



## Use of Force and Control Tactics Training

### **Instructor's Note:**

In preparation for the training, instructors should:

- Display the rules for the practical training
- Ensure the gym or training area is set-up for the practical training , e.g., mats have been put down
- Ensure all students have their handcuffs and do not bring any weapons
- Have copies of the Control Tactics Student Evaluation form available for completion



## Use of Force and Control Tactics

### Training Focus

- Review legal concepts relating to use of force
- Discuss civil liability
- Utilize critical decision-making practices
- Continue to employ de-escalation techniques
- Practice sound control tactics

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#### Talking Points:

As we move through today's training, we will be reviewing legal concepts and issues that impact the use of force in law enforcement today. The course will cover civil liability issues, critical decision-making practices, and the continuation of employing de-escalation techniques.

The overall goal of today's training is to explore what we can do better and how we can improve our skills, especially when it comes to use of force by practicing sound control tactics.



## Sanctity of Human Life

The need for law enforcement to **protect themselves, members of the public**, and, whenever possible, **criminal suspects and subjects in crisis** from danger and harm.

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### Talking Points:

The very core of our duty is to preserve life and protect those who cannot protect themselves.

We must preserve the sanctity of human life for all we serve, **INCLUDING** criminal suspects. If nothing else, this should guide our final actions.

The bottom-line, we want to make sure that **EVERYONE** goes home at the end of the day.

Next, we will discuss use of force in terms of what would be legally justified proportional to what is ethically justified in a given situation.



## **Proportionality: Legally Justified & Ethically Justified**

**Legally Justified:,  
Justification of force  
used through  
application of  
Federal & State laws  
for the given  
circumstances**

**Ethically Justified:,  
Reasonable  
application of force  
used with conscious  
thought & concern  
given to the  
circumstances**

### **Talking Points:**

In Police Academy we are first taught the law. Statutes (laws) found in Title 18, the Crimes Code and Title 75, the Vehicle Code are taught adnauseam. Young officers are well versed in the elements of a given crime. They learn how to show proof that a crime was committed and that a person knowingly intended to commit that crime. These are the basics of a justified arrest.

However, people are involved; therefore, no arrest is as simplified as the elements of a crime and intent to commit that crime. If we truly care about the people we serve, we also seek to ensure that we use appropriate actions in carrying out the arrest of that person. We must put our own egos aside and determine if we can carry out the arrest process in such a way as to honor the law and honor the person we are arresting.

Academy cadets just begin to learn discretion and appropriate use of force toward the end of their Academy experience. Their real education in use of discretion and taking appropriate actions when making an arrest will be learned during their Field Training on the streets.

Let's review some fundamental legal use of force concepts and then discuss the impact of combining that information with the proportionality of taking an ethically justified approach to that same circumstance and what that means.



## **Legally Justified**

# **U.S. CONSTITUTION. 4<sup>TH</sup> Amendment.**

**...to be free from the use of excessive force....**

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### **Talking Points:**

The Fourth Amendment to the U.S. Constitution, as interpreted by the U.S. Supreme Court, forms the basis for constitutional standards concerning detention and arrest.

The Fourth Amendment states that people have a right “to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures.” This right limits the power of the police to seize people.

Courts have held that the lawful powers of police “necessarily” include “the right to use some degree of physical coercion or threat...”; however, the Fourth Amendment also protects the “right to be free from the use of excessive force in the course of an arrest.” Officers should only use the amount of force necessary to mitigate an incident, make an arrest, or protect themselves or others from harm.

State statutes also define the authority of officers to arrest with or without warrants, and further define what force can be used in the course of an arrest or a police encounter; but these statutes cannot grant authority that conflicts with the rights guaranteed by the Constitution.



## **Legally Justified**

**2016 Pennsylvania Consolidated Statutes.**

**Title 18 - CRIMES AND OFFENSES.**

**Chapter 5 - General Principles of Justification.**

**Section 508 - Use of force in law enforcement.**

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**Instructor's Note:** The primary guide to law enforcement officers in Pennsylvania is found in PA Title 18 – CRIMES CODE, Chapter 5 – General Principles of Justification, Section 508 - “Use of force in law enforcement.”

Move onto the next slide.



## Legally Justified

### **Section 508 (a) (1) - Peace officer's use of force in making arrest:**

- A peace officer need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest.
- A peace officer is justified in the use of any force believed to be necessary to effect the arrest.
- A peace officer is justified in the use of any force which he believes to be necessary to defend himself or another from bodily harm while making the arrest

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### **Talking Points:**

§ 508. Use of force in law enforcement.

#### **(a) Peace officer's use of force in making arrest.--**

(1) A peace officer, or any person whom he has summoned or directed to assist him, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. He is justified in the use of any force which he believes to be necessary to effect the arrest and of any force which he believes to be necessary to defend himself or another from bodily harm while making the arrest.



## Use of Force and Control Tactics

# Legally Justified

### **Section 508 (a) (1) - Peace officer's use of force in making arrest:**

- A peace officer is justified in using deadly force only when he/she believes that such force is necessary to prevent death or serious bodily injury to him/herself or others OR when he/she believes both that:
    - Such force is necessary to prevent the arrest from being defeated by resistance or escape
- AND**
- The person to be arrested has committed or attempted a forcible felony or is attempting to escape and possesses a deadly weapon, or otherwise indicates that he will endanger human life or inflict serious bodily injury unless arrested without delay.

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### **Talking Points:**

§ 508. Use of force in law enforcement.

#### **(a) Peace officer's use of force in making arrest.--**

However, he is justified in using deadly force only when he believes that such force is necessary to prevent death or serious bodily injury to himself or such other person, or when he believes both that:

- (i) such force is necessary to prevent the arrest from being defeated by resistance or escape; and
- (ii) the person to be arrested has committed or attempted a forcible felony or is attempting to escape and possesses a deadly weapon, or otherwise indicates that he will endanger human life or inflict serious bodily injury unless arrested without delay.



## Use of Force and Control Tactics

### Legally Justified

#### **Section 508 (a) (2) - Peace officer's use of force in making arrest:**

- A peace officer making an arrest pursuant to an invalid warrant is justified in the use of any force which he/she would be justified in using if the warrant were valid, unless he/she knows that the warrant is invalid

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#### **Talking Points:**

§ 508. Use of force in law enforcement.

#### **(a) Peace officer's use of force in making arrest.--**

(2) A peace officer making an arrest pursuant to an invalid warrant is justified in the use of any force which he/she would be justified in using if the warrant were valid, unless he/she knows that the warrant is invalid.



## Legally Justified

### **Section 508 (c) (1) - Use of force regarding escape**

- A peace officer who has an arrested or convicted person in his/her custody is justified in the use of such force to prevent the escape of the person from custody as the officer would be justified in using under subsection (a) if the officer were arresting the person.

### **Section 508 (c) (2) - Use of force regarding escape**

- A peace officer is justified in the use of such force, including deadly force, which the officer believes to be necessary to prevent the escape from a correctional institution of a person whom the officer believes to be lawfully detained in such institution under sentence for an offense or awaiting trial or commitment for an offense.

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### **Talking Points:**

§ 508. Use of force in law enforcement.

#### **(c) Use of force regarding escape.--**

(1) A peace officer, corrections officer or other person who has an arrested or convicted person in his custody is justified in the use of such force to prevent the escape of the person from custody as the officer or other person would be justified in using under subsection (a) if the officer or other person were arresting the person.

(2) A peace officer or corrections officer is justified in the use of such force, including deadly force, which the officer believes to be necessary to prevent the escape from a correctional institution of a person whom the officer believes to be lawfully detained in such institution under sentence for an offense or awaiting trial or commitment for an offense.



## Use of Force and Control Tactics

### Review Department Policy

- Does your department have a current use of force policy?
- Does your department have current arrest policies?
- What actions are acceptable?
- What actions are unacceptable?
- Are **ALL** officers aware of and familiar with these policies?

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#### Talking Points:

Take the time now to review your department's policies. This includes, use of force and arrest. You should be able to answer the following questions regarding your department policies:

- What actions are acceptable?
- What actions are unacceptable? and
- Are ALL officers aware of and familiar with these policies?

**Instructor's Note:** Regardless of where you take/participate in hands-on training – make sure you augment that training with some type of in-house training on your specific Use of Force and Arrest related policies.



Use of Force and Control Tactics

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## Ethically Justified

**The conscious consideration of circumstances surrounding the situation at hand.**

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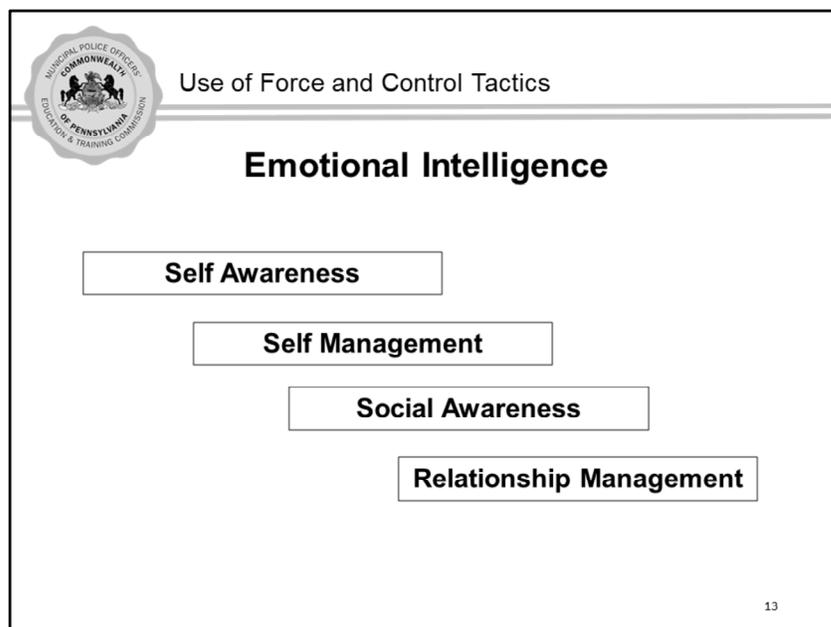
### Talking Points:

What criteria should officers take into consideration as they are making the decision as to what actions they are going to take when making the arrest?

- Tactical legitimacy tells us that all tactical police actions are guided by the severity of the crime as well as the subject's own actions. Officers should strive to not escalate a situation unnecessarily.

Once those criteria are met, how do officers determine if the force that they plan to use is ethically "appropriate" for the situation at hand?

- What information should officers take into consideration to determine if their force is appropriate or not?



### Talking Points:

Key to achieving an appropriate use of force response is to remember we are dealing with people and so, we need to humanize the situation.

One way to realize that goal is to utilize “Emotional Intelligence”. Emotional Intelligence is the ability, capacity, or skill to perceive, assess, and manage the emotions of oneself, of others, and of groups.

There are four components of emotional intelligence we can apply when interacting with people. They are:

- **Self-Awareness:** It is the ability to understand your own emotions and their effects on your performance. You know what you are feeling and why – and how it helps or hurts what you are trying to do. It can help guide your decision-making process and prevent you from getting swept-up by emotions which seem to arise out of thin air. It’s an essential element to keep your feet on the ground and stay confident.
- **Self-Management:** Managing your emotional reactions to situations and people. Being able to control impulsive feelings and behaviors, manage your emotions in healthy ways, take initiative, follow through on commitments, and adapt to changing circumstances.
- **Social Awareness:** It is the ability to recognize and understand the moods of other individuals and entire groups of people. It’s the ability to observe body language, facial expressions, and even posture in an effort to respond appropriately. Listening and observing are the most important elements.
- **Relationship Management:** Ability to use your awareness of your own emotions and those of others to manage interactions successfully. This ensures clear communication and effective handling of conflict.



## Contact Maturity

- What's really going on here
- What's going on internally with the person
- Avoid authoritarian action

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### Talking Points:

Another idea that helps us determine if we are taking appropriate action, in a given situation, is a concept refer to as “contact maturity.” This concept is the tactical version of emotional intelligence, which we just discussed in the previous slide.

Contact maturity means that an officer needs to take the current situation into context. What's really going on here?

- Officers need to have the insight to recognize the big picture.
- Acknowledge that certain behaviors may not actually be resistance.
- Try to determine what's going on internally with this person.
- Given the person's frame of mind, as long as the person isn't harming themselves or others, can you let the person vent or just leave?
- Look to avoid authoritarian action.
- Work towards stabilizing the situation.

Command presence – one of the most important tools an officer has, because if you can't project strength and authority, you'll put yourself at risk. Yet, there are times when cops must convey gentleness and kindness. “It all comes down to – what kind of person do you want to be? Small people seek revenge. When they're hurt, they want to get even. Big people take the moral high ground. They forgive. They treat others the way they'd like to be treated.” Chief John P. Weiss, 2020



## Use of Force and Control Tactics

### Civil Liability

- Title 42 US Code § 1983
- Facts to be proven in a civil action:
  1. The defendant had a duty;
  2. The defendant breached that duty;
  3. There was a causal connection between the breach of the duty and the injury; and
  4. The injury to the plaintiff resulted from that breach.

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#### Talking Points:

For law enforcement, the impact of being legally and ethically justified to act in a given situation is most visible in civil law. In the next few slides, we will discuss some concepts that have developed in civil law over time and punctuate those changes with two of the most important decisions rendered by the courts relating to an officer's justified use of force and what the courts determined as the appropriate force that should have been used (Tennessee vs Garner and Graham vs Connor).

The civil rights statute that provides civil remedies for official misconduct was enacted by Congress in 1871, and now is codified as Title 42 US Code subsection 1983 (commonly referred to as Section 1983 actions or a 1983 suit).

In a civil action initiated against the defendant, the plaintiff bringing the action against the defendant must prove that:

1. The defendant had a duty;
2. The defendant breached that duty;
3. There was a causal connection between the breach of the duty and the injury; and
4. The injury to the plaintiff resulted from that breach.



Use of Force and Control Tactics

## Vicarious Liability

**Vicarious liability is a situation in which one party is held partly responsible for the unlawful actions of a third party.**

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### Talking Points:

A form of secondary liability that arises out of the concept that there is a relationship/responsibility between a supervisor, administrator, or agency and an officer, in which the supervisor, administrator, or agency has a 'right, ability or duty to control' the activities of the officer. Generally, when the conduct of the officer is so closely connected in time, place, and causation that it is regarded as a risk of harm fairly attributable to the supervisor, administration, or agency, those entities can also be held liable.

Basically, vicarious liability is a situation in which one party is held partly responsible for the unlawful actions of a third party.

The law has developed the view that some relationships by their very nature require the person who engages others to accept responsibility for the wrongdoings of those others.



Use of Force and Control Tactics

## Duty to Intervene

“  
A police officer is under a duty to intercede and prevent fellow officers from subjecting a citizen to excessive force and, may be held liable for his failure to do so if he observes the use of force and has sufficient time to act to prevent it.  
”

*Figueroa v. Mazza*  
825 F.3d 89, 106 (2d Cir. 2016)

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### Talking Points:

Based on United States Court of Appeals, Second Circuit. Jun 3, 2016 - “A police officer is under a duty to intercede and prevent fellow officers from subjecting a citizen to excessive force, and may be held liable for his failure to do so if he observes the use of force and has sufficient time to act to prevent it” *Figueroa v. Mazza*, 825 F.3d 89, 106 (2d Cir. 2016)

A police officer cannot be held liable, if he/she does not have a realistic opportunity to prevent the attack.

Law enforcement as a whole is judged (whether fair or not) by the inappropriate actions of the few.

Sometimes it is necessary to step in and take action when an officer or officers are not showing “contact maturity” or using “emotional intelligence” in a given situation.



Use of Force and Control Tactics

## Qualified Immunity

**Protects a government official from lawsuits alleging that the official violated a plaintiff's rights, only allowing suits where officials violated a “clearly established” statutory or constitutional right.**

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### Talking Points:

Qualified immunity is considered a defense.

Qualified immunity protects a government official from lawsuits alleging that the official violated a plaintiff's rights, only allowing suits where officials violated a “clearly established” statutory or constitutional right.

Qualified immunity is a type of legal immunity. “Qualified immunity balances two important interests—the need to hold public officials accountable when they exercise power irresponsibly and the need to shield officials from harassment, distraction, and liability when they perform their duties reasonably.” *Person v. Callahan*.

Qualified immunity only applies to suits against government officials as individuals, not suits against the government for damages caused by the officials' actions. Although qualified immunity frequently appears in cases involving police officers, it also applies to most other executive branch officials. While judges, prosecutors, legislators, and some other government officials do not receive qualified immunity, most are protected by other immunity doctrines.

Qualified immunity has been the topic of much public debate since the summer of 2020. If this legal protection is removed, the landscape of law enforcement will be forever changed.

Qualified immunity **does not apply** to an officer who violates her/his oath or one who acts criminally.

The next two slides will review two civil cases, *Tennessee v. Garner* and *Graham v. Connor*. Each case will demonstrate the importance for use of force that is ethically justified as well as legally justified.



## Tennessee v. Garner, 471 U.S. 1 (1985)

- Deadly force is considered a seizure under the 4th Amendment.
- A police officer may not seize an unarmed, non-dangerous person by shooting him dead.
- An officer can justifiably use deadly force if the officer believes that a suspect poses a significant threat of death or serious bodily injury to the officer or others.

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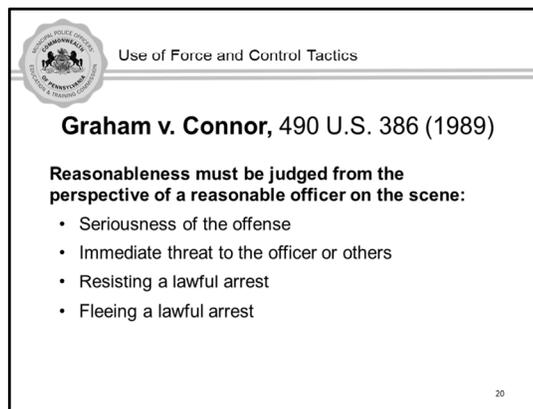
### Talking Points:

Key points in Tennessee vs. Garner:

- Deadly force is considered a seizure under the 4th Amendment.
- A police officer may not seize an unarmed, non-dangerous person by shooting him dead.
- An officer can justifiably use deadly force if the officer believes that a suspect poses a significant threat of death or serious bodily injury to the officer or others.

Deadly force may still be used when the suspect threatens the officer with a weapon, or there is probable cause to believe the suspect has committed a crime involving the infliction or threatened infliction of serious physical harm. Deadly force may be used to prevent escape in this instance and, where feasible, a warning should be given.

At the time of this incident in 1974 – the law in Tennessee and the policies of the Memphis Police Department stated that Officer Elton Hyman could use deadly force to stop a fleeing felon (armed or not). The officer's actions were deemed to be justified; however, the court decided that this was not the "appropriate" use of force given the fact that the 15-year-old suspect was unarmed.

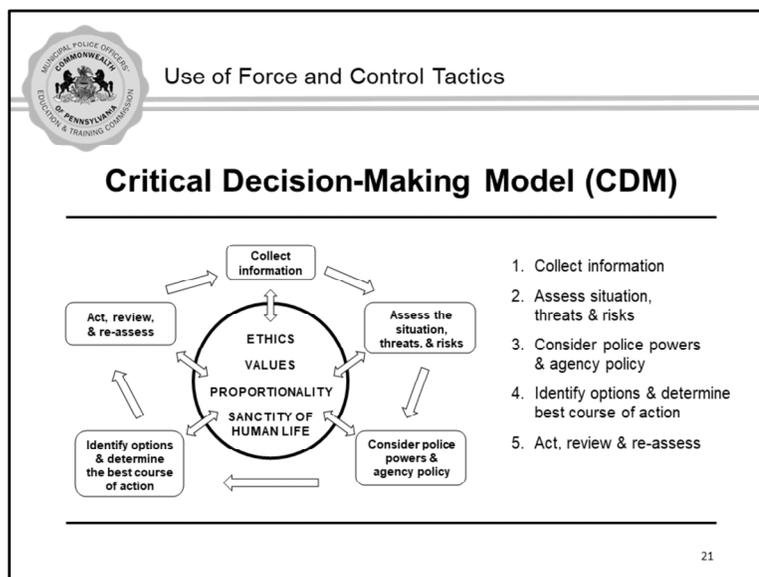


### Talking Points:

Key points in Graham vs. Connor

- Established the “objective reasonableness” standard.
    - Is the officer’s use of force OBJECTIVELY appropriate?
      - “Objective” refers to what a reasonably prudent and well-trained officer believes would be acceptable under a similar set of facts and circumstance.
        - What an officer “knows” is critical in determining the appropriateness of an officer’s force.
          - Was there a need for the amount of force used in relationship to the injury incurred by the suspect?
          - Was the force applied in good faith or maliciously and sadistically?
        - “Reasonably prudent and well-trained officer” means that officer MUST know the law—whether in fact, he/she does or not. The officer must know the acceptable, and unacceptable limits of the law.
- Determined that the “reasonableness” of a seizure requires a balancing of the nature of an individual’s Fourth Amendment interests against the countervailing governmental interests at stake.
- The “reasonableness” of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. Officers must often make split-second judgements in tense, uncertain, and rapidly evolving situations. It is not fair to the officer to be judged in the sanctity of a judge’s chambers, months after the incident, with more information than the officer had at the time of the incident.
- Established a non-exhaustive list of factors, now known as the “Graham Factors” which help to determine the severity of the crime at issue.
  - Seriousness of the crime
  - Suspect posed an immediate threat of safety to the officer or others
  - Active resistance
  - Actively trying to evade arrest by “flight”

The reasonable officer uses his/her brain to not only determine if their use of force is justified; but necessary for the circumstances. Was it ok to beat up a diabetic man seeking help – NO!

**Talking Points:**

We have seen this model in previous MIST courses. It continues to be a valuable tool that we can use every day.

At the center of the CDM is an ethical core that provides grounding and guidance for the entire process of using the CDM. In PERF's CDM, there are four elements that guide decision-making:

- Police ethics
- The values of the police agency
- Proportionality
- The sanctity of human life

The CDM has 5 steps. It is a circular process, not a linear one. It is important to note that Step 5 is "Act, review, and re-assess." In other words, if the officer takes action but finds that the action does not resolve the situation, the officer restarts the process. Furthermore, officers may move to any step as needed, as the situation changes. This is sometimes called "spinning the wheel."

We should be utilizing this tool on every call.



Use of Force and Control Tactics

## Benefits of the CDM

- Helps officers to organize their decision-making process and reach better decisions
- Helps officers to explain their actions after the fact

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### Talking Points:

By providing a structure for critical thinking, the CDM **helps officers to organize their decision-making process and reach better decisions**. Officers sometimes say, “I didn’t have time to think” in a critical situation, but in many situations, that is not the case. Rather, the problem was that the officers had not received guidance on the key questions to ask themselves in a critical situation.

The CDM not only helps officers to make better decisions; it also **helps officers to explain their actions after the fact**.

An officer who is accustomed to using the CDM will be able to recall and explain his thought processes: “First, I collected the following information about the situation.....Next, I assessed the following threats and risks, and developed a working strategy.... Then, I considered the applicable laws and my agency’s policies, and then, I decided that the best option was the following....”

This type of structured, rational explanation increases the officer’s credibility with supervisors, investigators, and attorneys, judges, and juries in court.



## De-escalation

- Requires cooperation
- Is not something **you do** to a person
- Recognize, create, and maintain conditions that allow de-escalation of one's own emotions

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### Talking Points:

An honest assessment of de-escalation will acknowledge that not everybody police encounter is able or willing to de-escalate, therefore de-escalation requires cooperation. That being said, de-escalation is not something **you do** to a person, but rather it's about **how to recognize, create, and maintain conditions** that allows the person to de-escalate his/her own emotions.

Therefore, with the sanctity of human life at the forefront, when officers are **not** confronted with imminent threat or risk, and once cooperation has been established, officers can set the scene for implementing effective de-escalation tactics.



Use of Force and Control Tactics

### Containment & Control

**Containment:**

- Priority
- Limit movement
- Slow down and focus on de-escalation

**Control:**

- Establish scene control
- Recognize officer's decision to de-escalate tied to agency and community support

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### Talking Points:

The first two conditions for de-escalation, containment and control are concerned with whether an officer should **attempt** de-escalation.

### Containment:

- Containment should be a priority as it is the creation and enforcement of boundaries that limit a subject's movements to a specific area, while still offering a subject reasonable area of movement. By "reasonable" we are referring to the ability to prevent sudden attacks, avoid split-second decision-making, and maintain response options, including appropriate backstops if force is used.
- Containment areas are defined by where a subject is allowed to remain without placing officers or the public at unreasonable risk. Based on the behavior of the subject and as situations may change, containment areas will need to either expand or contract.
- But containment alone may not be enough. For officers to safely slow down and focus on non-coercive de-escalation, the suspect must also be reasonably controlled.

### Control:

- Establish sufficient scene control to ensure that serious crimes, such as active assaults, property damage, or evidence destruction are prevented or stopped before engaging in verbal de-escalation.
- Recognize that an officer's decision to talk or force compliance is directly tied to his/her agency and community's willingness to support that decision.
- As a result, when a person is only threatening him/herself, or where criminal conduct is minor, the decision to delay force in favor of de-escalation may remain the most reasonable response.

The final two conditions for de-escalation are contact and communication.

**Instructor's Note:** move onto the next slide to review contact and communication.



Use of Force and Control Tactics

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## Contact & Communication

**Contact:**

- Subject and officer are willing to engage in verbal de-escalation
- Subject understands the officer
- Recognize if contact can be established

**Communication:**

- Requires competency in emotional intelligence, patience, and skill
- Utilize “persuasive communication”

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### Talking Points:

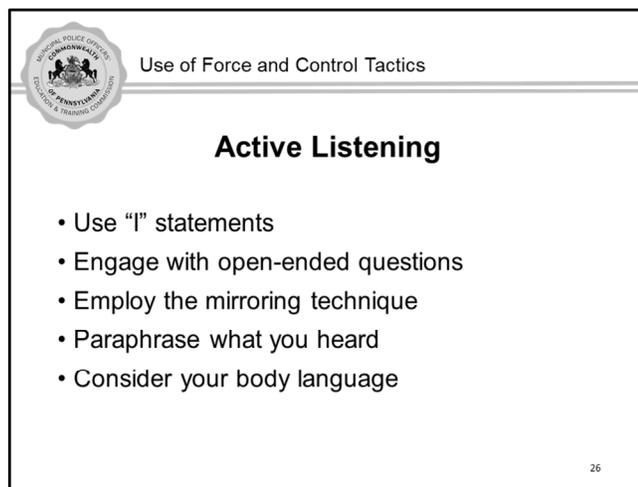
Contact and communication both address whether an officer can effectively **influence** de-escalation.

#### Contact:

- As a condition for de-escalation, contact means that both the officer and the subject are willing and able to engage in verbal de-escalation. This goes back to our original premise that there must be cooperation, specifically on behalf of the subject.
- For officers to successfully establish contact with the subject he/she must be able to understand the officer’s spoken words, as well as acknowledge and interpret the officer’s tone of voice, facial expressions, and body language.
- Dependent on the subject’s state of mind, perception, or possible impairment it may prevent accurate interpretation of the officer’s messages. Therefore, the subject may be either unable, unwilling, or actively resisting verbal de-escalation and officers should recognize whether they can establish contact necessary for effective communication.

#### Communication:

Effective crisis communication requires competency in emotional intelligence, patience and skill. In particular, “persuasive communication.” Persuasive communication addresses the listener’s needs, values, and desires.



### Talking Points:

As we just went over the conditions that are necessary for officers to effectively de-escalate a cooperative person, another well-known and valuable skill police are equipped with is active listening.

Here are some reminders and tips on how to incorporate active listening with your verbal de-escalation techniques:

1. Use “I” statements: express what you think or feel without inadvertently placing blame on others. For example: instead of saying: “You’re not listening to me.” Say: “I don’t feel like I’m being heard.”
2. Engage the person with open-ended questions: An open-ended question allows someone to answer in any way or in any depth they choose. This kind of question does not invite “yes” or “no” or a short response. Open-ended questions encourage the person to explore aspects of themselves that were not initially available to the conscious mind.
3. Employ the mirroring technique: listening accurately and reflecting both the content and the feeling of the other person. The reflecting meanings and feelings are ways to check your perception of the speaker so that they feel connected with you: Some examples:
  - I wonder if ...
  - It seems to me that you’re saying / might be feeling ...
  - I get the impression that ...
4. Paraphrase what you heard: Restate a message, but with fewer words. Where possible try and get more to the point. Here are examples:
  - Person: I just don’t understand, one minute she tells me to do this, and the next minute to do that.
  - Officer: She really confuses you.
5. Finally, we must always consider our body language. It cannot be overstated enough for police officers.



Use of Force and Control Tactics

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## Communication Dos & Don'ts

- Stop saying "Relax" or "Calm Down" - **Does NOT** work!
- Say instead "Try breathing with me" or "Take a deep breath with me"
- Don't "draw a line in the sand"
- Avoid being condescending
- Use first names when addressing the person

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### Talking Points:

- Stop saying "Relax", "Calm Down", or "Chill Out" to someone in an emotional state, it **DOES NOT** work!
- Using these terms will often escalate the person even further
- Use phrases such as "Try breathing with me" or "Take a deep breath with me, in through your nose, out through your mouth."
- Don't "draw a line in the sand" and say things such as, "I am not going to tell you again..." or "This is the last time I'm going to tell you!"
- Avoid being condescending or appearing annoyed, irritated and frustrated.
- Try using first names when addressing the person, such as, "Frank, your feelings are justified, I understand right now you are frustrated. Let's try and work through this together."



Use of Force and Control Tactics

### Ensuring Positive Outcomes

- Are you practicing the basics of your craft?
- Do you know the law? Criminal and civil?
- Is the use of force proportional?
- Are you practicing the CDM?
- How sharp are your communication skills?
- Are officers working together as a team?

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### Talking Points:

These are questions that we should be able to answer:

- Are you practicing the basics of your craft?
- Do you know the law – criminal and civil?
- Is the use of force proportional? Are we legally justified to act? Are we ethically justified to act given the circumstances?
- Are you practicing the CDM?
- How sharp are your communication skills?
- Are officers working together as a team?

We all share the desire to reach a peaceful resolution. Therefore, we must strive to be professionals and be the best at our craft so we can answer our true calling to serve and protect.

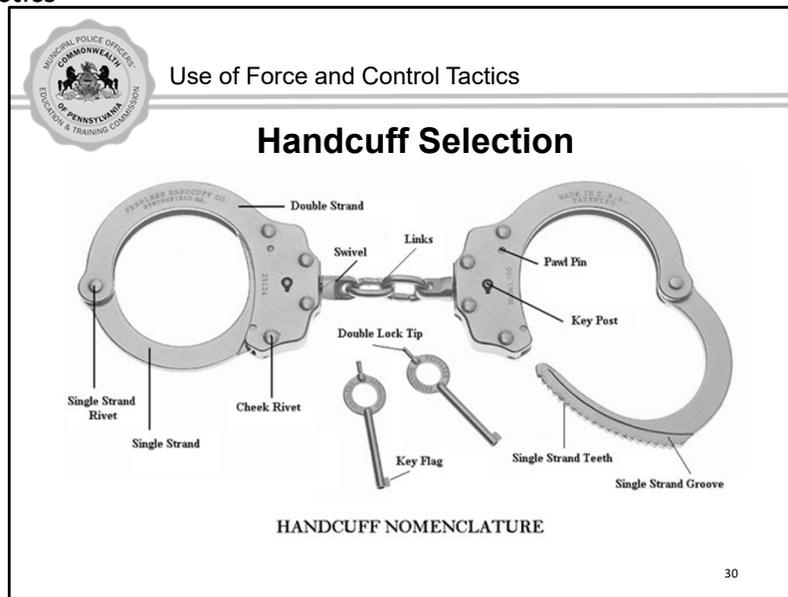
Naturally, in a complex or chaotic situation where subject(s) are actively resisting or are physically combative, gaining control becomes necessary. If we have practiced our control tactics and become proficient at the skills we possess, we can minimize negative outcomes.

We must continue to learn and train and never become complacent in our tactics. We must ensure that our actions are proportional to each situation. It is important that we continue to value the sanctity of human life.

Tactics are perishable skills. If we don't practice the actual mechanics, we become much less proficient in maintaining control of the situation. When was the last time you practiced tactical handcuffing and control tactics?



## Control Tactics Review



### Talking Points:

Next to an officer's firearm, handcuffs will be the most important piece of equipment the officer carries.

Handcuffing is meant to assist in the temporarily control a subject by restraining the wrists and hamper the subject's ability to move the arms and hands.

### CHAIN LINK HANDCUFFS:

- Offers more tactical flexibility
- Easier to apply to a resistive subject
- Ability to rotate the chain link 360 degrees
  - Advantage when the officer is getting tired

### HINGED HANDCUFFS:

- Provide a higher degree of prisoner control
- Can be left on for a longer period of time
- Generally, the choice of correctional officers.

### **Ask Participants to get their handcuffs and handcuff keys out.**

Quickly review:

Handcuffs: Single Strand, Double Strand, Keyhole, Double Lock

Handcuff Key: Key Flag, Key Post (for double lock)

**Instructor's Note:** Check to ensure participants have a working set of handcuffs.



Use of Force and Control Tactics

### Basic Handcuffing Concepts

**It is important to gain control of the subject from the first touch**

- Apply handcuffs smoothly & quickly
- Pistol Grip
- Double Push Principle
- Double Lock Cuffs
- Check for Tightness

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**Talking Points:**

It is important to gain control of the subject from the first touch.

**Applying Handcuffs Smoothly**

- Match the oval shape of the cuffs to the oval shape of the wrists.
- After initial hand is cuffed, rotate that wrist to the outside. This helps to rotate the torso and causes the uncuffed hand to come to the officer.
- Practiced speed cuffing allows the officer to cuff a person within three (3) seconds.

**Instructor Note: Demonstrate Above**

**Pistol Grip:**

- Keep your index, middle, and ring fingers in between the cuffs to maintain control.
  - Keeps the index finger off the cuff near the single bar
  - Minimizes finger dislocation
  - Minimizes fingers interfering with rotation of the single bar

**Double Push Principle:**

- Requires that you simultaneously apply a thumb lock and push the hand into the handcuff, as you push the handcuff onto the wrist.
  - Fundamental skill
  - Ensures speedy application of the first cuff
  - Minimizes the subject's ability to pull away

**Instructor Note: Demonstrate Pistol Grip & Double Push Principle**

**Double Lock Handcuffs**

- Once control has been established
- Unless not safe to do so

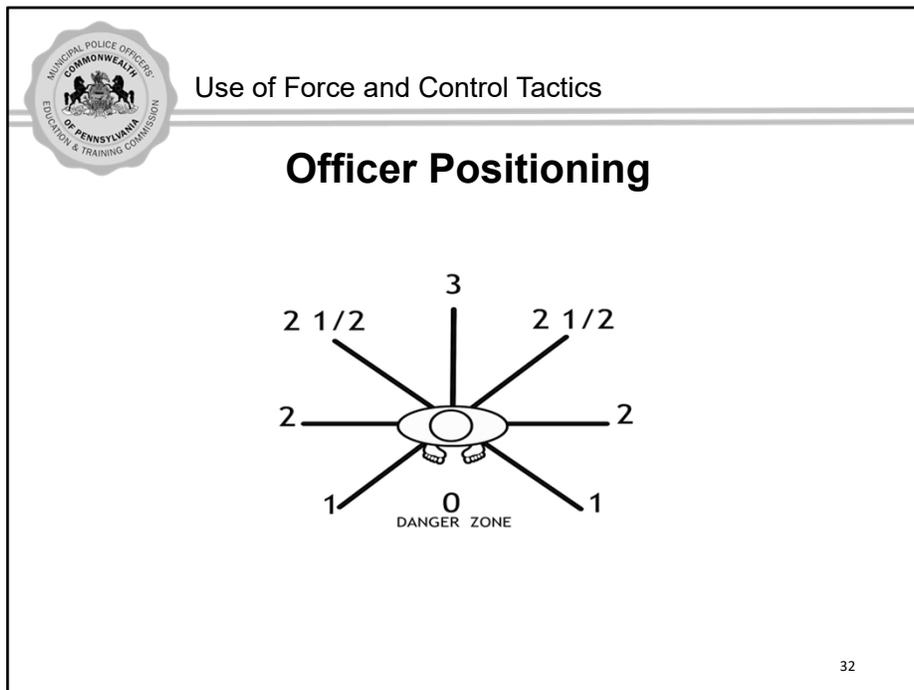
**Check Tightness of Cuffs**

Using the width of the little fingers

If complaint of "too tight", check again & document

**Instructor Note: Demonstrate Above**

**Instructor Note:** Participants will be expected to practice the given principles stated above during practical exercises.

**Teaching Points:**

**Instructor Note:** Use picture to describe various positions which will be used in practical exercises.

**INSIDE POSITION (ZERO):** Standing directly in front of a subject.

- Danger Zone!
- Position of strength for the subject – can easily attack officer.
- Avoid this position whenever possible.

**POSITION 1:** Normal Field Interview Stance. [a 45 degree angle to the front]

- Minimizes the immediate threat to the side of the body closer to the officer.

**POSITION 2:** Side-by-side.

**POSITION 2 ½:** The Escort Position. [a 45 degree angle to the rear]

- The officer establishes control over one of the subject's arms during an escort procedure.
- The Escort Position is a temporary method of control or detainment used until the officer can get to a safe environment for handcuffing.

**POSITION 3:** Directly behind.



Use of Force and Control Tactics

## Reactionary Gap

**The minimum safe zone  
that an officer should maintain  
when dealing with others.**

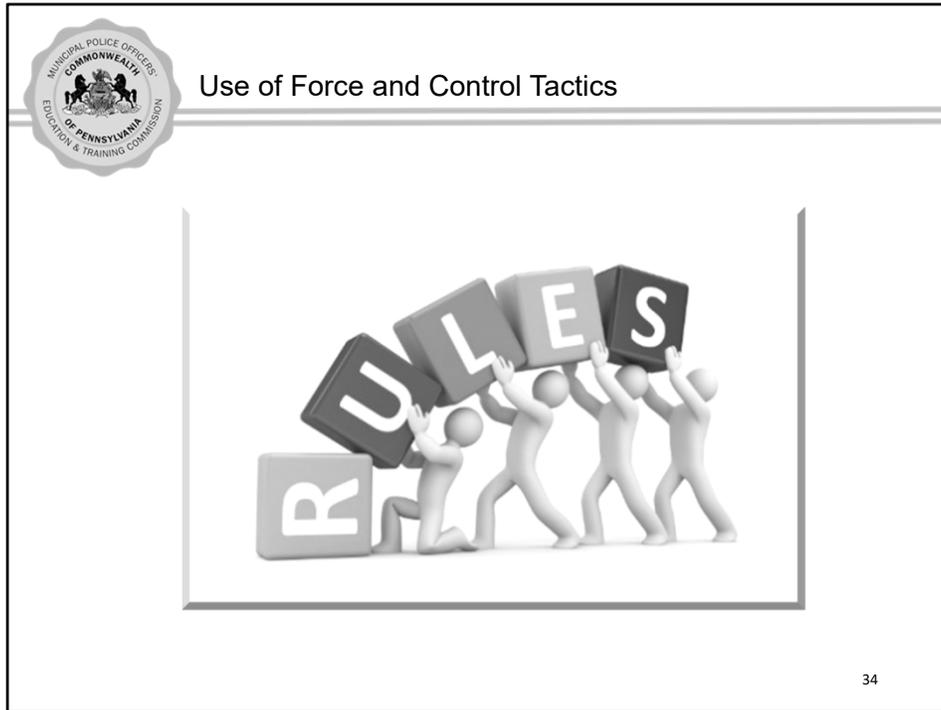
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### Talking Points:

Reactionary Gap -

Definition: The minimum safe zone that an officer should maintain when dealing with others. Siddel (2005)

- Minimum safe distance – Six feet.
- Distance should be enough to allow the officer to react (for the subject to take at least a step)
- A safety zone between the officer and the subject that affords the officer more time to react to any aggression



**Instructor's Note:**

- Instructors should review the rules prior to training.
- Emphasize NO WEAPONS – recheck after breaks
- Any prior injuries and/or injuries during class - MUST be reported.
- Recommend displaying flip chart paper or poster with written rules in the gym/training area.



Use of Force and Control Tactics

## Rules for Practical Class

- **NO LIVE FIREARMS, CHEMICAL AGENTS, KNIVES, OR ANY OTHER WEAPONS ARE ALLOWED.**
- Instructors/ Students will participate in a check for weapons prior to start of physical practice.
- **DISRUPTIVE BEHAVIOR WILL NOT BE TOLERATED.**

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### Talking Points:

- **NO LIVE FIREARMS, CHEMICAL AGENTS, KNIVES, OR ANY OTHER WEAPONS ARE ALLOWED.**
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- **DISRUPTIVE BEHAVIOR WILL NOT BE TOLERATED.**



Use of Force and Control Tactics

## Rules for Practical Class

Prior to training:

- Shower
- No cologne/perfumes
- Trim fingernails
- Remove all jewelry

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### Talking Points:

Prior to training:

- Shower
- No cologne/perfumes
- Trim fingernails
- Remove all jewelry



Use of Force and Control Tactics

## Rules for Practical Class

### - Instructors -

- Create a safe training environment
- Maintain discipline

### Students:

- Follow instructions
- Train in a safe professional manner
- Advise of any pre-existing injuries or health conditions to be taken into consideration
- Participate to the level of your ability

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### Talking Points:

#### Instructors:

- Create a safe training environment
- Maintain discipline

#### Students:

- Follow instructions
- Train in a safe professional manner
- Advise of any pre-existing injuries or health conditions to be taken into consideration
- Students shall participate to the level of their ability

**Instructor's Note:** the next two slides contain additional rules specific for students.



Use of Force and Control Tactics

## Rules for Practical Class

### Students:

- Exercise good judgement
- No horseplay or aggressive actions which might cause injury to a student or instructor will be tolerated
- Position yourself on the training mats properly when practicing techniques to avoid injury.
- Injuries must be reported to the instructor immediately

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### Talking Points:

#### Students:

- Exercise good judgement
- No horseplay or aggressive actions which might cause injury to a student or instructor will be tolerated.
- Position yourself on the training mats properly when practicing techniques to avoid injury.
- Injuries must be reported to the instructor immediately

**Instructor's Note:** continue onto the next slide to wrap-up the list of student rules.



## Rules for Practical Class

### Students:

- **All students are safety officers:** Any condition that is unsafe must be reported to the instructor.
- All injuries, no matter how slight, must be reported to the instructor as soon as possible after they occur; but no later than the end of class.
- Please Respect *The Rules*.

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### Talking Points:

- **All students are safety officers:** Any condition that is unsafe must be reported to the instructor.
- All injuries, no matter how slight, must be reported to the instructor as soon as possible after they occur; but no later than the end of class.
- Please Respect The Rules.



# **SAFETY CHECK!!**

## **Warm-Up**

**Instructor's Note:** Move to the gym/training area and ensure mats have been put down.



Use of Force and Control Tactics

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## Practical Application

### Effective Control for Better Outcomes

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**Talking Points:**

Now, let's review and practice your department's control tactics techniques.

Practice the following techniques using a single officer and then with multiple officers.

- Standing Handcuffing
- Prone Handcuffing
- Moving and Transporting Handcuffed Individuals
- Removing Handcuffing
- Choose an additional technique(s) approved by your department (e.g., gun retention, weapon disarmament, take-downs, ground escape techniques)

**Instructor's Note:** Upon completion of the techniques, complete the Control Tactics Student Evaluation form for each student officer.

Control Tactics Instructors should maintain completed/signed Control Tactics Student Evaluation forms for at least two years.



## Use of Force and Control Tactics

**THANK YOU!**