

EXPANDED COURSE OUTLINE  
REGULAR BASIC COURSE  
**LEARNING DOMAIN 20**  
USE OF FORCE/DEESCALATION

I. LEARNING NEED

Peace officers must recognize that they have the authority to use reasonable force to effect an arrest, to prevent escape, or to overcome resistance as authorized by the California Penal Code. For their safety, and for the safety and well-being of fellow officers, it is critical that peace officers know the laws governing the use of force.

LEARNING OBJECTIVES

- A. Discuss reasonable force as stated by law
  - 1. The amount of force and kind of force that is considered necessary and/or reasonable
  - 2. Explaining Graham vs Connor, case law, 1989
- B. Discuss the components of the Fourth Amendment standard for determining objective reasonableness as determined by the U.S. Supreme Court
  - 1. Judged from the perspective of a reasonable officer
  - 2. Observed through the eyes of the officer on scene at that time
  - 3. Based on facts/circumstances confronting the officer without regards to underlying intent or purpose
  - 4. Based on established law at that time
- C. Explain the legal framework establishing a peace officer's authority during a legal arrest, including:
  - 1. A subject's requirement to submit to arrest without resistance
  - 2. Peace officer's authority to use reasonable force during a detention or
  - 3. The person arrested may be subjected by an actual restraint
- D. Identify the circumstances set forth in the California Penal Code when a peace officer has the authority to use force
  - 1. Reasonable cause to believe the subject has committed a public offense
  - 2. Effect an arrest
  - 3. Prevent escape
  - 4. Overcome resistance
  - 5. May use force necessary to affect an arrest
- E. Discuss the level of authority agency policies have regarding the use of force by a peace officer
  - 1. Contains the most detailed considerations
  - 2. Puts limitations on use of force by each agency
  - 3. Provides reasonable guidelines to protect officers and agencies from criminal and civil liability

## II. LEARNING NEED

Peace officers must recognize that they have a range of force options available to them. However, in all cases the use of force must be reasonable compared to the threat, resistance, and other circumstances known to the officer at the time the force was used.

### LEARNING OBJECTIVES

- A. Define the term “force option”
  - 1. Choices identified to a peace officer in each agency’s policies
  - 2. Only amount of force reasonable to overcome resistance and to gain or maintain control
  - 3. Only type reasonable under totality of circumstances of subject
- B. Identify that the objective of using force is to overcome resistance to gain control of an individual and the situation
  - 1. Use force that is reasonable under the circumstances
  - 2. Use only the amount of force reasonable to overcome resistance and gain control of a subject
  - 3. Use only the amount and type of force allowed by agency policy
- C. Recognize force options and the amount of force peace officers may use based on the subject’s resistance
  - 1. Cooperative
  - 2. Resistive (passive or active)
  - 3. Assaultive
  - 4. Life threatening
- D. Explain the importance of training and ongoing practice when responding to potentially dangerous situations that may require the use of force
  - 1. Officers revert to responses learned in training
  - 2. Officers’ tactical performance may depend upon how well they have been trained and the skills they have acquired
  - 3. Without ongoing practice, officers place themselves and others in danger
- E. Discuss the importance of effective communication when using force
  - 1. Safety-reduces likelihood of physical confrontations
  - 2. Professionalism-public service, community relations, etc.
  - 3. Reduction of injuries
  - 4. Decreases public complaints, I.A. investigations and civil liability

## III. LEARNING NEED

Peace officers must fully comprehend their authority, responsibility, and liability regarding the use of deadly force as authorized by law.

### LEARNING OBJECTIVES

- A. Identify the legal standard for the use of deadly force
  - 1. Life threatening crime
  - 2. Life threatening escape

3. Give warning when feasible
- B. Identify the factors required to establish sufficiency of fear for the use of deadly force
  1. The circumstances must be sufficient to excite the fears of a reasonable person in like circumstance
  2. The person must not act under the influence of fear alone
  3. The decision to use lethal force must be made to save oneself or another from great bodily injury or death
- C. Recognize facts an officer should consider when determining whether or not to use deadly force
  1. Threat to life
  2. Immediacy of threat
  3. Type of crime/suspect
  4. Suspect's and weapons capabilities
  5. Location and background
  6. The officers present capabilities
- D. Discuss the role of agency policies regarding the use of deadly force
  1. Usually contains restrictions
  2. Usually follows state and federal law
- E. Recognize the law regarding justifiable homicide by a public officer and the circumstances under which the homicide is considered justifiable
  1. Under orders to carry out a death sentence
  2. Acting in the course of duty
  3. Retaking escaped felons
  4. Arresting a felon who resists to the point where lethal force is reasonable

#### IV. LEARNING NEED

When a force option has been employed, peace officers' reports must include the critical information to ensure that the chronology, specifics of the events, and the people involved are properly documented.

#### LEARNING OBJECTIVES

- A. Describe why complete documentation of the use of force is critical to the peace officer and the peace officer's agency, to include:
  1. Justification for using force
  2. Relevant factors and detail

#### V. LEARNING NEED

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

#### LEARNING OBJECTIVES

- A. Discuss factors that can affect a peace officer's response when threatened with danger, to include:
  1. Fear
    - a. Reasonable

- b. Unreasonable
- 2. Anger
- 3. Indecision and hesitation
- B. Give examples of acceptable techniques for managing anger
  - 1. Don't take things personally
  - 2. Realize your vulnerability to anger in given situations
  - 3. Seek advice from experienced officers
- C. Describe the benefits of ongoing physical and mental training for peace officers involving the use of force
  - 1. Gives officers confidence in their abilities
  - 2. Correct responses
  - 3. Mental alertness and concentration
  - 4. Control over body and emotions

## VI. LEARNING NEED

Peace officers must recognize the consequences of using unreasonable force, and their legal and ethical responsibilities to intervene if the force being used by another peace officer is inappropriate or unlawful.

### LEARNING OBJECTIVES

- A. Explain the legal and administrative consequences associated with the use of unreasonable force
  - 1. Criminal action
  - 2. Civil rights violations
  - 3. Compensatory and punitive damages
  - 4. Administrative
  - 5. Moral impact
- B. Explain an agency's potential liability associated with the use of unreasonable force
  - 1. Liability under federal law
  - 2. Sued for negligent or inadequate training
  - 3. Failure to supervise adequately
- C. Explain the consequences of an officer's failure to intervene when unreasonable force is used by another peace officer
  - 1. Criminal
  - 2. Civil
  - 3. Loss of credibility
- D. Discuss immediate and delayed intervention techniques
  - 1. Verbal (immediate)
  - 2. Physical/touch (immediate)
  - 3. Restraint (immediate)
  - 4. Discussion (delayed)
  - 5. Admonishment (delayed)
  - 6. Training (delayed)
- E. Discuss factors that may inhibit a peace officer from intervening in a situation where a fellow officer may be applying unreasonable force

1. Personal
2. Psychological
3. Other factors (diffusion of reasonability, ignorance, evaluation, apprehension, etc.)

## VII. REQUIRED TESTS

- A. The POST-Constructed Comprehensive RBC Test 1.
- B. The POST-Constructed Comprehensive RBC Test 2.
- C. The POST-Constructed Comprehensive RBC Test 3.
- D. The POST-Constructed Comprehensive SIBC Test 1.
- E. The POST-Constructed Comprehensive SIBC 2.
- F. The POST-Constructed Comprehensive SIBC Test 3
- G. The POST-Constructed Comprehensive PC832 Test.
- H. The POST-Constructed Comprehensive Module III Test.
- I. The POST-Constructed Comprehensive Module II Test
- J. The POST-Constructed Comprehensive Module I Test.
- K. The POST-Constructed Comprehensive Requalification Test.
- L. A scenario test that requires the student to demonstrate proficiency in the use of force. The test must result in the student making a deadly force option decision.

The student is required to demonstrate proficiency in the following competencies:

1. Use of Force – The ability to distinguish and apply reasonable force options in given circumstances.
2. Problem Solving/Decision-Making – Analyzing situations and implementing plans to solve problems in a timely manner. Using verbal or physical skills to determine the appropriate resolution to a situation.
3. Legal Authority/Individual Rights – The identification of laws and constitutional rights governing consensual encounters, detentions, and arrests.
4. Officer Safety – The demonstration of situational and tactical awareness and appropriate response.
5. Communication – The use of effective verbal and non-verbal skills to convey intended meaning and establish understanding.
6. Ethics – Using accepted principles of conduct that govern decisions and actions based on professional values and expectations.
7. Stress Tolerance and Emotional Regulation – maintaining self-control and making timely, rational decisions in stressful situations.

Presenters must use the POST-developed Scenario Test and the POST Scenario Competency Evaluation and Grading Test Forms or presenter-developed forms approved by POST, which minimally include the performance dimensions used for this scenario test.

- M. A scenario test that requires the student to demonstrate proficiency in the use of force. The test must result in the student making a less-than-deadly force option decision in a force on force simulation against an instructor who is dressed in a protective suit.

The test must simulate the physical and mental stress that would be imposed by an actual street encounter where the student would be required to use an impact weapon to control a suspect and effect an arrest.

The student is required to demonstrate proficiency in the following competencies:

1. Use of Force – The ability to distinguish and apply reasonable force options in given circumstances.
2. Problem Solving/Decision-Making – Analyzing situations and implementing plans to solve problems in a timely manner. Using verbal or physical skills to determine the appropriate resolution to a situation.
3. Legal Authority/Individual Rights – The identification of laws and constitutional rights governing consensual encounters, detentions, and arrests.
4. Officer Safety – The demonstration of situational and tactical awareness and appropriate response.
5. Communication – The use of effective verbal and non-verbal skills to convey intended meaning and establish understanding.
6. Ethics – Using accepted principles of conduct that govern decisions and actions based on professional values and expectations.
7. Stress Tolerance and Emotional Regulation – maintaining self-control and making timely, rational decisions in stressful situations.

Presenters must use the POST-developed Scenario Test and the POST Scenario Competency Evaluation and Grading Test Forms or presenter-developed forms approved by POST, which minimally include the performance dimensions used for this scenario test.

- N. A scenario test that requires the student to demonstrate proficiency in the use of effective communication, command presence, and appropriate physical control during the detention of a verbally uncooperative individual.

The student is required to demonstrate proficiency in the following competencies:

1. Use of Force – The ability to distinguish and apply reasonable force options in given circumstances.
2. Problem Solving/Decision-Making – Analyzing situations and implementing plans to solve problems in a timely manner. Using verbal or physical skills to determine the appropriate resolution to a situation.
3. Legal Authority/Individual Rights – The identification of laws and constitutional rights governing consensual encounters, detentions, and arrests.
4. Officer Safety – The demonstration of situational and tactical awareness and appropriate response.
5. Communication – The use of effective verbal and non-verbal skills to convey intended meaning and establish understanding.
6. Ethics – Using accepted principles of conduct that govern decisions and actions based on professional values and expectations.
7. Stress Tolerance and Emotional Regulation – maintaining self-control and making timely, rational decisions in stressful situations.

Presenters must use the POST-developed Scenario Test and the POST Scenario Competency Evaluation and Grading Test Forms or presenter-developed forms approved by POST, which minimally include the performance dimensions used for this scenario test.

## VIII. REQUIRED LEARNING ACTIVITIES

- A. The student will participate in one or more learning activities from the POST-developed *Instructor's Guide to Learning Activities for Leadership, Ethics and Community Policing (December 2005)* or other comparable sources regarding use of force. At a minimum, each activity, or combination of activities must address the following topics:
1. Exercise of leadership in the application of reasonable force
  2. Impact of ethical decision-making on the selection of appropriate force options
  3. Evaluation of the effectiveness of force option choices
  4. Consequences for the use of unreasonable force on the officer, community perception and public trust

## VIV. K9 for the Patrol officer

### A. Course Goals:

1. This course will provide the officer with the knowledge to understand the abilities and safety benefits of incorporating a police K9 into calls for service, warrant services, and searches for suspects when deployment criteria are met. The course will also cover current suspect escape tactics, how to establish perimeters, and how to safely act as a K9 cover officer during building and area searches. The course consists of classroom discussion, hands-on exercises, and scenarios

### B. Student Objectives:

1. Be aware of K9 resources, abilities, basic deployment criteria, legal concerns, and pre/post deployment responsibilities
2. Learn how to establish perimeters around buildings and neighborhoods
3. Learn suspect tactics to avoid capture
4. Demonstrate knowledge of their responsibilities while acting as a K9 cover officer
5. Demonstrate a minimum standard of expertise during scenarios in regard to acting as a K9 cover officer while taking part in both area and building searches for suspects. Students will also demonstrate proficiency in lifting and passing a K9 to simulate removal from an attic or assistance to the K9 handler lifting the dog over hazardous obstacles

### C. Safety Guidelines:

1. Notify instructors of any injuries that occur
2. Notify instructors of pre-existing medical restrictions that affect participation
3. Instructors have first aid kits on site
4. If medical transportation is necessary, instructors have police radios/cell phones to request fire
5. Anyone requiring transport will be accompanied by an instructor
6. Nearest Hospital: Mercy San Juan 6501 Coyle Ave Carmichael 95608

### D. Sacramento Police K9 Team

1. Overview
  - a. 9 patrol K9 teams including Sgt

- b. 5 cross trained for narcotics/article searching. 4 EOD/gun detection & article searching. 2 SWAT certified. 1 single purpose EOD/gun detection Labrador
- 2. Responsibilities
  - a. Resource for patrol, detectives, and SWAT
  - b. Community/school demonstrates and public relations
  - c. Assist with calls for service with weapons/violence/wanted subjects
  - d. Assist outside agencies with watch commander approval
- 3. K9 training
  - a. 3-4 months initial training
  - b. K9s meet recommended POST guidelines after initial training then annually
  - c. Minimum 4 hours maintenance training per week per POST. SWAT K9 quarterly training with tactical team
  - d. Mandatory training on Wednesday 1300-1700 and 1800-2200
- 4. Schedule:
  - a. 6 days per week 0500-0400 (Wed 0800-0400 due to training)
  - b. K9 Teams on call for critical incidents/SWAT call outs with Lt approval
  - c. West Sac PD/SSD K9 teams can be requested with Sgt/Watch Commander approval when no Sac PD K9 logged on.

#### E. K9 Deployments

- 1. Guidelines (Operations Order 510.08)
  - a. Reasonably believe suspect has committed or is about to commit an offense and if any of the following exist:
  - b. There is a reasonable belief that the individual poses an immediate threat of violence or serious harm to public/officers
  - c. The suspect is physically resisting arrest and the use of a canine appears necessary to overcome such resistance
  - d. The individual is thought to be concealed in an area, where entry other than by canine would pose a threat to officers or the public
  - e. Mere flight from officers is not enough without one or more of the above conditions
- 2. Deployment Considerations
  - a. Suspects age (in 2003, policy changed to exclude 18 and over requirement)
  - b. Nature of the suspected offense
  - c. Potential danger to public/officers if the canine is utilized
  - d. Degree of resistance, if any, the suspect has shown
  - e. Potential for escape or flight if the canine is not utilized
  - f. The potential for injury to officers or the public caused by the suspect if they canine is not used
  - g. Graham vs. Conner (Objective reasonableness/Totality of Circumstances)
  - h. In all searches, both building an area, handlers are to give K9 announcements. With the concurrence of the on-scene supervisor K9 warnings may not be given if the announcements would increase the risk of injury or escape (armed suspect, etc.)
  - i. A Sergeant needs to authorize the use of the Canine except in rapidly evolving situation that is within policy, but is impractical to obtain supervisor's approval
- 3. Requesting K9
  - a. Have dispatch request K9 to your radio channel

- b. If dispatch says K9 is on call or unavailable, ask them to raise the K9 or get ahold of the K9 yourself and advise them of your call
  - c. Get to know your K9 handlers and dogs and get contact information
4. K9 As A resource
- a. Priority calls (weapons, wanted suspects, burglaries, vehicle/foot pursuits)
    - i. Potentially armed suspects
    - ii. Gang members
    - iii. Burglaries/Alarm calls with forced entry/suspicious circumstances
    - iv. Known wanted subjects on calls for service (run names provided by callers)
    - v. Ask for K9 if you think it could help at all
  - b. Building searches: 2008-2013 1,454 conducted
    - i. Burglaries (residential vs commercial)
    - ii. Burglary vs Trespass (abandoned buildings) What crime will we book for?
    - iii. Wanted Suspects/Warrant Services
      - 1. Secure/remove any dogs and animals if safe to do so
      - 2. Debrief anyone who exits the building
      - 3. Arrest team ready
  - c. Area Searches: 2008-2013 1,366 conducted
    - i. Hold perimeter (don't enter back yards etc.)
    - ii. Use PA to make K9 warning if requested and record on in car camera
    - iii. Advise citizens to remain inside and lock doors and advise that a K9 is searching. Record on camera
    - iv. Upon K9 arrival give handler last direction of travel, point of losing visual of the suspect, and any unusual suspect actions
    - v. Suspect escape tactics (run out of perimeter, 602.5 PC, call for ride)
    - vi. Current K9 response tactics: Perimeter, assertive and contact people entering and leaving the area, immediate start of search to prevent 602.5)
    - vii. Radio channel will be advised at the start of the search
    - viii. Maintain perimeter. K9 will check hot spots and threat areas
    - ix. PAWS BEFORE BOOTS
  - d. Attempt pickups/ warrant services
    - i. Always request K9. We can assist even if K9 criteria aren't met
    - ii. Records Checks: Confirm your want – Criminal history, statues, and weapons information
    - iii. Perimeter around residence or area prior to making contact
    - iv. Establish an arrest team
    - v. Assign a K9 cover officer
    - vi. K9 will determine best location for deployment
  - e. K9 Basics
    - i. Find/Bite vs
    - ii. cells that fall off the suspects (tracking vs air Find/Bark
      - K9 is searching for skin scenting)
        - 1. Wind direction/air conditioning/temperature/high ceilings
        - 2. Cover officer may see suspect before K9 narrows the source –  
COMMUNICATE WITH THE HANDLER
  - f. Helpful information for handlers
    - i. Known Suspects
      - 1. Want

2. County, NCIC and RMS records checks
3. Probation/Parole/PRCS status and primary offense
4. Gang validation
5. Criminal History (Violence, weapons, resisting)
6. Any known friends/family in the area?
  - ii. Unknown Suspects
    1. Current want
    2. Suspect actions (weapons observed, reaching, resisting arrest)
    3. Search vehicle/initial path of travel for discarded evidence, weapons, or indicia
- g. Felony Vehicle Stops/ Clearing Vehicles (Special considerations)
  - i. Wait for K9/AIR if possible
  - ii. K9 will focus on the driver unless there are known charges on the passengers
  - iii. K9 will only clear a vehicle under certain circumstances
  - iv. If handler and K9 pursue a suspect, officers should provide cover on the un-cleared vehicle
  - v. Do not chase in front of the K9
  - vi. In a pursuit, the K9 will typically take lead unless PIT
- h. Narcotics Detection
  - i. Odors: Heroin, Methamphetamines, Cocaine, and some marijuana
  - ii. Vehicle stops: Search must be conducted within reasonable time period unless suspect is in custody (search status vs exterior of vehicle)
  - iii. Residence: Verify status, signed consent form or warrant
- i. Article searching
  - i. K9 can detect fresh human scent on an object
  - ii. Try to stay out of the area to be searched as to not disturb scent
  - iii. Does not work inside a residence as scent is everywhere
- j. Explosive and Gun Detection
  - i. Can locate guns that have been fired (powder residue) and spent shell casings
  - ii. Trained for common explosive odors: black powder, PETN, C4, ANFO, TNT, Det cord, Data sheet)
  - iii. Will not sniff suspicious packages, those are handled by EOD
- k. K9 Cover Officer Responsibilities
  - i. Lethal cover of handler
  - ii. Constantly scan area
  - iii. Radio traffic updates of search
  - iv. Communication with handler
  - v. Contact with citizens prior to entry into yards
  - vi. Handcuffing suspect after handler has control of K9 (blood/body fluid)
  - vii. Do not search in front of the K9
  - viii. Call for fire, stabilize the suspect after searching and handcuffing
  - ix. IF YOU GET BIT, DON'T PANIC. DON'T SHOOT THE DOG!
  - x. Report wrong

F. Suspect Tactics and Perimeters

1. Perimeter Definition
  - a. First Officer
    - i. Broadcast location and direction of travel

- ii. Pick a safe spot with cover and post up
  - iii. Direct additional resources, request air and K9
  - iv. When time permits, advise of the suspect description, want, and other information
- b. Secondary Officers
  - i. Fill in perimeter officers
  - ii. Keep radio traffic to priority only
  - iii. Furthest uninvolved officers assist with calling perimeter
- c. Containment and Perimeter Success
  - i. Set a perimeter when you lose sight of suspect
  - ii. Give clear and concise communication
  - iii. Direct units ahead of the suspect
  - iv. Broadcast location, direction you want the perimeter, and how big
- d. Perimeter Concerns
  - i. Clear immediate area around your perimeter spot
  - ii. Overhead lights on and officer out of the car (sitting duck)
  - iii. Communicate suspicious vehicles or subjects in the area
  - iv. Question subjects leaving the perimeter or attempting to watch and relay information via cell phone
  - v. DO NOT TAKE INDEPENDENT ACTION
  - vi. Do not check garbage cans or backyards without coordinating with your K9
  - vii. K9 will check FLIR hot spots
- e. Who should set a perimeter?
  - i. Initiating officer
  - ii. Distant units or uninvolved units
  - iii. Specialty units
  - iv. Supervisors
  - v. CSO's
  - vi. Dispatch
  - vii. ANY officer with a map
  - viii. **\*\*Announce you are setting the perimeter\*\***
- f. Size of the perimeter
  - i. What is your want and how bad do want to catch the suspect
  - ii. Officer Down?? 10 Blocks plus? Inner/Outer?
  - iii. ETA of back up units
  - iv. Resources available? How many officers do you have?
- g. Perimeter Officer Responsibilities
  - i. Be visible and loud during response. Sirens help suspects go to ground and hide
  - ii. Advise of your perimeter location when you get there
  - iii. Get out of the car and get to a position of advantage
  - iv. Radio discipline/priority traffic
  - v. Voice citizen updates or noises heard etc.
  - vi. Control ingress and egress of pedestrians and vehicles
  - vii. Check vehicles leaving perimeter (consent etc.)
  - viii. Talk to people and ask if they have seen or heard anything.
  - ix. Don't leave your spot unless relieved.
  - x. Think of problem houses, friends, and relatives of the suspect
- h. Difficult Perimeter Locations

- i. Shopping malls- work with security and cameras
    - ii. Parking structures-exterior corners, exit points, and stair wells
    - iii. Listen for door exit alarms
  - 2. Suspect Actions
    - a. Tactics to Escape Containment
      - i. Run out of perimeter – expand the perimeter
      - ii. Walk out or blend in
        - a. Water lawn or plants
        - b. Walk up to perimeter officer and engage in conversation
        - c. Act like they belong at a house
        - d. Walk with other pedestrians in the area
      - iii. Leave perimeter in a vehicle
        - a. Uber/Lyft/Taxi
        - b. 215 PC
        - c. Hide in friend’s vehicle
        - d. Delivery vehicle/garbage trucks
        - e. Stop and check vehicles!
      - iv. Cell phones/scanner apps
        - a. Call in false 911 call to draw officers away
        - b. Call friends to watch police action for intel gathering
        - c. Scanner App to listen to police radio live
      - v. Change appearance
        - a. Shed layers of clothing
        - b. Steal clothing
      - vi. Hiding places
        - c. In side homes
        - d. Inside or under vehicles
        - e. Trash cans and dumpsters
        - f. Bushes and landscaping
        - g. Under houses, attics
        - h. Rooftops/tree cover
        - i. Trees
        - j. Water heater closets
        - k. Dog houses
        - l. Spas with covers
        - m. Drainage pipes
- G. Air Response Unit
  - 1. Primary officer advise location and where last seen
  - 2. Blue light benefits
  - 3. Listen to air unit for hazards etc.
  - 4. Guide K9 to FLIR hot spots
- H. POST Apprehension
  - 1. Talk to your suspect (Miranda). Learn!
    - i. Where they ran
    - j. Why they ran
    - k. Where they hid
    - l. Why they hid instead of running
  - 2. Book for resisting arrest (148A1 PC0)
- I. Why K9?

1. K9 Bodie May 18<sup>th</sup>, 2012 at 1111 Robertson Way, Sacramento
  - b. Male: Car theft suspect. Discharged parolee. Fresh felony pursuit. Felony warrant for weapons violations. Armed with stolen .357 revolver taken during a burglary in Cameron Park
  - c. Female: Car theft suspect. On parole. Released days prior. Fired a round at some point. Gave the gun to Webb.

J. Hands on Scenarios

K. Conclusion

1. Review/Contact Information
2. Critique
3. Questions

## DE-ESCALATION

A. Definitions:

1. SPD: Employing techniques to stabilize a situation, to decrease the likelihood of the need to use force, and to increase the likelihood of voluntary compliance.
2. Lexipol and Force Science: A system-based approach for using opportunities, knowledge, skills and abilities to resolve problems with minimal force where possible—which means there has to be an opportunity for this to occur. This is NOT a magical formula.

B. Use:

1. Person in Crisis versus Non-Compliant Criminal Suspect
  - a. De-escalation most appropriate on person in crisis.
  - b. De-escalation can backfire on noncompliant criminal suspect.
  - c. Someone can be both.
2. Conflict Communication versus Crisis Communications
  - a. Use Conflict Communication on criminal suspects.
  - b. Use Crisis Communication on those in a mental health crisis
3. When safely possible, de-escalation techniques should be attempted.

C. Does the law require the use of De-Escalation Tactics?

1. Roell v. Hamilton—“No caselaw prohibits officers from using any physical force against a person before first attempting alternative de-escalation techniques...”
2. Resistance that was probably caused by excited delirium does not preclude officers from using a reasonable amount of force to bring a person under control.

D. When should De-escalation be considered?

1. Do you have discretionary time?
2. Who is at risk?
3. Who is causing the risk?
4. We do not want officers to hesitate.

E. No Legal duty to prevent self-harm—Moral duty?

1. No obligation of the state to protect an individual against private violence—DeShaney v. Winnebago Co. DSS
2. If officers chose to act, however, then liability may result from the chosen course of action and the result.

3. Officers do not want to be the ones escalating the situation—Glenn v. Washington County
- F. Can you make contacts?
1. Focus on the behavior, not the diagnosis.
  2. Try to understand their purpose.
  3. Keep your face visible to the other person.
  4. Remember that sometimes you can't establish contact.
- G. Contact Do's and Don'ts
1. Do
    - a. Appear confident
    - b. Want to succeed
    - c. Actively listen
    - d. Provide clear instructions
    - e. Demonstrate patience and concern
  2. Don't
    - a. Don't patronize or insult
    - b. Don't raise voice or shout (except selectively)
    - c. Ask person over and over to do the same thing.
- H. Build Rapport and Influence
1. Communicate you are there to solve a problem.
  2. Ask relevant questions.
  3. Use emotional persuasion: Show how cooperating with you will help resolve their distress.
  4. Use character persuasion: Appeal to their pride.
- I. If unsuccessful, What's next?
1. Use positioning to contain/control.
  2. Tactical intervention.
  3. Disengagement.
  4. Specialized take-down techniques.

Description	Hours
POST Minimum Required Hours	<u>16</u>
Agency Specific Hours	<u>12.5</u>
Total Instructional Hours	<u>28.5</u>