

San Jose Police Department
Force Options Simulator Instructor Course
Expanded Course Outline – 40 Hours
Rev. 12/20/2020

Course Goal: To develop and equip new Force Options Simulator Course Instructors with the knowledge and skills to properly and effectively teach the FOS course.

Course Objectives:

1. Teach instructor setup and troubleshooting for the FOS system.
2. Provide a general simulator overview applicable to all force options simulator systems.
3. Present an overview of law enforcement application of force.
4. Improve decision making skills related to the use of force.
5. Increase knowledge in current use of force law.
6. Improve skills in tactics and the selection of the appropriate force options by utilization of simulators.
7. Improve ability to document a use of force incident.
8. Provide information and knowledge on how to instruct and present the 4-hour Force Options Simulator course.
9. Create a Force Options Simulator scenario.
10. Complete a final examination with a score of 100%.

Module Time: 40 Hours

Resources Required: Laptop computer, televisions, speakers, remote & laser pointer, dry erase boards & markers. Force Options Simulator to run student-instructors through scenarios and teach back portion of the 4-hour Force Options Simulator course.

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DAY ONE

I. Introduction/Registration

A. Registration

1. POST Force Options Simulator Instructor roster
2. Internal roster
3. Card key access roster/distribution

B. Site visit

1. Parking location
2. Access card test
3. Identification of accessible areas/restrooms
4. Identification of Force Options Simulator room

C. Instructor Introduction

1. Name and time in service
2. Background in agency
3. Background related to FOS training/instructional experience
4. Type of FOS system

D. Student introduction

1. Name, Agency and time in service
2. Background in agency
3. Background related to FOS training/instructional experience
4. Type of FOS system
5. What about FOS training interests you?

E. Distribution and identification of course materials

F. Course overview and objectives

1. Teach instructor setup and troubleshooting for the FOS system.
2. Provide a general simulator overview applicable to all force options simulator systems.
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5. Increase knowledge in current use of force law.
6. Improve skills in tactics and the selection of the appropriate force options by utilization of simulators.
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8. Provide information and knowledge on how to instruct and present the 4-hour Force Options Simulator course.
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10. Complete a final examination with a score of 100%.

G. Pre-Test

II. Introduction to Force Options

A. Importance of Force Options training

1. High agency liability area
2. Can reduce potential liability
3. Good for agency credibility
4. Davis v. Mason County
5. Zuchel v. City and County of Denver

B. Current Case Studies

1. Stephon Clark (Sacramento PD) shooting
2. Willie McCoy (Vallejo PD) shooting
3. Gregory Griffin (Newark PD) shooting
4. Euliath Nava (Anaheim PD) shooting
5. George Floyd (Minneapolis PD) In-Custody Death

(*Additional cases contemporary and relevant may be added)

C. Officer Safety

1. Physical and financial safety
2. Controlled environment training format
3. Familiarization with stress inoculation

D. Force Options v. Escalation of Force

1. This training is about Force Options
2. This training is not about escalation of force or force continuums, etc.
3. Agencies currently using an “Escalation” policy should re-think that model
4. Plaintiff’s line of attack

E. Force Options Instructor Qualifications

1. Competent and knowledgeable instructor
2. Tactical Background
3. Force Law knowledge
4. Technology aptitude

F. Concept of “Full Disclosure”

1. The camera is always on
2. No creative report writing
3. Tell it like it is

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4. Proving proper conduct

III. Use of Force Legal Issues

- A. Force Law Terminology
 1. “Threshold Event”
 2. “Precipitous Act”
 3. “Core Transaction”
 4. “Perception”

- B. Seizure of Persons
 1. Consensual Encounters
 2. Detentions
 3. Arrests

- C. Legal Aspects
 1. Constitutional Law
 2. Federal Law
 3. California State Law
 4. Civil Case Study

- D. Force Decision Making
 1. Objective Reasonableness
 2. “Reasonable Officer”
 3. Individual Department Policy
 4. Force Documentation
 5. Deadly Force

- E. Tactical Failures
 1. Civil Case Studies

- F. Qualified Immunity
 1. Defined
 2. Application

- G. Negligence Per Se
 1. Definition
 2. Application

IV. Legal Standards

- A. Constitution
 1. 4th Amendment

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2. 14th Amendment
- B. Federal Law
1. Title 18 USC section 242 (Criminal)
 2. Title 42 USC section 1983 (Civil)
- C. State Law
1. Assembly Bill 392 & SB 230
 - a. Discuss how your agency's policy may have changed relative to AB 392.
 - b. SB 230, a related Bill to AB 392, addresses agency Use of Force policies and includes specific mandated criteria for policies no later than January 1, 2021.
 - c. Discuss how your agency's policy has changed relative to SB 230.
 2. 196 PC – Justifiable Homicide (Peace Officer)
 3. 197 PC – Justifiable Homicide (Person)
 4. 198 PC – Justifiable Homicide (Bare fear not sufficient)
 5. 198.5 PC – Protection of Home
 6. 834a PC – Resistance of Arrest
 7. 835 PC – Method of Arrest
 8. 835(a) PC – Reasonable Force
- D. Federal & State Case Law
1. Graham v. Connor
 2. Tennessee v. Garner
 3. Forrett v. Richardson
 4. Scott v. Harris
 5. Reed v. Hoy
 6. Scott v. Heinrich
 7. Forrester v. San Diego
 8. Hayes v. County of San Diego
 9. Long Beach POA v. City of Long Beach
 10. Bryan v. McPherson
 11. Starks v. Enyart
 12. Alexander v. City/County of San Francisco

V. Course Assignments

- A. Core Topic Assignment
1. Assigned current relevant case study (ref. Section II. B 1-5)
 2. Present briefing on force analysis of case study
- B. Scenario Development

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1. Create a scenario with general or specific issues to your agency
2. Present briefing of scenario

VI. Instructing Force Options

A. Class Curriculum Discussion

1. P.O.S.T. approved information
2. Identification of P.O.S.T. mandated slides
3. Specific Department issues
4. Related audio and video clips
5. Specific Department policy issues
6. Student debriefs
7. Discussion of variety of F.O.S. applications

B. F.O.S. Classroom Discussion

1. Maximum number of students
2. Classroom decorum
3. Issues surrounding marginalization of class
4. Number of certified instructors needed
5. Training rationale

C. Specific policy issues surrounding class instruction

1. Unit policy conduct and expectations
2. Policy concerning students who unsuccessfully complete course
3. Documentation of student performance/injuries

D. Simulator Room Safety Protocol

1. Work as a team
2. Safety equipment/first aid
3. Clearly defined safety protocols
4. Weapons checks
5. Clearly defined and addressed hazards
6. Instructor safety

E. Tactical Consideration and Overview

1. Simulator weapons familiarization
2. Safety briefing
3. Cuff-Man safety brief and demonstration
4. Tactical overview
5. Communications

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- 6. Accuracy of fire

- F. Simulator room duties
 - 1. Ops con operator
 - 2. Floor safety operator/evaluator
 - 3. Care and cleaning of equipment
 - 4. Selection of scenarios for students

DAY TWO

I. P.O.S.T. Scenario Familiarization

- A. Introduction to the Force Options Simulator Room
 - 1. Expectations for instructors
 - 2. F.O.S. room orientation
 - 3. Introduction to training tools and equipment
 - 4. Review and discuss scenario content
 - 5. Review and discuss tactics involved with training
 - 6. Review and discuss training value in scenarios
 - 7. Instructor roles: students/floor and ops con operators

II. Human Performance

- A. Why we need to understand and talk about Human Performance Limitations
 - 1. Students
 - 2. Administration
 - 3. Court (D.A.'s Defense, Juries)
 - 4. How to obtain experts in field
 - 5. Walker case

- B. How knowledge of Human Limitations aids students
 - 1. Assists in proper debriefs
 - 2. Stress inoculation

- C. Human dynamics related to suspects
 - 1. Action beats reaction
 - 2. Statics related to human dynamics
 - 3. Force Science Research Center Dr. Lewinski
 - 4. Pre-Assaultive Behavior
 - 5. Suspect shooting motions and time related to action

- D. Human dynamics related to Officers
 - 1. Average reaction times

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2. Time to start/time to stop
 3. Decision making
 4. Time to process information vs. time to make a decision
- E. Review of Force Science Institute Web Site
1. Videos showing studies
 2. www.forcescience.org
- F. Pre-assaultive behaviors
1. Verbalizations
 2. Body language
 3. L.A.P.D. video of kneeling cuffing to gun takeaway attempt
- G. Perceptual and Memory Distortions
1. Common distortions seen in F.O.S. training
 2. Identification and debriefing of incidents
- H. Issues surrounding auditory exclusion
1. Why did I not hear what they said?
 2. Preconceived notions
 3. Effects of stress
- I. Issues surrounding visual acuity
1. Lighting conditions
 2. Scanning the entire environment
 3. Looking at the biggest, baddest, scariest thing/person
 4. Intentional blindness
- J. Questions surrounding memory
1. Critical stress amnesia
 2. Memory gaps
 3. Memory distortions

DAY THREE

I. Principles of De-Escalation

- A. Critical Incident Decision Making (CIDM)

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1. Ethical Core of Critical Incident Decision Making
 - a. Police ethics
 - b. The values of the police agency
 - c. Proportionality
 - d. The sanctity of human life

2. The Process
 - a. Collect information
 - b. Assess the situation, threats, risks
 - c. Consider legal authority and policy
 - d. Identify options and course of action
 - e. Act, review, assess

- B. Crisis Recognition & Response
 1. Recognizing a person in crisis
 2. How does a crisis occur: Often there is a precipitating event
 3. How does the reporting party describe the subjects' activity
 4. Officer Response
 5. Tips for responding effectively and safely in the first minutes, before additional personnel arrive

- C. Tactical Communication
 1. Active Listening
 2. Non-Verbal Communication Skills
 3. Verbal Communication Skills

- D. Operational Safety Tactics
 1. Successful resolution requirements
 2. Pre-Response Considerations
 3. Effective Response
 - a. Continue gathering information
 - b. Respond as a team
 - c. Distance + Cover = Time
 - d. Tactical Positioning & Repositioning

(*Principles of De-Escalation will be incorporated throughout all learning domains)

II. POST 4-Hour Force Option Simulator Class

- A. Students will observe a class in progress
 1. May ask pertinent questions, but primarily observe instructional strategies by existing FOS instructors

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- B. Students Participation in Class
 - 1. Each student-instructor will conduct a minimum of 2 scenarios as:
 - a. Floor instructor – debriefs and safety
 - b. Simulator Operator

DAY FOUR

I. Debrief of Student Teaching Experience

- A. Students as teachers
 - 1. Explain interactions with students in class
 - 2. How to properly conduct debriefs of students as instructors
 - 3. Challenges with operating the F.O.S. with an actual class

II. Principles of Adult Learning

- A. Motivations
 - 1. Career advancement
 - 2. Self enhancement
 - 3. Monetary gain
- B. Adult Learning Concepts
 - 1. Relevance
 - 2. Involvement
 - 3. Discovery
 - 4. Experience
 - 5. Modeling
- C. Facilitation Skills
 - 1. Guide student through the learning process
 - 2. Be an active listener
 - 3. Ask open ended questions
 - 4. Make classroom comfortable
 - 5. Room arrangement
 - 6. Be inclusive
- D. Learning Styles
 - 1. Tactile / Kinesthetic
 - 2. Auditory
 - 3. Visual
- E. Small Group

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1. Should have 4 to 6 people
2. Monitor to maintain focus
3. Involve all students

F. Ice Breakers

1. Introductions
2. Interview styles
3. Class exercise
4. As a mental break between exercises
5. Facilitated exercise that is fun and can be tied into learning

G. Instructor Knowledge

1. Know your material
2. Instructor should have a broader knowledge of subject matter
3. Qualify your experience to instruct the subject matter in question
4. Know your audience
5. Be prepared to answer question correctly and honestly

III. P.O.S.T. Course Requirements

A. Outline Construction

1. Written to the 3rd level
2. Course documentation only
3. Discoverable information
4. Should include all pertinent material

B. Outline Exemplar

C. Lesson Plan

1. Detailed document
2. Displays activities of instructors/students
3. Time allotted to each subject
4. Equipment needed
5. Comprehensive list of all media

D. POST E.D.I.

1. Electronic Data Interchange
2. Roster Submission
3. Course Submission
4. P.O.S.T. Profile Access

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- E. Instructor Qualifications

- F. Course Construction
 - 1. Administrative Page
 - 2. 3rd Level Outline
 - 3. Hourly Distribution (Breaks/Lunch)
 - 4. Instructor Resume
 - 5. Safety Plan

- G. Safety Plan
 - 1. Outline Potential Hazards
 - 2. Facility Inspection
 - 3. Assign Responsibilities
 - 4. Nearest Medical Facility

- H. Course Presentation
 - 1. Mobile v. Non-Mobile
 - 2. New CCN each presentation
 - 3. Reconciling TRR
 - 4. Independent Presenters

IV. Written Test Review

V. Instructor Liability

- A. Legal Issues Facing Instructors/Departments
 - 1. Liability
 - 2. Claims
 - 3. Negligence leading to injuries
 - 4. Preventing Claims
 - 5. Sexual Harassment
 - 6. Legal Protections
 - 7. Assumption of Risk
 - 8. Tacit Approval

VI. Small Group Exercise Scenario Development

- A. Students will work in small groups and discuss
 - 1. Scenario Creation
 - 2. Training Value
 - 3. Branch Creation & Filming

VII. Small Group Development Presentations

- A. Each group will present their prepared scenarios that address issues related to:

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1. Individual Department Policy
2. Branching of Scenarios
3. Force Options
4. Training & Tactics related to use of force
5. Identify Training Value

VIII. Student Instructor Final Exam

IX. Course Evaluations & Closing