

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:15-CV-01046
)	
Plaintiff,)	
)	JUDGE SOLOMON OLIVER, JR.
vs.)	
)	
CITY OF CLEVELAND)	MEMORANDUM SUBMITTING
)	INITIAL OFFICER USE OF FORCE
Defendant.)	TRAINING
)	

The Consent Decree requires that the Cleveland Division of Police (“CDP” or the “Division”) provide an initial use of force training to “all current officers use of force training that is adequate in quality, quantity, scope, and type.” Dkt. 7-1 ¶ 84. Over the past several months, the Division’s Training Section has capably crafted a training program that meaningfully addresses the requirements of the Decree and provides high-quality instruction to officers on the use of force policy that this Court previously approved. Dkt. 101. The final initial use of force training curriculum is attached hereto as Exhibit A.

The Monitoring Team has closely reviewed the final proposed curriculum. It concludes that the initial training serves as a strong foundation both for the Division’s implementation of its use of force policy and for its other major training initiatives to come. The finalization of this training marks an important milestone in the reform process, and the Monitor commends the men and women of the Division’s Training Section for their hard work and dedication to develop a

strong, substantive training. Therefore, the Monitoring Team approves the initial use of force training as consistent with the Consent Decree's paragraphs 84 (a) through (i) and as furthering the broader requirements and objectives of paragraphs 45, 46, 49, and 269. It asks the Court to order the training effective.

I. REQUIREMENTS OF THE CONSENT DECREE REGARDING USE OF FORCE TRAINING & PROCEDURAL HISTORY

The Monitoring Team has previously described the process throughout 2016 of updating the Division's officer use of force policy – including the significant role that CDP officers, Cleveland residents, and community organizations played in the formulation of the revised policy. Dkt. 97 at 27–35. The Monitoring Team “conclude[d] that the policies are consistent with the Consent Decree because they promote officer and public safety, enhance effective and proactive law enforcement, and advance constitutional policing in a manner consistent with the values of Cleveland's communities.” Dkt. 83 at 2. The Court approved the new use of force policies, subject to some specific conditions. Dkt. 101.

The Division's “approved, new use of force policies . . . will only become effective once the men and women of the Division receive significant, substantive training the policy's provisions.” Dkt. 97 at 35. With the use of force policy finalized, the Consent Decree requires that CDP “provide all current officers use of force training that is adequate in quality, quantity, scope, and type.” Dkt. 7-1 ¶ 84. This training must, among other things, include instruction on:

- proper use of force decision-making;
- use of force reporting requirements;
- the Fourth Amendment and related law;
- de-escalation techniques, both verbal and tactical, that empower officers to make arrests without using force and instruction that disengagement, area

containment, surveillance, waiting out a subject, summoning reinforcements, using cover, calling in specialized units, or delaying arrest may be the appropriate response to a situation, even when the use of force would be legally justified;

- role-playing scenarios and interactive exercises that illustrate proper use of force decision-making, including training on the importance of peer intervention;
- the proper deployment and use of all intermediate weapons or technologies;
- the risks of prolonged or repeated ECW exposure, including that exposure to ECWs for longer than 15 seconds (whether due to multiple applications or continuous cycling) may increase the risk of death or serious physical injury;
- the increased risks ECWs may present to a subject who is pregnant, elderly, a child, frail, has low body mass, or is in medical crisis;
- that when using an ECW the drive stun mode is generally less effective than the probe mode and, when used repeatedly, may exacerbate the situation;
- firearms training . . . ; [and]
- factors to consider in initiating or continuing a vehicle pursuit.

Id. CDP’s Academy recruits must also receive this use of force training. *Id.* ¶ 85. The Division’s supervisors must receive this general force training as well as specialized training relating to supervisor-specific force issues and broader supervisory skills. *Id.* ¶ 84. Upon successful completion of an “adequate” initial force training, the Division must “provide all officers with annual use of force in-service training that is adequate in quality, quantity, type, and

scope.” *Id.* ¶¶ 84, 86. All of these requirements support the Decree’s general provisions relating use of force policy, use of force principles, and officer training. *Id.* ¶¶ 45, 46, 49, and 2369

The Division began the process of planning for the initial training of all officers on use of force in August 2016. Since then, CDP has focused sustained efforts on designing and implementing the Use of Force Training.¹ The Monitoring Team was able to work closely and collaboratively with the Division of Police and its Training Section. The Team’s objective was to provide both guidance and technical assistance as to the development and implementation of a cohesive training curriculum that is consistent with the requirements of the Consent Decree and provides the most effective and operationally efficient means by which to ensure that all sworn members of the CDP are rigorously trained and have a working knowledge of the Division’s new use of force policy.

Members of the Monitoring Team met periodically with the Training Section staff reviewing the specific modules developed, carefully scrutinizing both the content and the instructional modality to ensure that the most effective adult learning methodology was incorporated into each module. Cleveland has not previously conducted training on new policies that integrate such sustained and substantial interactive and scenario-based instruction. Using these approaches required the Division and its Training Section to re-think and re-engineer its methods, and the Monitoring Team has indeed been favorably impressed by the hard work of the

¹ The Second Semiannual Report indicated that it was then “contemplated that use of force training may be able to begin sometime in February 2016. Even if several weeks more are required beyond that date to finalize training . . . , the Monitoring Team is satisfied that the Division is committed to completing a high-quality training.” Dkt. 97 at 35. Ultimately, CDP required only about four to five weeks of additional time, which all of the Monitor, CDP, City, and DOJ agreed was useful to refine the training further rather than address any outstanding foundational issues.

Training Section and their willingness to embrace definitively new approaches to officer training.

After sustained work on training curriculum material, the Parties and Monitoring Team observed the proposed in-class force training in person in late April 2016. After the Division incorporated additional feedback, the Division successfully provided the Parties and Monitoring Team with a finalized version of the complete initial use of force training curriculum on May 12, 2016.

II. STANDARD OF REVIEW

“As an agent of the Court,” the Monitoring Team must “assess and report whether the requirements” of the Consent Decree “have been implemented.” Dkt. 7-1 ¶ 351; *accord id.* ¶ 352 (requiring the Monitor “to review . . . policies, procedures, practices, training curricula, and programs developed and implemented under” the Decree). With respect to the use of force training, the task of the Monitoring Team is to evaluate whether the initial use of force training, consisting of a video-based roll call component and a 16-hour in-class component, “is adequate in quality, quantity, type, and scope.” *Id.* ¶ 84.

The Monitoring Team has previously emphasized to the Division, Parties, and Court the importance of CDP “tak[ing] full advantage of . . . best practices in adult education”:

Generally, effective adult and professional learning programs present problems for adult to solve or tasks for them to complete rather than, or at least in addition to, solely providing information for students to passively consume . . . Some training courses depend too much on . . . lectures [or] slide presentations. This type of learning requires the learner to passively absorb and retain large amounts of *content*. To retain learning, learners need opportunities to make a *connection* with the content and *apply* the learning to real-life.

Dkt. 65 at 55 (emphasis in original). For law enforcement training, “established best practices and the Consent Decree point the way toward ‘realistic, scenario-based training’ that is

integrated and woven throughout specific training courses.” *Id.* (citing TASK FORCE ON 21ST CENTURY POLICING, FINAL REPORT at 42 (Mar. 2015); Dkt. 7-1 ¶84(e)). Indeed, in providing real-time feedback to CDP on the use of force training, the Monitoring Team and the Division looked to use of force training materials from throughout the country that use scenario-based and interactive learning techniques that provide an opportunity for officers to develop skills and apply tactics in dynamic learning environments. *See* POLICE EXECUTIVE RESEARCH FORUM, ICAT: INTEGRATING COMMUNICATIONS, ASSESSMENT, AND TACTICS: TRAINING GUIDE FOR DEFUSING CRITICAL INCIDENTS (Oct. 2016), http://www.policeforum.org/assets/icattraining_guide.pdf; SEATTLE POLICE DEPARTMENT, USE OF FORCE PHASE II 2014 (May 2014), [https://static1.squarespace.com/static/5425b9f0e4b0d66352331e0e/t/542ae4f1e4b00ac585ed4e87/1412097265945/DKT No. 144 Memorandum Re ISDM dated 053014.pdf](https://static1.squarespace.com/static/5425b9f0e4b0d66352331e0e/t/542ae4f1e4b00ac585ed4e87/1412097265945/DKT+No.+144+Memorandum+Re+ISDM+dated+053014.pdf).

II. SUMMARY AND ANALYSIS OF CDP’S INITIAL OFFICER USE OF FOR TRAINING

The initial training to all sworn CDP personnel on use of force consists of two primary components: (1) initial policy instruction (also referred to as a “pre-loading”) in District-based video roll calls, and (2) a two-day, in-class, scenario-based training program.

A. Initial Policy Instruction (“Pre-Loading”)

CDP’s Training Section constructed a “pre-load” video presentation that all CDP officers have viewed or soon will view, in an expanded roll call training context, in the Districts in May and June before they attend the subsequent in-class training components. Ex. A at 4–28. The approximately one-and-a-half-hour video presentation outlines, step by step, the new policy and the expectations of the upcoming use of force training sessions. The “pre-load” presentation begins with a message from Chief Williams that reinforces the importance of the use of force policy provisions and underscores the Division’s commitment to these important changes. *Id.* at

6. The presentation then proceeds through the new CDP policies, providing instruction to officers on the specific provisions of the updated, Court-approved use of force policy. *Id.* at 6–29.

Over the coming weeks, CDP personnel will view the pre-load and be given the opportunity to ask questions of training personnel, supervisors, and Command staff who will be in attendance during these District-based sessions. It is expected that the “pre-loading” activities will ensure officer knowledge of the new policy and a better understanding of newly emphasized concepts prior to attending the classroom instruction, where instructors will delve deeper into content and afford officers the opportunity to demonstrate their understanding in a scenario-based environment.

The Monitoring Team has reviewed the curriculum for the Initial Policy Instruction component. It faithfully provides a sufficient, substantive overview of the new expectations and obligations under the Court-approved use of force policy.

B. Two-Day, In-Class, Scenario-Based Training

Between May and October 2017, all sworn CDP personnel will attend two days (16 hours) of in-class training. This training consists almost exclusively of integrated, interactive scenario-based instruction aimed at giving officers repeated opportunities to apply the new use of force policy provisions in a real-world context. Ex. A at 29–115.

Over the course of the two days, officers will proceed through eight “modules” of instruction, all of which have either interactive or scenario-based elements. Ex. A. Those modules include instruction on:

- De-Escalation
- Contact and Cover

- Subject Control and Handcuffing
- Intermediate Weapons
- Decision-making Scenarios
- Threat Assessment
- Officer Performance Assessments (Video-Based) (two modules)

The maximum, total class size for the two-day course is 48 officers. On both days, the class of 48 officers will begin with an introduction and overview that emphasizes the training's objective and various provisions and expectations of the new policy. Ex. A at 7. Subsequently, the class will be divided into four groups of twelve officers each. *Id.* Each group of twelve officers will proceed, throughout the remainder of each day, through four of the above modules. *Id.*

1. Day One

Day one begins with a formal introduction of the instructors, safety rules, attendance requirements and expectations. Ex. A at 29. The class is then divided in smaller groups to maximize safety and facilitate close observation and evaluation of each officer attending the training. The officers then go through four “modules” – or approximately hour-and-a-half long substantive training blocks – of instruction. Ex. 29, 39, 51, 58.

The first module is solely focused primarily on the introduction and thorough review of the five new policies relating to use of force and all of the major changes within those policies, particularly in how force is used and reported. Ex. A at 29–38. This is an interactive classroom segment of the training that builds the foundation for all of the training modules that follow.

Module two explores De-escalation principles, strategies and techniques with the officers and is intended to fully explain what de-escalation is, why it matters and how it should be

considered in every aspect of police work from daily citizen contacts to crisis events. Ex. A at 39–50.

In module three, officers will learn to effectively evaluate the situations and the subjects they encounter as well as how to quickly assess the resources they have available to help them safely resolve various situations. Ex. A at 51–57. Teaching the officers to assess the environment they are in will also be part of the training. This is commonly referred to as “contact/cover” training and is a key part in determining the options to de-escalate or use force available to the officers. *Id.*

Module four trains the officers on contemporary Subject Control and Prone Handcuffing techniques. Ex. A at 58–67. Handcuffing and control techniques have changed over the years, and this refresher training will teach officers in accordance with policy changes and modern techniques.

2. Day Two

Day two will begin with a significant review of the four modules learned in day one and then proceed into four modules. Ex. A at 68–72. Module one is a complete session focused on the assessment of videos depicting scenarios of officers handling various situations that end in various ways. Ex. A at 73–80. The CDP officers have to identify whether stops were justified, whether use of force was justified and if the correct options were used etc., and are evaluated based on CDPs new GOPs. *Id.*

Module two is comprised of reality based scenarios in which the officers are faced with a variety of situations and are evaluated on verbal commands, choice of intermediate weapons and the utilization of de-escalation techniques if opportunities to do so exist. Ex. A at 81–91.

Module three is also a reality based scenario that focuses on how the officer reacts to and assesses the environment to which he or she is dispatched to, and the tactical decisions that follow. Ex. A at 92–103. The scenarios are intended to evaluate the officers’ decision making skills in accordance with the new use of force related GPOs. *Id.*

Module four builds on module three by further exploring the officers’ verbal commands, body language, level of awareness about the event they are in and finally their understanding and execution of de-escalation techniques and or transition to use of force tools and techniques in accordance with the new use of force policies. Ex. A at 104–120. If the scenario turns to force, the level of force is evaluated as to whether it was necessary, proportional and objectively reasonable. *Id.*

C. Officer Evaluation

During the training, officers must meet minimum performance requirements. One element of officer evaluation will be a written exam, administered during the training, to confirm that officers have a clear understanding of the new force policy’s requirements and expectations. Ex. A at 2. Another element of officer evaluation will be a formal, operationalized performance “check list” for evaluating every officer’s performance during the various interactive, scenario-based elements. Ex. A at 2, 38, 50, 67, 80, 91, 103, 115. If officers do not receive a passing score for their performance in one of the scenario exercises, the officers will receive specific, remedial training and/or one-on-one discussion to ensure their understanding of the appropriate application of the force policy. Ex. A at 2.

Regardless of whether officers meet the required, minimum performance standards, all scenario-based modules provide an opportunity for a full debriefing in which participating instructors and other students will be charged with fully analyzing officer performance –

identifying the application of good tactics and areas of strength as well as areas for improvement or where other or different strategies or tactics could or should have been applied.

Another innovation that the Training Section is implementing relates to gauging and integrating officer feedback on the training program. To do so, the Division has designed an effective evaluation form to be completed by each officer at the conclusion of the in-class training. The resulting evaluation survey, created by the Training Unit with some assistance from the Monitoring Team, allows for officers' feedback to be incorporated to improve or adjust the training curriculum to ensure maximum effectiveness and value. Ex. A at 29–120.

Consistent with the Consent Decree's requirements that the Division "document all training provided to or received by CDP officers," Dkt. 7-1 ¶ 288, CDP has plans and processes in place to document attendance and maintain records of officer participation in all aspects of the training. The contemplated implementation of an electronic Learning Management System will substantially aid in these efforts over time.

Given the critical importance of the Use of Force Training, members of the Monitoring Team will attend training sessions throughout the implementation of the Use of Force training to ensure that the training is of the quality that all stakeholders expect. The Team looks forward to updating the Court on the use of force training as it is implemented over the next several months.

Presuming that the Use of Force Training is completed in early Fall 2017, the Consent-Decree-required and Court-approved use of force policy will be implemented in the field – such that officer performance will be evaluated in light of adherence to the new use of force policies – as of January 1, 2018, consistent with the Court's previous order. Dkt. 101 ("The new policies will become effective upon the Cleveland Division of Police's successful completion of Use of Force Training.").

D. Overall Analysis of Initial Training Program

During the week of April 17, 2017, members of the Monitoring Team conducted a walk-through of the entire in-class curriculum. CDP training instructors delivered content, modeled scenarios, and demonstrated hands-on and decision making modules that reinforce the policy changes and underscore the fundamental use of force principles (necessity, proportionality, objective reasonableness, and de-escalation whenever safe and feasible) that are the foundation of the division's policy. The Monitoring Team was tremendously impressed by the level of the training demonstrated and the clear commitment of the instructors to the overriding objectives of the Division's Use of Force Training initiative. This interactive, immersive training is a far distance from the rote "Death by PowerPoint" style that, for some police departments, has served as the default method. Having now reviewed the finalized training curriculum materials, the Monitoring Team believes that the training appropriately takes advantage of new instructional approaches and is geared toward providing officers with practical, day-to-day skills and an ability to practice application of the new force policy in realistic settings. Accordingly, the Monitoring Team concludes that the initial use of force training for officers appears "adequate in quality" and "type." Dkt. 7-1 ¶ 84.

Likewise, the "quantity" of use of force training appears adequate for an initial training on the new force policy, especially given that CDP officers will receive substantial use of force training in coming years. *Id.* ¶ 86. The roll-call based, basic instruction on the new policy and the sixteen hours of intensive in-class instruction appear sufficient to cover and reinforce the policy provisions and provide extensive opportunities for officers to practice the application of the new policy in interactive exercises and immersive scenarios. The Monitoring Team therefore concludes that the initial use of force training is also "adequate in . . . quantity." *Id.* ¶ 84.

Finally, the use of force policy is “adequate in . . . scope” because it both provides meaningful instruction on the specific provisions of the new force policy and addresses nearly all of the various, express requirements of the Consent Decree with respect to the initial force training. *Id.* Other CDP training will address “firearms training,” *id.* ¶¶ 84(j), 60; “factors to consider in initiating or continuing a vehicle pursuit,” Dkt. 7-1 ¶ 84(k); and supervisor-specific force-related training, *id.* ¶ 84(l).

III. CONCLUSION

The Monitoring Team approves the initial use of force training as consistent with the Consent Decree’s paragraphs 84 (a) through (i) and as furthering the broader requirements and objectives of paragraphs 45, 46, 49, and 269.

Respectfully submitted,

/s/ Matthew Barge

MATTHEW BARGE

Monitor

234 5th Avenue, Suite 314

New York, New York 10001

Tel: (202) 257-5111

Email: matthewbarge@parc.info

CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2017 I served the foregoing document entitled Memorandum Submitting Initial Officer Use of Force Training via the court's ECF system to all counsel of record.

/s/ Matthew Barge
MATTHEW BARGE



Cleveland Division of Police

USE OF FORCE TRAINING 2017



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TRAINING SUMMARY

Overview: Cleveland Division of Police (CDP) use of force training is a comprehensive view of how we are to apply the five new use of force GPOs as one overall order use of force policy. Ensuring that officers have ability to understand and cross-reference these GPO's will be a focal point of this training. This training has been developed to ensure officers not only understand the new use of force police, but also learn how to apply them in their everyday duties.

Cleveland Division of Police use of force training will consist of a two-step training process. Step one will consist of Pre-Loading and Step two will consist Scenario / Problem based learning/Training. CDP use of force training is designed to reach all three types of learners (Visual, Auditory and Kinesthetic).

Training Plan

Step One: Pre-Loading (*1 -1.5 hours of training*)

1. All officers shall attend the entirety of pre-loading (part one) training before attending part two.
2. District Training Coordinators at each district will conduct training.
3. All CDP officers will be given a copy of all five GPO's to read prior to attending training given at their district. During this time they will be asked to prepare and bring questions to the preload training.
4. District Training Coordinators will schedule officers in their respective districts to attend preload training.
5. District Training Coordinators will provide detailed training and understanding of the new policy making sure that all questions are addressed before the officer / officers leave training.
6. All officers will sign the sign in sheet stating that they attended the training and understood the policies.

Step Two: Scenario /Problem Based Learning (*Two Days*)

1. All officers must have attended module one of the training prior to attending module two
2. Training will take place over two days
3. Every officer will attend eight different training modules
4. Each modules will last 1hour and 15 minutes
5. Each module will have all or combinations of:
 - a. Scenario based training
 - b. Small group / large group discussion

- c. Problem based training
- d. Demonstrative (hands on) training
- e. Lecture
- f. Video review
- g. Role playing

Evaluations: Officers understanding will be checked by:

1. Performance check list (pass/fail)
2. Written exam (70% to pass)
3. Officers not receiving a passing score will receive remedial training and discussion to ensure understanding of the application of the GPO/GPO's

Purpose: The purpose of the use of force training is to provide officers with an understanding of the use of force policies and how it applies in their daily duties. This will eliminate or reduce the need for use of force, which will essentially increase the safety of all officers, citizens, and subjects involved.

Overview of Step Two: Scenario / Problem / Video Based Learning class schedule

Maximum class size 48 officers

DAY 1

- The supervisor will give an introduction, overview and expectations give
- Class will be divided into four groups, 12 in each group (see exhibit 1).
- Each group of 12 will attend all four modules of scenario-based training for that day, each lasting 1 hour and 15 minutes.
- Students/Officers will attend scenario/problem based training programs. These training programs are designed to incorporate as many aspects and concepts as possible from all five of the new GPO's.

DAY 2

- An Academy supervisor will provide a question and answer session reviewing day one training.
- The class will be divided into four groups, 12 in each group.
- Each group of 12 will attend four new modules of scenario-based training, each lasting 1-hour and 15 minutes.

- Students/Officers will attend scenario/problem based training programs. These training programs are designed to incorporate as many aspects/concepts as possible from all five of the new GPO's.

Scenario / Problem Based Training			
ACADEMY		RANGE	
DAY 1	TIME	DAY 2	TIME
Introduction and Overview	0:45 MIN	Introduction / Review of day one	0:30 MIN
Module 1 - VIDEO ASSESSMENT	1:15 MIN	Module 1 - VIDEO ASSESSMENT II	1:15 MIN
Module 2 - DE-ESCALATION	1:15 MIN	Module 2 - INTERMEDIATE WEAPONS	1:15 MIN
LUNCH BREAK	1:00 MIN	LUNCH BREAK	1:00 MIN
Module 3 - CONTACT COVER	1:15 MIN	Module 3 - TI SCENARIO	1:15 MIN
Module 4 - SUBJECT CONTROL/HANDCUFFING	1:15 MIN	Module 4 - SCENARIO ASSESSMENT	1:15 MIN
ADMIN	0:05 MIN	ADMIN	0:30 MIN

Use of Force Pre-Load Training

Recommended Time: 2 Hours

Primary Audience: Patrol Officers, Detectives, Supervisors

Module Goal: District Training Officers will distribute the new Use of Force Policies and review prominent changes that impact how force is used and reported.

Required Materials: All General Police Orders regarding the Use of Force

Learning Objectives: At the completion of this module, students will be able to:

- Have a working knowledge of the Division of Police Use of Force Policy
- Attend Scenario Based Use of Force training at the Police Academy

Recommended Time Allocation		
	Unit	Recommended Time
1	Introduction and definitions	30 mins
2	General, De-escalation, Intermediate Weapons	60 mins
3	Reporting	30 mins
Total		120 minutes

Use of Force Pre-Load Training

Instructor's Notes

New Use of Force Policy

COURSE TOPICS

- I. PURPOSE & IMPORTANCE OF THE COURSE
- II. CHIEF'S VIDEO
- III. IMPORTANCE OF THE NEW POLICY
- IV. USE OF FORCE DEFINITIONS
- V. USE OF FORCE GENERAL POLICY
- VI. USE OF FORCE DE-ESCALATION
- VII. PROHIBITED TECHNIQUES
- VIII. USE OF FORCE INTERMEDIATE WEAPONS
- IX. POST-FORCE RESPONSIBILITIES
- X. NOTIFICATION OF SUPERVISORS
- XI. REPORTING
- XII. SUMMARY OF MAJOR POLICY CHANGES
- XIII. REITERATION OF FUTURE TRAINING & EXPECTATIONS
- XIV. CONCLUSION

Unknown how much time this will involve

I. PURPOSE

- A. To provide introductory training on the five new policies related to the Use of Force:
 - 1. The Use of Force General policy addresses when force may and may not be used
 - 2. The Use of Force Definitions policy defines and explains commonly used terms relating to use of force
 - 3. The Use of Force De-Escalation policy articulates the duty of officers to use de-escalation strategies and tactics when safe and feasible to do so under the circumstances
 - 4. The Use of Force Intermediate Weapons policy that contains specific guidance on how to use the Taser, OC Spray, and ASP Baton in accordance with the General Use of Force policy
 - 5. A Use of Force Reporting policy addresses what you must do after being involved in a use of force incident
- B. To provide officers with a basic understanding of the new force policy that will be built

*Use of Force Pre-Load Training*Instructor's Notes

upon in the upcoming two days of in-class, scenario-based training that will occur between now and the end of August

1. This introductory training is intended to FAMILIARIZE you with the new force policy IN ADVANCE of the two-day, intensive use of force training that you will attend between now and August 31
2. THE NEW POLICY IS NOT YET EFFECTIVE UNTIL ALL OFFICERS HAVE GONE THROUGH THE IN-PERSON USE OF FORCE TRAINING
 - i. Currently, the plan is to have these policies become effective for the purposes of expectations and discipline on January 1, 2018

II. CHIEF'S VIDEO**III. IMPORTANCE OF THE NEW POLICY**

A. Helps CDP conform to its new mission statement

1. As part of the reform process, officers, the unions, community members, and community organizations all contributed to the process of updating CDP's mission statement
2. The new mission statement emphasizes our important role with respect to the community's well-being and safety:
 - a. "The mission of the Cleveland Division of Police is to serve as guardians of the Cleveland community. Guided by the Constitution, we shall enforce the law, maintain order, and protect the lives, property, and rights of all people. We shall carry out our duties with a reverence for human life and in partnership with members of the community through professionalism, respect, integrity, dedication, and excellence in policing."
 - b. You will note that the P.R.I.D.E. acronym previously adopted by CDP is now a direct part of the mission

B. Seeks to make much clearer and more well-defined precisely when force may and may not be used

IV. USE OF FORCE DEFINITIONS

- A. This section covers some of the key terms that you need to know in order to fully understand the use of force policy and be able to get the maximum benefit out of this training. We will cover other key terms and definitions as they come up in our review of the use of force policy itself.

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1. Although some of these definitions may be familiar to you, there have been some important changes made and some new concepts introduced that you need to know.
 2. Please spend some time reviewing the Use of Force Definitions. Your supervisors are responsible for clarifying all parts of this policy.
- B. First, let's talk about what we mean when we refer to **"force."**
1. **"Force"** means the following actions by an officer: any physical strike, (e.g. punches, kicks), any intentional contact with an instrument, or any physical contact that restricts movement of a subject. The term includes, but is not limited to, the use of firearms, Conducted Electrical Weapon (CEW- e.g. Taser), ASP, chemical spray, hard empty hands, or the taking of a subject to the ground.
Reportable force does not include escorting or handcuffing a subject, with no more than minimal resistance.
- C. De-Minimis Force
1. Physical interactions meant to guide and/or control a subject that do not constitute reportable force
 2. Examples:
 - a. Use of control holds that do not cause pain and are not reasonably likely to cause pain.
 - b. Using hands or equipment to stop, push back, separate, or escort a person in a manner that does not cause pain, and are not reasonable likely to cause any pain
- D. Deadly Force: Any action that is likely to cause or does cause death or serious physical harm. Deadly force could involve firearms, but it also includes any force or instrument of force (e.g. vehicle, edged weapon) capable of causing death or serious physical harm. Under the use of force policy, deadly force includes:
- a. Firing at or in the direction of a subject,
 - b. Head and/or neck strikes with any hard object, and
 - c. Any action that restricts the blood or oxygen flow through the neck
- E. Serious Physical Harm: The policies that we'll be talking about also use the phrase "Serious Physical Harm." So what does this mean?
1. Any physical harm that carries a substantial risk of death;
 2. Any physical harm that involves some permanent incapacity, whether partial or total, or that involves some temporary, substantial incapacity;

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3. Any physical harm that involves some permanent disfigurement or that involves some temporary, serious disfigurement;
 4. Any physical harm that involves acute pain of such duration as to result in substantial suffering or involves any degree of prolonged or intractable pain (ORC 2901.01)
- F. Levels of Resistance: Some of the new policy provisions create expectations for you based on the level of resistance or noncompliance that a subject is exhibiting. In order for you to respond in accordance with the policy, you need to be familiar with the following terms:
1. Active Resistance: Refers to instances in which a subject takes physical actions to defeat an officer's attempts to place the subject in custody and/or take control, but is not directed toward harming the officer. Active resistance may include but is not limited to pushing away, hiding from detection, fleeing, tensing arm muscles to avoid handcuffing, or pulling away from an officer who is using force in the lawful performance of their duties. Verbal statements alone do not constitute active resistance.
 2. Aggressive Physical Resistance: Refers to instances in which a subject poses a threat of harm to the officer or others, such as when a subject attempts to attack or does attack an officer; exhibits combative behavior.
 3. Passive Resistance: Refers to instances in which a subject does not comply with an officer's commands and is uncooperative but is nonviolent and prevents an officer from placing the subject in custody and/or taking control. Passive resistance may include but is not limited to standing stationary and not moving upon lawful direction, falling limply and refusing to move (dead weight), holding onto a fixed object, linking arms to another during a protest or demonstration, or verbally signaling an intention to avoid or prevent being taken into custody.
- G. We will cover how these concepts come into play in the force policies as we go along. However, here are some of the primary applications of these concepts in the new policy:
1. Officers are prohibited from using force to overcome passive resistance
 - a. Exception: Where necessary, proportional, and objectively reasonable to achieve a legitimate law enforcement objective
 2. Officers are prohibited from using intermediate weapons on subjects who are

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- handcuffed or otherwise restrained
- a. Exception: When a subject is displaying aggressive physical resistance AND lesser means would be ineffective or have been tried and failed.
3. The Division prohibits impact weapons other than the ASP Baton
 - a. Exception: If extreme circumstances require their use to gain compliance from aggressively resistant subjects
- H. Levels of Resistance: Some of the new policy provisions create expectations for you based on the level of resistance or noncompliance that a subject is exhibiting. In order for you to respond in accordance with the policy, you need to be familiar with the following terms:
1. Active Resistance: Refers to instances in which a subject takes physical actions to defeat an officer's attempts to place the subject in custody and/or take control, but is not directed toward harming the officer. Active resistance may include but is not limited to pushing away, hiding from detection, fleeing, tensing arm muscles to avoid handcuffing, or pulling away from an officer who is using force in the lawful performance of their duties. Verbal statements alone do not constitute active resistance.
 2. Aggressive Physical Resistance: Refers to instances in which a subject poses a threat of harm to the officer or others, such as when a subject attempts to attack or does attack an officer; exhibits combative behavior.
 3. Passive Resistance: Refers to instances in which a subject does not comply with an officer's commands and is uncooperative but is nonviolent and prevents an officer from placing the subject in custody and/or taking control. Passive resistance may include but is not limited to standing stationary and not moving upon lawful direction, falling limply and refusing to move (dead weight), holding onto a fixed object, linking arms to another during a protest or demonstration, or verbally signaling an intention to avoid or prevent being taken into custody.
- I. We will cover how these concepts come into play in the force policies as we go along. However, here are some of the primary applications of these concepts in the new policy:
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 - a. Exception: When a subject is displaying aggressive physical resistance AND lesser means would be ineffective or have been tried and failed.
3. The Division prohibits impact weapons other than the ASP Baton
 - a. Exception: If extreme circumstances require their use to gain compliance from aggressively resistant subjects

V. USE OF FORCE: GENERAL POLICY

- A. Overriding Policy: Any use of force that is not necessary, proportional, and objectively reasonable, and does not reflect reasonable de-escalation efforts, when safe and feasible to do so, is prohibited and inconsistent with Divisional policy
- B. Thus, the new use of force policy can be broken down into 4 key concepts:
 1. Necessity
 2. Proportionality
 3. Objective reasonableness
 4. De-escalation
- C. Necessity
 1. All force must be **necessary** to achieve a **lawful objective**.
 2. Officers shall use force only **as necessary**:
 - a. Necessary: only when no reasonably effective alternative to the use of force appears to exist; and then only to the degree which is reasonable to effect the intended lawful objective.
 3. Force has a **lawful objective** when it is used for any of the following:
 - a. Affect a lawful arrest or detention of a subject
 - b. Gain control of a combative subject
 - c. Prevent or terminate the commission of a crime
 - d. Intervene in a suicide or self-inflicted injury
 - e. Defend or protect an officer/individual from the violent or resistant physical acts of another
- D. Proportionality
 1. All force must be proportional to the level of the subject's resistance.
 2. To be proportional, the level of force applied must reflect the totality of circumstances surrounding the immediate situation, including the presence of an

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- imminent danger to officers or others.
3. Officers must rely on training, experience, and assessment of the situation to decide an appropriate level of force to apply.
 4. Proportional force does not require officers to use the same type or amount of force as the subject.
 5. The more immediate the threat and the more likely that the threat will result in death or serious physical injury, the greater level of force that may be proportional, objectively reasonable, and necessary to counter it.
- E. Objective Reasonableness
1. All force must be objectively reasonable. The standard is whether a reasonable officer in light of the facts and circumstances confronting and reasonably known to the officer at the time of the incident would have used force.
- F. The policy also gives significant detail about a number of factors or circumstances that might affect the nature or degree of the threat presented and, thereby, affect the reasonableness determination. These officer and subject factors to consider, as listed in the policy, include:
1. Influence of drugs/alcohol or mental capacity of the subject
 2. Known or reasonably apparent mental illness, developmental disability, or crisis incident
 3. Known or reasonably apparent physical disability or other medical/physical condition
 4. Limited English proficiency or other language barrier
 5. The time available to an officer to make decisions
 6. The availability of the officers/resources to de-escalate
 7. Proximity or access to weapons by the subject
 8. Reasonably apparent medical or other physical conditions
 9. Differences between the officer and subject's:
 - a. Age
 - b. Gender
 - c. Body size
 - d. Skill level
 - e. Relative strength
 - f. Injury or exhaustion

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10. Officer and subject's position (example: being on the ground)

- a. Officer's distance from the subject(s)
- b. Officer's special knowledge or training
- c. Degree to which subject is already restrained

G. What other factors do you believe could influence your decision to use choose a particular force response?

H. Officers who use unreasonable use of force are subject to:

1. Disciplinary process
 - a. Possible criminal prosecution
 - b. Possible civil liability

VI. USE OF FORCE: DE-ESCALATION

A. What is De-Escalation?

1. It is the process of taking proactive action to stabilize the situation and reduce the immediacy and level of a threat so that more time, options, and resources are available to resolve the situation and gain voluntary compliance
2. De-escalation is NOT simply talking or verbal skills, although this may be one of many valuable de-escalation strategies
3. De-escalation is NOT standing back or not taking action when it is necessary

B. De-escalation Techniques

1. Proactive use of distance, cover, concealment, and time
2. Hearing and Listening
3. Strategic communication or voice commands to de-escalate the situation.
4. Increase officer presence, increase strategic options available for bringing a subject under control and/or reduce the severity of the threat

C. Lack of Compliance: Officers shall consider whether a subjects lack of compliance is a deliberate attempt to resist or an inability to comprehend and/or comply based on, but not limited to the following:

1. The influence of drugs and/or alcohol
2. Known or reasonably apparent mental illness, developmental disability, or crisis incident
3. Known or reasonably apparent physical disability or other medical or physical condition, including visual or hearing impairment
4. Limited English proficiency or other language barrier Perceived age of a child

*Use of Force Pre-Load Training*Instructor's Notes**D. De-escalation Techniques**

1. Proactive use of distance, cover, concealment, and time
2. Hearing and Listening
3. Strategic communication or voice commands to de-escalate the situation.
4. Increase officer presence, increase strategic options available for bringing a subject under control and/or reduce the severity of the threat

VII. PROHIBITED TECHNIQUES

- A. To help ensure that the force that you use is always consistent with the principles of necessity, proportionality, objective reasonableness, and de-escalation, certain force techniques or actions are PROHIBITED under the new policy
- B. Specifically, under the new policy, OFFICERS SHALL NOT:
 1. Use force to subdue a subject who is not suspected of any criminal conduct
 - a. Exception: To protect an officer or another person's safety
 2. Use retaliatory force
 3. Use force against subject(s) who only verbally confront officers and are not involved in criminal conduct
 4. Use force against subject(s) who are handcuffed or otherwise restrained
 - a. Exception: If it is objectively reasonable and necessary under the circumstances to stop an assault, escape, or as necessary to fulfill other law enforcement objectives
 5. Un-holster and display or un-holster and point a firearm unless the circumstances surrounding the incident create an objectively reasonable belief that the situation may escalate to the point at which deadly force would be authorized
 6. Use force against those who are exercising their First Amendment rights
 - a. Exception: Physically moving a subject is permitted when necessary and objectively reasonable for the safety of that individual or the public.
Must be done with sufficient personnel so as not to endanger the subject or officers
 7. Carry weapons that are not authorized or approved by the Division
 8. Use a firearm as an impact weapon
 9. Fire warning shots
 10. Use deadly force solely to protect property or solely to effectuate an arrest
 11. Use neck holds

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12. Discharge a firearm from or at a moving vehicle
 - a. Exception: Unless deadly force is justified by something other than the threat from the moving vehicle
 13. Reach into, or place themselves in the path of, a vehicle
 14. Discharge a firearm at a threat that is not verified or visible
 15. Use head strikes with hard objects
- C. The prohibitions apply in nearly every set of circumstances. However, in RARE and EXCEPTIONAL situations, it may be necessary for an officer to take extraordinary or unanticipated actions to overcome the threat
1. These RARE and EXCEPTIONAL situations exist ONLY WHERE ALL THREE of the following conditions are met:
 - a. The use of deadly force WOULD BE AUTHORIZED under the policy;
 - b. The subject's actions constitute an IMMEDIATE danger and GRAVE THREAT to the officer or others;
 - c. AND NO OTHER FORCE OPTIONS, techniques, tactics, or choices consistent with the Division's policy ARE AVAILABLE
 2. In these exceptional situations, officers will have to specifically articulate why ALL THREE conditions were met. The officer's actions will be subject to strict review
 3. The intention of this policy provision is to recognize that there may be, in situations that the Division hopes that no officer faces, times where an officer has no choice but to take extraordinary measures and apply otherwise-prohibited force techniques to defend themselves or others

VIII. USE OF FORCE INTERMEDIATE WEAPONS

- A. There is now a separate policy that provides specific instructions about using the various Intermediate Weapons that the Division provides
 1. This policy is not separate from or different than the Use of Force General policy. Instead, it provides important, specific details about how to use different force instruments in a way that can help ensure that you use them in a manner that is necessary, proportional, objectively reasonable, and consistent with the duty to de-escalate
- B. What are intermediate weapons?

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1. Intermediate weapons are used to interrupt a subject's threatening behavior so that officers may take control of the subject with less risk of injury to the subject or officer than posed by greater force applications
- C. All officers must carry the CEW and a second intermediate weapon, either the ASP baton or OC Spray
1. All intermediate weapons must be worn only on the officer's duty belt
- D. ALL intermediate weapons are authorized to be used:
1. In accordance with the General use of force and de-escalation training, as well as training that you receive on their use
 2. When feasible and appropriate, officers **MUST** communicate to the subject, other officers, and bystanders that the use of the weapon is imminent **and allow the subject an opportunity to comply**
 - a. An **opportunity to comply** means a **reasonable amount of time to comply**
 - b. Officers must be mindful that, in some instances, a subject's disability/condition may **limit their ability to comply** with an officer's direction
- E. Officers should consider a subject's:
1. Body mass
 2. Physical build
 3. Perceived age
 4. Emotional condition
 5. Officers shall use appropriate responses for children and juveniles at all times
- F. Use of ALL intermediate weapons are PROHIBITED:
1. On subjects who are passively resisting
 2. To prevent the destruction of evidence
 3. Against:
 - a. Small children
 - b. The elderly
 - c. Individuals who are visibly frail
 - d. Women visibly or known to be pregnant
 - i. Exception: Where deadly force is authorized
 - e. On subjects who are handcuffed or otherwise restrained

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| <ul style="list-style-type: none"> i. <u>Exception:</u> Subject is displaying aggressive physical resistance AND lesser means would be ineffective or have been tried and failed f. To prod individuals g. On subjects who are under control or complying with police direction <p>G. Guidelines for Specific Intermediate Weapon Types</p> <ul style="list-style-type: none"> 1. ASP Baton/Riot Baton/Impact Weapons <ul style="list-style-type: none"> a. WHEN AUTHORIZED: <ul style="list-style-type: none"> i. Officers are authorized to deploy the ASP baton when such force is objectively reasonable, necessary, and proportional to protect the officer or another party from physical harm and lesser means would be ineffective ii. Officers shall consider each separate ASP baton strike as a separate use of force that officers must individually justify and report as objectively reasonable, necessary, and proportional b. WHEN PROHIBITED <ul style="list-style-type: none"> i. Officers shall not intentionally target ASP baton strikes to sensitive tissue areas (head, neck, spine, genitalia) ii. Baton strikes to the head and neck constitute deadly force iii. Preferred target areas are arms, legs, and torso iv. Officers shall be trained that a strike to the head with any hard object could result in death 2. Other Impact Weapons <ul style="list-style-type: none"> a. Impact weapons OTHER THAN THE ASP are prohibited b. <u>Exception:</u> If extreme circumstances require their use to gain compliance from aggressively resistant subjects 3. Post-Use Medical Attention <ul style="list-style-type: none"> a. Officers must make sure to request EMS after striking a subject to the head, neck, spine, or genitalia <p>H. OC Spray</p> <ul style="list-style-type: none"> 1. AUTHORIZED ONLY: <ul style="list-style-type: none"> a. When such force is reasonable to protect the officer, the subject, or another party from physical harm and lesser means would be ineffective; | |
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OR

- b. For crowd dispersal or protection and other means would be more intrusive or less effective
- 2. Each one-second application as a separate use of force that the officer shall individually justify and report as objectively reasonable, necessary, and proportional
- 3. PROHIBITED:
 - a. On subjects with a known respiratory condition
 - b. Exception: an extreme and articulable situation
- 4. Guidelines for Deployment
 - a. Be aware of the risks of positional asphyxia and use restraint techniques that do not impair the subject's respiration following an OC Spray application
 - b. Direct OC Spray at the specific subject(s) who are posing a threat, attempting to minimize exposure to non-targeted subjects or parties
 - c. Be aware of the risks of using OC spray in confined or enclosed environments
 - d. Discontinue use if a subject does not comply after two one-second bursts of OC Spray that successfully contact the target
 - e. Use of OC Spray on a dangerous animal is permissible to deter an attack or to prevent injury to persons present
- 5. Post-Use Medical Attention:
 - a. As soon as practicable, but no later than 20 minutes after establishing control of the scene
 - b. Make a reasonable effort to relieve the subject's OC Spray discomfort by washing OC Spray from the subject's eyes with cool water
 - c. If subject was exposed in a confined space, officers will remove the subject as soon as possible from the contaminated area and expose the individual to fresh air
 - d. Request EMS Response when:
 - i. Symptoms other than mild, last beyond 45 minutes
 - ii. Subject has or indicates that they have difficulty breathing or loses consciousness.

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- iii. Subject indicates they have a pre-existing condition such as Bronchitis, Emphysema, Heart ailment, Asthma, Bronchitis
- iv. Officer believes that the subject needs medical attention
- v. Officer is made aware that the OC Spray was used on a child, or elderly, pregnant, physically disabled or mentally ill subject

I. The CEW

1. WHEN AUTHORIZED: ONLY in either of the following situations:
 - a. Where grounds for arrest or detention are present and the subject is actively or aggressively resisting and lesser means would be ineffective.
 - b. Where such force is necessary to protect the officer, the subject, or another party from immediate physical harm and lesser means would be ineffective or have been tried and failed
2. Like the application of the ASP Baton/Riot Baton/Impact Weapons and OC spray, Consider each CEW application (i.e., 5 second cycle) as a separate use of force that officers shall individually justify and report as objectively reasonable, necessary, and proportional
3. Guidelines for Use
 - a. Limit each CEW cycle to 5 seconds
 - b. Use the minimum number of 5 second CEW cycles necessary to gain the control of the subject
 - c. Deploy the CEW at the preferred target zones. These include the lower center mass of the body on the front of the body and below the neck line of the back upper body
 - d. Carry the CEW in a Division issued holster, on the opposite side of the firearm to reduce the chances of accidentally drawing and/or firing a firearm
4. WHEN PROHIBITED:
 - a. In drive stun mode solely for pain compliance
 - b. On fleeing subjects who do not pose a threat of physical harm to the officer, bystanders, or themselves
 - c. In situations where a deployment may cause serious physical injury or death from situational hazards
 - i. Exception: where deadly force is authorized

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- d. Officers shall not exceed three 5 second cycles in total on any one subject during a single incident
- e. Officers shall not intentionally activate more than one CEW at a time against a subject. Officers shall not hold both a CEW and a firearm at the same time
- f. Officers shall not hold both a CEW and a firearm at the same time
5. CEW Exceptional Circumstances: Absent rare and exceptional circumstances, officers shall not exceed three 5-second CEW cycles in total on any one subject during a single incident unless the following apply:
 - a. The officer reasonably believes that the initial CEW applications have been effective in gaining the subject's temporary compliance, but the subject continues to actively or aggressively resist
 - b. Subject's continuing non-compliance presents a threat of imminent physical harm to the officer or other
 - c. No other less lethal technique, tactic or choice consistent with Division policy would be effective
 - d. The use of the CEW beyond a third cycle will prevent resorting to deadly force options

J. Beanbag Shotgun Guidelines

1. Shall only be deployed by qualified Officers, Supervisors, and Swat officers
2. 21 to 50 feet is the optimal range for effective deployment while minimizing risk
3. Deployment at less than 21 feet increases the risk of serious injury or death
4. In the event that four rounds have proven to be ineffective, officers shall consider the beanbag shotgun ineffective
5. Use equivalent standard precautions, as used with all firearms, in order to protect others from the harm of a misdirected beanbag round
6. Aim for the abdomen, avoiding the body's center mass, head, neck, and groin

IX. POST-FORCE RESPONSIBILITIES**A. Duty to Provide Medical Attention**

1. Immediately following any use of force and when the scene is secure, officers, and upon their arrival, supervisors, shall inspect and observe subject(s) for injury or complaints of pain resulting directly or indirectly from the use of force
2. If needed, officers and supervisors shall immediately obtain any necessary

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medical care while providing emergency first aid until professional medical care providers arrive

B. Officers must immediately call EMS to respond to the following use of force applications:

1. Discharges of a firearm that strikes a subject
2. Impact of subject's head against a hard, fixed object
3. Any use of force on subjects who are reasonably believed or known to be pregnant, children, elderly, physically or medically frail, or disabled

C. Refer GPO Use of Force-Intermediate Weapons for additional situations requiring a request for EMS

X. NOTIFICATION OF SUPERVISORS

A. A separate policy section covers what officers must do AFTER force has been used to notify supervisors of the force and to report what happened

1. It is important to note: Nothing in the use of force reporting policy changes, adds to, or takes away from the basic provisions of the force policy that we have been talking about (i.e. that force be necessary, proportional, objectively reasonable, and consistent with the duty to de-escalate)

B. To better inform you on what to expect after a force incident, you will be provided with details about how force is classified in the Department

1. Under the policy, different types or levels of force will receive different internal or administrative responses

C. However, there is one and only one core responsibility for you to be aware of: Officers who use or witness force shall contact the Communication Control Section and request that their supervisor respond to the scene as soon as practical following any use of force, except for **de minimis force**

1. What is "**de minimis**" force? – Think of it as "minimal" force. It entails physical interactions meant to guide and/or control a subject that do NOT constitute reportable force. Examples:
 - a. Use of control holds that do not cause pain and are not reasonably likely to cause pain
 - b. Using hands or equipment to stop, separate, or escort a person in a manner that does not cause pain and is not reasonably likely to cause any pain

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- c. Guiding an individual by the shoulders to escort them into a police vehicle
- d. The application of handcuffs, where no injury is caused and no complaint of pain or injury is reported
- D. The concept of *de minimis* force reflects the recognition by many courts that some types of physical contact are “too minor to constitute a ‘seizure’ for Fourth Amendment purposes” (*Acevedo v. Canterbury*, 457 F.3d 721, 725 (7th Cir. 2006)).

XI. REPORTING

- A. Officers must provide reports/accounts of all uses of force except for *de minimis* force
- B. How to complete use of force reports
 - 1. As before, all use of force reports shall be completed with sufficient detail for supervisors and the Division to understand the totality of the circumstances events, and actions of the officer, subject, and other involved individuals during a use of force incident
 - 2. Officers shall not use conclusory statements, “boilerplate,” “canned,” or other generic terms. Instead, officers should provide supporting details and facts that are well articulated
 - 3. When possible, and to ensure clarity, officers will minimize the use of unnecessary acronyms or jargons
- C. How each officer will report what happened during a use of force depends on the Level of Force used under the policy. Every use of force by an officer is classified according to the following levels:
 - 1. Level 1 Use of Force:
 - a. Force that is reasonably likely to cause only transient pain and/or disorientation during its application as a means of gaining compliance, including pressure point compliance and joint manipulation techniques, but that is not reasonably expected to cause injury, does not result in an actual injury, and does not result in a complaint of injury
 - b. It does not include escorting, touching, or handcuffing a subject with no or minimal resistance
 - c. Un-holstering a firearm and pointing it at a subject is reportable as a Level 1 use of force
 - 2. Level 2 Use of Force:

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| <p>a. Force that causes an injury, could reasonably be expected to cause an injury, or results in a complaint of an injury, but does not rise to the level of a Level 3 use of force</p> <p>b. Level 2 includes the use of a CEW, including where a CEW is fired at a subject but misses; OC Spray application; weaponless defense techniques (e.g., elbow or closed-fist strikes, kicks, leg sweeps, and takedowns); use of an impact weapon, except for a strike to the head, neck or face with an impact weapon; and any canine apprehension that involves contact</p> <p>3. Level 3 Use of Force:</p> <p>a. Force that includes uses of deadly force; uses of force resulting in death or serious physical harm; uses of force resulting in hospital admission due to a use of force injury; all neck holds; uses of force resulting in a loss of consciousness; canine bite; more than three applications of a CEW on an individual during a single interaction, regardless of the mode or duration of the application, and regardless of whether the applications are by the same or different officers; a CEW application for longer than 15 seconds, whether continuous or consecutive; and any Level 2 use of force against a handcuffed subject</p> <p>D. So why do these levels matter?</p> <p>1. Officers shall report uses of force in accordance with the reporting requirements of the highest level of force used</p> <p>a. Example to class: If an officer uses both Level 1 and Level 2 force during an incident, the incident is classified as a Level 2 force for purpose of reporting and review</p> <p>2. Officers USING Level 1 or Level 2 use of force shall:</p> <p>a. By the end of their tour of duty, complete an individual Blue Team Use of Force entry providing a detailed account of the incident from the officer's perspective and including all of the following information:</p> <p>i. The reason for the initial police presence</p> <p>ii. A specific description of the acts that preceded the use of force, including a complete and accurate description of every type of force used or observed</p> | |
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- iii. Attempts to de-escalate
 - iv. The level of resistance encountered
 - 3. Officers USING Level 3 Use of Force shall:
 - a. By the end of their tour of duty, complete an individual Blue Team Use of Force entry as directed by the Officer-in Charge of the Force Investigation Team
 - i. Force Investigation Team (FIT): FIT is a team within the Internal Affairs Unit, comprised of personnel with specialized training and expertise from various units
 - ii. FIT membership shall be tailored to the circumstances of each investigation, but normally includes one or more FIT detectives, the FIT Sergeant, an Office of Professional Standards investigator, an Internal Affairs investigator, and a Homicide Unit supervisory officer, who will serve as the Team's leader. OPS investigators will not participate in criminal investigations
 - iii. At least one supervisory member of FIT will be available at all times to evaluate potential referrals from supervisors
 - b. Comply with all additional directives from the Officer-in Charge of FIT
- E. Duties for Officers who WITNESS force
- 1. Officers Witnessing or Present During a Use of Force
 - a. By the end of their duty, complete an officer/witness narrative (Attachment A), providing a detailed account of the incident from the officer's perspective and including all of the following information:
 - i. Reason for the witnessing officer's presence
 - ii. A specific description of the observed acts that preceded the use of force, including attempts to de-escalate
 - iii. Level of resistance observed
 - iv. A complete and accurate description of every type of force observed
 - b. Submit the officer/witness statement to the reviewing supervisor or Officer-in-Charge of FIT for review/ signature
 - 2. Officers Witnessing LEVEL 3 force:
 - a. Complete the officer/witness narrative statement above and comply with

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all directives from the Officer-in-Charge of FIT

F. Citizens and Non-Division Law Enforcement Officers Witnessing Force

1. Citizens and non-Division law enforcement officers who witness force and are unable or unwilling to give a video recorded statement may make a written statement on a witness narrative (Attachment A)
2. The witness narrative will then be submitted to the reviewing supervisor

G. Additional Requirements Depending on Circumstances. There are some further guidelines to keep in mind that deal with specific incidents

1. Additional Reporting Requirements: Taser (CEW):
 - a. Officers deploying their CEW as a use of force response shall clearly articulate in their Blue Team entry and incident report narrative statement justification for the following:
 - i. Each CEW cycle used on a subject or attempted against a subject
 - ii. Use of the CEW in drive stun mode
 - iii. CEW cycle in excess of three 5 second CEW cycles in total on any one subject during a single incident
 - iv. Continuous cycling of the CEW beyond 5 seconds
 - v. Use of the CEW on a fleeing subject
 - vi. CEW application by more than one officer
2. Deployment of a Canine
 - a. Other than during training, if a canine deployment does not involve a contact, the canine officer shall document the incident using Blue Team
 - b. Deployment of a canine that involves physical contact with the subject shall be reported as a Level 2 Use of Force
 - c. A canine bite shall be reported as a Level 3 Use of Force
3. Pointing of a Firearm
 - a. Un-holstering a firearm or un-holstering and keeping the firearm at the low ready position, high ready position or "SUL" position without pointing it at an individual, is NOT a use of force
 - b. Un-holstering AND pointing a firearm AT A SUBJECT is a Level 1 reportable use of force
4. Off Duty Police Action Involving a Use of Force Outside the City of Cleveland

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| <p>a. When safely able to do so, the officer shall immediately notify Communications Control Section (CCS) of the incident and when the member is scheduled or expected to return to duty. CCS shall notify the member's commander</p> <p>b. Upon return to duty, the officer shall:</p> <ol style="list-style-type: none"> i. Notify their immediate supervisor of the incident ii. Complete an incident report titled: "Police Intervention/Outside Cleveland" <ol style="list-style-type: none"> a. The "INCIDENT" box shall be checked b. Do not check the "OFFENSE" box and do not list any of the offenses or code numbers c. The incident report shall contain the following information about the incident: Date, Time, Location, Jurisdiction d. No details of the incident are to be included in the incident report e. The incident report and number are for tracking and documentation only. iii. Obtain a copy of the incident report from the reporting agency <p>H. Failure to Report the Use of Force</p> <ol style="list-style-type: none"> 1. Officers shall be subject to the disciplinary process, up to and including termination, for material (significant) omissions or misrepresentations in their Use of Force Report 2. Officers who use or observe force and fail to report it shall be subject to the disciplinary process, up to and including termination <p>I. Heightened Responsibilities for Reporting Exceptional Uses of Force</p> <ol style="list-style-type: none"> 1. We have gone over a few areas in the policy where certain types of force or force techniques can generally not be used absent rare and exceptional circumstances. 2. In such rare and exceptional circumstances that officers use force that would otherwise be prohibited by Division policy officers must justify the use of force by articulating the specific facts that led to such a use of force. Officers must describe, in detail; <ol style="list-style-type: none"> a. The objective reasonableness, necessity, and proportionality of the force | |
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used

- b. The actions of the subject that constituted immediate danger and grave threat of others
- c. The officer's efforts to de-escalate the encounter
- d. The reason the officer believed that no other force options, techniques, tactics or choices consist with Division Policy were available
- e. How rapidly the officer was able to return to compliance with Division policies
- f. Failure to adequately document and explain the facts underlying any use of force that is in conflict with Division policies may subject the officer to the disciplinary process, possible criminal prosecution, and/or possible civil liability

XII. SUMMARY OF MAJOR POLICY CHANGES

WHEN ARE OFFICERS ALLOWED TO USE FORCE?	
Old Policy: Any use of force had to be <u>objectively reasonable</u> —this was a very general standard that asked only whether the officer acted in a way that an average officer would in the same situation.	New Policy: The new policy is stricter. Force must still be <u>objectively reasonable</u> , but <i>also</i> be <u>necessary</u> under the circumstances, and <u>proportional</u> to the threat facing the officer.
WHEN ARE OFFICERS PROHIBITED FROM USING FORCE?	
Old Policy: Officers were prohibited from <u>excessive force</u> , but the term was undefined. They also were <u>prohibited</u> from (1) firing warning shots, or (2) firing at a moving vehicle unless defending against deadly force.	New Policy: Officers were prohibited from <u>excessive force</u> , but the term was undefined. They also were <u>prohibited</u> from (1) firing warning shots, or (2) firing at a moving vehicle unless defending against deadly force.
WHEN MUST OFFICERS ATTEMPT TO DE-ESCALATE?	
Old Policy: Officers were <u>encouraged</u> to use de-escalation tactics before using force.	New Policy: Officers were <u>encouraged</u> to use de-escalation tactics before using force.
WHEN ARE OFFICERS ALLOWED TO USE DEADLY FORCE?	
Old Policy: Officers could <u>only</u> use deadly force to protect people from immediate threats of death or serious physical harm. Officers also were <u>prohibited</u> from using force to (1) protect property; or (2) make an arrest or prevent escape, unless the person fleeing posed an	New Policy: Officers could <u>only</u> use deadly force to protect people from immediate threats of death or serious physical harm. Officers also were <u>prohibited</u> from using force to (1) protect property; or (2) make an arrest or prevent escape, unless the person fleeing posed an

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imminent threat of death or serious physical harm.	imminent threat of death or serious physical harm.
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WHAT MUST AN OFFICER DO AFTER USING FORCE?	
Old Policy: After a use of force, officers were required to (1) request a supervisor to the scene, and (2) obtain medical assistance for anyone who appeared injured or complained of injury.	New Policy: After a use of force, officers were required to (1) request a supervisor to the scene, and (2) obtain medical assistance for anyone who appeared injured or complained of injury.

XIII. REITERATION OF FUTURE TRAINING & EXPECTATIONS

- A. As we said at the beginning of this introduction to the new policies, today's discussion is only the start of the training and instruction that you will receive on the new policies before they become effective
- B. Between now and the end of the summer 2017, all sworn personnel will attend an intensive, two-day training focused on scenario-based and interactive exercises. This training will allow you the chance to (a) to further review and increase your understanding of the new policies, and (b) practice applying the policies in realistic settings
- C. There will also be periodic roll call trainings and, soon, electronic and computer-based trainings that will allow for further instruction and learning
- D. The designated District Training Coordinators are ongoing resources to you as you are familiarizing yourself with the new policies and expectations
- E. No officer will be disciplined for violation of the new policy until all officers have received this training and the policy becomes effective across the Division. Currently, we expect for the policy to become fully effective on January 1, 2018. We will keep you updated about the progress

XIV. CONCLUSION

- A. After successfully completing this Use of Force Pre-Load training, all members will attend Use of Force Scenario Based training for two days.
- B. The Topics covered will be:
 - 1. Video Assessment
 - 2. De-escalation
 - 3. Contact Cover
 - 4. Intermediate Weapons
 - 5. Use of Force Assessment

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- 6. Subject Control/Handcuffing
 - 7. TI Scenario
 - 8. Threat Assessment Scenario
- C. Each member of the Division of Police will receive an assessment based on the skills learned during this training
- D. Instructors will assess your skills as satisfactory or unsatisfactory
- E. Any member receiving a rating of unsatisfactory will have remedial training on the topic, and then a re-assessment
- F. Scheduling for Scenario Based Training Component
- 1. All scheduling for the scenario based training component will be handled by your District Training Coordinator
 - 2. Your District Training Coordinator will confirm you have successfully completed the Use of Force Pre-Load prior to scheduling you for the Scenario Based training

*Day One | Module One: Use of Force Video Assessment*Instructor Notes**DAY ONE****Module One: Use of Force Video Assessment****Recommended Time:** 1 Hour 15 Minutes**Primary Audience:** Patrol Officers, Detectives, Supervisors**Module Goal:** Through classroom instruction, video assessment, and class discussion, officers will have the ability to understand, cross reference, and apply the five GPO's making up the 2016 Use of Force policy**Required Materials:** Power Point; video; lesson plan; Instructor reference sheet; U.O.F. GPOs**Learning Objectives:** At the completion of this module, students will be able to:

Apply the five GPOs as one overall order including the ability to understand and cross reference the GPOs. This will be a focal point of this block of training.

Identify five key points:

- Do the officers have legal justification for the encounter
- Level of resistance the officer(s) are encountering
- Level of force used by officer(s)
- De-escalation attempts and /or de-escalation opportunities available
- Was the force proportional to level of resistance (Objectively Reasonable)
- Understand the reporting procedure

During the video assessment portion instructor will be asking the officers to place themselves in the position of the officer(s) in the video. They will be evaluating the tactics used by the officer(s) in the video and applying the new Use of Force GPO to the incident. The ability to identify opportunities to use time, space, distance, and cover is of the utmost importance for the application of these GPOs. Officers will be given the task of seeing these key elements as the video unfolds, answer questions, then put these practices into play throughout the training as well as when they return to daily patrol. Using these tactics and applying the five GPOs that make up the Use of Force is essential for the safety of all officers and subjects involved. By effectively using de-escalation tactics to help to control the immediacy of the threat, we, as police officers, are able to apply the alternative options to subduing a noncompliant subject.

	Unit	Recommended Time
1	Group assignments and equipment distribution	15 minutes
2	Active scenario participation	45 minutes
3	Scenario Debrief	15 minutes

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	Total	75 minutes
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II. REVIEW OF THE USE OF FORCE PRINCIPLES

III. USE OF FORCE VIDEO ASSESSMENT PRESENTATION

IV. FINAL TALKING POINTS FOR THIS COURSE

I. COURSE INTRODUCTION

- In this training program, you will be provided with opportunities to actively apply the new use of force policy by going through scenarios inspired by the real world
- We will start, however, with an opportunity for you to view some real-world incidents and analyze the incident in light of the Division’s policy.
 1. This analysis is not second-guessing or criticizing the officers shown. Instead, the goal is to analyze the officer’s performance in light of CDP’s use of force policy and determine whether the officer’s actions were consistent or inconsistent with policy. It is worth noting the officers are all from other agencies.

II. REVIEW OF THE USE OF FORCE PRINCIPLES

- Four main principles of New Use of Force Policy
 1. Necessity
 - a. Officers shall use force only as necessary, meaning only when no reasonably effective alternative to the use of force appears to exist, and then only to the degree which is reasonable to effect the intended lawful objective
 - b. Force has a lawful objective when used:
 - i. To effect a lawful arrest or detention
 - ii. To gain control of a combative subject
 - iii. To prevent or terminate the commission of a crime
 - iv. To intervene in a suicide or self-inflicted injury
 - v. To defend or protect an officer or an individual from

Re-enforce the goal is to be able to apply these 5 GPO’s as one UOF

*Day One | Module One: Use of Force Video Assessment*Instructor Notes

the violent/resistant acts of another

2. Proportionality

- a. All force must be proportional to the level of the subject's resistance

3. Objective Reasonableness

- a. *Graham v. Connor*: Objectively reasonable force is a level of force that is appropriate when analyzed from the perspective of a reasonable officer on the scene
- b. Officers MUST consider certain officer or subject factors and circumstances when choosing a force response, including:
 - i. The influence of drugs and/or alcohol
 - ii. Known or reasonably apparent mental illness, developmental disability, or crisis incident
 - iii. Known or reasonably apparent physical disability or other medical/physical condition
 - iv. Availability of officers/resources to de-escalate the situation
 - v. Proximity or access to weapons by the subject
 - vi. Differences between the officer's and the subject's:
 - i. Age
 - ii. Gender
 - iii. Body size
 - iv. Skill level
 - v. Relative strength
 - vi. Injury or exhaustion
 - vii. Officer's and subject's position (e.g. being on the ground)]
 - viii. Officer's special knowledge or training
 - ix. Degree to which subject is already restrained

4. De-escalation

- a. Officers must use de-escalation techniques when it is safe and feasible to do so under the totality of the circumstances
- b. De-escalation is NOT a synonym for "talking nicely." Instead,

Define De-escalation per the new UOF

<i>Day One Module One: Use of Force Video Assessment</i>	<u>Instructor Notes</u>
<p>de-escalation tactics and techniques are proactive actions and approaches used by officers, when feasible, to gain the voluntary compliance of subject(s) and reduce the need to use force</p> <p>c. Examples of de-escalation techniques:</p> <ol style="list-style-type: none"> i. Distance, cover, concealment, and time ii. Hearing and listening iii. Strategic communication or voice commands iv. Increase of officer presence 	<p>policy</p> <p>Discuss and provide examples of De-escalation options</p>
<p>III. USE OF FORCE VIDEO ASSESSMENT PRESENTATION</p> <ul style="list-style-type: none"> • Video #1: <u>Man with Knife Tasered:</u> <ol style="list-style-type: none"> 1. Lead in: Suspected mentally ill man is in possession of a knife walking down the street. 2. Male suspect called police advising he is depressed and will harm the police. 3. Video starts as primary officers arrive on scene. 4. Watch for verbalization by officers and suspect, distance control by officers, use of cover/concealment by officers. • Video #1 Questions/Discussion points: <ol style="list-style-type: none"> 1. What Level of Resistance encountered by the officers? <ol style="list-style-type: none"> a. <i>Aggressive Physical Resistance: poses a threat of harm to the officers.</i> 2. What Level of Force are the police responding with? <ol style="list-style-type: none"> a. <i>Level 2: Both the primary officers are deploying their Tasers.</i> 3. What type of de-escalation attempts are used by the officers <ol style="list-style-type: none"> a. <i>Verbal Commands:</i> Officers use verbal commands in a positive way. There should be one contact officer and the others acting as cover officers. If the suspect chooses to change contact officer, then the adjustment can be made. If one verbal tactic isn't working, come at the situation with a new verbal command. Allowing the suspect to feel as if they have some control and are being heard and understood can help to gain voluntary compliance. 	<p>Watch video prior to class and set up the encounter by describing what leads into the foot chase.</p> <p>Can use of <i>Brant v. McPherson</i> SCOTUS case to reinforce immediacy of threat</p> <p>UOF: Definitions GPO. Identify the definition of resistance noting the knife</p> <p>Discuss the level of force and what Level 2 entails</p> <p>Use <i>Graham v. Connor</i> to discuss the application of the <i>Graham</i> factors</p> <p>Identify specific examples of the suspect's resistance from the video</p>

*Day One | Module One: Use of Force Video Assessment*Instructor Notes

<p>b. <i>Use of distance</i>: Officers did a good job of not running up on the suspect. They approached with verbal commands and stayed out of range, but within the Tasers effectiveness area. Officers could have utilized their zone car as a barrier providing themselves more protection and greater distance. Using distance can help control the immediacy of the threat.</p> <p>c. <i>Officers on scene</i>: We know there are at least 4 officers and 1 supervisor on scene. This is a pretty good number for the given situation. Various problems can arise when there are too many people on a scene (discuss problems). It is important to note we would want a CIT officer on the scene, and if available, as the contact. The focus and goal for the officers is to have options available to successfully subdue a dangerous suspect.</p> <p>i. During this class discussion, the instructor should ask for other suggestions as to how to maintain a tactical advantage over the suspect. Relate the GPO's with specific regards to the incident. Discuss the officer's use of time during this encounter.</p> <p>4. In this incident, is the Taser effectively used?</p> <p>a. <i>Yes</i>, but discuss the use of the Taser as it relates to the suspect armed with a knife. Define <i>Deadly Force</i> and <i>Proportional</i> from the Definitions GPO. Also again, identify and emphasize the importance of using distance, cover and concealment to give the officers a tactical advantage.</p> <p>5. Is the Taser usage within the GPO guidelines?</p> <p>a. <i>Yes</i>: Identify verbiage from the UOF Intermediate Weapons GPO. The proper Taser deployment of one five second cycle is used. Immediately after the Taser application, suspect is handcuffed. After the incident is under control, EMS is called and suspect is treated per their direction.</p> <ul style="list-style-type: none"> • Video #2: San Francisco Police/Citizen Encounter <ol style="list-style-type: none"> 1. Police respond to neighbor complaint in the middle of the night 	<p>These definitions are also discussed later in the presentation with the definitions from the GPO</p> <p>Discuss the causes for the Taser to transition from the level 2 UOF to the level 3 UOF per the Definitions GPO.</p> <p>Give the lead in to the video</p>
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<i>Day One Module One: Use of Force Video Assessment</i>	<u>Instructor Notes</u>
<ol style="list-style-type: none"> 2. The complaint is made on Sean Moore who is a mentally ill male diagnosed with schizophrenia 3. Moore is reportedly stable, but is found to be agitated and aggressive throughout the interaction with the police 4. Focus points of the video will be the verbalization and commands given by officers 5. The consistence usage of time, distance, and barriers <ul style="list-style-type: none"> • Video #2 Questions/Discussion points: <ol style="list-style-type: none"> 1. Are there legal grounds for the encounter? <ol style="list-style-type: none"> a. Yes, radio broadcast for the neighbor complaint 2. What level of resistance are the officers encountering? <ol style="list-style-type: none"> a. <u>Active Resistance</u> is what the officers first encounter based on the suspects refusal to open the security gate of his residence b. After the gate is opened by the suspect, it increases to <u>Aggressive Physical Resistance</u> based on the kicking and pushing by the suspect 3. What is the Level of Force the officers fall into? <ol style="list-style-type: none"> a. Level 3 Use of Force base on the use of the firearm 	<p>Discuss the escalation and de-escalation issues that officers can encounter</p>
<p><i>Video should be paused for discussion before the shooting occurs. Discuss the reporting requirements needed in an incident of this nature, including who primarily needs to be notified and called, and provide the definition of an Officer Involved Shooting per the new GPO. This is also an opportunity to talk about the duty to provide medical attention both for the mental condition, at first, and then for the gunshot wound.</i></p>	<p>Reinforce the importance of applying De-escalation tactics to every citizen encounter the officers have on a daily basis.</p>
<p><i>State the specifics from the GPO as to the Level 3 force definition:</i></p> <ul style="list-style-type: none"> • <i>Deadly force; force that results in death or serious physical harm</i> • <i>Force that results in hospital admission due to use of force injury</i> • <i>All neck holds; force resulting in a loss of consciousness</i> • <i>CEW applications of more than 3 or longer than 15 seconds</i> • <i>Force used against handcuffed suspects</i> 	<p>Begin to place these specific videos in line with the use of force GPO and how they translate to the daily</p>

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4. What De-escalation techniques were used and where they effective?
 - a. Time
 - b. Distance
 - c. Barrier
 - d. Communication

Focus on the positive use of the above listed techniques. Discuss how the verbalization was good/poor. Identify the use of the security door and the stairwell as a barrier.

5. What other de-escalations techniques could have been employed?
 - a. This portion needs to focus on the increased need to use time, personnel, distance, barriers, and positive re-enforcing verbal command
6. Take this opportunity to define Proportional, Necessary and De-escalation from the GPO. Identify the Graham factors in regards to this UOF.
 - a. Use Graham v. Connor to emphasize the Graham factors how they relate to a Use of force
 - i. Severity of the crime
 - ii. Immediacy of the threat
 - iii. Circumstances are tense, uncertain, and rapidly evolving
 - b. Use Brant v. McPherson Supreme Court Case to illustrate de-escalation issues:
 - i. Call for additional officers,
 - ii. Ask for CIT trained officers
 - iii. Use of barrier as a deterrent
 - iv. Proper use of distance
 - c. **De-escalation** – The process of taking action to stabilize the situation and reduce the immediacy and level of a threat so that more time, options, and resources are available to resolve the situation and gain voluntary compliance. De-escalation techniques may include, but are not limited to, gathering information about the incident, assessing the risks, verbal persuasion, advisements and warnings, and tactical de-

street encounter.

Emphasize the importance of applying Graham factors and the de-escalation techniques to make your decision objectively reasonable.

Definitions are directly from the

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escalation techniques, such as slowing down the pace of the incident, waiting out subjects, creating distance (reactionary gap) between the officer and the threat, repositioning, and requesting additional resources. (UOF: Definitions)

- d. **Necessary** – Officers will use physical force only when no reasonably effective alternative appears to exist, and only then to the degree which is reasonable to affect a lawful purpose. (UOF: Definitions)
- e. **Proportional** – To be proportional, the level of force applied must reflect the totality of circumstances surrounding the immediate situation, including the presence of an imminent danger to officers or others. Officers must rely on training, experience, and assessment of the situation to decide an appropriate level as the subject. The more immediate the threat and the more likely that the threat will result in death or serious physical injury, the greater level of force that may be proportional, objectively reasonable, and necessary to counter it. (UOF: Definitions)

The final talking point for this section will be the reporting of this Use of Force.

The key points to cover for this topic:

- Reinforce the importance of de-escalation, time management, cover and distance control
- Importance of identifying the correct level of resistance
- Importance of identifying the correct level of force used
- Who needs to be notified with this use of force (*This question needs to be asked to all members of the class, P.O./Sgt./Lt./Capt.*)
- Within that level, what are the correct reporting steps to take
- Identify who, according to the level of force used, is required to make statements
- Who is responsible for initiating the Use of Force reporting procedure (*the focus of discussion falls under the Failure to Report Use of Force and Heightened Responsibilities for Reporting Exceptional Uses of Force sections*)

GPO.

Identify officers having difficulty in applying the concepts found in these five GPOs.

*Day One | Module One: Use of Force Video Assessment*Instructor Notes

This discussion on reporting will begin as video specific, leading into the concept as an overall point. It will be important to relate the overall concepts of the five GPOs, as used in the evaluation of the video presentation, to the officers same use of the concepts in the daily patrol. The importance of applying these GPOs on a daily basis in a step-by-step manner is vital for the successful application of the overall use of force policy. As this presentation concludes, the instructor will be reinforcing the key knowledge based points which began the presentation, and how these topics relate to the five GPOs that make up the new use of force policy.

VI. FINAL TALKING POINTS FOR THIS COURSE

- Review any questions/concept the officers/supervisors are having difficulty with
- Review the sections of the UOF GPO that directly relates to the question or problem the officer/supervisor is having
- Present additional scenario to reinforce the correct response
- Instructor must determine if the officer/supervisor has been satisfactorily remediated and found to proficient and at a passing standard
- Any corrective actions taken by the instructor and the satisfactory responses from the officer/supervisor must be documented in the training packet
- Instructor will note to the training section supervisor all officers/supervisors which have a heightened level of resistance to the training module of difficulty in understanding the concepts being taught

- VII.** During this final debrief, instructors will show a passing score for the officers/supervisors that successfully complete the training module to the above listed standard. All officer/supervisors that are not able to correctly apply the five new GPOs that make up the 2016 Use of Force will receive a failing grade and sent to the training section supervisor. The corrective action will then be to determine exactly where the deficiency lies. The officer/supervisor will then be scheduled for an addition GPO review with the district training coordinator followed by their attendance to a second session of the Use of Force GPO training.


Provide with discussion opportunities to better understand the five GPOs, if you find they are having difficulties in applying them.

These notations should be made on the evaluation sheets.

Any officers or supervisors failing to fall with-in the standards set by the new Use of Force GPO's must be directed to the Training Section OIC.

EVALUATION

USE OF FORCE GENERAL POLICE ORDER TRAINING 2016-2017

DATE		LOCATION	ACADEMY	
BADGE #	LAST NAME	FIRST NAME	UNIT	
TOPIC		INSTRUCTOR	Mooney 1867	
ASSESSMENT CRITERIA		SATISFACTORY	UNSATISFACTORY	NOTES
Is this a use of force per GPO				
What the level of resistance officer is encountering				
What the level of force does this fall under and why				
What type of De-escalation attempts are made				
Is the Taser effective and within GPO guidelines				
Level of resistance encountered				
Level of force used by officers				
Opportunities to de-escalate during encounter				
Other de-escalations techniques that you could use				
Legal grounds for these encounters				
REMEDATION		SATISFACTORY	UNSATISFACTORY	NOTES
SUPERVISOR SIGNATURE				BADGE

*Day One | Module Two: De-escalation*Instructor's Notes**Day One | Module Two: De-escalation****Recommended Time:** 1 Hour 15 Minutes**Primary Audience:** Patrol Officers, Detectives, Supervisors**Module Goal:** Through Scenario Based training, the student will make the decision if it is feasible and safe to de-escalate?**Required Materials:****Learning Objectives:** At the completion of this module, students will be able to:

- Evaluate the situation and the subject(s) they encounter
- Evaluate the environment and their resources
- Insure they have evaluated other factors in deciding what the relative safety is for themselves and for the general public

Decide whether immediate de-escalation is possible or whether immediate force is require

	Unit	Recommended Time
1	Group assignments and equipment distribution	15 minutes
2	Active scenario participation	45 minutes
3	Scenario Debrief	15 minutes
	Total	75 minutes

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VII. SITUATION EXPLANATION

Day One | Module Two: De-escalation

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Day One | Module Two: De-escalation

I. SUMMARY OF NEW POLICY PROVISIONS & PERFORMANCE GOALS

- A. If the totality of the circumstances and time permit, officers have an affirmative duty to use de-escalation tactics and strategies whenever safe.
 - 1. “De-escalation tactics and techniques are proactive actions and approaches used by officers, when feasible, to gain voluntary compliance of subject(s) and reduce or eliminate the need to use force”
- B. De-escalation techniques include:
 - 1. Proactive use of distance, cover, concealment and time
 - 2. Demonstrating that you are hearing and listening to a subject
 - 3. Strategic communication or voice commands
 - 4. Increase in officer presence
- C. The nature and immediacy of the threat will help determine what de-escalation tactics an officer may use to address the threat
- D. Officers should avoid taking unnecessary actions that may escalate the need to use force (aggressive body language, proximity to a subject, harsh level of voice/tone, officer’s own stress level/excitement).
- E. Officers must consider whether lack of compliance may be related to an inability to comprehend and/or comply based on:
 - 1. Influence of drugs/alcohol
 - 2. Known/reasonably apparent mental illness, developmental disability, crisis incident
 - 3. Known/reasonably apparent physical disability, medical, or physical condition (visual/hearing impairment)
 - 4. Limited English proficiency or language barrier
 - 5. Perceived age of a child
- F. Performance Objectives: This module is intended to give you practice in dealing with a scenario inspired by real life in which you may need to use de-escalation techniques and strategies to reach a successful and safe resolution.
- G. Skills for Officers to Consider Using:
 - 1. Voice: Utilize effective communication

SLIDE 1: Duty to De-Escalate

SLIDE 2: De-Escalation Techniques

SLIDE 3: Avoiding Escalation of Incidents

SLIDE 4: Special Considerations

*Day One | Module Two: De-escalation*Instructor's Notes

- a. Communicate with clarity
- b. Use a calming manner, normal tone of voice
- c. Ask questions and listen
2. Presence: What image or posture are the police officers projecting towards the subject?
 - a. Aggressive
 - b. Passive
 - c. Unaware
 - d. Professional
 - e. Polite v. rude
3. De-escalation
 - a. When Feasible and Safe
 - b. Slow down the situation
 - c. Use contact/cover
 - d. Use distance and shielding/positioning tactics to limit exposure
 - e. Call for more resources/supervisor/CIT officer
 - f. Are directions clear? Can they be understood? Are consequences explained?
4. Force
 - a. Necessary
 - b. Proportional
 - c. Objectively reasonable?
5. Explain what you did
6. Explain what could you do and why
 - a. The “why” of a technique, tactic or action based on a thought process.

II. SCENARIO:

- A. This scenario will start with a two man car being “dispatched” to a run for a male assaulted. Suspect is not on scene and the victim has no suspect information. This occurred two hours prior because the male went home to clean up before calling the police. The suspect will show frustration as the police approach (ex: Angry police took so long to arrive, asking so many questions, not speeding off to catch the suspect, not there when he needed them etc.).

*Day One | Module Two: De-escalation*Instructor's Notes

A second role player will be on scene. This role player will either assist the officers or become part of the problem depending on the officer/role player 2 interactions. The primary two-man unit will also have available to them an additional two-man back up unit, a CIT officer, and a supervisor. The primary car will need to request these resources from dispatch to make them active in the scenario.

The role players will escalate and/or de-escalate depending on the interaction with officers. All officers will face the same basic start to the scenario but each one can have a different outcome depending on officer interaction and direction from the lead instructor (ex: some officers will have a positive reaction by the subject and things will resolve smoothly, other officers may use every tool available and follow all de-escalation training but the situation will escalate dramatically).

B. Performance Objectives

In each situation, the student will:

1. Perform a threat assessment based on the nature and immediacy of the threat and to identify if immediate police action is necessary to protect someone from harm.
2. Establish that the scene is safe or make the scene safe.
Take into consideration the location of victims, bystanders, witnesses.
3. Use time, distance and shielding to enhance the opportunity for de-escalation by limiting exposure to the subject. Move from a position that exposes you to potential threats to a safer position.
4. Take the following steps to protect themselves, their partner(s), bystanders, and the subject they are dealing with:
 - a. Use De-escalation tactics based on the De-escalation General Police Order when it is safe and feasible to do so under the totality of the circumstances.
 - b. Examples are:
 - i. Slow down the situation

Instructors will note if the students:

Approach scanning for threats and use contact/cover technique

(GPO De-escalation – page 2E)

Assess lack of compliance reason, Use available backup if needed

(GPO De-escalation – page 1C and page 2E)

Use proactive de-escalation techniques

(GPO De-escalation – page 2F, page 3F)

Avoid using actions that may escalate force

(GPO De-escalation – page 3G)

Approach scanning

<i>Day One Module Two: De-escalation</i>	<u>Instructor's Notes</u>
<ul style="list-style-type: none"> ii. Bring additional resources to the scene (Call for back up), request additional personnel and wait, when safe and feasible to do so, for arrival of additional personnel. iii. Place barriers between uncooperative subject and yourself iv. Use strategic communication or voice commands to de-escalate the situation. v. Verbalize to the subject(s), in a calm manner and normal tone of voice, all the options available to them, which you can help with, and which would be best to end subject's crisis. vi. Ask questions rather than issue orders. vii. In the best way possible, advise the subject(s) of the actions that you will take to end their crisis. viii. As a last resort, inform the subject that not following orders may result in the need to use force. When possible and appropriate, give subjects the opportunity to comply with directives. <p>5. Use force only as necessary, meaning only when no reasonably effective alternative to the use of force appears to exist, and then only to the degree which is reasonable to effect the intended lawful objective.</p> <ul style="list-style-type: none"> a. Affect a lawful arrest/detention of a subject b. Gain control of a combative subject c. Prevent or terminate the commission of a crime d. Intervene in a suicide or self-inflicted injury e. Defend or protect an officer/individual from the 	<p>for threats and use contact/cover technique</p> <p><i>(GPO De-escalation)</i></p>

violent or resistant physical acts of another

III. SITE DESCRIPTION

Academy classroom

IV. INSTRUCTOR REQUIREMENTS:

- A. One Lead Instructor
- B. One Back up Instructor: Will assist in equipping and staging officers
- C. Two dedicated role players
- D. 1 dedicated Safety Officers

V. SET-UP

- A. Primary will consist of a contact and a cover officer. Each will be issued a blue gun, blue taser and a foam baton.
- B. A two man back up unit will be set up the same way.
- C. A one man CIT officer will be set up the same way.
- D. A supervisor will be set up the same way.

VI. EQUIPMENT

- A. Six blue guns
- B. Six Tasers
- C. Six foam batons

VII. SITUATION EXPLANATION

- A. The instructor will give students basic information regarding a call for service. In this particular scenario, Suspect is not on scene and the victim has no suspect information. This occurred two hours prior because the male went home to clean up before calling the police.
- B. Instructions for Role Player 1: The Complainant
- C. Situation
 - 1. In this particular scenario, Suspect is not on scene and the victim has no suspect information. This occurred two hours prior because the male went home to clean up before calling the police.

*Day One | Module Two: De-escalation*Instructor's Notes

D. Instructor Notes:

1. Scenario for Basic Patrol may be altered for specialized units/detectives/administrative units
2. Be sure to document officer behavior on skills assessment sheet
3. Assist the responding officers as needed with information that is usually provided by a dispatcher.
 - a. Have we been to the location previously?
 - b. Is there a known weapon on the premise?
 - c. Any other type of history at this location/alarm drops?
4. Try and let the scenario play out, however, be cognizant of time issues
5. Be aware of all safety protocol and allow no exceptions
6. Monitor the behavior of all Safety Officers to insure compliance with established safety protocol

E. Role Player #1: Located at the front of the classroom and will greet arriving officers. Role player #1 should appear anxious and worried.

F. The suspect will show frustration as the police approach (ex: Angry police took so long to arrive, asking so many questions, not speeding off to catch the suspect, not there when he needed them etc.).

G. Role player #1 will provide only general information in regards to their own identity and comply with all requests and instructions by the responding officers.

1. A second role player will be on scene. This role player will either assist the officers or become part of the problem depending on the officer/role player 2 interactions. (The second role player will assist the officers with the de-escalation if included/permitted. If the role player is dismissed or limited they will escalate verbally distracting the officers. The subject will escalate also if this happens. Back up should be called to minimize the issue. The second role player will de-escalate if given the proper space, time, tone of voice etc. The primary two-man unit will also have available to them an additional two man back up unit, a CIT officer and a supervisor. The primary car will need to request these resources from dispatch to make them active in the scenario.
2. The role players will escalate and/or de-escalate depending on the interaction with officers. All officers will face the same basic start to the scenario but

*Day One | Module Two: De-escalation*Instructor's Notes

each one can have a different outcome depending on officer interaction and direction from the lead instructor.

- a. Ex. some officers will have a positive reaction by the subject and things will resolve smoothly, other officers may use every tool available and follow all de-escalation training but the situation will escalate dramatically. Below are some if/when outcomes.

H. Officer desired response when contacting the complainant:

1. Identify themselves as police officers when feasible
 - a. If they do not then the subject will ask/demand them to identify themselves
2. Use contact/cover during the interview of the complainant
 - a. If the officers fail to maintain contact cover the subject will engage the cover officer. The subject will begin to de-escalate if the officers regain control and contact cover positions
3. Perform a threat assessment of the surroundings to ascertain location of the suspect
 - a. Officer will have an edged weapon in plain view. If the officers fail to secure it the subject will pick it up. The subject will allow officers to gain cover, allow time to regain composure etc. without directly threatening the officer
4. If the officers get compliance from the subject they will get the following information
5. Officers will attempt to gain more information from the complainant about the suspect
 - a. Does the suspect have a weapon(s)
 - b. Determine if the suspect is still in the area
 - c. Determine point of entry
 - d. Determine if there are any other people at home with the complainant
6. Officers should protect the complainant or provide alternatives (shelter in place, evacuate)
7. Officers should call for backup.

I. **During De-escalation:** If they ask you if you have a weapon, you will respond by

*Day One | Module Two: De-escalation*Instructor's Notes

saying no.

J. If/When: If officers begin subject control tactics, you will comply and not resist: being escorted, pat down procedures, handcuffing.

K. Note: All variables and factors not complete yet. Needs to be vetted by conducting a walk-through with other instructors

L. Officer Desired Response When Contacting The Suspect:

1. Officer(s) will make the correct threat assessment in response to the suspect's actions?
2. Officer(s) will use contact and cover principles to protect themselves and slow down the situation and summon additional resources.
3. Officer(s) will use De-escalation tactics when safe and feasible based on the totality of the circumstances.
4. Officer(s) will use only the force necessary to achieve a lawful objective.
5. Officer will use force that is proportional to the level of resistance and objectively reasonable.
6. Officer will request a supervisor if they use or witness force except for de-minimus force.

M. Student Requirements

1. Safety Screening of weapons and dangerous items complete
2. Must wear all protective equipment
3. Supplied with training intermediate weapons (Taser, and foam Asp Baton)
4. Be briefed and staged, ready to deploy as primary responding officers or back up officers.

N. Debrief Of Training:

1. Review of Performance Objectives of Class
2. Review of key points that achieved the performance objectives
3. Solicited student feedback

O. Debrief: Instructor Tips

1. Have student start at beginning and tell what happened
2. Pause and paraphrase if required due to rambling narrative
3. Focus on sequential, chronological de-brief
4. Use questions to guide debrief; what happened next? What did you do then?

*Day One | Module Two: De-escalation*Instructor's Notes

5. If you ask a subjective question, redirect by asking "why?"
6. Remember that after a high stress incident, it is the instructor's responsibility to help the student reduce their stress and anxiety level and bring them down to a level of normalcy before any constructive debriefing can occur. Utilizing Division trained anxiety and stress management techniques such as "Heart Focused Breathing", "Sixteen Seconds to Clarity" can help mitigate high stress levels.

P. Debrief: Scenario Specific Questions

1. What was your legal basis for contact? Was your contact a seizure, or was the subject free to leave? Why?
2. What was your threat assessment?
3. Was immediate police action necessary to protect someone from harm?
4. Did you attempt to make the scene safe, taking into consideration the location of victims, bystanders, and witnesses?
5. What tactics did you use? Why?
6. If safe/feasible, was de-escalation used?
7. What if any de-escalation techniques did you use?
8. Did they seem effective?
9. What if anything would you do differently?
10. How did you slow down the situation?
11. How did you use communication to mitigate the situation?
12. How did you use cover/concealment?
13. Did you use reportable force in the course of your duties?
 - a. Was the force necessary?
 - b. Was the force proportional to the level of resistance?
 - c. Was the force objectively reasonable under the circumstances

Q. Instructor Notes:

1. Pointing a firearm at a subject is a level 1 reportable use of force.
2. Handcuffing should be simulated due to safety and time.
3. If there is a shooting incident, it is a Level 3 reportable use of force and requires a supervisor and FIT team call up.
4. Be aware that officers may use a CEW which is a Level 2 reportable use of

force

VIII. KEY KNOWLEDGE BASED POINTS

1. Do you have a lawful purpose for the seizure? Explain
2. Explain if it was feasible and safe to use De-Escalation?
3. Did you attempt De-Escalation? Explain your tactics
4. How did you reduce the likelihood of using force?
5. If force was used, was it necessary? Explain
6. Explain how the force used was objectively reasonable?
7. Explain how the force used was proportional to the resistance offered by the suspect?
8. Did you reduce the level of force applied as the nature of the threat diminishes?
9. What post use of force actions should you take?
10. What is your reporting requirement for this incident?

USE OF FORCE GENERAL POLICE ORDER TRAINING 2016-2017 EVALUATION

DATE		LOCATION	ACADEMY
BADGE #	LAST NAME	FIRST NAME	UNIT
TOPIC	De-escalation	INSTRUCTOR	Cox #1720
ASSESSMENT CRITERIA	SATISFACTORY	UNSATISFACTORY	NOTES
legal justification to engage			
act within the law during scenario			
was it feasible to de-escalate			
IF FORCE WAS NEEDED	XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX
Objectively reasonable			
proportional			
necessary			
reporting requirements			
REMIEDIATION	SATISFACTORY	UNSATISFACTORY	NOTES
SUPERVISOR SIGNATURE			BADGE

*Day One | Module Three: Contact Cover*Instructor's Notes**Day One | Module Three: Contact Cover****Recommended Time:** 1 Hour 15 Minutes**Primary Audience:** Patrol Officers, Detectives, Supervisors**Module Goal:** Through Scenario Based training, the students will assume contact cover and make the decision if it is feasible and safe to de-escalate?**Required Materials:****Learning Objectives:** At the completion of this module, students will be able to:

- Evaluate the situation and the subject(s) they encounter
- Evaluate the environment and their resources
- Insure they have evaluated other factors in deciding what the relative safety is for themselves and for the general public
- Decide whether immediate de-escalation is possible or whether immediate force is required.

	Unit	Recommended Time
1	Group assignments and equipment distribution	15 minutes
2	Active scenario participation	45 minutes
3	Scenario Debrief	15 minutes
	Total	75 minutes

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II. STUDENT PERFORMANCE OBJECTIVES

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IV. PRACTICAL EXERCISE #2

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VII. SET UP

VIII. EQUIPMENT

IX. KEY KNOWLEDGE BASED POINTS

I. PERFORMANCE OBJECTIVES

A. Why Contact Cover Training

<i>Day One Module Three: Contact Cover</i>	<u>Instructor's Notes</u>
<ol style="list-style-type: none"> 1. The strategic use of contact, cover, concealment, and time allow officers to achieve their law enforcement objectives while keeping themselves safe and potentially reducing the likelihood that force might need to be used. 2. FBI statistics support the idea that officers are less likely to be killed or seriously injured when using Contact & Cover effectively. 	SLIDE 1: Importance of Contact, Cover, Concealment, & Time
<p>B. Cover & Concealment Under The New Use Of Force Policy</p>	
<ol style="list-style-type: none"> 1. Under the new use of force policy: "Officers shall use de-escalation tactics and strategies when safe under the totality of the circumstances and time and circumstances permit." 2. Other training modules have emphasized that de-escalation is NOT restricted to communication strategies (although those are important tools in an officer's toolkit). 	SLIDE 2: Cover & Concealment Under the New Policy
<ol style="list-style-type: none"> 3. De-escalation is the use of affirmative strategies and tactics, including what the policy calls "proactive use of distance, cover, concealment, and time." 4. Separate yourself from the threat and create a safe distance to speak with subject(s). This allows you to assess the situation and your options, bring additional resources to the scene, and develop a plan for resolving the incident without use of force. 5. Place barriers between an uncooperative subject and yourself. 6. Move from a position that exposes you to potential threats to a safer position. 7. Avoid physical confrontation, unless immediately necessary 8. Slow down the pace of the incident, from the time you receive your radio broadcast 9. Allow time and/or opportunity for subject(s) to regain self-control or cease struggling or resisting 10. Request additional personnel and wait, when safe and feasible to do so, for arrival of additional personnel 	SLIDE 3: Cover & Concealment Under the New Policy (continued)
<p>C. De-escalation</p>	
<ol style="list-style-type: none"> 1. Use contact/cover 2. When Feasible and Safe 3. Slow down the situation 4. Use distance and shielding/positioning tactics to limit exposure 5. Call for more resources/supervisor/CIT officer 	SLIDE 4: Concepts

*Day One | Module Three: Contact Cover*Instructor's Notes

6. Are directions clear? Can they be understood? Are consequences explained?

to Apply in this Unit

D. This policy aligns with the contact cover tactic, which you may be familiar with:

1. The Contact Cover Tactic :

a. The contact officer is responsible for the stop, the questioning, the pat-down, the citing or field interview writing, the radio usage, the physical arrest and the search of one or more suspects. The cover officer is responsible for watching the contact officer from a safe distance from which the officer can see and hear what s happening without getting involved in the encounter. The cover officer uses force presence to prevent suspect escapes or destruction of evidence and active offensive measures, when necessary, to prevent the contact officer from being assaulted or disarmed. (article from LawOfficer.com, <http://lawofficer.com/archive/contact-cover/>)

SLIDE 5: Contact Cover Principle

b. Use of space and position

c. Use of distance

2. Limits Of “Contact Cover Tactic ”

a. Depending on the nature of the incident or the potential of the threat posed by a subject, it may be appropriate for ALL officers present to take advantage of cover, concealment, distance, time, and superior resources with respect to the subject

b. You might be confronted with a situation in which you do not have the benefit of a partner or other officer at the scene

II. STUDENT PERFORMANCE OBJECTIVES

- A. Officer will assume the role of contact officer
- B. Stay within their assignment in contact cover
- C. Asses level of force use proportional to the level of resistance encountered by the officers
- D. Use de-escalation attempts and /or de-escalation opportunities

III. PRACTICAL EXERCISE #1

- A. Contact, cover, and suspect will be identified within the group prior to commencement of the exercise.
- B. The member acting as the suspect will be given direction by the instructor to be

*Day One | Module Three: Contact Cover*Instructor's Notes

compliant within the scenario

- C. The contact and cover officers will approach and evaluate the scene.
1. The officers will begin with verbal commands
 2. The officer playing the suspect will be compliant and answer questions.
 3. Each officer within the team will rotate to a new position of contact cover for each scenario
 4. Assess what de-escalation if any, was needed?

IV. PRACTICAL EXERCISE #2

- A. Contact, cover, and suspect will be identified within the group prior to commencement of the exercise
- B. The instructor will direct the individual acting as the suspect to be compliant but argumentative when the officers approach and evaluate the scene.
- C. The officer playing the suspect will be argumentative but will follow de-escalation directives (if given) and answer questions.
- D. Assess what level of resistance was encountered

V. SITE DESCRIPTION

Large Classroom

VI. INSTRUCTOR REQUIREMENTS

- A. One Lead Instructor
- B. One Back up Instructor: Will assist in equipping and staging officers

VII. SET UP

- A. Within these groups each officer will assume the role of contact officer, cover officer, and act as a suspect through three stages of scenarios.
- B. The officers will change rolls and assume a different roll at each stage. An instructor will monitor each group throughout the three stages of the exercise
- C. The class will then be brought back together for discussion.

VIII. EQUIPMENT

- A. Duty belt

The contact cover training module is designed for a class size of 12 officers with 2 instructors leading the presentation, and is one hour and fifteen minutes in duration.

Practical Exercise #1 and #2 Covers section 5, lines A & B of the *General Use of force Policy* and section F, line 1 sub line A – E of the *De-escalation Use of Force Policy*

*Day One | Module Three: Contact Cover*Instructor's Notes

- B. Blue Gun
- C. Blue Taser

IX. KEY KNOWLEDGE BASED POINTS

1. Do you have a lawful purpose for the seizure? Explain
2. Explain if it was feasible and safe to use De-Escalation?
3. Did you attempt De-Escalation? Explain your tactics
4. How did you reduce the likelihood of using force?
5. If force was used, was it necessary? Explain
6. Explain how the force used was objectively reasonable?
7. Explain how the force used was proportional to the resistance offered by the suspect?
8. Did you reduce the level of force applied as the nature of the threat diminishes?
9. What post use of force actions should you take?
10. What is your reporting requirement for this incident?

Pass/Fail The instructor will administer remediation the following manner:

- A. Review the material in which the student is having difficulty understanding, communicating, and applying.
- B. Ask follow up questions that will stimulate and reinforce the appropriate understanding of the concepts contained within the as it relates to the new Use of Force GPO
- C. Review the entire Use of Force GPO with a particular emphasis on that section and that – that directly relates to the student's area(s) of deficiency or lack of understanding.
- D. Present additional scenario(s) to demonstrate and reinforce the principles relating to areas where the student is deficient or fails to understanding applicable principles;
- E. Once the Instructor has determined that the student properly understands, communicates, and applies the principles contained within the Use of Force GPO, and is thus been satisfactorily remediated, the instructor may complete the required paperwork indicating that the student has been "Corrected to proficient and passing standard"
- F. The corrective actions taken by the instructor and the satisfactory responses from the officer/supervisor must be thoroughly documented in the training packet;
- G. The instructor shall advise the training section supervisor in writing as to those students that have communicated a heightened level of resistance to the training

Questions in the key points relate Covers section 5, lines A & B of the *General Use of force Policy*, *De-escalation section F* line 1 sub lines A through E. and the entire *Use of Force Reporting policy*.


Day One | Module Three: Contact Cover

Instructor's Notes

module, or has a demonstrated difficulty in understanding the concepts being taught

EVALUATION

USE OF FORCE GENERAL POLICE ORDER TRAINING 2016-2017

DATE	LAST NAME	LOCATION FIRST NAME	ACADEMY UNIT		
BADGE #					
TOPIC				INSTRUCTOR	NOTES
	Contact Cover		KWAN		
ASSESSMENT CRITERIA					NOTES
	ASSUMES CONTACT COVER ROLE'S		UNSATISFACTORY		
	USES CONTACT/COVER PRINCIPLES				
	USED CONTACT COVER TO ASSES AND DE-ESCALATE				
	USED EFFECTIVE COMMUNICATION				
	UNDERSTANDS REPORTING REQUIREMENT				
REMEDATION					NOTES
			UNSATISFACTORY		
SUPERVISOR SIGNATURE				BADGE	

*Day 1 | Module 4: Subject Control/Prone Handcuffing*Instructor's Notes**Recommended Time:** 1.25 Hours**Primary Audience:** Patrol Officers, Detectives, Supervisors**Module Goal:** Through Scenario Based training and discussions, introduce the Use of Force GPOs via application of handcuffing prone subjects.**Required Materials:** Role Players, training mats, handcuffs, Lesson Plan**Learning Objectives:** At the completion of this module, students will be able to:

- Identify static resistance in the prone position
- Properly utilize verbal de-escalation tactics to control a subject using verbal active resistance in the prone position and transition to the prone handcuffing position. Taking into account the possibility of positional asphyxiation.
- Properly standing a subject up in a controlled and safe manner from the prone position

	Unit	Recommended Time
1	Intro and equipment distribution	15 minutes
2	Active scenario participation	45 minutes
3	Scenario Debrief/Assessment	15 minutes
	Total	75 minutes

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- VI. EQUIPMENT
- VII. SITUATION EXPLANATION
- VIII. DEBRIEF
- IX. EVALUATION PROCESS
- X. KEY KNOWLEDGE BASED POINTS
- XI. SKILL AND DRILL TRAINING-PRONE HANDCUFFING

INTRO & EQUIPMENT DISTRIBUTION**I. STUDENT PERFORMANCE OBJECTIVES**

<i>Day 1 Module 4: Subject Control/Prone Handcuffing</i>	<u>Instructor's Notes</u>
<p>A. This phase of training will be drills requiring officers to make quick decisions, rapid threat assessments, and take actions to reduce their exposure to the actions of the subject in a prone position.</p> <ol style="list-style-type: none"> 1. These drills allow officers to use the skills they learned in a more realistic and dynamic environment. 2. Officers will be placed in pre-set environments. 3. When the drill starts, officers will assess and react appropriately to the actions and circumstances they encounter. <p>B. Review of Use of Force Policy relating to Gaining Control of a Subject and Using Handcuffs</p> <ol style="list-style-type: none"> 1. Force must be necessary to achieve a lawful objective. Force has a lawful objective when used: <ol style="list-style-type: none"> a. To effect a lawful arrest or detention b. To gain control of a combative subject c. To prevent or terminate the commission of a crime d. To intervene in a suicide or self-inflicted injury e. To defend or protect an officer or an individual from the violent or resistant acts of another. 2. Under the new use of force policy, officers SHALL NOT use force against subjects who are handcuffed or otherwise restrained <ol style="list-style-type: none"> a. Exception: Unless it is objectively reasonable and necessary under the circumstances to stop an assault, escape, or as necessary to fulfill other law enforcement objectives 3. Officers SHALL NOT use force to overcome passive resistance <ol style="list-style-type: none"> a. Exception: Unless necessary, proportional, and objectively reasonable to achieve a legitimate law enforcement objective b. The use of handcuffs, by themselves, is not reportable force. If a subject complains that handcuffing has caused an injury or is causing pain, that is reportable, Level 1 force 	<p>SLIDE 1: Purpose of this Module</p> <p>SLIDE 2: Force Must Be Necessary</p> <p><i>USE OF FORCE GENERAL Pages 2 of 6 & 3 of 6 Section E (1 – 13)</i></p> <p><i>V. De-Escalation Page 3 of 6 (A & B)</i></p> <p>USE OF FORCE GENERAL Pages 2 of 6 & 3 of 6 Section E (1 – 13)</p> <p>V. De-Escalation Page 3 of 6 (A & B)</p>
<p>II. SCENARIO 1</p> <p>A. At least 2 officers will contact a known felony warrant suspect. The officers will be pre-staged in position, as if they had just taken the subject to the ground.</p>	<p><u>Slides & Notes</u></p> <p>✓ Be sure to document officer behavior in skills assessment sheet</p>

<i>Day 1 Module 4: Subject Control/Prone Handcuffing</i>	<u>Instructor's Notes</u>
<ol style="list-style-type: none"> 1. The subject will be in the prone position using verbal active resistance to overcome the officer's attempts to take them into custody. 2. The suspect will not listen to commands and will only comply when the proper de-escalation techniques are utilized. <p>B. Performance Objectives</p> <p>The student will perform the following in this drill:</p> <ol style="list-style-type: none"> 1. Identify static resistance in the prone position 2. Properly utilize verbal de-escalation tactics to control a subject using verbal active resistance in the prone position and transition to the prone handcuffing position. Taking into account the possibility of positional asphyxiation. 3. Properly standing a subject up in a controlled and safe manner from the prone position 	<p>✓ Assist the responding officers as needed with information that is usually provided by a dispatcher</p> <p>✓ Try and let the scenario play out, however, be cognizant of time issues</p>
<p>III. SITE DESCRIPTION</p>	
<p>A. Room with Mats</p>	
<p>IV. INSTRUCTOR REQUIREMENTS:</p>	
<p>A. (1) Lead Instructor</p>	
<p>B. (1) Safety officer/instructor</p>	
<p>C. (12) Students (role players)</p>	<p>✓ Be aware of all safety protocol and allow no exceptions</p>
<p>V. SET-UP</p>	
<p>A. Prior to training, all officers will go through a weapons safety and health check follow by warm-up drill.</p>	
<p>B. Officers will be required to participate in a reality-based scenario that covers prisoner control and threat assessment of prone suspects on the ground.</p>	
<p>C. Role player's (officers) will be required to gauge all available facts and circumstances prior to determining whether to use handcuffs.</p>	
<p>D. Participants will be evaluated by a certified subject control matter expert during the training exercises and correct any performance that deviates from desired responses.</p>	
<p>E. Testing will be administered as a practical exam and followed by a Q & A.</p>	<p>✓ Monitor the behavior of all Safety Officers to insure compliance with established safety protocol</p>

Day 1 | Module 4: Subject Control/Prone Handcuffing

Instructor's Notes

- F. Following the practical exam all participants will be taken through a health check and cool down exercise.

VI. EQUIPMENT

- A. Training Mats
- B. Handcuffs
- C. Clipboards/Pens

VII. SITUATION EXPLANATION

- A. At least 2 officers will contact a known felony warrant suspect. The officers will be pre-staged in position, as if they had just taken the subject to the ground. The subject will be in the prone position using verbal active resistance to overcome the officer's attempts to take them into custody.
 - 1. The suspect will not listen to commands and will only comply when the proper de-escalation techniques are utilized.
- B. Instructions for Role Player 1: The Suspect
 - 1. Places both hands under chest on the ground just before officers physically contact him/her
 - 2. Will not listen to commands
 - 3. Once physically contacted the suspect will attempt to get up
 - 4. Will be compliant once the officers perform the correct techniques.
 - a. Techniques will be reviewed during the skill and drill training portion. This will be completed after all safety checks.
- C. Officer desired response when contacting the suspect:
 - 1. Proper De-escalation techniques used
 - 2. Use of contact cover techniques
 - 3. Threat assessment (initial approach and during the scenario)
 - 4. Use of resources (backup, supervisor etc.)
 - 5. Use of time, distance and cover if feasible
 - 6. Determine if the subject was able to comprehend and/or comply with verbal directions
 - 7. Use of effective listening skills

*USE OF FORCE
GENERAL Page 2 of 6
III. Proportionally A
& B

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Day 1 | Module 4: Subject Control/Prone Handcuffing

Instructor's Notes

8. Keep their composure, speak in a level tone and avoid aggressive body language
9. Officer(s) will use only the force necessary to achieve a lawful objective.
10. Officer will use force that is proportional to the level of resistance and objectively reasonable.
11. Officer will request a supervisor if they use or witness force except for de minimus force.

D. Student Requirement

1. Prior to training all officers will go through a weapons safety and health check follow by warm-up drill
2. Officers will be required to participate in a reality-based scenario that covers prisoner control and threat assessment of prone suspects on the ground. Role player's (officers) will be required to gauge all available facts and circumstances prior to determining whether to use handcuffs.
3. Participants will be evaluated by a certified subject control matter expert during the training exercises and correct any performance that deviates from desired responses.
4. Testing will be administered as a practical exam and followed by a Q & A.
5. Following the practical exam all participants go through a health check and cool down exercise.

*6 & 4 of 6 Procedures
I. General
Procedures E. Call
for Supervisor*

VIII. DEBRIEF OF TRAINING

- A. Instructors will evaluate performance during the training exercises and correct performance that deviates from the desired responses
- B. If the student performance during an exercise can't be remediated during the session, and when the performance is due to an inability or unwillingness to perform up to the desired response, or;
- C. A repeated violation of training safety rules, or;
- D. More than one use of unnecessary or excessive force, as evaluated by instructors using the objective-reasonable standard.
- E. The lead instructor will excuse the student from training and immediately notify an OIC Sergeant. The lead instructor will document the actions taken, the reason behind

the dismissal and who they notified of the dismissal.

IX. EVALUATION PROCESS

Evaluation form completed based on following categories:

- A. Proper De-escalation techniques
- B. Use of contact cover techniques
- C. Threat assessment (initial approach and during the scenario)
- D. Use of resources (backup, supervisor etc.)
- E. Use of time, distance and cover if feasible
- F. Determine if the subject was able to comprehend and/or comply with verbal directions.
- G. Use of effective listening skills.
- H. Keep their composure, speak in a level tone and avoid aggressive body language.
- I. Solicited student feedback

IX. KEY KNOWLEDGE BASED POINTS

- A. Explain if it was feasible and safe to use De-Escalation?
- B. Did you attempt De-Escalation? Explain your tactics
- C. How did you reduce the likelihood of using force?
- D. If force was used, was it necessary? Explain
- E. Explain how the force used was objectively reasonable?
- F. Explain how the force used was proportional to the resistance offered by the suspect?
- G. Did you reduce the level of force applied as the nature of the threat diminishes?
- H. What post use of force actions should you take?
- I. What is your reporting requirement for this incident?

X. SKILL AND DRILL TRAINING-PRONE HANDCUFFING

- A. Approaching the subject to make contact is a dangerous area for law enforcement.
 - 1. The prone position provides the safest approach for subjects who are non-compliant, threatening, suspected of carrying a weapon, or there are any other officer/subject factors present that would make it reasonable
 - 2. Handcuffing in the prone position also bridges between two extremes. You

*Day 1 | Module 4: Subject Control/Prone Handcuffing*Instructor's Notes

may have ordered the subject into a prone position or you ended up this way during a fight

- a. Regardless of the situation, the principles are the same
- b. Remember – do not try to handcuff until the subject is under control

B. Positioning for prone handcuffing

1. Order the subject to turn around and lie face down on the ground with arms out to his Sides or outstretched in front of his body with his palms up
2. From this position, there are several options on how to position the subject prior to approach. The following illustrate some examples:
 - a. With palms facing up, have the subject separate his legs and point his arms straight back to you.
 - b. Have the subject separate his legs and place his hands behind his back as described with standing handcuffing (e.g., interlace fingers, palms together, backs of hands together)
 - c. Use either of the above hand placements or have the subject keep his arms out with palms up and have the subject cross his legs and bring his feet up towards his tailbone.
 - i. From here, the legs can be pinned against the subject to restrict movement.
 - ii. At a minimum, it provides another movement that must be done before the subject can try to get up
3. Prior to moving in for handcuffing, order the subject to look away and not to move.

C. Stabilization for handcuffing

1. Once you move in to assume control of the subject, it must be done decisively and in a way that provides stability and protection.
 - a. If you lose control or the subject attacks, revert back to ground defense techniques, other tools or techniques, or disengage.
 - b. If control is maintained, you want to be in a position that will not seriously impair the subject's ability to breathe.
 - i. Take into account the possibility of positional asphyxiation
 - ii. 2. Contributing factors of positional asphyxia (Byard, Wick,



Review positional asphyxia factors

*Day 1 | Module 4: Subject Control/Prone Handcuffing*Instructor's Notes

& Gilbert, 2008)

- a. Lack of oxygen from exertion combined with
 - b. Flexion on the head and neck compromising the airway or
 - c. Compression on the body, especially around the upper torso (i.e., diaphragm and lung area)
2. With arms pointed back towards you
 - a. On approach from a rear angle, scoop the arm on the side you are approaching with your inside hand (e.g., hand closest to the subject)
 - b. Straighten that arm to lock out the elbow and to apply a wrist lock
 - c. Position yourself with one knee near the subject's hip and the other knee near the subject's shoulder – keep the subject's arm between your knees.
 - d. Order the subject to place his other hand behind his back.
 - e. Then, cuff the hand you have control of, transition his hand behind his back and cuff the other hand.
 3. Hands behind the subject's back
 - a. Approach from a rear angle and apply a wrist lock on the same side arm
 - b. Brace the elbow with your leg or knee to keep the pressure on the wrist lock
 - c. Use commands and/or pain compliance to get his other hand behind his back
 - d. Apply a handcuff to the side you have control of first then release the wrist lock and cuff the other hand
 4. Searching and transporting from the prone position
 - a. After the subject is handcuffed, it is essential to search prior to transporting. There is also no need to stand the subject up to search.
 - b. Searching from the prone position
 - i. From a crouched position, roll the subject onto his side (with back to the officer).
 - ii. Search the available area.



Day 1 | Module 4: Subject Control/Prone Handcuffing

Instructor's Notes

- iii. Roll the subject back onto his stomach
- iv. While maintaining contact, walk around the subject's head to the other side.
- v. Repeat the same search procedure for this side
 - a. After you are satisfied with the search, you need to stand the subject up prior to transport.
 - b. Avoid using the handcuffs or his arms to pull or lift the subject up.
 - c. Utilize the following technique to get the subject up in a safe and controlled manner.
- vi. Roll the subject to his side (with back facing you) and assist him to a sitting position
- vii. Have the subject bring the leg, closest to the officer in towards his body
- viii. Assist the subject to a kneeling position on the same leg
- ix. From the kneeling position, assist the subject to a Standing position



EVALUATION

USE OF FORCE GENERAL POLICE ORDER TRAINING 2016-2017

DATE		LOCATION	GYMNASIUM
BADGE #	LAST NAME	FIRST NAME	ASSIGNMENT
TOPIC	Subject Control / Handcuffing		Medina #1229
		INSTRUCTOR	

ASSESSMENT CRITERIA	SATISFACTORY	UNSATISFACTORY	NOTES
1. Contact Cover			
2. Threat assessment			
3. Uses of resources			
4. Used time, distance and cover			
5. Subject able to comprehend/comply			
6. Used Effective Communication Tactics			
7. Use effective listening			
8. Composure, voice levels, body language			
REMIEDIATION	SATISFACTORY	UNSATISFACTORY	NOTES
SUPERVISOR SIGNATURE			BADGE



*Day Two | Introduction - Review of Day One*Instructor Notes**DAY TWO****Introduction - Review of Day One****Recommended Time:** 1 hour**Primary Audience:** All Officers of the Cleveland Division of Police**Module Goal:** To review and reinforce day one training and answer any questions about the new Use of Force policy**Required Materials:** Digital presentation (Power Point, video); lesson plan**TABLE OF CONTENTS**

- I. Introduction
- II. Ask For Questions From Students In Connection With Day One Training
- III. Questions
- IV. Review Safety With Class Again
- V. Divide Into Groups
- VI. After Lunch Return To Classroom For Safety Brief And Safety Check

I. INTRODUCTION

- A. Will be given by a Supervisor (preferably a Training Section Supervisor)
- B. Supervisor will
 - 1. Give roll call and insure everyone has signed in
 - 2. Check for any injuries from day one

Collect sign-in sheets

II. ASK FOR QUESTIONS FROM STUDENTS IN CONNECTION WITH DAY ONE TRAINING

- A. Be prepared to answer questions
- B. Have instructors available to participate and assist with the answers
 - 1. If students do not have questions or only a few questions, be prepared to ask them questions.

III. QUESTIONS

- A. Which scenario used de-escalation?
 - 1. Video Assessment

*Day Two | Introduction - Review of Day One*Instructor Notes

- | | |
|---|--|
| <p>2. De-escalation</p> <p>B. How was de-escalation used?</p> <p>1. Video Assessment- Module one</p> <p>a. Students had to Identify what attempts were used to de-escalate</p> <p>b. Students had to Identify other types of de-escalation that could be used</p> <p>i. Verbal</p> <p>ii. Contact / Cover</p> <p>iii. Distance</p> <p>2. De-escalation- Module two</p> <p>a. Tone of Voice</p> <p>b. Contact / Cover</p> <p>i. Anything can be used to place between officer and subject</p> <p>ii. Backup (How does that help to de-escalate?)</p> <p>iii. Threat Assessment</p> <p>iv. Time and Space</p> <p>a. Was there time to De-escalate in this Scenario?</p> <p>b. Was there Space to De-escalate?</p> <p>c. How do we create space?</p> <p>i. Place something place between officer and subject</p> <p>ii. Back off some</p> <p>C. How will this de-escalation training help you in your regular duties?</p> <p>D. What did you learn from Contact / cover?</p> <p>E. What are some changes with intermediate weapons?</p> <p>F. How will these changes help you with your everyday duties?</p> <p>G. Did anyone apply any of the following in any of the day one training?</p> <p>H. If so how and what scenario?</p> <p>1. De-escalation</p> <p>2. Reportable use of force / levels of force</p> <p>3. Proportionality to level of Resistance</p> <p>4. Duty to provide medical aid</p> <p>5. Objective Reasonableness</p> <p>6. De Minimus Force</p> <p>7. Duty To Intervene</p> | <p>Use these questions to facilitate discussion and anchor the new concept of the policy</p> |
|---|--|

Day Two | Introduction - Review of Day One

Instructor Notes

8. Necessity
9. Witness Reporting

IV. REVIEW SAFETY WITH CLASS AGAIN

A. Safety is everyone's number one priority

1. All instructors will store their weapons and be checked by a supervisor prior to entering training areas
2. Anyone can stop training for safety reasons
3. Anyone injured must report their injury to an instructor or supervisor immediately
4. There is a first aid kit and AED available at both sites
 - a. Police Academy
 - i. First Aid kit
 - a. Entrance of Police Academy
 - ii. AED
 - a. Entrance of Police Academy
 - b. Gym next to Vending Mach
 - iii. Trauma kits
 - a. Entrance of Police Academy
 - b. Gym office
 - b. Outdoor Range
 - i. First Aid kit
 - a. Smart House
 - b. Front office
 - ii. AED
 - a. Office lobby
 - iii. Trauma kits
 - a. Smart House
 - b. Front office
5. Everyone must secure their weapons in lock boxes provided
 - a. Firearm
 - b. Taser
 - c. Extra Magazines
 - d. Pepper spray

PPT Location of AED and First Aid Kit

*Day Two | Introduction - Review of Day One*Instructor Notes

- e. Extra Taser cartridges
- 6. NO LIVE WEAPONS will be used in training; all students will be issued inert training weapons.
 - a. Except in the Intermediate weapons scenario
 - i. Live Taser will be provided at that station by the instructors
 - b. Instructor's weapons shall be secured
 - i. Outside of training and area
 - ii. Prior to training
 - iii. Supervisors will check instructors
 - c. Signage shall be placed outside of training area
 - i. Warning to "stay out training in progress"
 - d. No one shall be allowed to enter training area with live weapons
 - i. Training section supervisors shall monitor
 - ii. If someone enters the training area with a weapon
 - a. All training shall stop-immediately
 - b. Training shall not resume until area is cleared and free from live weapons
- 7. Officer personal safety
 - a. Drink fluids
 - b. Sun screen (if necessary)
 - c. Clothing to keep warm

V. DIVIDE INTO GROUPS

- A. Read name for Group 1
 - 1. Send them to lock up weapons
 - 2. Then report to their training area
 - 3. They will be safety checked by instructor
- B. Read name for Group 2
 - 1. Send them to lock up weapons
 - 2. Then report to their training area
 - 3. They will be safety checked by instructors
- C. Read name for Group 3
 - 1. Send them to lock up weapons

Day Two | Introduction - Review of Day One

Instructor Notes

- 2. Then report to their training area
- 3. They will be safety checked by instructors

D. Read name for Group 4

- 1. Send them to lock up weapons
- 2. Then report to their training area
- 3. They will be safety checked by instructors

VI. AFTER LUNCH RETURN TO CLASSROOM FOR SAFETY BRIEF AND SAFETY CHECK

*Day Two | Module One: Video Assessment*Instructor Notes**Title:** Use of Force Re-Creation**Recommended Time:** 1 Hour 15 Minutes**Primary Audience:** Patrol Officers, Detectives, Supervisors**Module Goal:** Through classroom instruction, video assessment, video re-creation and discussion, the officers will be able to apply the new Use of Force GPO's.**Required Materials:** Digital presentation (Power Point, video, violator vehicle and zone car); lesson plan**Learning Objectives:** At the completion of this module, students will be able to:

- Identify if the officer had legal justification for the stop
- Describe the level of resistance the driver displayed
- Describe how the officer could have de-escalated the incident
- Describe if the force used is reportable
- Describe if force was necessary in the encounter and was it proportional
- Describe if a supervisor needs to respond
- Identify the reporting procedures

	Unit	Recommended Time
1	Introduction and welcome	5 minutes
2	Video, Group discussions	60 minutes
3	Scenario Debrief	10 minutes
	Total	75 minutes

Table of Contents

I. INTRODUCTION

II. VIDEO ASSESSMENT #1

III. VIDEO ASSESSMENT #2

IV. CONCLUSION ANSWER STUDENTS / OFFICERS QUESTIONS

I. INTRODUCTION

Instructors will introduce themselves and give the students a brief history of their background.

- A. Use of Force training is a comprehensive view of how we are to apply these five GPO's as one overall order.

INTRO SLIDE
Slide #1
5 Min

Day Two | Module One: Video Assessment

Instructor Notes

1. Having the ability to understand and cross-reference these GPO's will be the focus of this block of training.
 2. During the video assessment portion, the instructors will ask the officers to place themselves in the position of the officer(s) in the video.
- B. You will be evaluating how the officer(s) handled themselves when confronted with the uncooperative individuals and asked to apply our new GPO's to the incident.
1. Being able to identify opportunities to use de-escalation techniques in order to avoid a use of force situation is of the utmost importance for the application of these GPO's.
 2. Officers will be given tasked with observing these key elements as the video unfolds, answer questions, then put these practices into play throughout the training as well as when they return to their daily police duties.
 3. Using these tactics and applying the five use of force GPO's is essential for the safety of the officers and subject involved.
- C. In addition to analyzing the officer's performance, you will be asked to consider what the officer has to do once the subject is compliant, the threat is eliminated, and/or the incident concludes.
1. EMS?
 2. Supervisor?
 3. Reporting? What Level of force must it be reported as?

II. VIDEO ASSESSMENT # 1

***Recommendation**

- A. Provide some background information and context.
- B. Remind the students that the video is not meant to be "good" and "bad" examples; the purpose is not to judge or second guess the officers' actions. Instead, the video illustrates the real world challenges officers face and the exercise is about whether the officer's response would be consistent or inconsistent with the Division's new use of force policies. The purpose is to generate discussion as to how they can apply what they saw in the video, to our new Use of Force GPO's.
- C. Orlando, Florida video
1. An officer stopped a woman for a traffic violation
 2. The officer tried to get female to roll window down to issue her a ticket
 3. Female was being uncooperative and only had the window cracked
 4. **Show the video** "Police officer smashes student's car window after girl refuses to roll

Remind students of this recommendation

Give a brief intro into the video

Show video: Youtube 3.51Seconds

Slide #2 Small group discussion 10 mins

Day Two | Module One: Video Assessment

Instructor Notes

it down”

D. Break the class into 3 small groups of 4

1. Have the groups discuss and write down the key elements to the following questions

a. Did the officer have legal justification for the traffic stop?

i. **Anticipated class answer:**

a. *Yes. The stop was for a traffic violation.*

2. What levels of resistance did the driver display to the officer?

a. **Anticipated class answer:**

i. *While in the vehicle, the driver displayed Passive Resistance by not following the legal directions given by the officer*

ii. *When outside of the vehicle and being handcuffed, the driver displayed Active Resistance by struggling with the officer and pulling her arm away*

3. What could the officer have done to de-escalate the situation?

a. **Anticipated class answer:**

i. *Slow down the pace of the incident and verbalize to the driver, in a calm manner and normal tone of voice.*

4. Did the involved officer employ reportable force? If so, what level of force is it under CDP policy?

a. **Anticipated class answer:**

i. *Under CDP policy, yes the officer did employ reportable force because breaking glass “could reasonably be expected to cause injury” and that does, in fact cause an injury or results in a complaint of an injury. Level 2 force was applied.*

5. Does the officer have to call for a supervisor?

a. **Anticipated class answer:**

i. *Officers who use or witness force shall contact the Communications Control Section and request that their supervisor respond to the scene as soon as practical following any use of force, except for de minimis force.*

6. What is the reporting procedure for the use of force the officer used?

a. **Anticipated class answer:**

i. *Notify a supervisor*

Slide #4

Levels of Resistance
(page 3, paragraph 2)

U.O.F.:
DEFINITIONS

Levels of Resistance
(page2, paragraph 7)

U.O.F.; DE-
ESCALATION
(page 1, I. B &C)

U.O.F. DEFINITIONS
(page 2, paragraph 5)

U.O.F.; REPORTING
(page 1,I. A) (II. B,
C, D1)

U.O.F.; REPORTING
(page 2, III. A1a-A1d)

Day Two | Module One: Video Assessment

Instructor Notes

- ii. *Blue Team use of force entry*
 - iii. *The reason for the initial police presence*
 - iv. *A specific description of the acts that preceded the use of force, to include attempts to de-escalate*
 - v. *The level of resistance encountered*
 - vi. *A complete and accurate description of every type of force used or observed*
- E. The instructor shall monitor the small groups as they go over their assessment of the video. The instructors need to make sure the groups stay focused on the key elements in the video and assist the groups if needed.
- F. Instructors will bring the three groups back together to facilitate discussion about the key elements in the video and how they applied the new Use of Force GPO's.
1. An officer from each group will present to the class the key points of the video that was discussed in his/her group
 2. Instructors should focus on the officer's answers given during the class discussion using the above questions. The officers need to understand the questions presented to them in their small groups to get a passing score
 3. During the large group discussion, instructors will identify the officers/supervisors that display deficiencies in any of the answers that are given
 4. These deficiencies will present themselves in the officers/supervisors inability to effectively identify
 - a. Legality of the traffic stop
 - b. Levels of resistance
 - c. De-escalation Techniques
 - d. Is the force reportable and within GPO
 - e. Does a supervisor need to respond
 - f. Use of Force reporting procedures
- G. Instructors will be discussing the acceptable range of answers and how they are directly related to the application of the new Use of Force GPO's.
- H. Any officers that fall outside the acceptable range will be immediately remediated
- I. This remediation will be done in the following manner:
1. Review the question that the officer/supervisor is having a problem with
 2. Ask follow up questions to reinforce the correct line of thinking as it relates to the

Large Group Discussion

20 Min

Assessment portion

*Day Two | Module One: Video Assessment*Instructor Notes

Use of Force GPO's

3. Review the section of the Use of Force GPO's that directly relates to the problem or question the officer/supervisor is having
4. The instructor must make sure that the officer/supervisor understands the question and answer that was remediated and mark the score sheet as passing
5. Instructors will note to the training section supervisor all officers/supervisors which have a heightened level of resistance to the training module, or difficulty in understanding the concepts being taught
6. Any officer/supervisor receiving a failing grade of 74% or lower, or having continued difficulty with the discussion concepts will need to be remediated and sent to the training section supervisor for review of their efforts for this block of training

Give a Brief intro into the video

III. VIDEO ASSESSMENT #2

A. Seattle Police Use of Force

1. Officers were questioning a male and he is not listening to the officer's instructions.
2. An officer takes the subject down on the hood of a car when he takes his hands off the car.
3. During a struggle, one officer is bit by the subject and that officer punches the subject in the head.
4. The subject is taken to the ground and after a struggle, handcuffed.

Show video: 6:10 mins

Slide #5

Small group 10 mins

Slide #6

B. Show Video: (<https://www.youtube.com/watch?v=0BVVq-4ijdE> (Seattle PD))

Slide #7

C. Break the class into 3 small groups of 4

1. Have the groups discuss and write down the key elements to the following questions.
2. What levels of resistance did the subject display to the officer's?

Anticipated class answer:

1. *The subject started by displaying Passive Resistance by not following the directions given to keep his hands on the car.*
2. *The subject then moved to Active Resistance by refusing to be placed in handcuffs and struggling with officers.*
3. *The subject then went to Aggressive Physical Resistance when he bit the officer in the hand.*

U.O.F.;
DEFINITIONS
(page 3, paragraph 2)
(Page 2, paragraph 7)

(page 3, paragraph 1)
U.O.F.; *DE-ESCALATION*
(page 1, I. B)

3. What could the officer have done to try and de-escalate the situation?

U.O.F.; *DEFINITION*
(page 2, paragraph 5)

a. **Anticipated Class Answer:**

*Day Two | Module One: Video Assessment*Instructor Notes

1. *Slow down the pace of the incident and verbalize to the subject, in a calm manner and normal tone of voice.*
 4. When the officer gets bit, what level of force is being displayed by the subject? And, was the response by the officer proportional?
 - a. **Anticipated Class Answer:**
 1. *The subject displayed Level 2 Use of Force. The subject used force that could cause injury, reasonably cause injury.*
 2. *The response by the officer was proportional. He closed-fist punched the subject to get him to stop biting him.*
 5. Does the officer have to call a supervisor?
 - a. **Anticipated Class Answer:**
 1. *Yes. Officers who use or witness force shall contact the Communication Control Section and request that their supervisor respond to the scene as soon as practical following any use of force, except for de minimis force.*
- D. The instructor's shall monitor the small groups as they go over their assessment of the video. The instructors need to make sure the groups stay focused on the key elements in the video and assist the groups if needed.
- E. Instructors will bring the three groups back together to facilitate discussion about the key elements in the video and how they are applied in the new Use of Force GPO's
1. An officer from each group will present to the class the key points of the video that was discussed in his/her group.
 2. Instructors should focus on the officer's answers given during the class discussion using the above questions. The officers need to understand the questions presented to them in their small groups to get a passing score.
 3. During the large group discussion, instructors will identify the officers/supervisors that display deficiencies in any of the answers that are given.
 4. These deficiencies will present themselves in the officers/supervisors inability to effectively identify:
 - a. Levels of resistance
 - b. De-Escalation techniques
 - c. Levels of force and was it proportional
 - d. Does a supervisor have to respond?
 5. Instructors will be discussing the acceptable range of answers and how they are directly

U.O.F.; REPORTING
(page 1, I. A)

Large group 20mins

Day Two | Module One: Video Assessment

Instructor Notes

related to the application of the new Use of Force GPO's.

6. Any officers that fall outside the acceptable range will be immediately remediated.
7. This remediation will be done in the following manner:
 - a. Review the question that the officer/supervisor is having a problem with.
 - b. Ask follow up questions to reinforce the correct line of thinking as it relates to the Use of Force GPO's.
 - c. Review the section of the Use of Force GPO that directly relates to the problem or question the officer/supervisor is having.
 - d. The instructor must make sure that the officer/supervisor understands the question and answer that was remediated and mark the score sheet as passing.
 - e. Instructors will note to the training section supervisor all officers/supervisors that have a heightened level of resistance to the training module, or difficulty in understanding the concepts being taught.
 - f. Any officer/supervisor receiving a failing grade of 74% or lower, or having continued difficulty with the discussion concepts will need to be remediated and sent to the training section supervisor for review of their efforts for this block of training.

Slide #8

USE OF FORCE GENERAL POLICE ORDER TRAINING 2016-2017 EVALUATION

DATE	BADGE #	LAST NAME	SESSION #		ACADEMY UNIT
			LOCATION	FIRST NAME	
SCENARIO RE-CREATION			INSTRUCTOR	RAY#22.10/BOX#2526	
ASSESSMENT CRITERIA			SATISFACTORY	UNSATISFACTORY	NOTES
Legal justification for the traffic stop				N/A	
Levels of resistance					
De-Escalation Techniques					
Is the force reportable and within GPO					
Does a supervisor need to respond					
Use of force reporting procedures					
Levels of resistance					
De-Escalation techniques					
Levels of force and was it proportional					
Does a supervisor have to respond					
REMEDATION			SATISFACTORY	UNSATISFACTORY	NOTES
				N/A	
SUPERVISOR SIGNATURE					BADGE



Day Two | Module Two: Intermediate Weapons Scenario

Instructor Notes

Module Two: Intermediate Weapons Scenario

Recommended Time: 1 Hour 15 Minutes

Primary Audience: Patrol Officers, Detectives, Supervisors

Module Goal: Through classroom instruction, video assessment, video re-creation and discussion, the officers will be able to apply the new Use of Force GPO's.

Required Materials: Digital presentation (Power Point, video, violator vehicle and zone car); lesson plan

Learning Objectives: At the completion of this module, students will be able to:

- Identify if the officer had legal justification for the stop
- Describe the level of resistance the driver displayed
- Describe how the officer could have de-escalated the incident
- Describe if the force used is reportable
- Describe if force was necessary in the encounter and was it proportional
- Describe if a supervisor needs to respond
- Identify the reporting procedures

	Unit	Recommended Time
1	Group assignments and equipment distribution	15 minutes
2	Active scenario participation	45 minutes
3	Scenario Debrief	15 minutes
	Total	75 minutes



Day Two | Module Two: Intermediate Weapons Scenario

Instructor Notes

Table of Contents

- I. STUDENT PERFORMANCE OBJECTIVES
- II. SCENARIO #1
- III. SITE DESCRIPTION
- IV. INSTRUCTOR REQUIREMENTS
- V. EQUIPMENT
- VI. SITUATION EXPLANATION #1
- VII. DEBRIEF
- VIII. EVALUATION PROCESS
- IX. SCENARIO #2
- X. SITUATION EXPLANATION #2
- XI. DEBRIEF
- XII. EVALUATION PROCESS

SLIDE 1: Requirement to Carry Intermediate Weapons

SLIDE 2: Policy Requirements for ALL Intermediate Weapons

SLIDE 3: Policy Prohibitions for ALL Intermediate Weapons

I. EXPLANATION OF STUDENT PERFORMANCE OBJECTIVES, GROUP ASSIGNMENTS & EQUIPMENT DISTRIBUTION

SLIDE 4: Reporting Intermediate Weapon Use

A. Instructor Introduction:

- 1. The general use of force policy applies to all force, including intermediate weapons
- 2. A special policy section (“Use of Force – Intermediate Weapons”) provides more specific guidance on making sure that your use of these individual instruments complies with the general use of force policy
- 3. This module will:
 - a. Provide a recap of the most important policy requirements of the Use of Force – Intermediate Weapons policy
 - b. Give you opportunities to practice your skills

SLIDE 2

B. Summary of Important Policy Requirements

- 1. Every officer must carry a CEW and a second intermediate weapon (either ASP baton or OC Spray)
- 2. For ALL intermediate weapons, officers must now:
 - a. Communicate to the subject, other officers, or bystanders that the use of the intermediate weapon is imminent (whenever safe and feasible under the

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- circumstances) AND provide subject a reasonable amount of time to comply with verbal commands before deploying
- b. Consider specific characteristics of subjects that might make intermediate weapon use a more significant use of force: body mass, physical build, perceived age, emotional condition, children/juveniles
3. For ALL intermediate weapons, officers MAY NOT USE intermediate weapons:
 - a. On subjects who are passively resisting
 - b. To prevent the destruction of evidence
 - c. Against small children, the elderly, those who are visibly frail, or women visibly or known to be pregnant.
 - i. Exception: Where deadly force is authorize
 - d. On handcuffed or otherwise-restrained subjects
 - i. Exception: Where subject is displaying aggressive physical resistance AND lesser means would be ineffective or have already been tried and failed
 - e. To prod individuals
 - f. On subjects who are under control or complying with police direction
 4. ALL uses of intermediate weapons are reportable uses of force
 5. Every strike with an ASP, cycle/application of the Taser, and spray/application of OC Spray must be individually justified and objectively reasonable, necessary, and proportional
 6. For the ASP Baton:
 - a. No targeting to sensitive tissue areas (head, neck, spine, genitalia)
 - b. Strikes to the head and neck are deadly force
 - c. Preferred target areas are arms, legs, and torso
 - d. No head strikes with hard objects
 - i. Exception: Where deadly force would be justified
 - e. No use of firearm as impact weapon
 - f. Request EMS after strike to head, neck, spine, or genitalia
 7. For OC Spray:
 - a. May use ONLY:
 - i. When force is reasonable to protect the officer, subject, or a third party from physical harm AND lesser means would be effective; OR

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- | | |
|--|--|
| <ul style="list-style-type: none"> ii. For crowd dispersal/protection and other means would be more intrusive or less effective b. May NOT use on subjects with known respiratory condition <ul style="list-style-type: none"> i. Exception: extreme/articulable situation c. MUST discontinue use if subject does not comply after TWO, one-second bursts of OC spray that successfully contact the target d. Additional considerations: <ul style="list-style-type: none"> i. Awareness of risks of positional asphyxia following OC spray application ii. Awareness of risks of OC spray in confined/enclosed environments iii. Minimizing exposure to non-targeted subjects or parties e. Post-application procedures: <ul style="list-style-type: none"> i. As soon as practical, but not later than 20 minutes after establishing control of scene, officer must make reasonable effort to relieve OC spray discomfort by washing eyes ii. Officers must monitor exposed subjects for changes in condition iii. Request EMS in certain circumstances (see policy) <p>8. For CEW:</p> <ul style="list-style-type: none"> a. Use ONLY EITHER: <ul style="list-style-type: none"> i. Where grounds for arrest or detention are present and subject is actively or aggressively resisting and lesser means would be ineffective. ii. Where such force is necessary to protect the officer, subject, or another party from immediate physical harm and lesser means would be ineffective or have been tried and failed. b. May NOT USE: <ul style="list-style-type: none"> i. In drive stun mode solely for pain compliance. ii. On fleeting subjects who do not pose a threat of physical harm. iii. If subject represents lethal threat unless second officer present and prepared to deploy deadly force. iv. In certain situations (except where deadly force is authorized) <ul style="list-style-type: none"> a. Where deployment may cause serious subject injury due to falling, losing control of moving vehicle, or becoming ignited | |
|--|--|

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from presence of explosive/flammable substances

- b. Subject has low body mass or is in apparent medical crisis
- v. More than one CEW at a time against a subject
- c. Guidelines:
 - i. Deploy at preferred target zones (lower center mass on front, below neck line on back)
 - ii. Limit each CEW cycle to 5 seconds
 - iii. Use only minimum number of 5-second cycles necessary to gain control of subject
 - iv. Exposure to CEW for longer than 15 seconds may increase risk of death/serious injury
 - v. After CEW application, attempt to handcuff/restrain subject if compliance gained and tactically safe
 - vi. Absent rare and exceptional circumstances, officers shall not exceed three 5-second CEW cycles in total on any one subject during a single incident unless ALL of the following apply:
 - a. Reasonable belief that initial CEW applications were effective to gain temporary compliance but subject continues to actively or aggressively resist;
 - b. Noncompliance presents threat of imminent physical harm;
 - c. No other less-lethal technique, tactic, or choice consistent with Division policy would be effective; AND
 - d. Use of CEW beyond a third cycle will prevent resorting to deadly force options.
- d. Post-application procedures:
 - i. Call EMS
 - ii. CEW-qualified officer may remove probes to non-sensitive areas if reasonable to do so
 - iii. Inform EMS about individuals exposed to CEW
 - iv. Request transport to hospital where appropriate (see policy)

C. Important Skills & Concepts to Keep in Mind

1. Voice: Utilize effective communication

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- a. Communicate with clarity
 - b. Use a calming manner, normal tone of voice
 - c. Ask questions and listen
2. Presence: What image or posture are the police officers projecting towards the subject?
 - a. Aggressive
 - b. Passive
 - c. Unaware
 - d. Professional
 - e. Polite v. rude
3. De-escalation
 - a. When feasible and safe
 - b. Slow down the situation
 - c. Use contact/cover
 - d. Use distance and shielding/positioning tactics to limit exposure
 - e. Call for more resources/supervisor/CIT officer
 - f. Are directions clear? Can they be understood?
 - g. Are consequences explained?
4. Force
 - a. Necessary
 - b. Proportional
 - c. Objectively reasonable?
 5. Articulate with specificity what you saw, heard, and did
 - a. Explain what could you do and why (the “why” of a technique, tactic or action based on a thought process)

D. Group Assignments & Equipment Distribution

1. Two students assigned to a zone car and are the responding officers. These students are given the scenario.
2. All other officers are placed in the safe area of the gymnasium where they will observe the action.

II. SCENARIO #1:

Two officers see a subject who assaulted a police officer 45 minutes prior and escaped. Subject faces

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officer and stands still. Officers are armed with inert spray, foam baton, training CEW cartridges and training blue gun.

Performance Objectives:

In each situation, the student will:

- A. Perform a threat assessment based on the nature and immediacy of the threat and to identify if immediate police action is necessary to protect someone from harm.
- B. Establish that the scene is safe or make the scene safe. Take into consideration the location of victims, bystanders, and witnesses.
- C. Use time, distance and shielding to enhance the opportunity for de-escalation by limiting exposure to the subject. Move from a position that exposes you to potential threats to a safer position.
- D. Take the following steps to protect themselves, their partner(s), bystanders, and the subject they are dealing with:
 1. Use de-escalation tactics based on the de-escalation General Police Order when it is safe and feasible to do so under the totality of the circumstances.
 2. Examples are:
 - a. Slow down the situation
 - b. Bring additional resources to the scene (call for back up), request additional personnel and wait, when safe and feasible to do so, for arrival of additional personnel.
 - c. Place barriers between uncooperative subject and yourself
 - d. Use strategic communication or voice commands to de-escalate the situation.
 - e. Ask questions rather than issue orders.
 - f. As a last resort, inform the subject that not following orders may result in the need to use force. When possible and appropriate, give subjects the opportunity to comply with directives.
- E. Use force only as necessary, meaning only when no reasonably effective alternative to the use of force appears to exist, and then only to the degree which is reasonable to effect the intended lawful objective.
 1. Affect a lawful arrest/detention of a subject
 2. Gain control of a combative subject
 3. Prevent or terminate the commission of a crime

<i>Day Two Module Two: Intermediate Weapons Scenario</i>	<u>Instructor Notes</u>
<p>4. Intervene in a suicide or self-inflicted injury</p> <p>5. Defend or protect an officer/individual from the violent or resistant physical acts of another</p>	<p>The role player is given his instructions prior to class. On this first scenario he/she is to act in a passive resistant manner. The intended outcome should have no intermediate weapon being used.</p>
<p>III. SITE DESCRIPTION:</p> <p>Open area of the 5th floor gymnasium with some obstacles in place. Proper safety mats on the floor in area where arrest will be made.</p>	
<p>IV. INSTRUCTOR REQUIREMENTS:</p> <p>A. One Lead Instructor</p> <p>B. One Back up Instructor: Will assist in equipping and staging officers and safety officer</p> <p>C. One dedicated role player</p>	
<p>V. EQUIPMENT</p> <p>A. Inert MK-4 canisters</p> <p>B. Training CEW cartridges</p> <p>C. Training blue gun</p> <p>D. Protective gear for role player</p> <p>E. Sports mats</p> <p>F. Foam Training ASP baton and holder</p> <p>G. GPO's and evaluation forms</p>	<p><i>GPO: UoF: Intermediate Weapons 1, C, 1</i></p> <p><i>GPO: Officer Use of Force Reporting 2, D, 1</i></p> <p><i>GPO: UoF: Definitions of Passive Resistance and Level 1 Use of Force.</i></p>
<p>VI. SITUATION EXPLANATION #1:</p> <p>A. Role player #1: You assaulted a police officer 45 minutes ago. You escaped from the police. When confronted by an officer you will turn and face the officers, laughing at them repeatedly. You will not submit to verbal commands until the display of an intermediate weapon and verbal warnings.</p> <ol style="list-style-type: none"> 1. Officer Action: Officer observes suspect 2. Role Player Response: Faces officer. 3. Officer Action: Officer makes verbal contact. 4. Role Player Response: Role player is agitated, has fists clenched. Laugh in the officer's face repeatedly. 5. Officer Action: Officer provides verbal warning indicating an intermediate 	<p>Group Discussion</p> <p>Have student start at beginning and tell what happened</p> <p>Focus on sequential de-brief</p>

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weapon application. After subject submits, officer should direct arrest team to move in and take control of subject and simulate handcuffing.

6. **Role Player Response:** Role player raises hands and submits to officer.

VII. DEBRIEF:

- A. Review of Performance Objectives of Class
- B. Review of key points that achieved the performance objectives
- C. Solicited student feedback

Debrief: Scenario Specific Questions:

- A. What was your legal basis for contact? Was your contact a seizure, or was the subject free to leave? Why?
- B. What was your threat assessment?
- C. Was immediate police action necessary to protect someone from harm?
- D. Did you attempt to make the scene safe, taking into consideration the location of victims, bystanders, and witnesses?
- E. What tactics did you use? Why?
- F. If safe/feasible, was de-escalation used?
- G. What if any de-escalation techniques did you use.
- H. Did they seem effective?
- I. What if anything would you do differently?
- J. How did you slow down the situation?
- K. How did you use communication to mitigate the situation?
- L. How did you use cover/concealment?
- M. Why did you choose to use an intermediate weapon? Why that specific instrument?
- N. Did you use reportable force in the course of your duties?
 - 1. Was the force necessary?
 - 2. Was the force proportional to the level of resistance?
 - 3. Was the force objectively reasonable under the circumstances?

VIII. EVALUATION PROCESS:

Instructors will evaluate performance during exercises and correct performance that deviates from the desired responses as stated in the lesson plan.

Use questions to guide debrief; what happened next? What did you do then?

If you ask a subjective question, redirect by asking “why?”

Pointing a firearm at a subject is a level 1 reportable use of force

Handcuffing will be simulated due to safety and time

Be aware that officers may use an intermediate weapon which is a level 2 reportable use of force

Fill out evaluation forms

See performance objectives above

*Day Two | Module Two: Intermediate Weapons Scenario*Instructor Notes**IX. SCENARIO #2:**

Two officers see a subject who assaulted a police officer 45 minutes prior and escaped. Subject faces officer and stands still. Officers are armed with inert spray, foam baton, training CEW cartridges and training blue gun.

X. SITUATION EXPLANATION #2:

Role Player #1: You assaulted a police officer 45 minutes ago. You escaped from the police. When confronted by an officer you will turn and face the officers, laughing at them repeatedly. You will not submit to verbal commands until an intermediate weapon has been deployed.

- A. **Officer Action:** Officer observes suspect
- B. **Role Player Response:** Faces officer.
- C. **Officer Action:** Officer makes verbal contact.
- D. **Role Player Response:** Role player is agitated, has fists clenched. Laugh repeatedly in officer's face.
- E. **Officer Action:** Officer provides verbal warning indicating intermediate weapon application.
- F. **Role Player Response:** Role player raises fists and begins slowly walking towards officer.
- G. **Officer Action:** Officer deploys an intermediate weapon on the subject.
- H. **Role player Response:** Role player falls to the ground after being struck with an intermediate weapon.
- I. **Officer Action:** Officer directs arrest team to arrest subject. Arrest officers move in and simulate using prone handcuffing technique to take subject into custody.
- J. **Role Player Response:** Role player complies with officer.
- K. **Officer Action:** Officers place subject into recovery position and await EMS response.
- L. **Role Player Response:** Role Player is compliant.

XI. DEBRIEF:

- A. Review of Performance Objectives of Class
- B. Review of key points that achieved the performance objectives
- C. Solicited student feedback

XII. EVALUATION PROCESS:

Instructors will evaluate performance during exercises and correct performance that deviates from the desired responses as stated in the lesson plan.

On this second scenario the role player is to act in an Active Resistant manner. The intended outcome is the officer using an intermediate weapon to gain control of the suspect.

GPO: Officer Use of Force Reporting 2, D, 2

GPO: UoF: Definition of Intermediate Weapons, Level 2 Use of Force and Active Resistance.

Group Discussion

See debrief scenario specific questions above

Fill out evaluation forms.

EVALUATION

USE OF FORCE GENERAL POLICE ORDER TRAINING 2016-2017

DATE		SESSION #		ACADEMY	
BADGE #	LAST NAME	LOCATION	FIRST NAME	UNIT	
SCENARIO RE-CREATION					
TOPIC	SCENARIO RE-CREATION	INSTRUCTOR	RAY#22.10/BOX#2526		
	ASSESSMENT CRITERIA	SATISFACTORY	UNSATISFACTORY	N/A	NOTES
	Legal justification for the traffic stop				
	Levels of resistance				
	De-Escalation Techniques				
	Is the force reportable and within GPO				
	Does a supervisor need to respond				
	Use of force reporting procedures				
	Levels of resistance				
	De-Escalation techniques				
	Levels of force and was it proportional				
	Does a supervisor have to respond				
REMEDATION					
		SATISFACTORY	UNSATISFACTORY	N/A	NOTES
SUPERVISOR SIGNATURE					BADGE



*Day Two | Module Three: Use of Force TI Scenario*Instructor Notes

Title: Use of Force TI Scenario – Video Assessment

Recommended Time: 1 Hour 15 Minutes

Primary Audience: Patrol Officers, Detectives, Supervisors

Module Goal: The goal of the Video Scenario Training is for the responding officers to demonstrate appropriate tactics in compliance with Cleveland Division of Police G.P.O. 2.1.01.

Required Materials: TI trailer with TI computer and projector, Duty belts with TI compatible simulated weapons: handgun, Taser, O.C. spray.

Student Performance Objectives: At the completion of this module, students will be able to:

- A. Perform a threat assessment to determine if immediate action is necessary in order to protect someone from being injured.
- B. Establish whether or not the scene is safe, or needs to be made safe.
- C. Allow the time and/or the opportunity for the person to regain self-control.
- D. Use the appropriate amount of force (if necessary) at the correct time in order to protect themselves, their partner(s), bystanders, and also the person that they are dealing with
- E. Use cover and distance appropriately
- F. Use effective communication to gain the person's compliance
- G. Demonstrate situational awareness. (Target, backstop, and beyond)

	Unit	Recommended Time
1	Group assignments and equipment distribution	15 minutes
2	Active scenario participation	45 minutes
3	Scenario Debrief	15 minutes
	Total	75 minutes

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- II. PERFORMANCE GOALS
- III. SCENARIO
- IV. SITE DESCRIPTION
- V. INSTRUCTOR'S REQUIREMENTS
- VI. SET-UP
- VII. EQUIPMENT

<i>Day Two Module Three: Use of Force TI Scenario</i>	<u>Instructor Notes</u>
<p>VIII. SITUATION EXPLANATION</p> <p>IX. DEBRIEF OF TRAINING</p> <p>X. DEBRIEF: INSTRUCTOR TIPS</p> <p>XI. DEBRIEF: SCENARIO SPECIFIC QUESTIONS</p> <p>XII. INSTRUCTOR NOTES</p> <p>XIII. KEY KNOWLEDGE BASED POINTS</p>	
<p>I. INSTRUCTOR INTRODUCTORY REMARKS</p> <p>A. Throughout the training that you have received on the new use of force policies – in the district, yesterday, and today – you have gotten an opportunity to practice your skills and apply the new policies in various scenarios.</p> <p>B. Throughout these scenarios, any force that you used has needed to be:</p> <ol style="list-style-type: none"> 1. NECESSARY to achieve a lawful objective 2. PROPORTIONAL to the level of the subject’s resistance <ol style="list-style-type: none"> a. This involves the use of intermediate weapons and the various instrument-specific guidelines 3. OBJECTIVELY REASONABLE 4. Likewise, there is a duty to DE-ESCALATE when it is safe and feasible to do so under the circumstances. 	<p>SLIDE 1: Review of Use of Force Principles</p>
<p>C. Consistent with these principles, there are a variety of actions that are PROHIBITED by CDP policy. Although there are some important exceptions that you have previously read and received instruction about, officers generally SHALL NOT:</p> <ol style="list-style-type: none"> 1. Use force to subdue a subject not suspect of any criminal conduct 2. Use retaliatory force 3. Use force against subjects who only verbally confront officers and are not involved in criminal conduct 4. Use force against subjects who are handcuffed or otherwise restrained 5. Un-holster and display or un-holster and point a firearm unless the circumstances create an objectively reasonable belief that the situation may escalate to the point at which deadly force would be authorized 6. Use force to overcome passive resistance 7. Use force against those who are exercise their First Amendment rights 8. Carry weapons that are not authorized by the Division 	<p>SLIDE 2: Review of Prohibited Force</p> <p><i>Use of Force : General, Principles V- A</i></p>

<i>Day Two Module Three: Use of Force TI Scenario</i>	<u>Instructor Notes</u>
<p>9. Use a firearm as an impact weapon</p> <p>10. Fire warning shot</p> <p>11. Use deadly force solely to protect property or solely to effectuate an arrest</p> <p>12. Use neck holds</p> <p>13. Discharge a firearm from or at a moving vehicle</p> <p>14. Reach into or place themselves in the path of a vehicle</p> <p>15. Discharge a firearm at a threat that is not verified and visible</p> <p>16. Use head strikes with hard objects</p> <p>D. Engaging in these prohibited activities could only be justified “in RARE AND EXCEPTIONAL CIRCUMSTANCES where, under the facts and circumstances confronting the officer, a reasonable officer would believe that:</p> <ol style="list-style-type: none"> 1. The USE OF DEADLY FORCE would be objectively reasonable, necessary, and proportional; AND 2. The subject’s actions constitute an IMMEDIATE danger and GRAVE THREAT to the officer or others; AND 3. NO OTHER FORCE OPTIONS, techniques, tactics, or choices consistent with the Division’s policy ARE AVAILABLE <p>E. Where officers have used prohibited techniques, they will be expected to articulate why their actions met the criteria. The officer’s actions will be subject to strict review.</p> <p>F. This scenario will allow you an opportunity to apply these principles, again in light of the specific prohibitions in policy, to another real-world-type scenarios</p>	<p><i>De-Escalation I-C</i></p> <p><i>De-Escalation I-F</i></p> <p>SLIDE 3: Review of Extraordinary Circumstances Where Otherwise-Prohibited Techniques Might Be Used</p>
<p>II. PERFORMANCE GOALS</p> <p>A. Voice: Utilize effective communication</p> <ol style="list-style-type: none"> 1. Communicate with clarity 2. Use a calming manner, normal tone of voice 3. Ask questions and listen <p>B. Presence: What image or posture are the police officers projecting towards the subject?</p> <ol style="list-style-type: none"> 1. Aggressive 2. Passive 3. Unaware 4. Professional 	<p><i>De-Escalation Policy F2-3</i></p> <p><i>De-Escalation Policy IB</i></p>

<i>Day Two Module Three: Use of Force TI Scenario</i>	<u>Instructor Notes</u>
<p>5. Polite v. rude</p> <p>C. De-escalation</p> <ol style="list-style-type: none"> 1. When Feasible and Safe 2. Slow down the situation 3. Use contact/cover 4. Use distance and shielding/positioning tactics to limit exposure 5. Call for more resources/supervisor/CIT officer 6. Are directions clear? Can they be understood? Are consequences explained? <p>D. Force</p> <ol style="list-style-type: none"> 1. Necessary 2. Proportional 3. Objectively reasonable? <p>E. Explain what you did</p> <p>F. Explain what could you do and why</p> <ol style="list-style-type: none"> 1. The “why” of a technique, tactic or action based on a thought process <p>III. SCENARIO:</p> <p>Two officers are dispatched to a complaint of suspicious activity at a chemical storage facility. Upon arriving on scene the officers observe a male tampering with a storage tank that is marked with a hazmat placard. The male is in possession of a wrench and becomes very agitated when being challenged by the officers. If the officers use proper de-escalation tactics and proper cover that are provided in the scenario, the suspect will comply with the officer’s commands. If officers need additional time to create space and seek cover that is provided, the video will then be paused and a role player will assume the role of the suspect.</p> <p>Performance Objectives: In each situation, the student will:</p> <ol style="list-style-type: none"> A. Perform a threat assessment based on the nature and immediacy of the threat and identify if immediate police action is necessary to protect someone from harm. B. Establish that the scene is safe or make the scene safe. Take into consideration the location of victims, bystanders, and witnesses. C. Use time, distance and shielding to enhance the opportunity for de-escalation by limiting exposure to the subject. Move from a position that exposes you to potential threats to a safer position. 	<p><i>Use of Force: General, Principles V-A</i></p> <p><i>De-Escalation I-C</i></p> <p><i>De-Escalation I-F</i></p> <p><i>Use of Force: General Section II & III</i></p> <p><i>Use of Force Policy: General IV-C</i></p>

<i>Day Two Module Three: Use of Force TI Scenario</i>	<u>Instructor Notes</u>
<p>D. Take the following steps to protect themselves, their partner(s), bystanders, and the subject they are dealing with:</p> <ol style="list-style-type: none"> 1. Use De-escalation tactics based on the De-escalation General Police Order when it is <u>safe and feasible</u> to do so under the totality of the circumstances. Examples are: <ol style="list-style-type: none"> a. Slow down the situation b. Bring additional resources to the scene (call for back up), request additional personnel and wait, when safe and feasible to do so, for arrival of additional personnel. c. Place barriers between uncooperative subject and yourself d. Use strategic communication or voice commands to de-escalate the situation. e. Verbalize to the subject(s), in a calm manner and normal tone of voice, all the options available to them, which you can help with, and which would be best to end subject's crisis. f. Ask questions rather than issue orders. g. Advise the subject(s) of the actions that you will take to end their crisis in the best way possible. h. As a last resort, inform the subject that not following orders may result in the need to use force. When possible and appropriate, give subjects the opportunity to comply with directives. <p>E. Use force only as necessary, meaning only when no reasonably effective alternative to the use of force appears to exist, and then only to the degree which is reasonable to effect the intended lawful objective.</p> <ol style="list-style-type: none"> 1. Affect a lawful arrest/detention of a subject 2. Gain control of a combative subject 3. Prevent or terminate the commission of a crime 4. Intervene in a suicide or self-inflicted injury 5. Defend or protect an officer/individual from the violent or resistant physical acts of another <p>F. Demonstrate situational awareness.</p> <ol style="list-style-type: none"> 1. Target 2. Backstop 	<p><i>De-Escalation FI</i></p> <p><i>De-Escalation I-F</i></p> <p><i>Use of Force Policy: Principles: II-A,B,C</i></p>

<i>Day Two Module Three: Use of Force TI Scenario</i>	<u>Instructor Notes</u>
<p>3. Beyond</p>	
<p>IV. SITE DESCRIPTION</p>	
<p>Video Assessment (TI) Trailer, simulated cover available</p>	<p>Firearms Safety Rule <i>Use of Force Policy: De-Escalation 1F</i></p>
<p>V. INSTRUCTOR REQUIREMENTS:</p>	
<p>A. One Lead Instructor</p>	
<p>B. One Back up Instructor/Safety Officer: This Instructor will assist with equipping the officers with simulated weapons. The Back- up Instructor will also be available as a role player if needed in each scenario.</p>	
<p>C. All officers will have the following simulated weapons available to them before each video scenario starts:</p>	
<p> 1. Firearm</p>	
<p> 2. Taser</p>	<p><i>Use of Force Policy: Principles: II-A,B,C</i></p>
<p> 3. O.C.</p>	
<p>VI. SET-UP</p>	
<p>A. All officers will be advised to secure all of their live weapons before entering the Ti trailer, and will be checked to verify that this directive was followed.</p>	
<p>B. Officers will be wearing their duty belt and will be provided TI compatible simulated Glock handgun, Taser, and O.C. spray.</p>	
<p>C. Every officer will be informed that they are all safety officers. If they see a safety violation they are to bring it to the instructor’s attention immediately.</p>	
<p>VII. EQUIPMENT</p>	
<p>A. TI Computer</p>	
<p>B. TI Projector</p>	
<p>C. TI Projector Screen</p>	
<p>D. TI compatible Glock handgun</p>	
<p>E. TI compatible Taser</p>	
<p>F. TI compatible O.C. spray</p>	
<p>G. TI compatible shotgun</p>	
<p>H. TI compatible bean bag shotgun (Supervisors)</p>	

*Day Two | Module Three: Use of Force TI Scenario*Instructor Notes**VIII. SITUATION EXPLANATION**

- A. The instructor will give students basic information regarding a call for service. In this particular scenario, a complainant places a call to 911 to report there is a suspicious male at a chemical storage facility. There are no weapons mentioned.
- B. **Set-Up Details:** Simulated cover in the form of a large cardboard box will be provided and staged in the in-play area of the scenario. A cardboard box will be used instead of a hard object for safety reasons.

Instructions for Role Player 1: Instructor**A. Situation**

In this particular scenario, a complainant places a call to 911 to report there is a suspicious male at a chemical storage facility. There are no weapons mentioned.

B. Instructor Notes:

1. Scenario for Basic Patrol may be altered for specialized units/detectives/administrative units
2. Be sure to document officer behavior on skills assessment sheet
3. Assist the responding officers as needed with information that is usually provided by a dispatcher.
 - a. Have we been to the location previously?
 - b. Is there a known weapon on the premise?
 - c. Any other type of history at this location/alarm drops?
4. Try and let the scenario play out, however, be cognizant of time issues
5. Be aware of all safety protocol and allow no exceptions
6. Monitor the behavior of all Safety Officers to insure compliance with established safety protocol

*Use of Force Policy:
Procedures Section IA*

*Use of Force Policy:
Principles: IV E7*

C. Officer desired response when contacting the Suspect:

1. Identify themselves as police officers when feasible
2. Use contact/cover during the interview of the complainant
3. Perform a threat assessment of the surroundings to ascertain location of the suspect
4. Officers will attempt to gain more information from the suspect
 - a. Does the suspect have a weapon(s)
 - b. Determine if the suspect is an employee

*De-Escalation:
Procedures I-F-1-b,c*

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- c. Determine point of entry
- d. Determine if there are any other people with the suspect
- 5. Officers should make use of the available cover provided
- 6. Officers should call for back up

D. Instructions for Role Player #1: The Instructor

E. **Goal:** The essential skill we will be training is a singular one: Is it feasible and safe to de-escalate

F. Role Player #1

Start the scenario on the TI machine. The suspect will become very agitated when challenged by the officers and will stand up with a wrench in hand. If the officers use proper de-escalation tactics and proper cover that are provided in the scenario, choose the branch option that will cause the suspect to comply with the officer's instructions.

G. **Interaction with the Police:** Allow the suspect to be hesitant to respond to the voice commands or follow the orders of the responding police officers if they shout commands or orders.

H. **If/When:** If officers use appropriate de-escalation techniques, the suspect will comply. If officers use less-lethal force options, the scenario will be stopped and the force option analyzed with regard to appropriateness given the environment and backstop (chemical tank). If officers do not use effective communication techniques, the suspect will continue to be agitated and challenge the officers. . If officers need additional time to create space and seek cover that is provided, the video will then be paused and the assistant instructor will assume the role of the suspect.

I. Officer desired response when contacting the Suspect:

1. Officer(s) will make the correct threat assessment in response to the suspect's actions?
2. Officer(s) will use contact and cover principles to protect themselves and slow down the situation and summon additional resources.
3. Officer(s) will use De-escalation tactics when safe and feasible based on the totality of the circumstances.
4. Officer(s) will use only the force necessary to achieve a lawful objective.
5. Officer will use force that is proportional to the level of resistance and objectively reasonable.
6. Officer will request a supervisor if they use or witness force

<i>Day Two Module Three: Use of Force TI Scenario</i>	<u>Instructor Notes</u>
<p>J. Remedial Action</p> <ol style="list-style-type: none"> 1. If an Officer(s) actions and/or responses are not in line with policy, procedures, and/or training remedial training will be provided. 2. The officer(s) will be asked to seat in the room to grant them an opportunity to observe other members of the Division complete the scenario. <ol style="list-style-type: none"> a. This should reiterate what was provided to them during remedial training. 3. Upon the completion of the remaining members the officer(s) will be granted another opportunity to show they understand policy by completing the scenario. 4. If the officer(s) actions and/or responses continue to remain in question and they are still not in line with policy, procedures, and/or training they will be subject to the procedures outlined in General Police Order Firearms Requalification 1.1.10, II,C.] <p>K. Student Requirements</p> <ol style="list-style-type: none"> 1. Safety Screening of weapons and dangerous items complete 2. Be outfitted with TI compatible Glock training weapon 3. Choose between the available training intermediate weapons (Taser, Pepper Spray) 4. Be briefed and staged, ready to deploy as primary responding officers or back up officers. 	<p>Policy will be reiterated with the officer in question.</p> <p>The supervisor assigned to the training session shall be notified to observe if not already present.</p> <p>The supervisor assigned to the training session will confiscate the member's firearms as per current policy and make the appropriate notifications.</p>
<p>IX. DEBRIEF OF TRAINING:</p> <ol style="list-style-type: none"> A. Review of Performance Objectives of Class B. Review of key points that achieved the performance objectives C. Solicited student feedback 	
<p>X. DEBRIEF: INSTRUCTOR TIPS</p> <ol style="list-style-type: none"> A. Have student start at beginning and tell what happened B. Pause and paraphrase if required due to rambling narrative C. Focus on sequential, chronological de-brief D. Use questions to guide debrief; what happened next? What did you do then? 	

*Day Two | Module Three: Use of Force TI Scenario*Instructor Notes

- E. If you ask a subjective question, redirect by asking “why?”
- F. Remember that after a high stress incident, it is the instructor’s responsibility to help the student reduce their stress and anxiety level and bring them down to a level of normalcy before any constructive debriefing can occur. The instructor will utilize Division trained anxiety and stress management techniques such as “Heart Focused Breathing, “Sixteen Seconds to Clarity” y help mitigate high stress levels.

XI. DEBRIEF: SCENARIO SPECIFIC QUESTIONS

- A. What was your legal basis for contact? Was your contact a seizure, or was the subject free to leave? Why?
- B. What was your threat assessment?
- C. Was immediate police action necessary to protect someone from harm?
- D. Did you attempt to make the scene safe, taking into consideration the location of victims, bystanders, and witnesses?
- E. What tactics did you use? Why?
- F. If safe/feasible, was de-escalation used?
- G. What if any de-escalation techniques did you use.
- H. Did they seem effective?
- I. What if anything would you do differently?
- J. How did you slow down the situation?
- K. How did you use communication to mitigate the situation?
- L. How did you use cover/concealment?
- M. Did you use reportable force in the course of your duties?
 1. Was the force necessary?
 2. Was the force proportional to the level of resistance?
 3. Was the force objectively reasonable under the circumstance?

XII. INSTRUCTOR NOTES:

- A. Pointing a firearm at a subject is a level 1 reportable use of force.
- B. Handcuffing should be simulated due to safety and time.
- C. If there is a shooting incident, it is a Level 3 reportable use of force and requires a supervisor and FIT team call up.
- D. Be aware that officers may use a CEW which is a Level 2 reportable use of force

XIII. Key Knowledge Based Points

- A. Do you have a lawful purpose for the seizure? Explain
- B. Explain if it was feasible and safe to use De-Escalation?
- C. Did you attempt De-Escalation? Explain your tactics
- D. How did you reduce the likelihood of using force?
- E. If force was used, was it necessary? Explain
- F. Explain how the force used was objectively reasonable?
- G. Explain how the force used was proportional to the resistance offered by the suspect?
- H. Did you reduce the level of force applied as the nature of the threat diminishes?
- I. What post use of force actions should you take?
- J. What is your reporting requirement for this incident?



EVALUATION

USE OF FORCE GENERAL POLICE ORDER TRAINING 2016-2017

DATE		LOCATION	Ti Trailer
BADGE #	LAST NAME	FIRST NAME	UNIT
TOPIC	VIDEO ASSESSMENT	INSTRUCTOR	Reddy/Oconnor
	ASSESSMENT CRITERIA	SATISFACTORY	UNSATISFACTORY
	1. ANNOUNCES PRESENCE		
	2. SLOWS DOWN THE SITUATION		
	3. USES CONTACT/COVER PRINCIPLES		
	4. OBJECTIVELY REASONABLE USE OF FORCE DECISION		
	5. USES ONLY NECESSARY AND PROPORTIONAL FORCE		
	6. USED EFFECTIVE COMMUNICATION TACTICS		
	7. UNDERSTANDS AFTER ACTION RESPONSIBILITIES		
	8. UNDERSTANDS REPORTING REQUIREMENT		
	9. SITUATIONAL AWARENESS OF TARGET/BACKSTOP AND BEYOND		
	REMEDIATION	SATISFACTORY	UNSATISFACTORY
	SUPERVISOR SIGNATURE		

*Day Two | Module Four: Threat Assessment Scenario*Instructor Notes

Title: Threat Assessment Scenario

Recommended Time: 1 Hour 15 Minutes

Primary Audience: Patrol Officers, Detectives, Supervisors

Module Goal: Utilizing scenario based training; the student will make the decision if it is feasible and safe to de-escalate?

Required Materials: None/see equipment list

Learning Objectives: At the completion of this module, students will be able to:

- Evaluate the situation and the subject(s) they encounter
- Insure they have evaluated other factors in deciding what the relative safety is for themselves and for the general public
- Evaluate the environment and resources such as distance and shielding
- Decide whether immediate de-escalation is possible
- Decide whether immediate force is required.

	Unit	Recommend
1	Group assignments and equipment distribution	15 minutes
2	Active scenario participation	45 minutes
3	Scenario Debrief	15 minutes
	Total	75 minutes

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II. SUMMARY OF NEW POLICY PROVISIONS AND PERFORMANCE GOALS

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V. STUDENT REQUIREMENTS

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VII. EQUIPMENT

VIII. SET-UP DETAILS

IX. DEBRIEF OF TRAINING

X. DEBRIEF: SCENARIO SPECIFIC QUESTIONS

XI. KEY KNOWLEDGE BASED POINTS

<i>Day Two Module Four: Threat Assessment Scenario</i>	<u>Instructor Notes</u>
<p>I. GOALS</p> <p>A. Voice: Utilize effective communication</p> <ol style="list-style-type: none"> 1. Communicate with clarity 2. Use a calming manner, normal tone of voice 3. Ask questions and listen <p>B. Presence: What image or posture are the police officers projecting towards the subject?</p> <ol style="list-style-type: none"> 1. Aggressive 2. Passive 3. Unaware 4. Professional 5. Polite v. rude <p>C. De-escalation</p> <ol style="list-style-type: none"> 1. When Feasible and Safe 2. Slow down the situation 3. Use contact/cover 4. Use distance and shielding/positioning tactics to limit exposure 5. Call for more resources/supervisor/CIT officer 6. Are directions clear? Can they be understood? Are consequences explained? <p>D. Force</p> <ol style="list-style-type: none"> 1. Necessary 2. Proportional 3. Objectively reasonable? <p>E. Explanation of events</p> <ol style="list-style-type: none"> 1. Students will be expected to explain what they did during the encounter 2. Chronological order <p>II. SUMMARY OF NEW POLICY PROVISIONS AND PERFORMANCE GOALS</p> <p>A. You have been introduced to the new use of force policy’s requirement that</p>	<p>Prior to beginning the scenario training, the instructor should emphasize the performance goals and what is expected from each student during the scenario.</p> <p>The primary instructor should foster the performance goals in this section. He/she should note any exceptional behavior observed during the scenario training. This behavior should receive positive reinforcement, especially during the group debrief.</p> <p>Instructors should review basic safety rules regarding training weapons and simulated training ammunition/marking cartridges</p> <p>SLIDE 1: Duty to De-Escalate</p>

<i>Day Two Module Four: Threat Assessment Scenario</i>	<u>Instructor Notes</u>
<p>you use de-escalation techniques whenever it is safe and feasible to do so.</p> <p>B. The nature and immediacy of the threat will help determine what de-escalation tactics may be used.</p> <ol style="list-style-type: none"> 1. In some instances, many de-escalation strategies may be available because the subject, while noncompliant, does not pose an active or imminent threat. 2. In other instances, few or no de-escalation strategies may be available because the subject poses an immediate danger to you or others. <p>C. Therefore, your ability to quickly assess threats and determine an appropriate response is at the heart of your ability to de-escalate where appropriate</p> <p>D. This module will provide you with opportunities to practice your threat assessment skills and to determine your responses accordingly</p>	<p>SLIDE 2: Nature/Immediacy of Threat Guides De-Escalation Tactics</p> <p><u>Instructor Notes</u> The primary instructor will explain the nature of the call for service and the priority code (1-4). The primary instructor will act as the dispatcher and any information or requests can be voiced directly to the primary instructor.</p> <p>(Note: The use of portable radios in the “Training Mode” would be preferable, however due to time constraints and equipment issues, the portable radio will not be used during this training module.)</p>
<p>III. STUDENT PERFORMANCE OBJECTIVES</p> <p>In each situation, the student will:</p> <p>A. Perform a threat assessment based on the nature and immediacy of the threat and to identify if immediate police action is necessary to protect someone from harm.</p> <p>B. Establish that the scene is safe or make the scene safe. Take into consideration the location of victims, bystanders, and witnesses.</p> <p>C. Use time, distance and shielding to enhance the opportunity for de-escalation by limiting exposure to the subject. Move from a position that exposes you to potential threats to a safer position.</p> <p>D. Take the following steps to protect themselves, their partner(s), bystanders, and the subject they are dealing with:</p> <ol style="list-style-type: none"> 1. Use De-escalation tactics based on the De-escalation General Police Order when it is <u>safe and feasible</u> to do so under the totality of the circumstances. Examples are: <ol style="list-style-type: none"> a. Slow down the situation b. Bring additional resources to the scene (Call for back up), request additional personnel and wait, when safe and feasible to do so, for arrival of additional personnel. c. Place barriers between uncooperative subject and yourself. d. Use strategic communication or voice commands to de- 	<p>Instructors should be cognizant of the student’s perspective. There are numerous ways to handle this situation. No single tactic will solve the problem and when reviewing a student’s response, Instructors must base their discussion on the reasonable police officer standard.</p> <p>\</p> <p>The entire site including the interior and exterior of the Tactical Training house must be inspected prior to each day. Instructors must be vigilant and alert for any dangerous conditions and any unauthorized or prohibited items in the training environment. Be mindful that this facility is used by a variety of agencies that are</p>

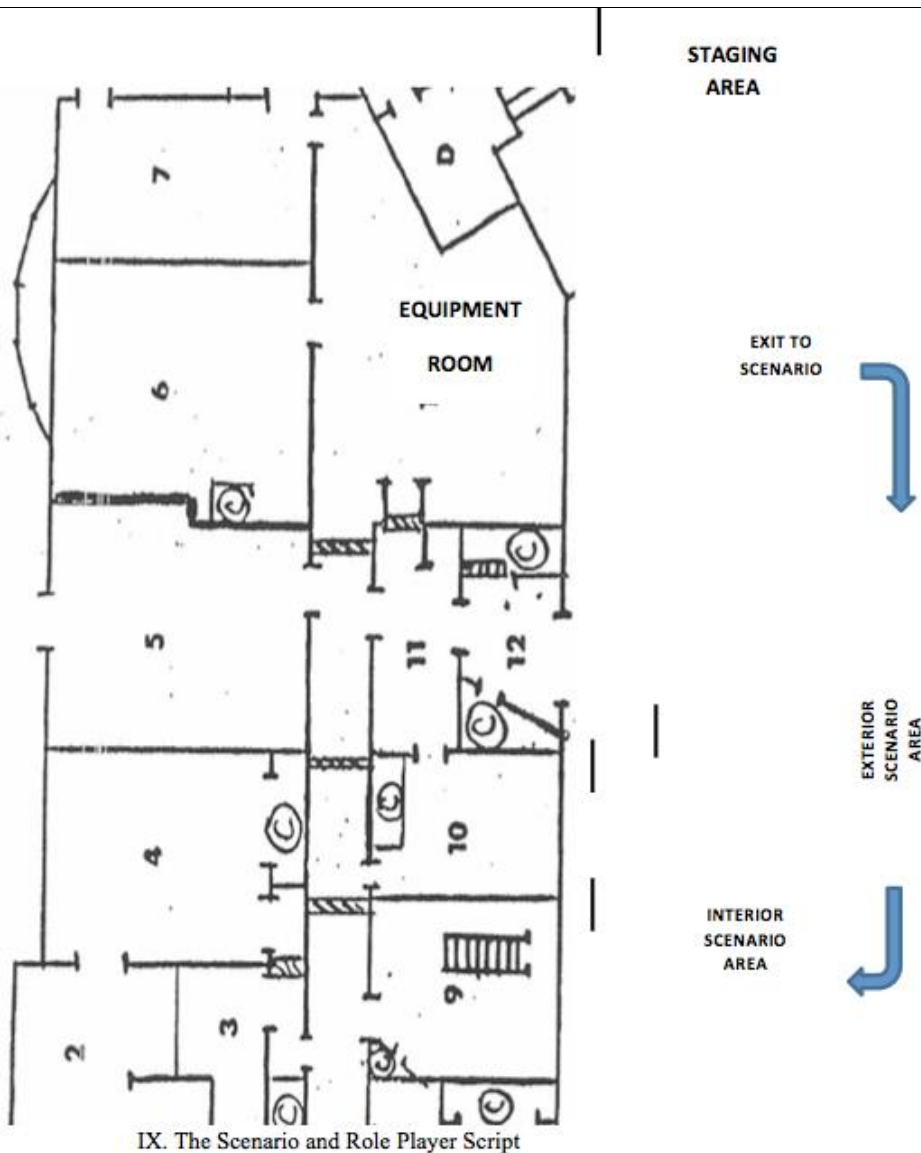
<i>Day Two Module Four: Threat Assessment Scenario</i>	<u>Instructor Notes</u>
<p>escalate the situation.</p> <ul style="list-style-type: none"> e. Verbalize to the subject(s), in a calm manner and normal tone of voice, all the options available to them, which you can help with, and which would be best to end the subject’s crisis. f. Ask questions rather than issue orders g. Advise the subject(s) of the actions that you will take to end their crisis in the best way possible. h. As a last resort, inform the subject that not following orders may result in the need to use force. When possible and appropriate, give subjects the opportunity to comply with directives. <p>E. Use force only as necessary, meaning only when no reasonably effective alternative to the use of force appears to exist, and then only to the degree which is reasonable to effect the intended lawful objective.</p> <ul style="list-style-type: none"> 1. Affect a lawful arrest/detention of a subject 2. Gain control of a combative subject 3. Prevent or terminate the commission of a crime 4. Intervene in a suicide or self-inflicted injury 5. Defend or protect an officer/individual from the violent or resistant physical acts of another. 	<p>unsupervised by CDP Training Section staff members.</p> <p>Note that this type of training should not be conducted by any instructors or members that have not previously had formal Scenario Based Instructor Training.</p> <p>All Safety Officers and Role Players must complete the “Safe Scenario Training” course provided by the Cleveland Police Academy.</p> <p>We are introducing and reinforcing a thought process.</p> <p>Instructors should be cognizant of the student’s limited hearing while wearing the protective helmet and they may be forced to use a loud voice.</p> <p>All instructors are required to have a whistle to assist in stopping any hazardous behavior or to stop a scenario. The role player suspect will be instructed to go to the ground if he/she is shot with the marking cartridges.</p> <p>It is important for all participants to keep their helmets on at all times until given the order to remove helmets. This order will only be issued when the scenario is over and all training weapons are confirmed to be holstered.</p>
<p>III. SITE DESCRIPTION</p> <ul style="list-style-type: none"> A. Tactical Training House B. Interior: Low light levels/ abandoned house conditions C. Students begin outside (daylight) <p>IV. INSTRUCTOR REQUIREMENTS:</p> <ul style="list-style-type: none"> A. One Lead Instructor 	<p>The entire site including the interior and exterior of the Tactical Training house must be inspected prior to each day.</p>

<i>Day Two Module Four: Threat Assessment Scenario</i>	<u>Instructor Notes</u>
<ul style="list-style-type: none"> B. One Back up Instructor: Will assist in equipping and staging officers C. Two dedicated role players D. Two dedicated Safety Officers 	<p>Instructors must be vigilant and alert for any dangerous conditions and any unauthorized or prohibited items in the training environment. Be mindful that this facility is used by a variety of agencies that are unsupervised by CDP Training Section staff members.</p>
<p>V. STUDENT REQUIREMENTS</p> <ul style="list-style-type: none"> A. Safety Screening of weapons and dangerous items completed B. Must wear all protective equipment C. Must have duty related gear including holster and magazine pouch D. Be outfitted with Glock 17T training weapon with 3 magazines E. Choose between the available training intermediate weapons (Taser, Pepper Spray, Asp Baton) F. Be briefed and staged, ready to deploy as primary responding officers or back up officers. 	<p>Note that this type of training should not be conducted by any instructors or members that have not previously had formal Scenario Based Instructor Training.</p> <p>All Safety Officers and Role Players must complete the “Safe Scenario Training” course provided by the Cleveland Police Academy.</p>
<p>VI. SET-UP</p> <p>This will be a simulated ammunition/marking cartridge scenario. All active participants will wear protective gear. Any observers or non-participants must be outside the established weapons free zone and wear eye protection. Any other observers must meet with the primary instructor prior to the start of the scenario for safety screening and briefing.</p> <p>Utilizing the following areas of the Tactical Training House:</p> <ul style="list-style-type: none"> A. Exterior: Front of Tactical Training House(Tac House) Caution Tape and 	<p>Instructors must insure that all safety equipment is clean and in good working condition prior to the beginning of each training day. Helmets and throat protectors must be cleaned prior to each use.</p> <p>Glock 17T Training pistols must be cleaned and maintained in order to reduce the potential of malfunctioning caused by barrel fouling.</p>

<i>Day Two Module Four: Threat Assessment Scenario</i>	<u>Instructor Notes</u>
<p>Coned off</p> <ul style="list-style-type: none"> B. Front porch by door #1 C. Door #2 = suspect point of entry D. Interior: <ul style="list-style-type: none"> 1. Living Room = Staging Area 2. Equipment Room E. Door #1 F. Door #2 G. Hallway after Door #2 H. Lighting – normal/daylight I. <u>Note: Safety Officers-Vests, eye protection and whistles mandatory</u> <ul style="list-style-type: none"> 1. One posted outside for site security/weapons free zone 2. One posted in room with suspect 	<p>Students must pass the Safety Inspection and will then be stationed in the staging area of the Tactical Training House. The Safety Officer will issue all equipment from the equipment room in an orderly fashion.</p> <p>Only one student at a time will be allowed into the equipment room. Students will not be allowed to load training magazines or assist the Safety Officer.</p>
<p>VII. EQUIPMENT</p> <ul style="list-style-type: none"> A. FX Safety Helmet, throat collar, vest(All active participants) B. Glock 17T training pistol and three training magazines (Blue) C. Force on Force or Simunition Brand marking cartridges D. Inert Pepper spray E. Blue training Taser F. Foam Training ASP baton and holder G. Safety Glasses/Safety vests/Whistles H. Caution Tape and Cones I. Clipboards/Pens 	<p>Safe Scenario Training Protocols are in effect at all times. Students will be ready to receive the scenario assignment upon receiving their equipment. When the scenario begins, the selected officers will exit the Tactical Training house via the double doors and enter the scenario area which includes the exterior front of the Tac House</p>
<p>VIII. SET-UP DETAILS</p>	<ul style="list-style-type: none"> •Scenario for Basic Patrol may b altered for specialized units /detectives/administrative units •Be sure to document officer

Day Two | Module Four: Threat Assessment Scenario

Instructor Notes



behavior on skills assessment sheet

- Assist the responding officers as needed with information that is usually provided by a dispatcher.
- Have we been to the location previously?
- Is there a known weapon on the premise?
- Any other type of history at this location/alarm drops?
- Try and let the scenario play out, however, be cognizant of time issues
- Be aware of all safety protocols and allow no exceptions
- Instructors should monitor the behavior of all Safety Officers to insure compliance with established safety protocol

During the encounter with the suspect, Instructors should be ready to blow the whistle and stop the scenario if the student(s) attempt to use any subject control techniques that could harm the role player. Instructors and safety officers must be vigilant in their efforts to protect all participants.

Complainant calls 911 to report there is a suspicious male going in and out of an abandoned house. The complainant reports the male is wearing dark clothes and may be wearing a mask. There are no weapons mentioned.

Instructions for Role Player 1: The Complainant

Role Player #1: Located on the front porch of the Tac House and will greet arriving

*Day Two | Module Four: Threat Assessment Scenario*Instructor Notes

officers. Role player #1 should appear anxious and worried. He/she will explain that she saw the suspicious male entering the next apartment (door #2) and further explain that the apartment has been vacant for over a year. He/she will give a general description of the suspicious male as follows: Male wearing dark clothes and a dark colored mask. Complainant will also state that the male was carrying a backpack. Note: The physical description should be adjusted based on the role player's outer clothing, height and weight. Role player #1 will provide only general information in regards to their own identity and comply with all requests and instructions by the responding officers.

Officer desired response when contacting the complainant:

- A. Identify themselves as police officers when feasible
- B. Use contact/cover during the interview of the complainant
- C. Perform a threat assessment of the surroundings to ascertain location of the suspect
- D. Officers will attempt to gain more information from the complainant about the suspect
 1. Does the suspect have a weapon(s)
 2. Determine if the suspect is still in the apartment
 3. Determine point of entry
 4. Determine if there are any other people at home with the complainant
- E. Officers should protect the complainant or provide alternatives (shelter in place, evacuate)
- F. Officers should call for back up

Instructions for Role Player #2: The Suspect

Role Player #2: Located inside the Tac House roaming between the entry room, and the hallway. You are in the process of stealing copper pipe from the house and using a backpack to store/conceal/transport the scavenged pipe and brass fittings. You have a hacksaw and a hammer inside the backpack. The backpack will be located just inside door #2, your point of entry. You will have a Glock 17T training pistol concealed in

These responses correspond to the Student Performance Objectives.

*Day Two | Module Four: Threat Assessment Scenario*Instructor Notes

your waistband.

Interaction with the Police: You will be hesitant to respond to the voice commands or follow the orders of the responding police officers if they shout commands or orders.

If/When: If officers immediately enter the building, you will retreat towards the hallway area. If/When challenged by the police, you will draw the Glock 17T training pistol from your waistband and fire two-rounds towards the officers. Be aware of backstop and beyond, no rounds to leave Tac House structure.

Reaction if officers return fire & you are hit: You will carefully move to the ground, dropping the Glock 17T training pistol. You will lie face down with your arms next to your body. Do not make sudden movements. Be careful not to hit any furniture on your way to the ground. Listen for the whistle. Keep your protective helmet on.

If/When: If officers do not make entry into the house, you will approach the door (#2 point of entry), utilize a targeting glance, and ascertain the location of each officer that is posted outside the house. If officers try to de-escalate by using effective communication skills (tone/patience, listening, opportunity to comply) you will cooperate.

During De-escalation: If they ask you if you have a weapon, you will respond by saying “yes.”

If/When: If officers begin subject control tactics, you will comply and not resist: being escorted, pat down procedures, simulated handcuffing.

Officer desired response when contacting the Suspect:

- A. Officer(s) will make the correct threat assessment in response to the suspect’s actions
- B. Officer(s) will use contact and cover principles to protect themselves and

<i>Day Two Module Four: Threat Assessment Scenario</i>	<u>Instructor Notes</u>
<p>slow down the situation and summon additional resources.</p> <p>C. Officer(s) will use De-escalation tactics when safe and feasible based on the totality of the circumstances.</p> <p>D. Officer(s) will use only the force necessary to achieve a lawful objective.</p> <p>E. Officer will use force that is proportional to the level of resistance and objectively reasonable.</p> <p>F. Officer will request a supervisor if they use or witness force except for de minimis force.</p>	
<p>IX. DEBRIEF OF TRAINING</p> <p>A. Review of Performance Objectives of Class</p> <p>B. Review of key points that achieved the performance objectives</p> <p>C. Solicited student feedback</p>	
<p>X. DEBRIEF: SCENARIO SPECIFIC QUESTIONS</p> <p>A. What was your legal basis for contact? Was your contact a seizure, or was the subject free to leave? Why?</p> <p>B. What was your threat assessment?</p> <p>C. Was immediate police action necessary to protect someone from harm?</p> <p>D. Did you attempt to make the scene safe, taking into consideration the location of victims, bystanders, and witnesses?</p> <p>E. What tactics did you use? Why?</p> <p>F. If safe/feasible, was de-escalation used?</p> <p>G. What if any de-escalation techniques did you use and were they effective?</p> <p>H. What if anything would you do differently?</p> <p>I. Were you able to slow down the situation? How?</p> <p>J. How did you use communication to mitigate the situation?</p> <p>K. Were you able to use cover/concealment?</p> <p>L. Did you use reportable force in the course of your duties?</p> <ol style="list-style-type: none"> 1. Was the force necessary? 2. Was the force proportional to the level of resistance? 3. Was the force objectively reasonable under the circumstances? 	<p>Debrief: Instructor Tips</p> <ul style="list-style-type: none"> •Have student start at beginning and tell what happened •Pause and paraphrase if required due to rambling narrative •Focus on sequential, chronological de-brief •Use questions to guide debrief; what happened next? What did you do then? •If you ask a subjective question, redirect by asking “why?” •Remember that after a high stress incident, it is the instructor’s responsibility to help the student reduce their stress and anxiety level and bring them down to a level of normalcy before any constructive debriefing can occur. Utilizing Division trained anxiety and stress management techniques such as “Heart Focused Breathing”, “Sixteen Seconds to Clarity” can help mitigate high stress levels. <p>•Pointing a firearm at a subject</p>

Day Two | Module Four: Threat Assessment Scenario

Instructor Notes

XI. KEY KNOWLEDGE BASED POINTS

1. Do you have a lawful purpose for the seizure? Explain
2. Explain if it was feasible and safe to use De-Escalation?
3. Did you attempt De-Escalation? Explain your tactics

4. How did you reduce the likelihood of using force?
5. If force was used, was it necessary? Explain
6. Explain how the force used was objectively reasonable?
7. Explain how the force used was proportional to the resistance offered by the suspect?
8. Did you reduce the level of force applied as the nature of the threat diminishes?
9. What post use of force actions should you take?
10. What is your reporting requirement for this incident?

is a level 1 reportable use of force.
 •Handcuffing should be simulated due to safety and time.
 •If there is a shooting incident, it is a Level 3 reportable use of force and requires a supervisor and FIT team call up.
 •Be aware that officers may select the CEW, which is a Level 2 reportable use of force.

EVALUATION

USE OF FORCE GENERAL POLICE ORDER TRAINING 2016-2017

DATE		LOCATION	ACADEMY
BADGE #		FIRST NAME	UNIT
TOPIC	THREAT ASSESSMENT SCENARIO	INSTRUCTOR	KWAN
ASSESSMENT CRITERIA		SATISFACTORY	UNSATISFACTORY
CALLS FOR BACK UP			
SLOWS DOWN THE SITUATION			
USES CONTACT/COVER PRINCIPLES			
OBJECTIVELY REASONABLE USE OF FORCE DECISION			
USES ONLY NECESSARY AND PROPORTIONAL FORCE			
USED EFFECTIVE COMMUNICATION TACTICS			
UNDERSTANDS AFTER ACTION RESPONSIBILITIES			
UNDERSTANDS REPORTING REQUIREMENT			
REMEDATION		SATISFACTORY	UNSATISFACTORY
SUPERVISOR SIGNATURE			BADGE

