

Michael Becar, Executive Director, CEO International Association of Directors of Law Enforcement Standards and Training 1330 North Manship; Meridian, Idaho 83642-6444 (208) 288-5491; http://www.iadlest.org

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KIM VICKERS

President Texas Commission on Law Enforcement 6330 East Hwy 290, Ste. 200 Austin, Texas 78723 (512) 936-7700 Kim.Vickers@tcole.texas.gov

BRIAN GRISHAM

First Vice-President Tennessee Law Enforcement Training Academy 3025 Lebanon Pike Nashville, Tennessee 37214 (615) 741-4448 brian.grisham@tn.gov

ERIK BOURGERIE

Second Vice-President Department of Law Colorado Peace Officer Standards and Training Board 1300 Broadway, 9th Floor Denver, Colorado 80203 (720) 508-6737 erik.bourgerie@coag.gov

STEPHANIE PEDERSON

Secretary Wisconsin Dept. of Justice Training and Standards 17 West Main Street; P.O. Box 7070 Madison, Wisconsin 53707 (608) 261-8641 pedersonse@doj.state.wi.us

JESUS CAMPA

Treasurer Oklahoma Council on Law Enforcement Education and Training 2401 Egypt Road Ada, Oklahoma 74820 (405) 239-5150 Jesus.campa@cleet.state.ok.us

DANIEL ZIVKOVICH 1st Immediate Past President 1330 North Manship Meridian, Idaho 83642-6444 (208) 288-5491

A Nationally Certified Program (NCP) ensures that the training is current, engaging, legally defensible, and appropriate to the target audience.

MESSAGE FROM THE EXECUTIVE DIRECTOR



Mike Becar

The International Association of Directors of Law Enforcement Standards and Training (IADLEST®) and its Partner Advisory Committee (IPAC) have released a

new Science-Based Learning digital report – "Why Law Enforcement Needs to Take a Science-Based Approach to Training and Education" – to serve as a reference point for chiefs, sheriffs, mayors, risk managers, Peace Officer Standards and Training (POST) Directors, training academy directors, and all those who have an investment in police training and education. As IADLEST's mission is to support the innovative development of professional standards in public safety, this digital report is designed to increase the quality and sustainability of training and education in law enforcement agencies.

Topics covered in the report include evidence-based training, the science of human performance and skills development, sustaining a science-based approach, enhancing online learning, and measuring performance outcomes. With the contributions of IPAC members, the report is an informed response to the law enforcement training challenges faced in 2020.

"The timing of this report is ideal," said Mike Becar, IADLEST Executive Director. "We must use this tool to transform the quality of law enforcement training and education in ways that will contribute to lasting progress." IADLEST strives for a continual improvement in our industry; and together with the finest forward progressing leaders in our industry, we hope this digital guide will be a relevant and timely resource and guide to be implemented moving forward. To download your copy of the Digital Report, please visit the webpage <u>here</u>.

Learn More About IPAC: The IADLEST

Partner Advisory Committee (IPAC) supports the IADLEST mission by providing research and proven best practices for high quality training and education. IPAC seeks to advance the public safety profession with a vision of outcome-based police training and standards. Learn more <u>here</u>.

Learn More About IADLEST: IADLEST

is a non-profit organization dedicated to transforming policing by promoting excellence in training and professional standards. Our membership is comprised of key leaders in law enforcement training, including the Peace Officer Standards and Training (POST) Directors of every state in the U.S., as well as state and local training academy directors. With these two influential groups, we directly impact 664 basic law enforcement training academies and approximately 900,000 police and correctional officers in the country. Because we believe in learning from, and sharing our experiences with, other countries, we are proud to have international members and thus have a worldwide perspective and dialogue regarding public safety standards and training. Learn more here.

Mike Becar Executive Director Editorial Note: The IADLEST Newsletter is published quarterly. It is distributed to IADLEST members and other interested persons and agencies involved in the selection and training of law enforcement officers.

The IADLEST is a nonprofit organization comprised of law enforcement training managers and leaders. Its mission is to research and share information, ideas, and innovations that assist in the establishment of effective and defensible standards for the employment and training of law enforcement officers.

All professional training managers and educators are welcome to become members. Additionally, any individual, partnership, foundation, corporation, or other entities involved with the development or training of law enforcement or criminal justice personnel are eligible for membership. Recognizing the obligations and opportunities of international cooperation, the IADLEST extends its membership invitation to professionals in other democratic nations.

Newsletter articles or comments should be sent to IADLEST; 1330 North Manship: Meridian, Idaho 83642; or <u>Vvonne@iadlest.org</u>. Contributors are encouraged to provide material that best promotes valid standards for the employment and training of law enforcement officers.

The IADLEST reserves its right to select and publish articles, announcements, and comments. The viewpoints and opinions of contributors are those of the author and do not necessarily represent the views of the IADLEST.

MEETING SCHEDULED

The 2020 COVID-19 pandemic and the prohibition on holding large gatherings has altered the IADLEST meeting schedule for 2020. The June 2020 IADLEST Conference and its business meeting was cancelled. The fall Executive Committee is scheduled as a virtual meeting from 1:00 to 5:00 pm, Friday, October 16, 2020. Members can attend the meeting via webinar by registering at: <u>https://attendee.gotowebinar.com/register/87399</u> 54566876917264

The next annual IADLEST conference is scheduled for May 23-25, 2021, at the Omni Fort Worth Hotel, Fort Worth, Texas. More details will be forthcoming. Please contact <u>yvonne@iadlest.org</u> if you have additional questions.

POST DIRECTOR CHANGES



Maryland: Al Liebno was appointed Executive Director for the Maryland Police and Correctional Training Commissions (PCTC) on July 1, 2020. As Executive Director, he directs and manages the oversight of the statewide Public Safety Education and Training Center

(PSETC), Sykesville, Maryland. The PSETC has an annual budget of \$9M and consists of 800+ acres, multiple academic classrooms and practical training areas, and employees 93 employees.

Al has worked with the Maryland Commission for over 40 years, the last 19 years as a Commission employee. He began his public safety career with the Maryland State Police serving 28 years. Eighteen of the 28 years was as a member of the MSP Training Division. During his tenure with MSP, he was recognized as an expert in Crash Reconstruction and Emergency Vehicle Operations. Prior to his retirement from MSP, he was assigned to work with the Commission overseeing construction and opening of Maryland's statewide EVO Driver Training Facility in the Spring of 1998.

Retiring as the Assistant Commander, at the rank of Lieutenant in June 2001, he began a second career with the Police and Correctional Training Commissions managing the EVO Driver Training Facility. In 2006, he was assigned as the Skills Administrator directing all skills training for PCTC. Then in 2010, Al was assigned as the Deputy Director, second in command position for the PCTC, managing all training and officer certification requirements for correctional and police officers in Maryland. This position required direct reporting to both the Police Training and Standards Commission and the Correctional Training Commission. One of the most noted, and he does have several, accomplishments that Al was instrumental in being involved with was the establishment of the International Association of Law Enforcement Response Trainers (ALERT International), an Association that supports EVO Instructors and promotes the safety of police officers operating patrol vehicles. Al was a charter member, president, and is the current past president of the Association. In 1997, while employed with the Maryland State Police, Al was responsible for managing and supervising the construction of the 10 million dollar statewide vehicle operations training facility and its daily operations.



U. S. Military Police: Jansen "Scott" Cheek assumed duties as the Chief, Office of Accreditation and Credentialing (OAC), and Executive Secretary for the Department of Defense Peace Officers Standards and Training

(DoD POST) Commission in August of 2020. Mr. Cheek is responsible for managing training accreditation process compliance for nine defense agencies, including the United States Army, United States Marine Corps, United States Air Force, United States Navy, Pentagon Force Protection Agency, National Security Agency, Defense Intelligence Agency, National Geospatial Intelligence Agency, and the Defense Logistics Agency.

Mr. Cheek is an honorably discharged veteran of the United States Marine Corps and has 34-years of federal, state, local, and international law enforcement experience.



New Hampshire: John Scippa was appointed as the new director of the New Hampshire Police Standards and Training Council (NHPSTC) in March 2020. Prior to his appointment, John was the Police Chief for Stratham, New Hampshire. He began his law enforcement career as officer in Rye, New Hampshire. He worked several years previously as a training specialist for the NHPSTC training new recruits.

John also served in U.S. Sen. Maggie Hassan's office, specializing in law enforcement matters before becoming director of Northern Essex Community College's Police Academy in Haverhill, Massachusetts, teaching criminal justice courses.



Wisconsin: Steve Wagner was appointed as Director of the Training and Standards Bureau at the Wisconsin department of Justice in April of 2020.

A 29 year veteran of the Racine Police Department, Steve was most recently assigned as Lieutenant of training.

While assigned to the Training Unit, he served as the treasurer of the Law Enforcement Coordinating Committee of the United States Attorney's Office of the Eastern District of Wisconsin. He also served on several committees advising on curriculum at Gateway Technical College Law Enforcement Academy and Associate Program. Steve began instructing at Gateway Technical College in 2019.

Prior to the Training Unit, Steve held various positions within the Racine Police Department. He has a strong background in Community Policing and was the first beat officer in Racine specifically assigned to address neighborhoods infiltrated by gangs and drugs. Steve was promoted from patrolman to Detective in 2001 and was assigned homicides, death investigations, commercial robberies, and financial crimes. He has also worked as Commander of the Day Shift Patrol Unit, in Internal Affairs, and was the Unit Commander of Special Investigations, including the Greater Racine FBI Gang Task Force.

Steve graduated from Marquette University with a Bachelor of Arts Degree in Criminology/Law Studies and from Concordia University Wisconsin with a Master's Degree in Business Administration. Steve also maintains instructor certifications in Professional Communications, Wellness, Constitutional Law, and general topics.

- INSIGHT-POLICING FOR COVID TIMES VIRTUAL TRAINING APPROVED BY IADLEST by: Megan Price, Ph.D.

COVID has not only thrown public health into a tailspin, but for agencies, it has sickened officers on the front lines and decimated budgets. Protests and calls for defunding have also put agencies in a position where they need to respond, adding to the strain.

At the Center for Applied Insight Conflict Resolution, we've pivoted during these times to create a safe, affordable, and IADLEST certified way for agencies to fulfill their obligation to show communities that they are taking use-offorce concerns seriously while considering the health of officers and the bottom line.

This August, Insight Policing Virtual Training was certified by IADLEST for ten-hours of inservice credit.

Insight Policing is conflict resolution for law enforcement. Taught by two expert instructors, one from the Conflict Resolution field, one from Law Enforcement, Insight Policing is a specialized skill-set based on the science of conflict decision-making. It offers a strategic observation and communication framework that prepares officers to control conflict on the job, deescalate tension, prevent escalation and find safe and appropriate solutions when situations get tough.

While preparing officers to prevent escalation and solve challenging encounters with the public, Insight Policing skills also help officers become self-aware in stressful moments. It helps them reengage critical thinking under stress and positions them to use their training to make effective decisions rather than reactive ones that could hurt them or their careers. Insight Policing Virtual training is interactive, practical and skills-based. It is held in five 2hour modules over Zoom and can be tailored to an agency's scheduling needs. The cost is \$150 per seat. Take the opportunity to take action safely and affordably. Find out more by visiting www.insightpolicing.com

NECK RESTRAINTS CHOKE HOLDS/CAROTID HOLDS WHAT LAW ENFORCEMENT POLICY/TRAINING TELLS US THE MEDICAL/SCIENTIFIC DEBATE WHAT THE CASES TELL US by: Jack Ryan, Attorney

On June 8, 2020, a bill was introduced in Congress to reform law enforcement practices. Among the items in the legislation is a provision to "ban police use of chokeholds and carotid holds, and conditions funding for state and local departments on barring the practices."

The Legal and Liability Risk Management Institute (LLRMI) has prepared an analysis of the neck restraints issue for your review. You can read the full report by clicking <u>HERE</u>

FALSE CONFESSIONS by: Joseph P. Buckley, John E. Reid and Associates

John E. Reid and Associates has posted a 30minute video presentation on False Confessions –entitled *The Issues To Be Considered* on their YouTube channel - <u>The Reid Technique Tips</u>. You can also download a nine page document here that highlights the content of the video presentation. This presentation addresses the primary causes of and contributing factors to false confessions in Part 1, and then Part 2 details how social psychologists ("false confession experts") erroneously describe law enforcement interrogation techniques, how the investigator can respond to their statements, and the Best Practices that the investigator should follow so as to minimize the chance of obtaining a false confession.

<u>The Reid Technique for Patrol Officers</u> - a 50 minute online video presentation that illustrates how you can apply the Reid Technique to help you identify when a suspect is lying and how get more information from them during street interviews.

IADLEST-COPS OFFICE EVERY OFFICER IS A LEADER GRANT PROGRAM UPDATE by: Mark Damitio, Accreditation and Grants Manager

FREE TRAINING AVAILABLE

On September 21, 2018, IADLEST succeeded in a competitive process and was awarded funding by the US Department of Justice, Office of Community Oriented Policing Services for a 24-month project called "Every Officer is a Leader: Connecting Agencies to Community-Practical Skills." The project is funded through June 2021. The partners on this project are the International Academy of Public Safety (IAPS).

The project team completed the vetting of the student materials for the COPS Office Review in September 2019 and the January 2020 IADLEST National Certification Program (NCP) approval. Each event includes a 16-hour Executive course, a 24-hour Train-the-Trainer, and a 16-hour Line Personnel class.

The project has already presented the classes at:

- Nevada POST Academy; Carson City, NV; January 26-31, 2020
- Jefferson County Sheriff's Training Center; Fultondale, AL; August 8-13, 2020

We anticipate presenting the classes at:

- Northwest Florida State College Public Safety Training Center; Niceville, FL; December 7-12, 2020
- Maryland Police and Correctional Training Commissions; Sykesville, MD; Date TBA, Spring 2021
- Oregon Department of Public Safety Standards and Training; Salem, OR; Date TBA, Spring, 2021

There will be a project update and an overview of the training presented at the 2021 IADLEST Annual Conference in Fort Worth, TX.

We have a waiting list of 11 other agencies that are willing to host the training if one of the facilities above does not meet enrollment requirements. If your agency is interested in hosting the classes, please contact me at <u>markdamitio@iadlest.org</u>.

IADLEST-COPS OFFICE AGENCY ACCREDITATION PROGRAM by: Mark Damitio, Accreditation and Grants Manager

On September 1, 2020, IADLEST was awarded an invitational award by the US Department of Justice, Office of Community Oriented Policing Services, with supplemental funding from the Bureau of Justice Assistance for a 24-month project called "State Law Enforcement Agency Accreditation Program Enhancements." The project is funded through September 2022.

In the face of increased public expectations and scrutiny, the challenges for modern law enforcement agencies to gain and retain public trust are significant. Objective independent assessment and validation of policies, procedures and operations provide a method for law enforcement agencies to compare their practices against best practices elsewhere. Currently, there are approximately 36 states that have a functioning state law enforcement accreditation program. These accreditation programs are typically non-profit consortiums comprised of the executive law enforcement associations (Police Chiefs or Sheriffs). Most of the accreditation programs operate on thin margins to just cover their costs in order to keep accreditation fees as low as possible for the stakeholders. They recognize that state, county, and municipal revenues continue to plummet due to the COVID-19 pandemic, and the funds are not available to enhance their operations by raising fees. Consequently, enhancements to state law enforcement agency accreditation programs cannot occur at present. To maintain credibility and public trust, accreditation standards should be available, accessible, and relevant to today's policing environment.

IMPORTANT NOTE: Through President

Trump's Executive Order No. 13929, the U.S. Attorney General, as appropriate and consistent with applicable law, will allocate Department of Justice discretionary grant funding only to state, local, tribal, and university or college law enforcement agencies that have obtained (or are in the process of seeking) credentials certifying that they meet certain mandatory and discretionary standards for safe policing, to be set by the U.S. Attorney General. There are two criteria that agencies will need to meet:

- Adherence to Applicable Laws
 - The applying agency maintains use of force policies that adhere to all applicable federal, state, and local laws.
- Prohibition of Choke Holds
 - The applying agency maintains use of force policies that prohibit the use of choke holds, except in situations where the use of deadly force is allowed by law.

IADLEST will work with the 36 states that have accrediting bodies to develop a certification for those law enforcement agencies within the state that meet the two criteria. The accrediting bodies will be able to apply for mini-grants from project funds to accomplish these goals. IADLEST will work with the remaining states that don't have accrediting bodies to either develop one or to directly receive the certification applications from individual agencies. Once again, mini-grants will be available to these new organizations for start-up costs.

If you have questions about the project, please contact me at <u>markdamitio@iadlest.org</u>.



IADLEST-NHTSA BELOW 100 PROGRAM UPDATE: by: Mark Damitio, Accreditation and Grants Manager

Free Training Available

In August 2019, IADLEST received a new cooperative agreement from the National Highway Traffic Safety Administration to facilitate the delivery of Below 100 training over a 24-month period. The Below 100 mission is to influence law enforcement culture by providing innovative training and awareness, through presentations, social media, and webinars on identifying the leading causes and current trends in preventable line of duty deaths and injuries.

The Below 100 training program incorporates the following five tenets:

- 1. Wear Your Belt
- 2. Wear Your Vest
- 3. Watch Your Speed
- 4. WIN—What's Important Now?
- 5. Remember: Complacency Kills!

We are accepting requests for future events. The general requirements for hosting a workshop is a classroom with multimedia equipment. Attendance requirements will apply so that we can maximize the return on investment of the funds. The workshops are free, and all materials are supplied. Students are responsible for their travel and expenses. Each event normally will consist of a morning training session designed for all personnel (line staff to administration) followed by an afternoon session that is a train-the-trainer session so that agencies can develop their own trainers to continue the message. In addition, the funding provides for two Best Practices Symposiums, three presentations at major conferences and two free technical assistance visits per year to agencies that require additional expertise and guidance to implement the program. Since the last update, there has already been one event since the project began:

Below 100 Course:	Location	Date	Trainees
Intensive Course	Scott, LA	01/07/20	34
Intensive Course	Keizer, OR	01/07/20	34
Intensive Course	Keizer, OR	01/14/20	36
Intensive Course	Georgetown, TX	02/17/20	8
Intensive Course	Leesburg, FL	02/18/20	11
Intensive Course	Oglethorpe, GA	02/18/20	11

Intensive Course	Oglethorpe, GA	02/18/20	2
Intensive Course	Meridian, ID	03/02/20	17
Intensive Course	Wausau, WI	03/03/20	40
Intensive Course	Wausau, WI	03/03/20	40
Intensive Course	Breckinridge, CO	03/04/20	7
Intensive Course	Oak Harbor, WA	06/24/20	24
Intensive Course	Lynnville, IN	09/15/20	62
Train-the-Trainer	Keizer, OR	01/14/20	14
Train-the-Trainer	Georgetown, TX	02/17/20	7
Train-the-Trainer	Leesburg, FL	02/18/20	14
Train-the-Trainer	Meridian, ID	03/02/20	8
Train-the-Trainer	Breckinridge, CO	03/04/20	5
Train-the-Trainer	Oak Harbor, WA	06/24/20	12

The following courses are in the process of scheduling and logistics:

Blow 100 Course	Location	Date
Intensive	Myrtle Beach, SC	10/13/20
Train-the-Trainer	Myrtle Beach, SC	10/13/20
Intensive	Marble Falls, TX	11/10/20
Intensive	Marble Falls, TX	11/12/20

The new funding provides for 17 training events per fiscal year. If your agency would like to host a FREE workshop, please contact me at markdamitio@iadlest.org.

IADLEST'S NATIONAL CERTIFIED PROGRAMS VALIDATES POLICE TRAINING BEST PRACTICES

by Peggy Schaefer, NCP Program Director



In light of the death of George Floyd last May, communities and individuals have been demanding increased training standards, most

notably, *national* training standards. As many of our members know, IADLEST is leading this effort by establishing the National Certification Program. Developed to improve, enhance, and validate training, the NCP assesses training programs using independent third party subject matter experts to determine compliance using rigorous online and in-person training standards. Our POST Directors, Training Academy Directors, Police Chiefs, Sheriffs, and those responsible for selecting and hosting training programs know that these certified programs are organized and grounded in practical curriculum design. But more importantly, NCP courses reflect best practices in each topic area that are legally defensible, current, and relevant.

We encourage you to talk with your constituents and tell them about the NCP process and program. Through your support, IADLEST can be an integral part of improving this training challenge. Help us guide the conversation concerning police training standards and delivery. Ensure that courses you host or send officers to have National Certified seal!

For more information on certified courses, go to the IADLEST National Training Catalog located at <u>www.firstforward.com</u>.

For more information about the NCP process go to <u>www.iadlest-ncp.org</u>

IADLEST PREMIERS NEW EVIDENCE-BASED STRATEGIC DECISION-MAKING COURSE

by: Peggy Schaefer, DDACTS Project Manager



Senior Analytical Subject Matter Expert (SME) Debra Piehl and Chief Brett Railey (Winter Park Florida PD – retired) recently developed a new training course focusing on using evidencebased strategies using the DDACTS model. On September 14, 2020, we delivered our first course in Lees Summit, Missouri, at the Missouri Innovation Center to a group of offices from six surrounding agencies. We are grateful to Jim Delap and our partners at the Missouri Safety Center for coordinating this training.

The *Evidence-Based Strategic Decision-Making* course focuses on the following objectives:

- 1. Summarily review various evidence-based definitions, concepts, categories, and functions of crime analysis.
- 2. Describe the elements of the DDACTS Guiding Principles.
- 3. Improve agency decision-making using analysis to support evidence-based strategies.
- 4. Distinguish between the different types of decision-making models as they relate to "group think."
- 5. In a small group discussion, differentiate between placed-based policing, agency hot spots, and identify causality and other risk factors.
- 6. Apply the "routine crime theory" to policing, data collection, and quality review processes.
- 7. Determine the value of using thresholds and patterns to analyze crime and crash problems.
- 8. Describe different forms of agency CompStat processes and the analysis role.
- 9. Monitor policing strategies to determine favorable outcomes.
- 10. From a classroom exercise, complete an evidence-based plan focused on strategic agency decision making.

This seven-hour program is chock full of problem-solving and decision-making exercises with the end goal of ensuring agencies are deploying their critical staffing resources more effectively. This program is delivered at no cost to police agencies since it is funded on our NHTSA grant. We are currently looking for host sites in 2021, so please reach out to <u>peggyschaefer@iadlest.org</u> to learn more.

IADLEST'S NATIONAL CERTIFIED INSTRUCTOR UPDATE

by: William Flink, IADLEST Program Manager



The IADLEST National Certified Instructor (INCI) Program has a variety of subject matter experts who have focused their talents upon law enforcement training. They have increased our influence upon training excellence and

continue to make a positive impact upon the work law enforcement officers. Notifications of National Certified Instructor presentations are being sent to IADLEST Director members and Regional Representatives within surrounding states where our INCI instructors make their presentations. These notifications can also be found within IADLEST's social media activities.

All of the IADLEST's Nationally Certified Instructors are highly recommended from their peers or IADLEST members. Their credentials include significant training and development experience and demonstrate their commitment towards improving criminal justice training and society. With that, we introduce some of our newest IADLEST Nationally Certified Instructors in this edition of the Newsletter: Mark Candies, Alana Williams, Robert Mann, John Shanks, Eddie Campa, and Ray Farris.



response.

Sheriff Jesse Jahner has been employed with the Cass County Sheriff's Office since May of 1998. He started his career as a correctional Officer in the Cass County Jail. In 2000 He rose through the ranks of the Sheriff's Office serving in many critical areas of emergency Sheriff Jahner is a Certified Police Instructor for several disciplines, including firearms, active shooter, room clearing, taser, less lethal and chemical munitions deployment, use of force, defensive tactics, and emergency vehicle operations and pursuit driving. He has received over 2,900 hours of specialized training and has provided over 2,000 hours of Peace Officer Standards and Training Board (POST) certified training hours to officers in the states of North Dakota, Minnesota, and South Dakota.

Sheriff Jahner has been awarded three Distinguished Service Medals, Meritorious Unit Citation, The Sheriff's Medal, Combat Action Ribbon, Combat Action Cross and was picked by peers as both Deputy of the Year and Supervisor of the Year. Sheriff Jahner has a Bachelor of Science degree from North Dakota State University in Humanities and Social Sciences with an emphasis in Criminal Justice. In addition, he has attended several leadership course which include Department of Homeland Securities National Academy, Dale Carnegie Leadership Course, International Association of Chiefs of Police Leadership in Police Organizations, National Tactical Officers Associations Training Management and Risk Mitigation Course, and is currently enrolled in the FBI Leadership Trilogy courses. Sheriff Jahner was appointed to the North Dakota POST Board in November 2018 by the North Dakota Attorney General where he is one of many board members that reviews and approves all training for officers in the State of North Dakota. He also serves on the Red River Regional Dispatch Board and was recently selected to serve on the Crime Victim Services Board.



Dr. Heather Silvio, Deputy Director of the Police Training Institute, is a licensed clinical psychologist who develops and conducts national training intended to bridge the gap between at-risk youth and law enforcement. She

previously worked as a national law enforcement trainer with the Community Safety

Institute and locally for the Las Vegas Metropolitan Police Department. She has also taught at the undergraduate, graduate, and professional levels in additional fields as diverse as psychology, artificial intelligence, and statistics. Her prior position as the interim Chief of the Combat Related Post-traumatic Stress Disorder treatment team at the Department of Veterans Affairs Medical Center in Las Vegas afforded a seamless transition from her time as a Lieutenant Commander in the U.S. Public Health Service, providing mental health services to active duty members across all branches of the Armed Forces, as well as to their family members, and retirees. Dr. Silvio has a Doctor of Psychology in Clinical Psychology; Master of Science in Artificial Intelligence; Master of Fine Arts in Creative Writing; and a Bachelor of Science in Psychology & Political Science.



Wendy Hummell is a seasoned law enforcement officer with over 24 years of experience. She started her career in 1996 as a Special Agent with the Immigration and Naturalization Service (INS). She retired at

the rank of Detective after 21 years of service from the Wichita Police Department where she spent a majority of her career working Persons Crimes Investigations. Wendy worked homicide, gang, and sex-crimes cases. She was also a member of her department's CISM (Critical Incident Stress Management) and Defense Tactics teams. Wendy has taught multiple classes both in the Academy setting and at national conferences such as the FBI NAA (National Academy Associates), The International Conference of Police Chaplains, and the Crime Stoppers USA Conference. Wendy has taught classes on sex crimes and domestic violence investigations, gang crimes, homicide investigation, and crime stoppers. Wendy's area of expertise is officer health and wellness, peer support, and resiliency. She is currently the Health and Wellness Coordinator for the Sedgwick County Sheriff's Office.

Wendy is passionate about and committed to helping her fellow First Responders learn the tools of mindfulness, resiliency, as well as the importance of relationships, exercise, sleep, and nutrition to enhance their well-being and job performance. Wendy speaks to these topics from the perspective of direct experience and through the lens of a law enforcement spouse. Wendy's belief is that all law enforcement agencies should provide resources to their employees so they can not only survive a career in law enforcement, but thrive well into retirement. Wendy holds a Bachelor's and Master's Degree in Criminal Justice. She is a certified yoga instructor and Yoga for First Responders (YFFR) Ambassador. Wendy has taught hundreds of first responders YFFR classes, resiliency, and mindfulness classes. Wendy is also a trainer for the Pause First Academy. Wendy is an adjunct faculty member with the Criminal Justice Department at Wichita State University. She has been teaching collegiate level CJ classes since 1996. Wendy was awarded the 2018 Wichita Metro Crime Commission Law Enforcement Officer of

the Year Award, the 2018 Crime Stoppers USA Coordinator of the Year Award, and was a 2019 Wichitalk presenter. Wendy has several articles published with PoliceOne on the topics of trauma, wellness, and female resiliency.



Mike Moran has over 30 years' experience in law enforcement, public and private protection work, investigations, training, and law. He was first certified as a law enforcement instructor in 1991. Currently, he is Chief Counsel, Chief Bailiff and Director of

Mediation at the Franklin County Probate Court. He is part-time General Counsel and Staff Instructor for <u>On Guard Defense Training Center</u>. His private law practice focuses currently on gun law and selfdefense. Over his career, he has served as Security Supervisor, Crime Prevention Coordinator, Licensed Private Investigator/Manager, Special Deputy Village Marshal, State Investigator, Chief of Enforcement and Director of a State Agency, Special County / City Prosecutor, Protective Detail Team Leader, and Academy Instructor.

Mike is an Adjunct Professor at Capital University Law School since 2002. He is General Counsel Emeritus of the <u>Ohio Association of Security &</u> <u>Investigation Services</u>. He has 23 years' experience as a municipal prosecutor and police legal advisor. He has over 15 years' experience as a part-time criminal court magistrate. Mike retired from the <u>Ohio Military Reserve</u> as a Colonel, eventually serving as the Inspector General, with additional duty as his Unit's Marksmanship Coordinator. He is a <u>Certified Fraud Examiner</u> (CFE), a Certified Protective Operations Manager, and a certified regulatory investigator with the <u>Council on</u> <u>Licensure, Enforcement and Regulation</u>.

Mike has held instructional credentials from the Ohio Peace Officer Training Commission and the NRA as a handgun, shotgun and rifle instructor, and as an in-service instructor for Handgun Retention, Defensive Knife, Tactical Anatomy, and HazMat/WMD/PPE for Law Enforcement. He is also a tactical baton, flashlight, and handcuffing instructor, and trained as a basic/advanced Glock pistol armorer. He has developed curriculum and professional credentialing programs, serving on a national accrediting agency board. He has presented at regional, statewide, national and international conferences on topics including law, investigations, and court security.

Mike is currently Director of Training for the Ohio Bailiffs & Court Officers Association; and in this role, he executes two statewide training conferences per year. He created the *Ohio Court Officer Safety* & *Survival Series* of real-world case studies of deadly force incidents involving court officers. The research supported the instructional design for the practical training for the Ohio's court officers. The studies include *Shootout in Steubenville* and *Officer Down*. The tactical training includes the *Extreme Close Quarters Handgun Operator* course and the *Basic Pocket Stick Operator* course.



DUBAI CORONAVIRUS WORLDWIDE CONFERENCE

During Late June 2020, IADLEST was asked to participate in an international web-based conference being produced by the Dubai Police of the United Arab Emirates. The conference was to focus on the world-wide pandemic Covid-19 and the effects the disease was having on law enforcement activities and its response to police responsibilities.

The structure of the presentations addressed: 1) Initial Response: Challenges and Lessons Learned; 2) Policing Lockdown (Current Situation): Easing the lockdown Challenges Related to the new phase (easing of the lockdown) and what are the expectations; 3) Future Horizon (New Norm)—Scenarios: Prolonged new norm/ model; Possible Disappearance of the Virus (SARS- CoV2) by October 2020; and New Wave of the COVID-19 Virus.







On July 1, 2020, IADLEST Executive Director Becar participated in the Zoom conference along with Brigadier General Dr. Ali Singel, Dubai Police (Moderator); as well as others. Presentations were made by Major General Abdullah Al Ghaithi of Dubai Police; Major Geradia Corona of the Italian Carabinieri (Police); Mr. Paul Griffiths, British Police; and Dr. Rick Muir, of the Police Foundation (England).

Structure & Agenda of the Webinar:

ENSURING THE BEST DE-ESCALATION TRAINING by Lon Bartel, VirTra Director of Training and Curriculum

Why De-Escalation Training?

Law enforcement officers have had the term "de-escalation" drilled into their minds by academies, training instructors and now the demand from society. As much as it is discussed, only officers know that de-escalation is not easily defined, nor is it as simple as it is made out to be.

This is because not every situation is created equal. As such, there are certain situations no officer would be able to resolve through deescalation alone. Though whenever possible, deescalation strategies should be utilized to reduce or eliminate the chances of force being used.

Just as defining the term "de-escalation" is complicated, so are the many forms of deescalation. There is no one-size-fits-all deescalation action that will improve every situation. Rather, the best type of de-escalation depends on the situation—one interaction may require giving the individual more space or time, while other situations are better resolved with a softer, more personable approach.

When incorporated correctly, de-escalation tactics may prevent escalation while potentially reducing harm for both the subject and officer. However, an officer needs extensive deescalation lessons and training to build these skills before transferring them to the field. This is why VirTra created nationally-certified deescalation training to help both academies and departments.

VirTra's Certified De-Escalation Training

As with many V-VICTATM curricula, VirTra partnered with a nationally-recognized expert in creating the coursework. For the de-escalation curriculum, VirTra partnered with Vistelar—a conflict management institute that focuses on the entire spectrum of human conflict—to apply their insight to create the most beneficial, up-todate training materials. After finalizing the curriculum, it was submitted for NCP—Nationally Certified Program certification, allowing officers to receive credited training hours. Now, instructors who implement this specific curriculum gain: 4 certified training hours, 5 information-rich chapters, 6 extensive branching scenarios, a 38page lesson plan and a 35-slide presentation. Department and academies can utilize this information to teach officers how to work through conflicts verbally while focusing on the importance of facial, body and microexpressions.

Importance of NCP Certification in Training Materials

As mentioned above, the de-escalation curriculum was certified through IADLEST's NCP program, which serves as the higher standard for police training. The NCP certification standards meet and often exceed individual State certification requirements, ensuring training is accepted by all participating POST organizations for training credit.

Because of this, VirTra has submitted all curriculum for NCP certification, ensuring customers are provided with only the best quality education and training content.

VirTra is currently the only simulator company that offers certified curriculum for officers, which is uploaded for free on each law enforcement simulator. Instructors can train well, knowing all content is up-to-date, certified and designed for maximum skill transfer. While there is no one-size-fits-all de-escalation action, officers can enter the field equipped with a variety of de-escalation tactics to improve each unique situation.



DATA-DRIVEN APPROACHES TO CRIME AND TRAFFIC SAFETY PROJECT BIGGER IN TEXAS

There's a saying in Texas that you can always tell a Texan, you just can't tell him much. While that saying is especially true of Texas law enforcement, as it turns out, Texans can occasionally be shown a thing or two.

In the six years working in Texas, IADLEST's Data-Driven Approaches to Crime and Traffic Safety (DDACTS) project, funded through the Texas Department of Transportation (TxDOT), has worked with more than 75 law enforcement agencies, including bringing more than 20 to full implementation of the model and several more to come in FY 2021.

The biggest difference between the Texas DDACTS project and other grant-funded projects is the focus on long-term relationships with agencies and sustainability beyond a single grant year. Before any Texas agency's officers receive DDACTS training, that agency's analysts or those acting as analysts undergo a phased series of virtual and in-person training courses focused on developing and building analytical skills. In some cases, the training continues for several months before the agency is ready to take the next step.

"Too often, grant programs are cram sessions, trying to impart as much information as possible in a short amount of time," said IADLEST Project Manager Daniel Howard. "We're asking law enforcement agencies to tear down years of learned behaviors developed within the department based on a few days of intense instruction from outsiders. In most cases, that's too big of a leap for an agency to make."

IADLEST and the TxDOT worked together to develop a new comprehensive project strategy that allowed the Texas DDACTS team to get to know the agency's personnel at all levels, from chief to analyst, while building a sustainable foundation for the agency's long-term success with data-driven operational strategies.



IADLEST Team working with the Command Staff of the Victoria, TX. Police Department (December 2019)

Early on, it became clear that an agency cannot have a data-driven operational model nor have long-term success without quality data and the ability to analyze it effectively. Therefore, in addition to building analytical capacity, IADLEST helps agencies build confidence in its analysts and the data being analyzed. The program has shifted so heavily toward developing analytical capacity in participating agencies through virtual workshops that the project hardly slowed down even with the onset of the COVID-19 pandemic and its travelrelated restrictions.

Meanwhile, TxDOT's Selective Traffic Enforcement Program (STEP) has undergone significant changes in the past three years that have shifted the program's performance measures away from citations and toward meaningful motor vehicle contacts that result in crash reductions. These reductions are accomplished by directing the vehicle contacts the STEP program pays for towards high-crash areas identified in a joint effort between the agency and TxDOT. Further, TxDOT encourages STEP agencies to develop their STEP zones based on their DDACTS zones, which allows those additional enforcement resources to have an impact on a broader spectrum of social harms beyond crashes.

"The public may not necessarily know why a patrol unit is working in an area." Howard said. "What potential criminals and traffic violators know is they do not want to be stopped so a conspicuous police presence can impact both behaviors through making high-visibility vehicle stops." Even agencies that cannot yet develop their own analysis can receive crash-related data and some basic analysis thanks to a grant-funded TxDOT partnership with the Texas Department of Public Safety's Highway Operations Center (DPS-HSOC), which develops crash heat maps for STEP agencies.



Harlingen, TX. Police Chief Michael Kester addressing his officers as part of the agency's DDACTS workshop. (March 2020)

Additionally, IADLEST's Large Truck & Bus Traffic Enforcement Training (LT&B) program has taken root in Texas over the past few years, especially after TxDOT strongly recommended agencies attend this training prior to working other STEP projects focused on commercial motor vehicles.

Between the changes in STEP, IADLEST's DDACTS, and LT&B projects and the analytical assistance provided by DPS-HSOC, IADLEST, STEP has become a gateway for agencies to explore data-driven enforcement strategies at their own pace. Since the changes to STEP began in FY 2019, the number of STEP project proposals has more than doubled, which includes a 700% increase in STEP-Commercial Motor Vehicle project proposals.

The result of everyone's efforts is the Texas projects are rapidly becoming standing-room only and getting busier each year since it began October 2015. It was difficult to get a good foothold in Texas before STEP changed as the data-driven concept and engagement seemed too far outside the norm for many agencies to grasp. However, a noticeable change happened when agencies were shown the benefits of programs like STEP, the DPS-HSOC, and IADLEST working in unison as opposed to just being told about them.



Lewisville, TX, Police Chief Kevin Dever addressing his officers as part of his agency's DDACTS workshop. (January 2020)

IADLEST is happy to announce its partnership with TxDOT will continue in FY 2021 with the awarding of \$395,000 for the Texas-DDACTS Project and another \$105,000 for the LT&BTET project. For more information on the Texas DDACTS or the LT&B project, contact Daniel A. Howard at <u>danhoward@iadlest.org</u> or Larry Krantz at <u>Larry.Krantz@TxDOT.gov.</u> Or visit <u>https://www.iadlest.org/training/texasdept-of-transportation</u>

POLICE REFORM: REALITY BASED USE OF FORCE TRAINING by: Aaron Ligo, Instructor/Developer North Carolina Justice Academy

Op-Ed

Leadership Responsibility: Law enforcement administrators and government leaders across the U.S. are faced with considering efforts related to police reform. There are public cries for ending police brutality, increasing oversight, defunding agencies, reducing the numbers of law enforcement personnel at an agency, and even disbanding law enforcement agencies in an effort to redefine public safety. These suggested reforms are a response to well publicized use of force incidents that resulted in the death of or serious injury to citizens. Some of these incidents involve clearly unreasonable conduct by law enforcement personnel. Other incidents involve performance by law enforcement that may be legally reasonable but is clearly far less than optimal. Many more incidents involving less than optimal performance occur every day but do not come to national attention. These

do not come to national attention. These incidents are a direct result of the use of force capability and culture of the law enforcement personnel involved. The public, via the 24hour information cycle, is able to assess the use of force tactics, techniques, and procedures used by law enforcement, yielding increased scrutiny.

In 2012 the International Association of Chiefs of Police and the Department of Justice's Community Oriented Policing Service held a Use of Force Symposium. They published a report from this symposium entitled, *Emerging* Use of Force Issues: Balancing Public and Officer Safety. In this report, the members agreed that: "...the gold standard of use of force management is a leader who possesses complete awareness of the use of force culture within his or her department and knowledge of the attitudes held by all officers[.] Chiefs should be intimately aware of the culture surrounding in-service training within their departments to ensure that the highest level training is being offered." It is critical that administrators take a lead role in shaping use of force training reform efforts.

Use of Force Instructors and Training Directors, whether at the agency or state level, also represent leadership in this area. Much of what this article proposes will not be new to use of force training professionals throughout the country. Many of these instructors have likely voiced these same ideas in their local jurisdictions. It is vital that we, as trainers and subject matter experts, exercise our role in appropriately leading and educating both up and down through our chains of command. We must leverage any influence we have with the training and standards commissions in our respective states to promote reforms in the area of use of force training.

What this article proposes is a systemic reform of our current approach to use of force training. The current system is not meeting the needs of our personnel nor the demands of our society. We need to provide adequate training for our personnel. Effective realitybased skills training must be ongoing throughout a law enforcement professional's career.

Current State of Use of Force Training: A

police officer achieves certification by completing a training program that meets the minimum standards set forth by the state's training and standards commission. This training typically includes a course that focuses on the laws, procedures, and actual physical techniques related to the use of force. In this article, training that involves physical control and defense throughout the use of force spectrum is referred to as Subject Control and Arrest Techniques (SCAT), as it is called in North Carolina.

Typically, an officer trainee is required to attend between 40 and 80 hours of SCAT training in the academy. During this training, the trainee must attend a lecture on the use of force, and must also learn and demonstrate proficiency in a standardized collection of physical control and defensive techniques. These techniques range from handcuffing to pressure points and from takedowns to weapon retention. Depending on the state or the specific agency, the trainee may participate in some scenario-based training. Some states and some agencies provide some genuinely excellent SCAT training at the level of basic law enforcement certification.

It is at the level of continuing sustainment training – In-Service Training – where our profession is deficient. IADLEST published in 2015 a survey delineating the basic and in-service training hours required in each state of the US. Additional information was collected by conducting a review of the websites for the training and standards entities in each state. Some individual agencies may provide substantially more training than the required minimum; but to evaluate a need for reform, we must consider the minimum requirements in each state.

Law enforcement personnel are generally required to attend a certain amount of inservice training annually. Nationally, this training ranges from 40 hours a year to 0 hours a year. The *majority* of states– approximately 30 out of 50 – do not require that *any* of these training hours be dedicated to SCAT training. My home state, North Carolina, is one of them.

The remaining states do require some form of use of force training – but few go beyond viewing a video, completing an online course, or reviewing agency use of force policy. This type of "training" will have little or no effect on law enforcement use of force *capability*. This type of "training" will also have a negative effect on use of force *culture* within an agency, as it does not provide consistent, reality-based training, which would reinforce the desired use of force culture.

To paint a picture of the current state of use of force training in the vast majority of states, I will use the analogy of a professional football team. I will use this analogy because, like law enforcement professionals, football players are required to execute specific physical skills under stress. Football players must observe and properly react to the behavior of humans on the other team. Football players must perform at a high level to succeed. If football player do not perform at a high level, they may lose the game, get seriously injured, seriously injure someone else, or break a rule and get penalized, ejected, or fined. The stakes are obviously much higher in the law enforcement profession, but the concept of skills development and capability are similar.

Imagine that your agency has decided to create a professional football team to compete in the NFL, and you are the team manager. You know that there are some critical skills that your players must learn in order to prevail. You create a training program for your players based on your state-mandated use of force training program. After all, if it's good enough for professional law enforcement officers that are entrusted with the authority to use force against citizens, it must be an excellent training model! You send your players to a one week training camp. At this camp they rotate to several training stations. At one station they learn how to tackle. At another they learn how to kick a ball. At other stations they learn how to catch, throw, run, and how to prevent being tackled. They attend a lecture on the rules of football and watch some videos of other teams playing some games. If you administer a progressive agency, they even play a couple of light scrimmages to put most of their skills together in a scenario that resembles a real game.

At that point, their skills training is over for the rest of their career. No more.

From that point on, they must work 50 hours a week on rotating shifts. They are encouraged to "practice their skills" but must do so on their own time – not during their 50 hour work week. Instructors or coaches are not made available to them, and there is no place made available for them to practice. Once a year they are required to re-read the football rule book. Although they work together, the only time they perform these football skills together is at a weekly game that lasts a few seconds or minutes.

How is your team likely to do in the NFL? Will your players get better or worse over time?

This would be like sending members of your agency's SWAT unit to a one week training course and then not allowing them to conduct regular training after that. It is well established that SWAT units need to conduct sustainment training. These officers typically conduct between 8 and 40 hours of training *per month*. SWAT unit capability is critical, but it is no more critical than the Use of Force capability of the officers that are responding to incidents and calls for service all day, every day.

Consider *any* high stakes profession that includes performing critical skills under high stress – pilot, astronaut, Special Forces soldier, or athlete. Professionals must conduct practical skills training *throughout* their career – law enforcement professionals may be the only ones that do not. Consider *any* physical skill that you, personally, want to learn and maintain. Would you select a training model that involves practicing for one hour a year? Or even four hours a year? Or never practicing?

Poor training guarantees poor performance.

The Actual Results of the Current Method of

Training: Immediately upon completing the basic training course and becoming a law enforcement officer, the new officer begins field training. There is little or no on-going SCAT training. The ability of the new officer to perform the basic control skills that were mandated in the SCAT course immediately begins to diminish. Within a few months, they are performing at a basic, primal level during use of force incidents. Their "techniques" are simply gross motor skills that any human being is capable of: push, pull, grab, hold, punch, and kick. If these gross motor skills are ineffective, then they utilize weapons: Pepper Spray, Taser, Baton, and Firearm. The only reinforcement or on-the-job training they are getting is from senior officers that are even further removed from *their* basic training. Of course, they are trying to do the right thing. They know the law; they remember their training; but they just can't access the skills anymore.

By not providing adequate reality-based use of force training to our personnel, we are undermining our agency's use of force *capability*.

Despite what leadership *believes* their agency's use of force culture is, and despite what written policies state, when there is no ongoing use of force training the *actual* culture surrounding the use of force is formed and sustained at the basic operational level. "Forget what you learned in the academy...we'll show you how it's done out here on the street," is the culture that many new law enforcement officers encounter. This culture develops because the only skills development opportunity the senior officers have is the occasional real-world use of force incident. If

their conduct and performance during these incidents hasn't resulted in a serious injury or death, then their conduct and proficiency has most likely not been evaluated by their agency in years. They are passing along their "hard earned street knowledge" to the new officers. Some of this street knowledge may include the idea that, "If he can talk, he can breathe. Don't worry about him."

By not providing adequate reality-based use of force training to our personnel, we are surrendering our control and influence over our agency's use of force *culture*.

A Model In-Service Use of Force Training Program: So what would an ideal annual Use of Force In-Service Training program look like? If recommendations from CALEAⁱ, IACPⁱⁱ, and use of force instructors are combined to describe a training program, it would look like this:

- 1. Annual training should include review of agency Use of Force Policy and any accompanying legal updates.
- 2. Annual training should also be provided on all approved force options and techniques permitted by agency policy, along with regular refresher training that includes sufficient hands-on, practical training to promote and measure proficiency with the techniques.
- 3. Training should stress the importance of reasonableness in the application of force. Training should promote consideration of options allowing the accomplishment of the same objective in a manner most safe for personnel, the public, and the suspect/subject.
- 4. Training should include scenario-based training, to include a report-writing component, to ensure employee understanding regarding the practical application of physical control techniques, de-escalation techniques, positional asphyxia, the duty to render aid, and the duty to intervene.

5. Use of Force training should simulate actual situations and conditions. The agency should research actual incidents that have occurred within its jurisdiction or within similar jurisdictions and incorporate conditions of those incidents into scenarios. Agency policy, procedure, and desired culture should be incorporated into scenarios.

This is a basic description of Reality-Based Training. As you read through this description, I think you will find it evident that this model of training would be vastly superior to our current model. It would be much more likely to promote professional capability in the Use of Force. And it would be much more likely to promote behavior that aligns with an agency's goals and directives.

An effective training program must provide the means to identify deficiencies in performance and provide a means to correct the deficiencies. The same amount of time that your state requires for SCAT in the basic law enforcement certification training program should be dedicated to in-service SCAT training. If your state mandates 40 hours of SCAT training in the basic course, then all law enforcement officers should receive at least 40 hours of SCAT training annually. The time allotted to this training in the basic course assumes that the students have no experience with the material. Providing the same amount of time for inservice training should be sufficient to allow for physical skills training and practice, and incorporation of those skills into scenario-based training. Skills training is more effective when delivered in smaller, more frequent blocks rather than one large block. These 40 hours of annual training could be broken up into five different 8-hour days or ten different 4-hour blocks of training.

These training hours should include practical firearms *training* but should not include annual firearms *qualification*. Annual qualification is not training and does nothing to promote effective and reasonable use of force by officers. This annual training should include training on any intermediate weapons that are carried by all officers but should not include

specialty intermediate weapons training. An officer's required recertification with the Taser, for example, should be separate. This training should include explanation of how law, policy, and procedure are integrated into practical use of force but should not include simple policy review or legal updates that could be completed in a separate setting. Annual SCAT training should remain focused on physical skills practice and practical application of knowledge, skills, and abilities during use of force incidents rather than academic review of written material.

A minimum of 25% of total training time should be devoted to realistic scenario-based training. Scenario-based training is where the real payoff is. Imagine if every officer in an agency was required to participate in the following scenario during annual training:

You arrive on scene to assist other officers who are making an arrest. Upon arrival, you see two officers kneeling on a handcuffed suspect. The suspect is saying, "I can't breathe," and he sounds like he is in distress. There is a small crowd forming and the officers ask you to keep the crowd back. Now, show me what you would do?

If the officer in this training scenario makes the wrong choice, or doesn't follow agency policy, or selects a less than optimal technique, or even speaks to the public in a way that is not desirable to the agency leadership, then the officer can be coached and can repeat the scenario to "get it right."

If officers have had to intervene during scenario training, they will be much more likely to do so in the real world. Additionally, the officers that are kneeling on the suspect will know exactly *why* their fellow officer is intervening. This is just one example of how agency policy and procedure can be incorporated into annual use of force training in such a way that it has a profound impact on agency culture. Simply having officers read a policy that addresses the "Duty to Intervene" will not have the same impact on culture at your agency. It might enable you, as the agency *manager*, to "check a box," but it will not enable you, as the agency *leader*, to effectively shape culture at your agency.

How to Establish this Model Training Program:

Proper training requires an investment of resources. Skills training requires skills practice with qualified coaches. Once the basic skills have been practiced, then the coaches must begin to put the skills into context - scenarios. If skills, policies, and legal updates are not put into context, then it is unlikely that they will be successfully applied during actual events. Instructors must be trained in order to be able to properly deliver effective Reality-Based training. Improper scenario-based training can create "training scars" and can do more harm than good. Instructors must be taught how to progressively increase the demands on the trainee so that they ultimately succeed in the training program. There must be enough instructors and sufficient facilities to enable officers to conduct this training throughout the year. There must be enough staff so that personnel can rotate through this training while on the job.

Larger agencies may be able to install this training capability under their own roof. Smaller agencies may have to pool resources or rely on relationships with certified training programs at the community colleges or state training institutes. This is precisely the same way that basic law enforcement training is currently being delivered across the country. The existing basic training systems can be upgraded to provide the necessary in-service training as well.

Why Should We Invest These Resources? The same paper published by the IACP in 2012, *Emerging Use of force Issues: Balancing Public and Officer Safety*, also stated that, "A progressive city should view a highly resourced and trained police force as the appropriate cost of doing business rather than using public funds to establish an annual line item for legal settlements." In other words, we should invest in properly training our personnel rather than budgeting money to compensate people they harm when they do their job poorly due to inadequate training.

This article is not introducing radical new information – I believe that most of us know this type of training is critically necessary.ⁱⁱⁱ The

barrier to this type of training reform will be that there is not enough money and not enough personnel. Governments will say, "This type of a training program is too expensive – we just can't afford to do it!"

We can't afford <u>not</u> to do it. Failing to provide adequate use of force training for our personnel is already causing unnecessary death and injury to both citizens and law enforcement personnel, sparking civil unrest and riots, destroying the careers and lives of our personnel, and even putting them in prison. It is undermining any community policing efforts we may be implementing, warping public perception of law enforcement officers, and leading to significant legal and policy changes within our profession. And it is *already* costing us millions of dollars annually.

Our society needs law enforcement but will not – and should not – tolerate inadequately trained personnel that are empowered with the authority to arrest and use force. Properly trained personnel will be more likely to control situations with less force. They will be less likely to react out of fear or anger. They will treat people with respect and dignity during use of force incidents. They will be *trained* to do so rather than simply being *told* to do so. In joining the law enforcement profession, our personnel have fulfilled a calling, yet we are not properly training them to succeed. We are setting them up for failure.

We develop, invest in, and implement community policing initiatives that are essentially designed to mitigate the impacts of an improperly trained work force. Properly training our personnel so that they use force reasonably and professionally should be seen as the foundation of any community policing initiative. Calls for police reform have already led to the enactment of laws and policies that are changing and restricting the way law enforcement agencies respond and use force. If we, as a profession, continue to inadequately train our personnel, then our society will continue to restrict our role and capability. Society will draw the conclusion that we are unable to wield the authority that society gives us in a reasonable and careful manner.

Paying out settlements to citizens for the performance and behavior of our personnel is costing millions of dollars annually. This performance and behavior is largely predictable, given the training that our personnel receive.

How Do We Get the Resources We Need? Most

agencies are already under-funded. Most jurisdictions are forced to make serious concessions with their budgets. Many jurisdictions assess the cost of providing adequate use of force training for its personnel and decide that it is more cost effective to continue on without it and hope that a major financial settlement is never required. The money is spent on the absolute necessities before it is spent on the things that would be "nice to have." Amazingly, use of force training is not considered an absolute necessity.

Just like money allocated for salaries, or annual handgun qualifications, or replacing vehicles or ballistic vests, the funds will not be allocated unless it is required for <u>mandatory</u> expenses.

Across the country, there have been many examples of law enforcement administrators siding with those that call for reform. Most of us can agree that we need to examine racial disparity in the way law enforcement conducts business. Most of us can agree that there should be some way to improve relations between law enforcement and the rest of society. What most law enforcement administrators and use of force instructors know that the rest of society may not know, is that law enforcement personnel do not receive adequate use of force training; and this – predictably – leads to these horrible tragedies that have sparked the calls for reform in the first place.

If we, as a profession, want to genuinely reform and improve our performance – if we truly want to be the professionals that we claim to be – then we need to conduct training like professionals. The necessary training will not be funded and will not be possible until it is mandatory for all agencies. This will not happen unless the law enforcement standards organizations in each state *make it* mandatory.

Law enforcement administrators should demand that adequate, annual, Reality-Based Use of Force

In-Service Training be made mandatory within their state. The IACP has recognized that it is time to develop and recommend a Model In-Service Use of Force Training Program – this should be made a priority. Organizations such as the IACP and PERF should recommend that this annual training be mandatory. Accreditation organizations such as CALEA should require this on-going sustainment training for agencies that wish to be certified. Law enforcement use of force instructors and training directors should push for training reform and develop solutions to barriers within their state. Police unions and employee organizations should be demanding that their members receive the training that is necessary to enable them to safely and effectively do their jobs.

There was a time when law enforcement officers were merely given a gun and a badge and were sworn in to do their duty with no basic training at all. Society and members of the law enforcement profession demanded more and now there are minimum standards for selection and training at the entry level. Now it is time for our profession to take the lead in the next step of development and demand that our personnel receive adequate annual sustainment training in use of force tactics, techniques, and procedures.

This would be true law enforcement reform that would truly make a difference.

¹ CALEA 2020. "Proposed Revision to Law Enforcement Standard 4.1.1 Relating to Reasonable Force," Accessed 8/24, 2020. <u>https://www.calea.org/forum/topic/proposed-</u> revision-law-enforcement-standard-411-relating- reasonableforce

ⁱⁱ IACP, 2017/2020. "NATIONAL CONSENSUS POLICY AND DISCUSSION PAPER ON USE OF FORCE", Accessed

^{8/24/2020. &}lt;u>https://www.theiacp.org/sites/default/files/2020-</u>07/National Consensus Policy On Use Of Force%200710 2020%20v3.pdf

ⁱⁱⁱ Bellisle, Martha. 2020. "Police 'Woefully Undertrained' on Using Force, Experts Say." Apnews.com, June 12, 2020. Accessed August 24,

^{2020. &}lt;u>https://apnews.com/eb97573847bd1adb8bf5fd65ac2fe</u> 711



About the Author: After serving in the US Marine Corps, Aaron served as a police officer in Carrboro and Durham, NC. He is currently an Instructor/Developer at the NC Justice Academy, and is a certified Subject Control/Arrest Techniques Instructor.

DUTY TO INTERVENE DUTY TO RENDER AID by: Jack Ryan, Attorney



In June of 2020, following the death of George Floyd in Minneapolis, activist groups, state and federal law makers, and local mayors have sought to create a duty on the part of law enforcement officers to intervene when they observe excessive force. There is little challenge to creating such a duty since all officers have had a Constitutional Duty to Intervene for decades.

The duty to intervene under the Constitution is broader than just use of force cases since it extends to the duty to intervene in any unconstitutional conduct. The federal courts in a number of cases over decades, have determined that officers have a constitutional duty to intervene in unconstitutional conduct and that the failure to do so leads to equal civil liability as the officer committing the unconstitutional conduct.

Officers should also recognize that officers who fail to intervene in unconstitutional or illegal conduct are also violating their oath of office based on their oath to uphold the Constitution as well as state and federal law.

Some History:

In Prister v. City of Rivera Beach, 208 F.3d 919 (11th Cir. 2000), the United States Court

of Appeals for the 11th Circuit noted that the duty to intervene in excessive force was clearly established in 1994, the year when force was

used on Priester. In doing so, the 11th Circuit cited prior cases that determined that an officer who fails to intervene will be civilly liable for such failure. The court cited language

from <u>Byrd v.Clark</u>, 783 F.2d 1002 (11th Cir. 1986) that held: "If a police officer, whether supervisory or not, fails to intervene when a constitutional violation such as an unprovoked beating takes place in his presence, the officer is directly liable under Section 1983.). The <u>Byrd</u> court cited numerous decisions from other federal circuits in reaching this conclusion including a 1972 case decided by the United

States Court of Appeals for the 7th Circuit which held:

We believe it is clear that one who is given the badge of authority of a police officer may not ignore the duty imposed by his office and fail to stop other officers who summarily punish a third person in his presence or otherwise within his knowledge. That responsibility obviously obtains when the nonfeasor is a supervisory officer to whose direction the misfeasor officers are committed. So, too, the same responsibility must exist as to nonsupervisory officers who are present at the scene of such summary punishment, for to hold otherwise would be to insulate nonsupervisory officers from liability for reasonably foreseeable consequences of the neglect of their duty to enforce the laws and preserve the

peace. <u>Byrd v. Clark,466F.2d6 (7thCir.</u> <u>1972).</u>

As such, the courts have held for nearly a half century, that officers have a duty to intervene in excessive force cases.

The duty to intervene may extend beyond

excessive force cases and include a duty to intervene in any unconstitutional conduct. For example, in *Smith v. Hunt*, 2010 U.S. Dist. LEXIS 101526 (N.Dist. Illinois 2010), the court noted that a police officer "has a duty under §1983 to intervene to prevent a false arrest or the use of excessive force if the officer is informed of the facts that establish a constitutional violation and has the ability to prevent it."

Similarly, in *Bunkley v. Detroit*, 2017 U.S. Dist. LEXIS 147172 (E. Dist. Michigan), the Feral District Court held that since officers were on notice that they have a duty to intervene to prevent violations of constitutional rights, this duty extends to unlawful arrests and detentions.

Language from *Crawford v. City of Chicago* 2014 U.S. Dist. LEXIS 57720 (N. Dist. Illinois 2014), makes clear that there is an existing duty to intervene in any unconstitutional conduct where the officer knows a constitutional violation is occurring and the officer has a realistic opportunity to intervene and prevent the harm from occurring. The court noted:

An officer has "'an affirmative duty to intervene to protect the constitutional rights of citizens from infringement by their law enforcement officers." ' Randall v. Prince George's Cnty.302 F.3d 188, 203 (4th Cir. 2002) (quoting Anderson v. Branen, 17 F.3d 552, 556 (2d Cir. 1994)). This duty attaches when the officer "observes or has reason to know that a constitutional violation is being committed and possess a realistic opportunity to intervene to prevent the harm from occurring." Yang v. Hardin, 37 F.3d 282, 285 (7th Cir. 1994). Additionally, In order for an officer to be held liable under section 1983 in cases of inaction, the plaintiff must show (1) that excessive force was being used, (2) that a citizen has been unjustifiably arrested, or (3) that any constitutional violation has been committed by a law enforcement

official: and that officer had a realistic opportunity to intervene to prevent the harm from occurring.

It should be noted that the language by the court does not limit intervention to use of force but instead includes any constitutional violation by a law enforcement official.

Thus, the law under §1983 is clear that officers have civil liability for a failure to intervene when they observe or become aware of unconstitutional conduct and have a reasonable or realistic opportunity to intervene and prevent the harm from occurring. It should be noted that some Circuits have not adopted the "all constitutional violations" and may place limits on the duty to just use of force events. Some observations should be apparent, single strike use of force cases or sudden unanticipated gunfire are unlikely to bring about a failure to intervene claim against officers who did not use force, while multiple strikes, prolonged force or gunshots over a period of time are more likely to support a failure to intervene claim.

Some Practical Words on Intervention:

As the result of the death of George Floyd, Officer Chauvin was charged with homicide, while the other officers present were also criminally charged based on a failure to intervene in Chauvin's 8 plus minutes of kneeling on the restrained Floyd's neck.

Every single officer should momentarily place themselves in Chauvin's current incarceration and ask themselves how badly Chauvin must wish that the other officers had intervened in his actions. By the same token the other officers, who are all criminally charged, how badly do they wish they had intervened in Chauvin's action.

The slight act of intervention may or may not have stopped the death of George Floyd, but it would clearly have led to an entirely different scenario for the four officers and the rest of law enforcement around the United States, who are bearing the brunt of the public's frustration with conduct that even law enforcement officers have universally condemned. Some Cases on the Failure to Intervene:

Sweet v. City of Hartfork, 2018 U.S. Dist. LEXIS 87221 (D. Conn. May 24, 2018)

On October 13, 2013, Plaintiff met up with friends for dinner at a sports bar in downtown Hartford, and at around 9:30 p.m. Plaintiff drove home alone. While driving home, Plaintiff noticed lights in his rearview mirror, but did not see the lights again after he made a turn. Officers Fancher, Corvino, and Reeder were riding together in a police vehicle when they heard a dispatch which indicated that another officer had tried to stop a silver or grey SUV. Officer Corvino then observed a vehicle which matched the dispatch description and followed the vehicle to a parking lot of an apartment building. Officer Corvino then pulled up and stopped behind the vehicle, which was being driven by Plaintiff.

After Plaintiff parked, he saw lights and people coming towards his car. Officers Fancher and Corvino approach the front driver's door of Plaintiff's vehicle, while Officer Reeder approached and opened the passenger door. While Plaintiff was still in the driver's seat, Officer Fancher punched Plaintiff in the face. Plaintiff was pulled from the vehicle by officers and brought to the ground. Plaintiff was then handcuffed and arrested. As a result of the incident, Plaintiff brought suit against the officers.

As part of his lawsuit, Plaintiff asserted claims for failure to intervene against each of the Defendant officers. In analyzing these claims, the Court first noted that police officers have an affirmative duty to intervene to protect the constitutional rights of citizens whose rights are being violated by other officers in their presence. The Court then explained that an officer's liability for failure to intervene "may attach only when (1) the officer had a realistic opportunity to intervene and prevent the harm; (2) a reasonable person in the officer's position would know that the victim's constitutional rights were being violated; and (3) the officer does not take reasonable steps to intervene." Turning to the facts of the case, the Court stated that surveillance video of the incident established that there was approximately twenty seconds between the Officers' first contact with Plaintiff and when Plaintiff was brought to the ground. The Court explained that a jury could find that Officers Fancher and Corvino had a brief opportunity to prevent each other's use of force. Moreover, the Court noted that a jury could find that Officer Reeder failed to intervene after Plaintiff was hit with the initial blow or when Plaintiff was on the ground being subjected to force. Therefore, the Court did not dismiss Plaintiff's claims for failure to intervene.

Lewis v. City of Chicago, 2005 U.S. Dist. LEXIS 7617 (N.D. Ill. Apr. 11, 2005).

On May 26, 2004, Officers Soto and Arnolts were working in plain clothes and were assigned to a Chicago Transit Authority (CTA) train. The Officers saw Christopher Hicks violate a CTA ordinance by walking between cars while the train was moving. Officer Soto approached Hicks, and Hicks ran from the train. The officers searched for Hicks and found him approaching a bus stop. Officer Arnolts then told Hicks, "Chicago Police, stop."

Under Plaintiff's version of the facts, Officers Arnolts and Soto then "jumped" Hicks as he was standing against a wall. The Officers repeatedly punched Hicks until he fell to the ground and rolled onto his stomach. Both officers kicked Hicks, and one of the Officers straddled Hicks and began to choke him. Two uniformed officers, Pena and De Van, then arrived on scene, and Plaintiff presented evidence that Officer Soto had Hicks in a choke hold when the uniformed officers arrived. Officer Arnolts was laying across Hicks' legs. Officer Pena then performed a three-point kneeling stance to successfully handcuff Hicks. Hicks was unresponsive immediately after the handcuffing. According to Plaintiff, Officers Pena and De Van did not intervene to stop Officer Soto from choking Hicks.

Plaintiff argued that Officers Pena and De Van should have intervened to stop Officer Soto

from choking Hicks. In discussing an officer's duty to intervene, the Court stated that, "[a] police officer who is present and fails to intervene to prevent other police officers from using excessive force can be liable under § 1983 if that officer has reason to know excessive force is being used and a realistic opportunity to intervene to prevent the harm from occurring." Turning to the facts of the case, the Court pointed out that Hicks was still alive when Officers Pena and De Van arrived on scene. Moreover, there was evidence that Officers Pena and De Van witnessed Officer Soto use the choke hold on Hicks for at least a couple of minutes. Other witnesses also stated that Officer De Soto had Hicks in a choke hold and not a head lock. Accordingly, this evidence created a genuine issue of material fact regarding whether Officers Pena and De Van saw Officer De Soto using the choke hold and whether the officers had a reasonable opportunity to intervene to stop the choke hold.

Dyksma v. Pierson, 2018 U.S. Dist. LEXIS 117503 (M.D. Ga. July 16, 2018)

Nicholas Dyksma died after Sheriff's Deputy Tommy Pierson pinned him to the pavement and used his knee to apply compression to Dyksma's neck. Pierson applied the compression once for a period of 20 seconds as Dyksma was being handcuffed and searched, and then applied the compression again for a period of 17 seconds after Dyksma was handcuffed, physically incapacitated, and no longer resisting. Officers had originally received a call of a person (Dyksma) slumped over the wheel of a pickup truck at a Circle K. When officers arrived Dyksma took off and led the responding officers in a pursuit, which ultimately ended with Dyksma being forced off the road. Dyksma was forcibly removed from the vehicle and placed face down on the shoulder of the road. While another deputy, was handcuffing Dyksma, Deputy Pierson restrained Dyksma's upper body by placing his knee on Dyksma's neck for approximately 20 seconds. After Dyksma had been handcuffed and searched,

Pierson and another deputy put Dyksma back in a prone position and Pierson again used his knee to press Dyksma's neck into the ground for another 17 seconds. After these events, Dyksma was transported to a medical center but could not be revived.

In its analysis, the Court considered whether Deputy Pierson was entitled to qualified immunity from suit. The Court determined that it was not clear that the first 20 seconds of neck compression-while Dyksma was being handcuffed and searched-constituted excessive force under clearly established law. However, the Court then stated, "[b]y August 2015, it had long been clearly established that after a suspect is arrested, handcuffed, and completely secured, and after the risks of danger and flight have passed, significant force that is 'wholly unnecessary to any legitimate law enforcement purpose' is excessive." Therefore, the Court found "that on the date of Nicholas's death, it was beyond debate that a law enforcement officer who jams his knee onto the neck of a helpless and incapacitated arrestee violates that arrestee's Fourth Amendment right to be free from excessive force." Consequently, Pierson was denied qualified immunity.

The Court also considered whether the other officers who were present at the scene were entitled to qualified immunity on Plaintiff's claim for failure to intervene. The Court explained that although Pierson's second neck compression of 17 seconds constituted excessive force, it was administered without warning. The Court found that given the limited duration of Pierson's actions and the unforeseeability of Pierson reapplying his knee to Dyksma's neck, it did not violate clearly established law when the other officers did not intervene. Thus, the other officers were entitled to qualified immunity on this claim.

Duty to Render Aid:

In addition to a duty to intervene, law enforcement also has a duty to render aid with respect to arrestees and particularly those persons who have been subject to a use of force. While the death of George Floyd in Minneapolis raises issues related to force and the duty to intervene, the events also raised issues of failure to render aid when Floyd expressly asked for help indicating he could not breathe, his neck hurt, and his stomach hurt. Even in a case where force is reasonably deployed, the failure to render aid can be a Constitutional Violation.

The vast majority of these cases center on failures to get medical aid to a person who has been injured or is indicating, while in custody, that they are ill.

LEGAL UPDATES



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Boudin v. Harsson 8thCIR 22JUN2020 Key Phrases: Qualified Immunity, Use of Force, Taser, Intermediate Force, Clearly Established

The Eighth Circuit reversed the district court's denial of qualified immunity and statutory immunity to a police trooper in a 42 USC 1983 action alleging excessive force (and assault and battery under state law). The Eighth Circuit held that it was reasonable for the trooper to believe that plaintiff was attempting to evade arrest by flight where the trooper knew that multiple officers had attempted to stop a white male riding a black motorcycle with no license plate for speeding and that the suspect had evaded arrest multiple times by fleeing at a high rate of speed. The court stated:

"there can be little doubt but that a reasonable officer could conclude that fleeing from four other officers at speeds exceeding 100 miles per hour in evening traffic demonstrates an extreme indifference to the value of human life."

Likewise, because the trooper believed the plaintiff had fled from no fewer than four other

officers, traveling at speeds exceeding 100 miles per hour in evening traffic, he could reasonably conclude that defendant posed an immediate threat to the safety of the officers and others. The court also held that it was not clearly established at the time that it constituted excessive force in violation of the Fourth Amendment to use a taser, without warning, against a suspect perceived as attempting to flee from officers. Therefore, the trooper was entitled to qualified immunity on the section 1983 excessive force claim.

Editor's Note: Join us this week for The Reasonable Officer and Black Lives Matter to learn more about the Reasonable Officer standard.

To read or download the full opinion, \underline{CLICK} <u>HERE</u>

United States v Patton

Key Phrases: PC in Warrant, Reliance, Good Faith

Detective Mings submitted an affidavit relating that an informant had been inside PaWon's home and seen him take a retail quantity of methamphetamine from his safe. The affidavit did not discuss the informant's criminal history, his likely motivation for cooperation, or his reliability. It contained some facts that corroborated his story, but many of those facts could have been learned by someone who had not been inside PaWon's home. The informant's statements were not recorded or transcribed. The state judge issued a warrant leading to the discovery of the expected evidence. At a hearing on PaWon's motion to suppress the evidence, the informant did not appear and Detective Mings had little memory of what was said in state court. The federal judge proceeded as if the informant had not testified and deemed the affidavit alone insufficient to establish probable cause but concluded that the police were entitled to rely on the warrant. After pleading guilty, PaWon was sentenced to 76 months' imprisonment. The Seventh Circuit affirmed. It would not have been impossible for an officer to have "an objectively reasonable belief in the existence of probable cause." Nor

would every reasonable officer believe that unrecorded oral presentations to a judge must be ignored. A federal court must assume the state judge was doing his job, absent contrary evidence, and would have issued a warrant only after finding that probable cause existed under the governing precedents.

To read or download the full opinion, <u>CLICK</u><u>HERE</u>

Hinkle v. Beckham County 2020 US CT OF APPEALS

Key Phrases: Body Cavity Search, Policy, Monell Liability

"A series of coincidences and mistaken beliefs led to the arrest of Laramie Hinkle for possessing a stolen trailer that was not even stolen. And things got worse from there."

After an investigation showed Hinkle was innocent, he sued, alleging his arrest, the press release, and the body-cavity strip search by the sheriff's office that arrested him were all unlawful. While the Tenth Circuit sympathized with Hinkle, it found the deputy sheriff had probable cause for the arrest, that the deputy arrested Hinkle based on that probable cause, and that the district court did not err in dismissing Hinkle's claim that the sheriff issued the press release to retaliate against Hinkle. But the Court concluded the body-cavity strip search was unreasonable under the Fourth Amendment; and because this unlawful search was based on the County's indiscriminate strip-search policy, the Court held the Beckham County, Oklahoma, was directly liable.

To read or download the full opinion, <u>CLICK</u> <u>HERE</u>

United States v. Magdirila Key Phrases: Inventory Search

The Ninth Circuit affirmed the district court's denial of defendant's motion to suppress contraband found in the vehicle defendant was driving. The district court held that the evidence was discovered during a valid inventory search.

As a preliminary matter, the panel held that defendant has not waived arguments challenging the district court's denial of his motion to suppress. The court held that the officers' failure to precisely comply with police department towing policy by failing to completely fill out the CHP 180 form did not render the search invalid. By creating a list of recovered items and incorporating it into a CHP 180 form, the officer complied substantially with the policy's direction to inventory the property in an impounded vehicle. Furthermore, given the early stage at which an officer decided to impound the vehicle, it is a reasonable view of the evidence that the officer's intent at the time the vehicle was impounded was administrative rather than investigatory.

To read or download the full opinion, \underline{CLICK} <u>HERE</u>



About the author: IADLEST member Bruce-Alan Barnard, JD, LLM [bruce@broadcast.blue]is a former federal prosecutor and retired FLETC Legal Instructor who has trained over 30,000 state, local, tribal, and federal law enforcement officers across the country over the last 20 years. He

received his taw degree from the University of Florida and advanced law degree from the University of Alabama. He is a subject matter expert in the legal aspects of law enforcement, specializing in search and seizure law and electronic surveillance law. Bruce-Alan provides weekly updates on cases that impact the legal aspects of law enforcement by hosting the weekly podcast "Broadcast Blue" at <u>www.broadcast.blue</u>

OREGON POST UPDATE by: Eriks Gabliks, Director, Oregon POST

• Due to the COVID-19 pandemic, DPSST suspended all Criminal Justice Basic and Leadership training courses on March 17, 2020. The suspension affected all classes at DPSST's 235-acre campus and also regional training sites. On May 4, 2020 we restarted training delivery with updated CDC guidelines that meet Governor Brown's Executive Orders regarding social distancing by implementing a plan of action for the safety of staff, students and guests. Our protocols can be found online at https://www.oregon.gov/dpsst/CJ/Document s/DPSSTHealthandSafetyProtocols.pdf

- With the suspension of training at the Academy in March, more than four dozen DPSST staff members were tasked to help support operational needs of Oregon Emergency Management. DPSST staff served in various roles as members of the COVID-19 incident management team, emergency coordination center, joint information center, and the state's PPE distribution center.
- DPSST activated it's Emergency Action Plan during the COVID-19 global pandemic. The state's emergency coordination center (ECC) moved from its facility to the Academy in the middle of April because it ran out of room for the staff from various state and federal agencies. The ECC used all Academy classrooms and the auditorium, and wrapped up its work on May 22, 2020, with employees returning to their home agencies.
- DPSST staff is overseeing the Battelle Critical Care Decontamination System, based in Eugene, which is cleaning N95 respirators free of charge for health care and first responder organizations. This system is provided to more than 700 organizations in Oregon thanks to FEMA and the Department of Health and Human Services.
- The Executive Committee of the Board on Public Safety Standards and Training (BPSST) convened on March 31, 2020, at the request of DPSST staff. The Committee adopted temporary rules allowing for flexibility on some of the time frames and standards affecting the certification and licensure of all of the disciplines within DPSST's jurisdiction, specifically focused on continuing education/maintenance training requirements.
- The Oregon Public Safety Academy remains open but closed to visitors. Only students, staff and deliveries are allowed on campus at least until December 31, 2020.

- To stay engaged with stakeholders around the state, DPSST is sending an update on a weekly basis providing an update on agency activities and other pertinent information.
- The 2020 Fallen Law Enforcement Officer Memorial ceremony scheduled for May 5, 2020, was held at the Academy in a modified format. This year's ceremony was closed to all with the exception of Academy staff and a limited number of invited honor guard members. DPSST live-streamed the ceremony and posted a video on its Facebook page for the friends and families of the fallen: https://www.facebook.com/DPSSTOregon/
- There continues to be much interest in the work that DPSST does on both the professional standards and training fronts. We have received a number of calls and emails from elected officials and community members asking for information as to what we do. DPSST welcomes the interest and has responded to each inquiry.
- DPSST has been proactive and shared our • work with state legislators, local elected officials, community partners, and media by holding a number of Webex sessions that will covered three different areas: basic police training (one hour), police use of force training (one hour), and DPSST criminal justice professional standards (one hour). This doesn't mean that our other programs aren't important. These are the three areas that many Oregonians want to know more about due to the tragic death of George Floyd due to the actions of a Minneapolis police officer. To take a look, please go

to <u>https://www.oregon.gov/dpsst/CJ/Pages/I</u> nformationalFiles.aspx

• Governor Kate Brown has appointed a Public Safety Training and Standards Task Force to recommend improvements to the training and certification of Oregon law enforcement officers. This will include recommendations on: How to apply best practices, research, and data to officer training and certification; How to best incorporate racial equity into law enforcement training and certification; Use of force training, including best practices on incorporating concepts of de-escalation; and the composition of the Board of Public Safety Standards and Training and how to include additional public participation. DPSST welcomes the review and will provide any assistance needed.

- The Oregon Secretary of State Audits Division has commenced a performance audit of DPSST. The audit will be generally focused on law enforcement use of force practices, police accountability, and community policing objectives. DPSST welcomes the review and looks forward to working with the auditors.
- COVID-19 Guidelines: DPSST offices at DPSST training venues – DPSST work areas are meeting and exceeding the CDC and Governor's directives related to social distancing. DPSST training venues are under different criteria as they cannot always meet the six foot social distancing guidelines especially when providing handson training like firearms, defensive tactics, firefighting, etc. The Training Division is mitigating risks in training venues through PPE, cleaning, and other strategies outlined in the updated DPSST Safety & Health Protocols that were developed by staff and approved by the Oregon Health Authority.
- Governor Kate Brown recently called a special session of the Oregon Legislative Assembly to address urgent police accountability and COVID-19 legislative matters. DPSST has been actively working with legislators and stakeholders during the session. Discussions included militarization of police, use of tear gas by police, limitations or elimination of neck restraints by police, arbitrator rulings of police misconduct, creating a statewide database on police officer discipline matters, oversight of police use of force investigations by the state attorney general's office, and a duty for police officers to report misconduct of fellow officers.

DPSST is working with two new law enforcement agencies being formed in Oregon. The Cow Creek Band of Umpqua Tribe of Indians in Southern Oregon is moving forward with the creation of a police department. The selection process for their chief of police is underway. DPSST is working with them on Senate Bill 412 compliance (granting full police officer powers statewide) and state certification and training issues. It will be a hybrid model with tribal officers working together with county deputies continuing under contract. Also, the Board of Trustees at Oregon State University have taken action to end their long-term contract with the Oregon State Police for law enforcement services and form their own police department by the end of this year. The University Police Department will be a blended model with both certified full-time law enforcement officers and campus public safety and security officers.

Not law enforcement related, but worth sharing: DPSST trained more than 400 members of the Oregon National Guard in July who will be ready to assist if needed as certified wildland firefighters as the fire season forecast for the summer looks dry and hot. The training, housing, feeding, and distribution of PPE will take place at the Academy during a ten-day period with costs reimbursed by the Department of Defense

ACUMEN IN FIVE DOMAINS OF LEADERSHIP TO NAVIGATE THE CONTEMPORARY WORKFORCE.

By. John B. Edwards, M.S.S., Retired Special Agent in Charge Georgia Bureau of Investigation

Acumen is defined as keenness and depth of perception, insight or discernment, especially in practical matters. Such has become very difficult but very important to achieve in our modern world of leadership. The complexity that makes up our environment joined with the interrelated complications blended into the world's contextual richness cause distortions, fuels assumptions, and develops mental models quick to form and difficult to change. These conditions influence everyone and tend to skew our perception. Leaders must work to be objective, informed and accurate in the way they see, interpret, and act. Leaders must view today's work-place environment as complex, complicated, and contextual. As a result, the leader must be proactive in in-depth sensemaking to form accurate interpretations of reality. The ability to make sense of issues and then frame them in specific terms that are understood clearly is a critical function of contemporary leadership.

As a leader, we lead a diverse group of human beings who all have feelings, attitudes, and beliefs that may differ from one to the other. No matter their race, sex, creed, age, beliefs, or religion we have a responsibility to value them and become *their* leader. We live in polarized times where ideology may cause tensions and promote turbulence within the workplace. Leaders must not fall victim to subjective feelings or beliefs that drive these contrary forces that divide rather than unite. Leaders must forge coalitions and influence people toward common goals and outcomes that meet or exceed the expectations of the organization they serve.

Leadership involves a constantly altering relationship between people, power, identity, and context where constant tension, forces, and influences produce the management styles between freedom and control. This nature comes in concert with actions, events, perceptions, knowledge, agency, and passion that operate between stability and chaos in an environment of parallels and paradoxes. All are influenced by and dependent on developing currents of rich contextual features interconnected in complexity in both individual and group social dynamics.

Thus, leadership becomes an ecosystem involving the utility of personal traits, competence, confidence, humility, advocacy, relationships, and practice. It all depends on one's ability to be self-aware, self-reflective and self-regulated in order to influence and navigate the context-rich, complex and dynamic work environment that the leader navigates.ⁱ Central to this concept is a leader's capacity to strive to remain self-disciplined toward objectivity, openness to change, while making skillful empathetic and informed judgments in his or her role of processing information, interacting with others and making decisions.ⁱⁱ

Quality relationships are essential to leadership. The foundation and key element to any architecture to develop and sustain a relationship is trust. Building and maintaining trust is best found in the acronym R.O.C.C. that represents Reliability, Openness, Competency, and Compassion.ⁱⁱⁱ

Reliability defines someone who can be counted on to do what they say they will and as a result build a reputation of credibility. Openness describes someone who is honest, demonstrates integrity, and practices complete transparency. Competency involves the knowledge, skills, and abilities, with the conceptual capacities, personality traits, and experiences that result in sound performance. Competency involves a coordinated waltz between the wisdom to know and the discipline to behave consistently with the accurate knowledge to drive conduct. Compassion uses empathy as a filter for the perspective to factor into the equation of situational awareness.

Trust is essential to leadership and the glue that holds relationships together. Relationship is key to communication and maneuvering through the intuitive and emotional forces that captivate and drive human behavior.

This article will focus on the component of competency. Behaviors that reflect competence and trustworthiness enhance the credibility of a leader. While an inability to demonstrate relevant job knowledge hurts credibility, as does behavior that isn't aligned with the organization.^{iv} This science illustrates the importance of a leader's competency. Paramount to achieve and maintain competency is the ability to not fall victim to ignorance through intellectual laziness or be deceived from being contextually blind. Leaders must see objective reality over a subjective perception. In addition, leaders must value growth and development, open-mindedness, employees voicing concerns through feedback, procedural fairness and communication skills.

First and foremost, is the leaders embracing of and devotion to a growth mindset. This is a constant and on-going drive toward learning, growing, and developing the capacity within one's domains of craft. Central to this concept is the dedication to effort as a tremendous utility and value in everyday work. Effort defines the time spent to observe, study, analyze, learn, and evaluate the contextual features found within the domains of competency in one's profession and develop an adaptable expertise in that subject matter.^v With competence comes confidence that promotes leaders to feel comfortable in their own shoes and become self-assured rather than insecure. Secure leaders engage, adapt, delegate and manage well. This same mentality must include all subordinates where their growth and development are viewed by the leader as crucial to creating an individual and group motivation to becoming a learning organization that performs well.

Second, is the dedication and discipline to an active open-mindedness regarding the interpretations of the totality of the facts and circumstances and how they integrate into the contextual features in any given situation, issue, or event. Central to this is a process where context is viewed through four different lenses or perspectives. This four-framed model perspective impacts the way leaders think about things, surfaces possibilities not seen before, and helps understand the dynamics of problems.^{vi} The first lens is the structural or rational side. This perspective deals with roles, responsibilities, strategies, goals, policies, procedures, technology, and environment. The second lens looks at the human side, the perspective regarding the impact or effect upon the subordinates or employees. This perspective incorporates empathy and relationships. The third lens involves the political perspective regarding how scarce resources are divided, who gets what and why. This perspective involves power, conflict, and competition that occurs in every workplace. Third and finally, is the symbolic lens. This perspective examines the culture, meaning and myths that live within the organization. By looking through these four

lenses separately, leaders become more aware and better informed regarding decisions and their consequences. This involves a divergent thought process where we withhold judgment and seek to find things out before shifting to a convergent thought process that is driven to sort things out.

Third, is the organizational culture created by the leader that obligates people to speak up and provide feedback absent any interpersonal fear of retribution. A feed-back rich environment protects the leader and insulates the organization from unforeseen problems. Further, such a psychologically safe climate for subordinates mitigates risk and improves performance. ^{vii}Vision, expectations, and direction are essential to any leader's repertoire but only after being vetted through the prism of operational reality. When the leader's plans are measured from the ground up by candid dialogue and shaped to fit within the scope of the realities of functions, systems and processes at work, they are grounded and sound. However, when a leader "shoehorns" their subjective measures from the top-down, oblivious to feedback, and not grounded in operational reality, then the organization is set up for adverse issues and unintended consequences.

Fourth, is sustaining an organizationally and procedurally just work environment. Such requires leaders treating people with dignity and respect. Leaders ensuring their subordinates have an opportunity to voice their concerns and leaders who explain their decision-making process while acting in a fair and impartial manner^{viii}

Fifth and finally, is being able to strategically frame communications in a meaningful manner grounded in facts, objectivity, and put forth in a responsible behavioral descriptive way instead of an ad hominem way. Disagreement should be centered in respectful dialogue by listening and trying to understand instead of prejudgment or intolerance to new information. Leaders should be strategic in planning their essential elements of information that make up their theme before they speak and then frame their theme in such fashion that the context can be defined in the here and now in a meaningful way that connects with others.^{ix} Often, people perceive true leadership emerging through this process.

These five domains develop and sustain trust, build relationships and mitigate risk while optimizing leadership competency and performance for better outcomes.

ⁱ Nesbit, P.L. (2012). The Role of Self-Reflection, Emotional Management of Feedback, and Self-Regulation Processes in Self-Directed Leadership Development. Human Resource Development Review 11(2) 203–226 ⁱⁱ Mintzberg, H. (1973). The Nature of Managerial Work. New York, N.Y.: Harper and Row Publishing ⁱⁱⁱ From the vast empirical research on trust from a leadership perspective. Mishra, A.K. & Mishra, K.E. (2013) Becoming a Trustworthy Leader: Phycology and Practice. New York, NY: Routledge Press.

^{iv} From empirical research from MIT that draws a close nexus between leadership competencies and trustworthiness. Ching, H.M., Kim, T.Y., Gilbreath, B. & Anderson, L. (2018). How do leaders gain or lose credibility? MIT Sloan Management Review. 60, (1). 65-70.

Social Motivation. Princeton N.J.: Princeton University Press.

^{ix} From Gail Fairhurst's works. Fairhurst, G. (2011). The Power of Framing: Creating the language of leadership. San Francisco, C.A.: Jossie-Bass



^v An excellent reference is Dweck, C. (2007). Mindset: The New Psychology of Success. New York. NY: Ballantine Press.

^{vi} The four-frame model of perspectives in organizations. Bolman, L.G. & Deal T.E. (2017). Reframing Organizations: Artistry, Choice and Leadership. Hoboken N.J.: Jossey-Bass.

 ^{vii} Psychological Safety research is best described in the works of Edmondson, A. (2019). The Fearless
Organization: Creating Psychological Safety in the Workplace for Learning, Innovation, and Growth.
Hoboken, NJ: Wiley Publishing
^{viii} Tyler, T.R. (2011). Why People Cooperate: The Role of



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Family Violence Institute APRAIS – Arizona Intimate Partner Risk Assessment Instrument System Catalog Link

Class: External Length: 6 hours The Arizona Intimate Partner Risk Assessment Instrument System, or APRAIS, is a community informed risk assessment tool used by officers, victim advocates, judges, and lawyers, who are involved in the investigation and adjudication of domestic violence incidents. While developed in Arizona, this tool is being adopted by agencies and courts, nationally, at the Federal, State, and Local levels. APRAIS provides criminal justice personnel with an evidence-based tool and protocol in order to gather information which helps to identify future risk of severe re-assault of the victim, in the ensuing seven months, after an incident of domestic violence.

IADLEST-TxDOT

Truck and Bus Traffic Enforcement Training Catalog Link

Class: Classroom Length: 2 hours Large trucks and buses have been wreaking havoc on Texas highways for many years. In fact, Texas consistently leads the nation in large truck fatalities and has one of the highest rates of bus fatalities each year. Even though there are designated officers whose focus is on commercial motor vehicle traffic enforcement, there are simply not enough to reduce the number of crashes so they continue to increase. A successful strategy being adopted throughout 9/16/2020

9/16/2020







the nation is to train and encourage non-CMV certified officers, to include local and county law enforcement members, to actively enforce common operator violations, i.e., speeding, disregard of a traffic signal, etc., by the drivers of trucks and buses, thereby reducing crashes and fatalities.

The Truck & Bus Traffic Enforcement Training Program is presented at no cost to the participant and re-emphasizes the need for all sworn officers to engage large trucks and buses safely and effectively to reduce the rate of crash injuries and fatalities.

IADLEST - TxDOT

Truck and Bus Traffic Enforcement Training: Train-the-Trainer Course Catalog Link

Class: Classroom Length: 4 hours Texas consistently leads the nation in large truck fatalities and has one of the highest rates of bus fatalities each year. Even though there are designated officers who focus on commercial motor vehicle traffic enforcement. there are simply not enough to reduce the number of crashes so they continue to increase. A successful strategy being adopted throughout the nation is to train and encourage non-CMV certified officers, to include local and county law enforcement members, to actively enforce common operator violations, i.e., speeding, disregard of a traffic signal, etc., by the drivers of trucks and buses, thereby reducing crashes and fatalities.

The Truck & Bus Traffic Enforcement Training Program is presented at no cost to the participant and re-emphasizes the need for all sworn officers to engage large trucks and buses safely and effectively to reduce the rate of crash injuries and fatalities. The program will prepare attendees to deliver a two-hour in-service training program to local officers and county sheriff deputies. Attendees who complete the training will be eligible to receive TCOLE CEU credits. 9/16/2020









IADLEST Evidence-Based Strategic Decision Making <u>Catalog Link</u> Class: Classroom Length: 7 hours This course will present to law enforcement executives and analysts critical decisionmaking strategies to effectively deploy resources using appropriate and relevant data..

9/10/2020

<u>Catalog Link</u> Class: Classroom Length: 20 hours This course is an examination and demonstration of how Unmanned Aircraft Systems (UAS) can effectively be integrated into Public Safety agencies. Students within the course will learn about aeronautical principles in order to be safe flight operators. Students will be given a course of practical exams to test their ability to fly various drills and live scenarios. The ultimate goal is to foster a sense of common understanding and standards among Public Safety UAS operators.

Icarus Aerospace, Inc.

UAS for Public Safety©

National Emergency Number Association Enhanced Caller Management Catalog Link

Class: Classroom Length: 8 hours This one-day Enhanced Caller Management course is designed and delivered using a student-centered instructional model and provides 9-1-1 Telecommunicators with the ability to immediately enhance their performance by providing them with the knowledge and skills to apply best practices in customer service and liability mitigation, employ techniques for extracting critical information from challenging callers, prioritize calls and information by using protocols, and increase quality and accountability by employing self-assessment techniques.

National White Collar Crime Center (NW3C)9The Elder Abuse Guide for Law EnforcementCatalog LinkClass: ExternalLength: 1 hour**To access this free course, you will need tolog in or sign in to NW3C.org.

9/09/2020

9/02/2020

This course covers the main features of the free tool, Elder Abuse Guide for Law Enforcement (EAGLE), and introduces types of elder abuse. This course provides information on how to navigate through the EAGLE portal and how to identify EAGLE provided aids for evidence and processing. Topics include an introductory understanding of elder abuse, financial abuse, physical abuse, and neglect.

Caution: This course contains graphic content that may be disturbing for some viewers.

IMPACT LEARNING DESIGN

Impact Learning Design Enhancing Law Enforcement Response to Children Exposed to Violence <u>Catalog Link</u> Class: Online Length: 4 hours The International Association of Chiefs of Police, in partnership with the Yale Child Study Center, and with support from the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice, invites law enforcement officers to participate in this training program. The training series may also be beneficial for mental health practitioners working with law enforcement.

The purpose of this online training series is to:

Help officers better understand and recognize the acute signs of traumatic distress often associated with events which require police intervention; and apply law enforcement strategies that simultaneously achieve law enforcement goals and provide a platform for children and families to heal and recover.

VirTra

Injured Officer Handgun Manipulation Catalog Link

Class: Classroom Length: 6 hours This course is an interactive hands on approach to weapon manipulation after being injured. It is conducted inside simulation and does not suffer the same limitations that a square range class does. This allows for a more dynamic and realistic aspect to the development of these much-needed skills to win a gunfight after being shot or stabbed. 8/27/2020

8/27/2020





Force Science Institute Introduction to Human Dynamics and Conflict Resolution Catalog Link

Class: Classroom Length: 16 hours To keep everyone as safe as possible, officers must understand the dynamics of human conflict. Officers without this knowledge run the risk of being drawn into confrontations that can quickly escalate and result in injury to themselves and community members.

In this two-day course, you will come to understand the risks of unmanaged conflict and recognize the need to read what is happening, anticipate outcomes, pre-plan your responses, and adjust on the fly. Officers will learn about how stress, distraction, and other factors can impact perception and decision making and degrade performance, and become familiar with methods to optimize the safety of all concerned through mastering their own skills and abilities. The implications of attention, perception, and other human factors in evaluating officer performance will also be considered.

The analysis and integration of this information into policing practices will greatly improve public and officer safety.

<u>VirTra, Inc.</u>

VirTra Tourniquet Application Under Threat <u>Catalog Link</u> Class: Classroom Length: 4 hours This dynamic course leverages the ability of the VirTra simulator to produce an immersive and comprehensive training program covering the application of the RATS Medical tourniquet under realistic threats to an officer. 8/27/2020

8/26/2020



VirTra, Inc.

Center for Police Leadership & Ethics International Decision Point: Unifying our Communities One Moral Choice at a Time <u>Catalog Link</u> Class: Classroom Length: 14 hours A two-day, in-person course focusing on moral and ethical decision-making in the context of the dynamic, often volatile, climate across our country. Key takeaways of the course are improved recognition of what the right thing to do is given a particular context, expanded

do is given a particular context, expanded critical thinking capacity and moral awareness and judgment, and a strengthened appreciation of the impact of our choices on those around us including members of our communities.

VirTra

Human Factors in Force Encounters Catalog Link

Class: Classroom Length: 7 hours This course provides a blended learning approach to understanding the Human Factor involved in use of force encounters. These factors should help guide not only investigations but also training to help obtain the best outcomes in police use of force contacts. It is based on the science of human performance and samples research in the field. It takes advantage of the dynamic simulation that VirTra has created to delve into the realities of human performance.

Center for Applied Insight Conflict Resolution, LLC Insight Policing Virtual Training Catalog Link Class: Classroom Length: 10 hours Insight Policing Online is a live, virtual Insight Policing class for law enforcement.

In this class, you will experience Insight Policing: Conflict Resolution for Law Enforcement skills training on a virtual platform. In the time of COVID 19, travel restrictions and tightened budgets, we want to make Insight Policing skills available and accessible to agencies across the country, providing officers with critical skills for engaging conflict effectively in their interactions with the public, preventing 8/17/2020

8/17/2020

8/17/2020



GET SAFE

escalation, reducing use of force, and building trust in every encounter.

Over five two-hour Zoom sessions, we will cover the connection between conflict behavior and criminal behavior, the science of conflict decision-making, and applied skills for effective conflict resolution, and problem solving when it matters most.

Get Safe

Crisis Intervention & De-Escalation Training Catalog Link

Class: Classroom Length: 8 hours This training provides law enforcement with the knowledge, skills, and abilities to perform their job safely when dealing with those who have mental health issues, substance abuse issues, or an intellectual and/or developmental disability. This course will provide information on the causes and natures of disabilities, mental illness, and substance abuse problems; deescalation and crisis intervention skills when working with these populations and the general public; available community resources and supports; effective listening and communication skills; use of appropriate language; reducing the need to use deadly force; upholding the sanctity of life; building community trust; stress management and officer suicide risks; and protecting officers from physical, emotional and legal harm. Please see activity description for more detailed information on learning activities taught in this class to reinforce these concepts.

Get Safe will travel to your agency and train up to the entire agency staff. Course is California POST-certified. Flexible evening, weekend, and virtual options available. Contact Get Safe through our website for scheduling, pricing, and more information.



On Q Safety Emergency Vehicle Operation (EVO) Intersection Negotiation - LE <u>Catalog Link</u> Class: Online Length: 2.5 hours This course consists of five core lessons that take approximately 25 – 30 minutes each. 8/07/2020

8/07/2020

Lesson #1 - Intersection Approach

- Label highway travel lanes
- List the intersection approach tasks in sequence
- Recognize the risks associated with improper intersection negotiation

Lesson #2 - Intersection Assessment

- Identify all the hazards and potential hazards
- Categorize the hazards as potential or immediate

Lesson #3 - Clearing the Intersection: Basics

- List basic steps for clearing an intersection
- Recognize the risks associated with improper intersection clearing

Lesson #4 - Clearing the Intersection: Advanced Skills

- Recognize the importance of slowing down
- List the steps for safely clearing a congested intersection
- Know the methods for clearing an intersection when lanes are blocked
- Identify the most common mistakes made when clearing a congested intersection

Lesson #5 - Intersection Departure & Course Summary

- List the steps for safely departing an intersection
- Recognizing the common hazards during the departure stage
- Recall all steps and key concepts in the EVO Intersection Analysis process

R3Results LLC

Verbally Defusing Violent Confrontations Catalog Link

Class: Classroom Length: 8 hours Due to our U.S. utility patent for having improved methods of e-learning distribution we are able to deliver our course to you for about 1/5th the cost of its value.

Our course was praised by top United Nations negotiators as "original and effective," and also praised by the USMC's former head of security, Col. Bruce Grathwohl (ret.) who in



8/07/2020

civilian life was General Motors' chief union negotiator. The course has a Movie Quality online video component in which professional actors reenact 100% real incidents where violent attacks were verbally defused and an inperson, Hands-On practice component (socially distanced). Includes downloadable comprehensive manuals for trainers and participants.

It is the only course to teach how to train your internal state of being in the face of violent threats and assaults so that you can command the situation.

This can be taken as one 8 hour day or four 2 hour sessions. The web-portal accessed video component is available 24/7/365. The hands-on (socially distanced) practice exercise will be arranged locally to suit a department's or agency's schedule.

Gain command and power in a peaceful way.

Force Science Insitute

FORCE SCIENCE INSTITUTE

Advanced Force Science Specialist Course Catalog Link Class: Classroom Length: 50 hours The new Force Science® Institute's Advanced Force Science Specialist Course is an in-depth 18-week (live "online") course providing students with a comprehensive understanding of the behavioral science elements and training that undergirds performance in high-stress incidents. This course is the next step in the development of a Force Science® Analyst and includes an in-depth study of human performance applied to critical incidents in the police world. Students are guided through research to understand the human elements in an officer's use-of-force. Studies include basic motor movement processes, application of movement dynamics during a critical incident, the role of attention to eye scan and visual focus, pattern recognition, anticipation, decision-making, and memory. Students will review research, textbooks, and journal articles written by leading researchers, meet some researchers and discuss their work. Students will study original source documents and each participant must understand and discuss the

8/04/2020

latest research of behavioral science elements raised during the learning process and how those elements apply to use-of-force and will study and analyze actual case investigations.



National De-Escalation Training Center De-escalation Principles and Practice Catalog Link Class: Classroom Length: 16 hours De-Escalation Principles and Practice: 16 hours

Course Competency: Students will develop effective DISC and Esoterica de-escalation practices in an immersive, real-life, scenariobased training curriculum. This includes

* 11 hours: classroom; 5 hours: immersive, real-life, scenario-based training.

* Each Module is 50 minutes of instruction followed by a 10-minute break

* The 16 training modules conclude with a closed book, 30 question (multiple choice and true/false) exam followed by a Course Exit Survey.

Operation 2 Save Lives Community Behavioral Outreach Team Course <u>Catalog Link</u>

Class: Classroom Length: 16 hours This course will prepare the students with the skills and training necessary to operate within a collaborative intervention program to reduce deaths and addiction in their roles as members of cohesive public safety/civilian specialist outreach teams.

This course is designed for public safety officers (police officers, firefighters, EMTs, paramedics), certified recovery coaches, substance use clinicians, social workers, and community organization-based outreach specialists who will be assigned to an outreach team.

Highly experienced instructors (Public Health and Public Safety SMEs) will lead the class through informal lecture, in-class small group exercises, and role-playing scenarios.

operation Save Lives

7/20/2020

7/13/2020

A detailed student manual is provided to all participants. Additional resources are available on <u>www.o2sl.com</u>.

Our team is creating community collaboration and bringing all the stakeholders together for effectively addressing America's substance use crisis. This is how America heals.

Discounts are available.

at NW3C.org. **

VirTra

VirTra Contact and Cover Concepts <u>Catalog Link</u> Class: Classroom Length: 3 hours **To access this free course, you will need to log in to NW3C.org. If you do not have a membership, you will need to sign up

This course uses a blended learning format to include Digital Media Simulation to train and test the use of Contact and Cover Concepts.

<u>VirTra, Inc.</u>

VirTra, I<u>nc.</u>

Mental Illness Training: A Practical Approach Catalog Link Class: Online Length: 15 hours This course leverages the VirTra simulation system to present and re-enforce the course material. It is set up in a modular format that allows for flexibility in presentation to accommodate the most difficult of scheduling.

Xero Associates, Inc.

P5 – Preventing Problems by Promoting Positive Practices in Schools Catalog Link

Class: Classroom Length: 6 hours School Resource Officers (SROs) are

essential to achieve safer schools. SROs and school administrators need training on school climate: school physical and learning environments, relationships, engagement, and safety.

Preventing Problems by Promoting Positive Practices (P5) is an interactive online course designed to provide participants with an





7/10/2020

7/06/2020

innovative school climate model and school climate enhancement practices. The course covers hot topics on:

- -- Environmental design, focused on crime prevention and wellness promotion
- -- Multi-tiered systems of support (MTSS)
- -- Adolescent brain and behavioral development
- -- Implicit bias and microaggressions
- -- Differentiated responding to discipline for SROs vs. school administrators

The course uses interactive quizzes, matching activities, and an action plan process to actualize school climate change.

Fight Crime: Invest in Kids Connecting Youth & Communities with Law Enforcement

Catalog Link

Class: Classroom Length: 16 hours The CYCLE Training program consists of two parts. In this first activity, attendees will participate in an active conversation and instruction highly key tools to improve relationships between law enforcement and youth in the community. Nine modules over 12 hours of classroom interaction cover topics such as Adolescent Brain Development, De-escalation (youth focused), Implicit/Explicit Bias, and Informed Response to Trauma (focus on tools to identify PTSD in youth). Additional modules include communication skills, empathy, current trends in law enforcement, and other topics. Each module builds its strength from student participation, interactive discussion and role-play scenarios in small groups. Youth from the local community attend similar classroom activities and then are brought together with officers for meaningful interactions, lunch, and role-play scenarios. In this course, the integration of policeyouth interaction are the first steps to bridging the gap between police-youth relationship building.

America

Council for Strong

6/30/2020