Statement of Purpose:
This course will train defensive tactics instructors to teach and develop students in maintaining a survival mindset, constitutional limitations to the use of force, the use of impact weapons an offensive/defensive weapon, handcuffing/searching, ground defense, weaponless defense, patrol tactics, arrest and control procedures, and skills including de-escalation techniques and alternatives to the use of physical or deadly force. This course will include the changes in laws dictated by AB 392 (PC 835a to include PC196) and information regarding the changes SB230 made to California law enforcement policies.

The course consists of a power point presentation, live scenarios, hands-on/practical skills training and teach-back instruction.

Learning Outcome:
Upon completing this course, students will be able to instruct Arrest and Control and Defensive Tactics course material.

I. Registration, Introduction and Course Overview
   a. POST roster distribution
   b. Course overview
      i. Constitutional limitations, foundations of force, case law, state law.
      ii. Pre-assault indicators, mindset.
      iii. Defensive tactics
         1. Safety protocols and injury prevention.
         2. Stance, movement, positioning, falls and getting up.
         3. Takedowns, takedown defense.
         4. Handcuffing, searching and escorting.
         5. Personal body weapons.
         7. Impact weapons and impact weapon retention.
         8. Firearm take-away and retention.
         9. Testing, evaluation and teaching assignments.

Lecture / Power Point
Covers POST Regulation 1082(d)(7), & (10)
II.  7 Major areas of potential litigation
    a. If we are going to get sued, it will most likely be in one of the following areas:
       i. Pursuits
          1. When the officer causes an accident or the fleeing suspect
       ii. Shootings
          1. Officers will almost always be sued after an officer involved shooting.
       iii. Impact Weapons
          1. The injuries sustained can lead to lawsuits.
       iv. Entries into residences
          1. Unlawful entries open us up to major civil issues especially if it results in a use of force.
       v. Handcuffing and Arrests
          1. Make sure probable cause exists.
          2. Check for fit and double lock.
       vi. Taser
          1. More and more deaths are showing Tasers as a contributing factor.
          2. This means more lawsuits.

III. Qualified immunity
    a. Extends to deputies engaged in the performance of discretionary acts.
       i. If the deputy is acting in good faith they are immune from civil liability.
    b. It is lost when there is a breach of clearly established Constitutional law.
       i. Any time there is a breach of Constitutional law there is no immunity for the deputy.
          1. This opens them up to civil liability.

IV. Foundations of Force
    a. Seizures of persons
       i. Intentionally use force or influence to stop movement, OR
       ii. The person submits to show of authority.
          1. This is in the mind of the person being contacted, not the officer.
2. Deputy should make every effort to identify themselves verbally.

b. Classifications of police contacts
   
i. Consensual
   1. The subject is free to leave and decline conversation.
   2. No coercion by the officer at any time.
   
ii. Detentions
   1. Based on reasonable suspicion.
   2. Subject is not free to leave.
   3. Reasonable force can be used to enforce the detention.
   
iii. Arrest
   1. Based on probable cause.
   2. The subject is not free to leave.
   3. Reasonable force can be used to enforce the detention.

c. Special Detention searches
   
i. Terry search
   1. Limited search for weapons
   2. Officers need two separate reasonable suspicions to stop and search for weapons.
      a. Evidentiary standard to support the detention.
      b. Suspicion of the subject’s armed and dangerous status.
   
ii. Officer safety searches
   1. Officer's duties require close proximity to the subject.
   2. Circumstances show the subject may be armed.
   3. The intrusion balances with the apparent danger of the circumstances for the detention.

d. Reasonable Suspicion
   
i. An objectively justifiable suspicion that is based on specific facts, behavior or circumstances that are clear, unbiased, fair and justified that relate to a crime that has occurred, is occurring or is about to occur.
   
ii. This is not an arrest.
   1. It is an investigatory contact.
   2. Can still consider protected characteristics (race, sex, age, etc.) in combination with credible, timely and distinct information connecting a person or people of a specific
characteristic to a specific unlawful incident or specific criminal patterns.

e. Probable Cause
   i. A set of specific facts or circumstances known to the police officer that would lead a reasonable and prudent person to believe
   ii. That the person to be arrested has committed a crime.
   iii. That the place to be searched was the scene of a crime.
   iv. That the place to be searched contains evidence of a crime.
   v. That property to be seized is contraband, stolen or constitutes evidence of a crime.
   vi. This is an arrest.
      1. The investigation lead to the conclusion that the person detained committed the crime.
      2. It does not mean we are 100% certain. It just means a reasonable person would believe it. There may still be additional investigation needed.

V. 835a P.C. (AB 392 - directly reference section PC835a and PC196)
   a. Officers may use reasonable force to affect arrest, prevent escape, and overcome resistance.
      i. Evaluated by the perspective of an objectively reasonable officer:
         1. Based on the totality of the circumstances known to the officer at the time.
         2. Totality of the circumstances is defined as all the facts known to the peace officer at the time, including the conduct of the officer and subject leading up to the use of deadly force.
      ii. Deadly force
         1. Any use of force that creates a substantial risk of causing death or serious bodily injury, including, but not limited to, the discharge of a firearm.
         2. Imminent threat of death or serious bodily injury to the officer or to another person.
         3. Based on the present ability, opportunity and apparent intent of the subject, not based on fear alone.
      iii. Mental Health or cultural concerns
1. Individuals with physical, mental health, developmental or intellectual disabilities may not have the ability to understand or comply with commands from peace officers.
2. Language or cultural factors should be taken in to consideration.
3. Shall not use deadly force against a person based on the danger that the person poses just to themselves.
4. Use of de-escalation tactics can be useful when dealing with this population.

iv. Officers need not retreat or desist from efforts based on the suspect's actions.
   1. Officers are not required to back down if threatened.
   2. Officers are also not required to retreat from the suspect.
   3. This could create tactical issues for the officers.
   4. If the officer has a tactical advantage they do not need to give it up.

VI. Excessive and Biased Use of Force.
   a. Title 18 U.S.C. 242 & 241
      i. Deprivation of any right under color of authority.
         1. This applies when we are on the job.
      ii. Conspire to injure, oppress, threaten, intimidate.
         1. While employed as a uniformed peace officer.

   b. Title 42 U.S.C. 1983
      i. Civil rights act (punitive damages)
         1. If we intentionally violate a person's civil rights we can be held personally liable.

   c. Failure to intervene
      i. Deputy present and observing another deputy:
         1. Using force that is clearly beyond that which is objectively reasonable under the circumstances
         2. When in a position to do so.
         3. Will intercede to prevent the use of unreasonable force
         4. Promptly report these observations to a supervisor.

   d. Fair and Unbiased Use of Force
i. Deputies are expected to carry out their duties, including use of force, in a manner that is fair and unbiased.

VII. Creating Conditions & Tactical Failures Leading to force:

a. Response to vehicular assault
   i. IF the officer is in a stationary position
   ii. AND the suspect directs the vehicle at the officer,
   iii. THEN the officer is justified in shooting to protect themselves.

   However:
   iv. IF the suspect and his/her vehicle is moving
   v. AND the officer moves in front of the vehicle,
   vi. THEN there is NO right to shoot.

b. Valid Core transaction – The basis of force
   i. Lacking valid probably cause or reasonable suspicion renders any use of force unjustifiable by the officer.
      1. Did the officer have the right to be there, even though the force may have been self-defense?
      2. Did the officer put themselves in danger, requiring the use of force?

c. Public Duty Doctrine
      1. Officers have no duty to protect the general public from third party harm, absent a special relationship.
      2. Special relationship requirements:
         a. Officer created the danger
            i. EX: Pulling a vehicle over on the freeway
         b. Officer has knowledge of impending danger
            i. EX: Pulling a vehicle over in a dangerous neighborhood.
         c. Officer has custody of the plaintiff
      3. Duty to protect doctrine requirements:
         a. Officer is aware of general dangerousness of the area
         b. Reckless disregard for the safety of the person abandoned
         c. General knowledge of danger coupled with conspiracy to harm
d. Abandonment of individuals who are being assaulted
   i. If these are present, we are bound to protect.

4. Humanitarian and Moral obligation VS Legal basis.
   a. Even if the law doesn’t require it, there still is a moral obligation to protect the innocent.

VIII. Graham VS Conner
   a. Two effects of this decision:
      i. It created a national standard for all police uses of force.
         1. Prior to Graham all states operated under their own use of force standards.
      ii. Moved all uses of force under the 4th amendment.
         1. This qualified the use of force as a seizure.

b. Factors in the use of force under Graham
   i. Officers have the right to use force within the authority of arrest.
      1. Based on the thresholds talked about before.
   ii. Officers are forced to make split second decisions.
      1. Lawyers can debate for months decisions officers have to make in split seconds.
   iii. Officers are not measured against "underlying motive."
      1. You may have policy issues with this, but not necessarily with the courts.
      2. So long as the force was justified.
   iv. Must consider whether the suspect poses an immediate threat to the safety of officers or others.
      1. If there is no threat we cannot use force.
   v. Must consider the severity of the crime at issue.
      1. The force used must match the crime at hand.
   vi. Active resistance by the suspect to the arrest or attempt to evade arrest.
   vii. Reasonableness must be judged from the perspective of the officer at the scene.
      1. It is what the officer experienced NOT anyone else.
   viii. Reasonableness is not based on 20/20 hindsight.

c. Objective reasonableness defined:
   i. From the perspective of a reasonable officer.
   ii. Totality of the facts known at the time the force was used.
1. Things learned "after the fact" are not considered.
   iii. Without regard for the officers underlying intent motivation.
   iv. Based on the knowledge the officer acted properly under established law at the time.
   1. If we do not act properly under established law we cannot be objectively reasonable.

IX. Tennessee VS Garner
   a. Set strict guidelines in the use of deadly force to stop fleeing felons
      i. Moved deadly force under the 4th amendment
      ii. Created a national standard for the use of deadly force against a fleeing suspect.
      iii. Created the "reasonable officer standard"
         1. Would an officer with same or similar training and experience,
         2. facing like or similar circumstances,
         3. Act in the same way or use similar judgment?
   b. Main considerations:
      i. Only the facts known to the officer at the time of the shooting.
      ii. The type of crime involved.
         1. Officers cannot shoot a grand theft suspect in the back if they are fleeing, unless there are other circumstances involved.
      iii. Threat to present or future officers should arrest be delayed.
      iv. Threat to the public should the suspect get away.
      v. Type of resistance offered by the suspect.
      vi. A warning to stop should be given, if possible.
   c. Garner Test:
      i. Officer has the probable cause to believe the suspect committed or threatened a crime of violence AND
      ii. He is believed to be armed or presents a danger to the public or officers.
   d. Basis for deadly force
      i. The objective and reasonable belief that your life or safety (or another's) is in imminent danger of death or great bodily injury
given the totality of the facts known to the officer at the time of their actions.

1. Imminent jeopardy = Perceived threat, ability, means, and opportunity.
2. Great bodily injury = Loss of consciousness, concussion, bone fracture, impairment of bodily member or organ, wound requiring extensive suturing, or serious disfigurement.

X. Report Writing
   a. Rules of thumb
      i. If it isn’t in the original report it didn’t happen. (In the eyes of a jury)
         1. Make sure the original report contains all of the needed information.
      ii. All of our actions are a reaction to the suspect’s.
         1. Write the report as it happened.
         2. If the suspect made an action that you reacted to, write it that way.
      iii. Be extremely detailed with everything.
         1. Write it like a movie script so the jury can see all of what happened.
         2. Assume everyone reading it needs you to paint a picture for them.

XI. Pre Assault Indicators
   a. M.A.P.S. – Behavioral Indicators of an assault
      i. Motor Activity
         1. Pacing, Restlessness, Clenching teeth or fists, Rapid uneasy breathing, Jumpy, inappropriate sweating, Searching or shifting eyes, Target seeking, looking for escape routes, repetitive movement, physical signs of avoidance, retreating from the officer.
      ii. Attitude Pattern
         1. Disorientation, extreme euphoria or distrust, controlled anger or rage, rapid mood swings, sadness, hopelessness.
      iii. Posture Signals
         1. Excessive eye contact, staring or studying, mad-dogging, gripping objects, distorted facial features, blank expression, a fighting stance.
iv. Speech Patterns
   1. Angry, loud, forceful, quiet but pushed, answer questions with questions, statements about persecution or distrust of law enforcement.

XII. Physiological effects of the combat experience
   a. Our bodies will undergo significant changes during periods of intense stress and it is important to understand these so you can operate through it.
      i. Tunnel vision
         1. Our vision constricts and focuses on the threat to our safety.
      ii. Loss of hearing
      iii. Loss of fine motor skills
         1. This is caused by the blood moving to our core and away from our extremities.
   iv. Voiding the bowels and bladder
      1. This is a normal occurrence due the body getting rid of anything it does not need to survive.
   v. Sense of non-reality
      1. The feeling of "This isn't happening."
      2. It can take time for these unexpected things to register
   vi. And the most dangerous – hyper-vigilance or freezing in place
      1. This leaves us as a stationary target for any assault.
      2. When in doubt MOVE.
   vii. Fight or Flight
      1. This is the body's natural, uncontrollable reaction to a perceived threat.
         a. The heart rate will elevate and a dump of adrenaline and other chemicals will occur.
         b. This is an uncontrollable response by our bodies and we are hardwired from birth.

XIII. Survivor's mindset
   a. Stay alive! Then prove your conduct was proper.
      i. The most important this is to go home at the end of the shift.
   b. An officer's worry about administrative and civil issues connected to the use of force may have an impact on their decision process during a fight for their lives.
i. Try not to let this happen.

ii. Make sound legal and ethical decisions and this is not a concern.

iii. Save your life!

iv. Knowing the law and limitations of your authority before a force incident will allow you to concentrate on reacting to the suspect’s threat, and not to the potential consequences.

v. Officers should be up to date on the laws and policies that govern them before they are faced with these situations.

1. If they know the laws up front, they won’t have to think about them during the incident.

vi. Remember: Your life today is more important than any paperwork tomorrow!

XIV. Preparing for the combat experience

a. Visualization:

i. Visualize yourself engaged in a variety of combat experiences, always picture yourself taking some kind of action and ALWAYS picture yourself WINNING!

1. Studies have shown that visualization can be nearly as beneficial as physical training.

2. This has been done with a basketball study and a piano study.

b. Practice:

i. How you train often times dictates how prepared you are for combat and how quickly you will respond.

1. This will develop your body’s auto response to certain situations.

2. It will help you react faster to situations you have trained for.

c. Survival Mindset:

i. In a life or death struggle, you MUST have the will and desire to win.

1. Quitting is not an option.

ii. No one wants to take a human life, but in the end better them than you.

1. I have talked to numerous people who have been involved in officer involved shootings. None of them were glad it happened.

iii. When in doubt MOVE!

d. In the Aftermath:
i. Consider Professional counseling and/or peer support.
ii. Resist the urge to second guess yourself.
   1. This can be a seriously destructive path.
iii. Accept the fact that there will be many "Monday Morning Quarterbacks" forming opinions about what you should or should not have done.
   1. You don’t have to agree or listen to them, just understand they are there.

XV. Tactical Variables to consider in combat (Of officer and suspect)
   a. All of these things can affect the outcome of a physical confrontation. They can play a role in what level of force an officer will use.
      i. Physical Fitness / Conditioning
         1. Are you in as good of shape as you should be?
         2. Is the suspect in better shape?
   b. Mental preparation
      i. Are you mentally prepared for what you may encounter?
   c. Knowing ones limitations & capabilities
      i. Be aware of your limitations and capabilities.
         1. We do not have to match the suspect's limitations.
   d. Maintaining the "will to win"
      i. Never give up.

XVI. Learning modalities Covers POST Regulation 1082(d)(10)
   a. Audio, visual, tactile, & kinesthetic
      i. Audio learns by hearing
         1. It is important to explain what you are teaching.
      ii. Visual learns by seeing
         1. They will learn from seeing the demonstrations
      iii. Tactile learns by touching
         1. You may need to demonstrate what you want them to learn on them so they can learn it.
      iv. Kinesthetic learns by doing
         1. They will learn best by practicing.
   b. How to address each of those modalities to reach each student in the class.
i. Go over how to develop a class that addresses each of these learning styles.

**Physical Skills**

I. **Safety Protocols**
   Covers POST Regulation 1082(d)(13)
   a. Review the POST approved safety plan.
      i. Read through the safety protocol with the students and instructors.

II. **Injury Prevention**
    Covers POST Regulation 1082(d)(4)
    a. Be sure to maintain a safe learning environment
       i. Do not allow egos to get in the way of learning.
    b. If anyone calls stop, everyone stops.
       i. Do not continue what you were doing then stop, stop immediately.
    c. Be aware of your surroundings.
       i. Do not crash into other people or objects.
    d. Instructors and students are responsible for making sure no one gets hurt.
       i. Instructors are primarily responsible for ensuring a safe environment.
       ii. Students share in the responsibility to keep things safe
           1. No horseplay will be allowed.
    e. *Check the egos at the door.*

III. **Stance:**
    Covers POST Regulation 1082(d)(1)
    a. *Interview*
       REDACTED
    b. *Combat*
       REDACTED

IV. **Movement:**
    Covers POST Regulation 1082(d)(1)
    a. *Getting off line (to an angle)*
       REDACTED
    b. *Fight to the known*
       REDACTED

V. **Positioning:**
    Covers POST Regulation 1082(d)(1)
    a. *Setting up barriers*
       REDACTED
b. *Triangulation*  
REDACTED

**VI. Falls:**  
Covers POST Regulation 1082(d)(1)

a. Falls to the back  
REDACTED

b. Falls to the front  
REDACTED

**VII. Getting up from defensive ground position:**  
Covers POST Regulation 1082(d)(1)

a. While seated  
REDACTED

**VIII. Take downs:**  
Covers POST Regulation 1082(d)(2)

a. One person takedowns
   i. Body Fold Takedown  
      REDACTED
   ii. Outside Trip Takedown  
      REDACTED

b. Two person takedowns
   i. High / Low Takedown  
      REDACTED

**IX. Take down defense:**

a. Sprawl  
REDACTED

b. Head control  
REDACTED

c. Under-hooks  
REDACTED

d. When pinned against a barrier  
REDACTED

**X. Handcuffing & Pat-searching:**  
Covers POST Regulation 1082(d)(3), (5) & (6)
THE FOLLOWING SKILLS ALLOW FOR INCIDENTAL CONTACT, HOWEVER ANY FORCEFUL PRESSURE APPLIED SHALL BE IN ACCORDANCE WITH SHERIFF’S OFFICE USE OF FORCE POLICY

a. Handcuffing (Quick-cuff)
   i. Standing
      REDACTED
   ii. Kneeling
      REDACTED
   iii. Prone
      REDACTED
   iv. Other considerations
      1. First Aid - Suspect injured, wounds, fractures.
      2. Special circumstances (i.e. pregnant females).
      3. Complaint of pain should be documented.
      4. Keep your cuffs in good working order: clean, oil and inspect.

b. Non-restrained pat search
   REDACTED
   i. Special Detention Searches
      1. Terry Search
         a. Limited search for weapons
         b. Deputies need two separate reasonable suspicions to stop and search for weapons.
            i. Evidentiary standard to support the detention.
            ii. Suspicion of the subject’s armed and dangerous status.
      ii. Officer safety searches.
         1. Officer’s duties require close proximity to the subject.
         2. Circumstances show the subject may be armed.
         3. The intrusion balances with the apparent danger of the circumstances for the detention.
      iii. Additional considerations.
         1. Wear protective gloves.
         2. Unzip or remove bulky or multi layered clothing.
         3. Check socks and shoes.
         4. Use flashlight to illuminate into pockets or bags before putting your hands blindly into them.
5. Always search a subject transferred to your custody from another deputy or allied agency in the field.
6. If able, use patrol vehicle, a wall or surface to control the subject during the search.

XI. Escort Position: Covers POST Regulation 1082(d)(2) & (5)

   REDACTED

XII. Personal body weapons: Covers POST Regulation 1082(d)(8)

   a. Head butt
      i. Striking surface:
         1. The forehead area near the hair line.
      ii. Target areas:
         1. Soft spots of the face.
      iii. NEVER use the back of your head.
   b. TMJ strike
      i. Striking surface:
         1. The palm of your hand or lower arm.
      ii. Target area:
         1. The side of the lower jaw / ear area.
   c. Palm strike
      i. Striking surface:
         1. The lower palm area of your hand.
      ii. Target areas:
         1. Soft parts of the face or head.
   d. Bottom fist
      i. Striking surface:
         1. The bottom of the hand.
      ii. Target area:
         1. The soft parts of the face, hands or clavicle.
   e. Elbows
      i. Striking surface = the last four inches of the elbow.
      ii. Target area = any soft parts of the body.
   f. Knees
i. Striking surface:
   1. The top of the knee.
ii. Target area:
   1. Any soft parts of the body.

g. Leg kicks
   i. Striking surface:
      1. Top of the foot or bottom part of the shin.
   ii. Target area:
      1. Outside or inside of the legs

h. Triangulation blocks
   i. Bring both hands up to the sides of the face and use forearms to block strikes.
      1. Make sure to keep elbows in and close to your head.

XIII. Ground Control (Suspect on the ground) Covers POST Regulation 1082(d)(2) & (5)

THE FOLLOWING SKILLS ALLOW FOR INCIDENTAL CONTACT, HOWEVER ANY FORCEFUL PRESSURE APPLIED SHALL BE IN ACCORDANCE WITH SHERIFF’S OFFICE USE OF FORCE POLICY

   a. Only if we are dominating the contact
      REDACTED

XIV. Shoulder Lock control hold Covers POST Regulation 1082(d)(2)(5)

   REDACTED

XV. Ground Defense (Suspect on top)
   a. "We are not fighters, we are survivors on the ground"
      REDACTED

XVI. Carotid Defense Covers POST Regulation 1082(d)(8)
   a. If we are caught in the carotid we must:
      REDACTED
**XVII. Baton:** Covers POST Regulation Baton Instructor section 1082(d)(1) through (6)

**REDACTED**

a. Blocking Techniques
   i. Concepts
      1. When appropriate/ feasible.
      2. Used to deflect various close-quarter attacks.

b. Strike Drills
   i. Air
      1. Practice all of the described strikes without resistance.
   ii. Bag Drills
      1. Practice all of the described strikes while hitting a bag.

**XVIII. Baton Retention**

a. Types of baton retention.
   **REDACTED**

**XIX. Multiple assailant**

**REDACTED**

**XX. Gun Take-away:** Covers POST Regulation 1082(d)(9)

a. When the gun is point at the deputy from the front.
   **REDACTED**

b. When the gun is pointed at the deputies back.
   **REDACTED**

**XXI. Gun Retention:** Covers POST Regulation 1082(d)(9)

**REDACTED**

**XXII. Testing / Evaluation** Covers POST Regulation 1082(d)(12) & (14)

a. On-going evaluation of physical skills.
b. Testing on final day of class:
   i. Written test.
   ii. Physical skills test.
   iii. Teaching assignment.
c. Any student scoring below standard on any exercise, as established by the instructor/presenter, will be remediated/tested until standard is achieved.