

CORONA POLICE DEPARTMENT FORCE OPTIONS SIMULATOR COURSE COURSE OUTLINE

I. Introduction

A. GOAL

1. Improve decision making skills related to Use of Force

B. OBJECTIVES

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

II. Law

(H)

A. PEACE OFFICER AND SAFETY LIABILITY (federal)

1. USC Section 242, Title 18 (criminal)
 - + Peace officers are prohibited from depriving citizens of their rights under the color of the law
 - + If death results, officers may be punishable by life imprisonment
2. USC Section 1983, Title 18 (civil)
 - + Peace officers are prohibited from depriving citizens of their rights under the color of authority

B. JUSTIFIABLE HOMICIDE BY A PUBLIC OFFICER -PC196

1. In obedience to the judgment of a competent court
2. When necessarily committed in overcoming actual resistance to the execution some legal process, or in the discharge of any other legal duty
3. When necessarily committed in retaking felons who have been rescued or have escaped, or when necessarily committed in arresting persons charged with felony and who are fleeing from justice or resisting such arrest

C. JUSTIFIABLE HOMICIDE, ANY PERSON -PC197

1. When resisting any attempt to murder any person, or to commit a felony, or to do GBI to any person
2. When committed in defense of habitation, property or person, against one who intends to enter for the purpose of offering violence to anyone therein
3. When committed in defense of a person against one who is about to commit a felony or GBI and the person is in imminent danger
4. When attempting to apprehend any person for a felony committed, suppressing a riot, or keeping the peace

D. JUSTIFIABLE HOMICIDE, SUFFICIENCY OF FEAR -PC198

1. Bare fear not sufficient
2. Must be sufficient to excite the fears of a reasonable person
3. Party killing must have acted under the influence of such fears alone

E. PROTECTION OF HOME, PC198.5

1. Presumption of reasonable fear of imminent peril of death or GBI
2. Against another person not of a member of household
3. Unlawfully and forcefully enters
4. Reasonably believed unlawful and forceful entry occurred

F. METHOD OF MAKING ARREST, AMOUNT OF RESTRAINT, PC835

1. Actual restraint of suspect
2. Submission to custody
3. Arrestee subject to amount of restraint as is reasonable for his arrest and detention

G. USE OF FORCE TO EFFECT ARREST, PC835a

1. A peace officer may use reasonable force to arrest, prevent escape, or overcome resistance of any person he believes has committed a public offense
2. A peace officer need not retreat or desist because suspect resists or threatens to resist
3. Officer is not deemed an aggressor
4. Officer does not lose right of self defense by using reasonable force

H. ARREST UNDER WARRANT, FORCE PERMISSIBLE, PC843

1. Arrest under authority of a warrant
2. After announcement of intent to arrest
3. Suspect flees or forcibly resists
4. Officer may use all necessary means to effect the arrest

III. Case Law

(H)

A. USE OF DEADLY FORCE - Tennessee Vs. Garner

1. Life-threatening escape
 - a. Suspect poses threat to officer or others
2. Life-threatening felony
 - b. Threatens officer with a weapon
 - c. Has committed a crime involving GBI
3. Giving warning where feasible
 - a. Halt Police! Stop or I'll shoot!

B. REASONABLE FORCE - Graham Vs Connor

1. Judged from the perspective of a reasonable officer
2. Examined through the eyes of the officer on the scene at the time the force was applied
3. Based on the facts and circumstances confronting the officer without regard to the officer's underlying intent or motivation

4. Based on the knowledge that the officer acted properly under the established law at the time

C. AGENCY POLICY - Long Beach Vs. LBPOA & LB Vs. Peterson

1. Must conform to department policy regardless of what state or federal law says
2. Common issues policies deal with
 - a. Defense of self & others against death or GBI
 - b. Use of warning shots
 - c. Shooting at
 - Nonviolent fleeing felons
 - Juveniles
 - Moving vehicles
3. Shooting from moving vehicles

D. AGENCY POLICY

1. Generic overview of policies
 - a. Each student must be familiar with their department policy

E. Forrester Vs. San Diego P .D.

1. Level of force used does not have to be least intrusive, only reasonable

IV. Tactical Overview

(E)

A. Awareness

1. Familiar with equipment
2. Accuracy (Target acquisition, center mass)
3. Avenue of escape-familiar with surroundings
4. Movement
5. Cover (generally stops bullets)
6. Concealment (Hides officer's position)
7. Distance to enhance tactical advantage (Distance equals time)

B. Communicate

1. With suspect/subject
2. Fellow officers and dispatch

C. Force Options

(I)

1. Force Options Defined Choices available to an officer concerning methods of force available as identified in each agency's policy documentation
 - a. Uniform presence
 - b. Verbal
 - c. Chemical Agents
 - d. Hands/Control Holds .Impact Weapons
 - e. Electronic Weapons
 - f. Less Lethal Force
 - h. Lethal Force

V. Weapons Safety (C)

A. Four Basic Safety Rules

1. Guns are always loaded
2. Never allow muzzle to cover anything you are not willing to destroy
3. Keep finger off trigger until ready to shoot
4. Be sure of your target and background

B. Clearing weapon malfunctions (F)

1. "Tap" the magazine, "rack" the slide, come back on target, Drop the magazine, insert new magazine, rack the slide, and come back on target.

VI. Simulator Scenarios (D)

A. Simulator weapons familiarization

B. Practical Application Simulator Scenarios (2 hours)

1. Minimum three per student
2. Critique and debrief after each

VII. Course Evaluation and Final Review (B)

A. Question & answer period

B. Critique of course & instructors