

FORCE OPTIONS SIMULATOR COURSE

(4 – hours PSP authorized)

Maximum class size is 8 students with 2 instructors.

Rev. 12/22/2020

I Introduction and Lecture (1 - hour)

A Goal: Improve decision making skills related to use of force.

B Objectives:

1. Increase awareness in current law and departmental policy in the use of force.
2. Increase proficiency in selection of appropriate force options.
3. Improve skills in tactics and force options by utilization of simulator.

C Law

1. Federal law

a. Title 18, USC Sec 242 and 1983 (Civil Rights)

2. State

a PC 835, Method of making arrest, amount of restraint

b PC 835a, Use of reasonable force to effect arrest, prevent escape or overcome resistance

i. Discuss how your agency's policy may have changed relative to AB 392 & SB 230.

c PC 843, Arrest under warrant; force permissible, what force may be used.

d PC 196, Justifiable homicide; public officers

e PC 197, Justifiable homicide; any persons

f PC 198, Justifiable homicide; sufficiency of fear

g PC 198.5, Home protection; use of deadly force: Presumption of fear of death or great bodily injury

3. Case Law Reasonable Force

a **Tenn. vs Garner** (deadly force)

In order for peace officers to employ lethal force, they must consider:

- 1) Life-threatening escape-“Where the officer has probable cause to believe that the suspect poses a threat of serious physical harm, either

to the officer or others..”

- 2) Life-threatening felony – “..if the suspect threatens the officer with a weapon or there is probable cause to believe that he has committed a crime involving the infliction of serious bodily harm...”
- 3) Give warning where feasible – “...the court imposes a constitutional requirement that some warning be given prior to the use of lethal force where feasible...” “HALT, POLICE! Stop or I’ll shoot!”
- 4) If necessary to prevent escape – “...in order for lethal force to be constitutionally permissible, there must be probable cause to believe that the use of lethal force is reasonably necessary...”

b **Graham vs Connor** (reasonable force)

The reasonableness of a particular use of force must be:

- 1) Judged from the perspective of a reasonable officer
- 2) Examined through the eyes of an officer on the scene at the time the force was applied
- 3) Based on the facts and circumstances confronting the officer without regard to the officer’s underlying intent or motivation
- 4) Based on the knowledge that the officer acted properly under the established law at the time

c **Forrester vs San Diego** (*Level of force used*)

- 1) Officers do not necessarily need to use the least intrusive force
- 2) Force must be reasonable and justified
- 3) Example: Officers don’t have to carry protesters, they can use pain compliance or other means to effect arrest

4. Agency Policy

a Review of agency Use of Force policy

- 1) “Totality of the circumstances” means all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force.
- 2) Discuss how your agency’s policy may have changed relative to AB 392.
- 3) 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.
- 4) Discuss how your agency's policy has changed relative to SB 230. Generic overview of policy.
- 5) Duty to know agency policy

b Force Options Defined (LD 20):

- 1) Choices available to a police officer concerning the methods available

as identified in each agency or department policy documentation.

5. Tactical Overview and Principles of De-escalation
 - a Awareness
 - 1) Familiarization with equipment
 - 2) Accuracy (target acquisition), center mass
 - 3) Avenue of escape/surroundings
 - 4) Movement
 - 5) Cover (generally stops bullets)
 - 6) Concealment (hides officer's position)
 - 7) Distance to enhance tactical advantage (distance = time)
 - i. When possible create a Reactionary Gap with distance and barriers to utilize other less lethal tools and communication
 - 8) Communications
 - a) With - subject/suspect – Use effective de-escalation communication tactics
 - b) Fellow officers
 - c) Dispatch
6. Force options
 - a Uniform Presence
 - b Verbal
 - c Chemical Agents
 - d Hands/ Control Holds
 - e Impact Weapons
 - f Electronic Disruption Weapons
 - g Less Lethal
 - h Lethal Force
7. Weapons Safety
 - a Four basic safety rules.
 - 1) Guns are always loaded
 - 2) Never allow muzzle to cover anything you are not willing to destroy.
 - 3) Keep finger off trigger until ready to shoot.
 - 4) Be sure of your target and background.
8. Weapons Familiarization specific to simulator

II. Practical Application Simulator Scenarios (2 - hours)

- A. Minimum of 3 scenarios for each student (one non-shoot)
 - B Critique and debrief after each scenario.
- III Test (1/2 – hour)
- A. Written or verbal followed by open discussion
- IV. Course Evaluation and Final Review (1/2 - hour)