their investigation
2. *Patrol officers assigned to a two-man unit working uniformed patrol observe four possible gang members engaging in what appears to be a dice game of "craps". The officers immediately stop their vehicle a safe and effective distance away, immediately exit and direct the suspects to a position of disadvantage. The officers then approach the suspects, who are lined up facing away from the officers, and each officer begins to search a suspect at either end of the group. After completing their search of the first two suspects, they search the remaining two suspects. The officers then each begin completing field interview cards on the suspects and complete the investigation.*

Did the officers take the appropriate action?

Correct Response:

- a. **No.** The officers initially started to conduct the stop appropriately, but after placing the suspects into a position of disadvantage the officers failed to use contact and cover tactics during the remainder of the stop

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- b. As the officers approached the suspects, one officer acting as the cover officer should have taken a position where he could watch surrounding area and keep an eye on the contact officer as he searches each individual suspect
 - c. The roles of contact and cover may be reversed as long as it is done safely with one officer acting as the cover officer at all times and the officers are communicating
3. *Patrol officers working a two-man uniformed patrol unit are on patrol when they observe two possible vandalism suspects standing next to a wall that appears to have freshly painted graffiti scrawled across its surface. The officers also observe a spray paint can lying on the ground at the suspects feet. Both suspects are standing next to the wall facing the officers with their hands inside their pockets. The driver officer immediately stops the vehicle at a safe and effective distance and in such a way as to afford both officers cover. The passenger exits and orders the suspects to face away from the officers. The passenger officer then directs the suspects to remove their hands from their pockets and then places them into a proper position of disadvantage. The officers approach the suspects on foot. At this time the driver officer approaches the first suspect and begins to search while the passenger officer moves to a position where he is afforded a view of the surrounding area and the suspects. The driver officer completes a thorough search of both suspects and completes a thorough investigation of the incident.*

Did the officers handle the stop correctly?

Correct Response:

- a. **Yes.** As the officers, believing that a crime had just occurred, decided to investigate, the driver positioned the vehicle correctly to maximize available cover for both officers. The passenger then quickly exited the vehicle and took charge of the suspects before they could react. The passenger officer was correct in having the suspects face away from the officers before having them remove their hands from their pockets. The passenger officer placed both suspects into positions of disadvantage before the officers made their approach to the suspects.
- b. By using proper contact and cover techniques, the officers were able to conduct a safe and effective pedestrian stop on the two suspects. Although the passenger officer initially started as the contact officer by instructing the suspects, he safely transitioned over to the cover officer as the two officers approached the suspects. The driver officer, after assuming the role of the contact officer, completed a thorough search of both suspects before conducting the remainder of the investigation.

VI. PRACTICAL APPLICATION – PEDESTRIAN STOP

0845-1000 (75 Min)

A. LEARNING ACTIVITY: Ped Stop Demonstration

- 1. Prior to conducting the demonstration reinforce the importance of following the safety guidelines that were distributed and overviewed prior to the first

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demonstration

2. Two instructors will work as partners and conduct a pedestrian of a “415 man at the gas station”
3. One instructor will act as the suspect and stand in front of the gas station in situation simulation (sit sim) village or similar type training venue.
4. The two instructor officers will demonstrate the proper method of conducting a pedestrian stop.
 - a. Park vehicle at a safe and effective distance
 - b. Proper use of the contact and cover concept.
 - c. Placement of the suspect in a position of disadvantage.
 - d. Approach and complete a thorough search of the suspect.
 - e. Conduct a proper investigation including completion of a field interview card and warrant check.
 - f. If the pedestrian stop does not result in an arrest the students should follow the public contact procedure.

B. PRACTICAL APPLICATION: Pedestrian Stop – Drills

Purpose: Provide students the opportunity to apply the knowledge, skills and training they have received in the pedestrian stops in a controlled setting

Procedures: Small group activity

1. The drills should build in difficulty throughout the training block
2. This is meant as a low-key, coach the students through their mistakes and demonstrate appropriate behavior when necessary.
3. This should be a positive learning experience for all involved
4. As a facilitator your goal is to determine from the students input what worked, what didn't and if they are able to process what they have learned and be able to apply in a real time setting
5. This block is more SHOW than tell limit the lecturing and show them what to do.
6. Pair students up as partner officers and conduct different types of pedestrian stops.
7. Students should have the opportunity to act as both contact and cover officer during the scenarios.
8. Listed below are basic scenarios and enrichment scenarios
 - Enrichment scenarios are provided for the students who move through the basic scenarios quickly
9. Select several scenarios from basic and have the students work through the assigned scenario.

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10. Once the instructor is confident that the students can successfully complete the basic scenarios, continue the drills using the enrichment scenarios.

11. Basic Scenario Drill Sequence begins

a. "Basic Scenario #1"

- 1) Students receive a radio call, "415 man loitering at the gas station, refusing to leave
- 2) An instructor posing, as the suspect
- 3) Students will drive black and white police vehicle to suspect's location and deploy on suspect as taught during lecture
- 4) Facilitate a discussion addressing the Debrief points
 - a) Reinforce the importance of conducting legally and tactically sound pedestrian stops
 - b) Park vehicle at a safe and effective distance
 - c) Proper use of the contact and cover concept.
 - d) Placement of the suspect in a position of disadvantage.
 - e) Approach and complete a thorough search of the suspect.
 - f) Conduct a proper investigation including completion of a field interview card and warrant check.
 - g) Ask the students to articulate what was the authority for the stop and the search
 - h) If the pedestrian stop does not result in an arrest the students should follow the public contact procedure.

b. "Basic Scenario #2"

- 1) Students receive a radio call, "Possible narcotics suspect standing in front of the 7-11."
- 2) An instructor posing, as the suspect, will stand outside a location identified as a 7-11.
- 3) Students will drive black and white police vehicle to suspects location and deploy on suspect as taught during lecture.
- 4) Facilitate a discussion addressing the Debrief points
 - a) Reinforce the importance of conducting legally and tactically sound pedestrian stops
 - b) Park vehicle at a safe and effective distance
 - c) Proper use of the contact and cover concept.
 - d) Placement of the suspect in a position of disadvantage.
 - e) Approach and complete a thorough search of the suspect.
 - f) Conduct a proper investigation including completion of a field interview card and warrant check.
 - g) Warrant check should return as a "Code-6 Charles".
 - h) Ask the students to articulate what was the authority for the stop and the search
 - h) Students should place suspect under arrest and transport suspect back to the station.

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c. "Basic Scenario #3"

- 1) Students receive a radio call, "Vandalism suspect there now. Suspects are two males possibly spray painting the walls at the warehouse."
- 2) Two instructors posing as possible suspects will stand to side of a location identified as a warehouse.
- 3) Students will drive black and white police vehicle to suspects location and deploy on suspect as taught during lecture.
- 4) Facilitate a discussion addressing the Debrief points
 - a) Reinforce the importance of conducting legally and tactically sound pedestrian stops
 - b) Park vehicle at a safe and effective distance
 - c) Proper use of the contact and cover concept.
 - d) Placement of the suspect in a position of disadvantage.
 - e) Approach and complete a thorough search of the suspect.
 - f) Conduct a proper investigation including completion of a field interview card and warrant check.
 - g) Ask the students to articulate what was the authority for the stop and the search
 - h) If the pedestrian stop does not result in an arrest the students should follow the public contact procedure

d. "Basic Scenario #4"

- 1) Contact person is a male at the park. He is talking to the ducks and yelling at people to "leave my ducks alone. God put these special ducks here to bring peace to earth." The man is swishing the air with a small stick not threatening others. When he looks in the officers direction he becomes quiet and non-responsive to the officers orders.
- 2) Facilitate a discussion addressing the Debrief Points
 - a) Reinforce the importance of conducting legally and tactically sound pedestrian stops
 - b) Proper planning and communications
 - c) Proper observations and approach
 - d) Flexibility: In this scenario if handled appropriately officers should use communication skills to de-escalate the situation and discover that the man forgot to take his medication for mental illness, obtain a residence address and prepare to transport to location
 - e) Emphasis should be placed on the fact that persons with mental illness may be incapable of understanding commands therefore, patience and time are on the officers side. If officers rush a situation, there is a greater chance of increasing the possibility for a use of force to occur
 - f) Ask the students to articulate what was the authority for the stop and the search

d. "Basic Scenario #5"

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- 1) Officers are called to the scene of a “man down”. Officers arrive and observe a male lying on the ground who appears to be a sleeping transient. As they call out to him, he is non-responsive and does not appear to wake.
- 2) If officers tap the man’s foot or other body parts, the man jumps up quickly and appears fearful and disoriented. He pulls a metal nail file from his waistband and holds it in front of him. He tells the officers to get away. He makes no indication that he recognizes the two as police officers.
- 3) Facilitate a discussion addressing the Debrief Points
 - a) Reinforce the importance of conducting legally and tactically sound pedestrian stops
 - b) Proper planning and communications
 - c) Proper observations and approach
 - d) Flexibility: In this scenario if handled appropriately officers should use communication skills to de-escalate the situation, get the subject to drop the nail file without using force, and discover that the man ran out of his medication he takes for his mental illness. No crime has occurred, and they should identify a location / Mission to transport subject to.
 - e) Emphasis: Should be placed on the fact that persons with mental illness may be incapable of understanding commands therefore, patience and time are on the officers side.
 - f) If students respond with force, ask the students to articulate why they chose the level of force

14. Enrichment Scenarios Drill Sequence Begins

- a. Utilize any of the 42 enrichment scenarios that will best meet the needs of the specific audience
- b. Equipment needed
 - 1) Patrol vehicle
 - 2) Van/suburban
 - 3) Radios one for each unit and one for each instructor
 - 4) Orange handle inert guns
 - 5) Inert O/C canisters
- b. List below are four of the enrichment scenarios that would effectively meet common pedestrian stop issues
 - 1) 390 group Enrichment Scenario #6
 - a) “390 group in the street.” The suspects are at the rear of their vehicle drinking from open containers. A suspect is passed out in the rear seat of the vehicle and stays unconscious during the entire scenario. As officers approach in their vehicle, 2-suspects toss their open containers. The 2-suspect are somewhat uncooperative with the officers when ordered to put their hands up. Suspects are not physically aggressive

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towards the officers, just un-cooperative. One of the suspect lives at the location and offers to take himself and his buddies inside to finish drinking for the day.

- b) 4 instructors are needed for this scenario and 2 students
 - (1) 3 instructors act as suspects
 - (2) 1 instructor is the monitor
 - (3) 2 students act as officers
- c) Ensure that all vehicles are placed in park with the emergency brake set
- d) Role players should avoid putting themselves in a position where they may be struck by a vehicle
- e) Facilitate a discussion addressing the Debrief Points
 - (1) Reinforce the importance of conducting legally and tactically sound pedestrian stops
 - (2) Proper planning and communications
 - (3) Proper observations and approach
 - (4) Utilize contact/cover
 - (5) Search
 - (6) Use of Force option was the level of force appropriate with the suspects actions
 - (7) Did student take appropriate investigative action
 - (a) Want and warrant check
 - (b) RFC
 - (c) Open container
 - (d) 647(f) PC
 - (e) FI
 - (f) FDR

2) Business Dispute Enrichment Scenario #12

- a) Tell the students acting as the officers the following information
 - Radio call of a business dispute at the 7-11.
- b) Advise the officer to take appropriate action.
- c) The officers are meet by an instructor/store owner who relates that the suspect comes in every day and eats a hostess Twinkie inside the store but does not pay for the item
- d) The suspect/instructor tells the officers he does not understand what the big deal is, since he has been doing it for months.
- e) Several customers/instructors continue to interrupt and attempt to tell their version of what happened
- f) Debrief Points
 - (1) Determine if a crime has been committed
 - (2) Take appropriate action
 - (3) Offer private persons arrest
 - (4) Crime report
 - (5) Warning
 - (6) Utilize effect communication strategies to de-escalate the situation
 - (7) If suspects or customers behaviors escalate ensure

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that the officer react appropriately

- (8) Utilize available resources
- (9) MEU

3) 390-man down Enrichment Scenario #21

- a) Tell the students acting as the officers the following information
 - (1) Radio call of 390 man down in front of 12017 Academy Circle, suspect is down and out on the sidewalk. Suspect is very intoxicated
 - (2) Inert weapon optional for Suspect
- b) Debrief Points
 - (1) Tactically approach suspect
 - (2) Determine if ambulance is necessary
 - (3) Use appropriate level of force
 - (4) If search is completed have officer articulate reason
 - (5) If weapon is located
 - (6) Ensure weapon is secured safely
 - (7) If weapon is not located
 - (8) Discuss why?
 - (9) Clarify any issues related searching

C. CLOSING

Reinforce the key learning points

- 1. Importance of having a clear understanding of the responsibility of cover and contact
- 2. Identify and react appropriately to tactical considerations before during and after pedestrian stops
- 3. Clear understanding of the legal requirements for consensual encounters, detentions and pat down searches will enhance an officer ability to perform their job to the highest standard