
Maine Criminal Justice Academy

A Bureau of the Maine Department of Public Safety

Basic Law Enforcement Training Program



Mechanics of Arrest, Restraint and Control Curriculum Guide

**Curriculum Presented to the
Maine Criminal Justice Academy Board of Trustees
July 12, 2019**

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PREFACE

In writing this manual, it is impossible to bring forth every situation a law enforcement officer may encounter in the field. The intention is to present situations that officers are most likely to encounter in the everyday performance of their duties. Those duties include handcuffing, searching, controlling an individual, vehicle extrication, and other situations commonly encountered by law enforcement, all of which have the potential of devolving into life threatening encounters for the officer. The Academy's intention is to teach the techniques that are effective, simple and most of all, retainable for the student.

It is important to remember that the law enforcement officer's duty is not to punish the law violator, but to protect the public and effect an arrest without injury to the officer or to the violator.

This Mechanics of Arrest Restraint and Control Curriculum Guide is designed for instructors and students. There are techniques that now exist and others that will come to our attention in the future. We will evaluate these techniques and include them. If the outcome is more effective, and if time permits when presenting this program in the Basic Law Enforcement Training Program, the new techniques will be incorporated.

STATE OF MAINE
Department of Public Safety
MAINE CRIMINAL JUSTICE ACADEMY

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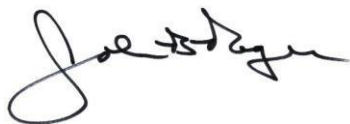
This MARC Curriculum Guide is presented as a guideline to assist basic law enforcement trainees in developing techniques necessary to protect themselves and to subdue and secure an individual. In today's law enforcement environment, there is little doubt that an officer must be able to respond to physical confrontations with a high degree of skill and self-control. Few situations in law enforcement are as demanding as a physical confrontation. This MARC Curriculum Guide is an integral part of the Basic Law Enforcement Training Program and the Law Enforcement Pre-service Program. It provides students with well researched and widely accepted standardized techniques for performing arrest, restraint and control techniques.

The initial effort in the development of this MARC Curriculum Guide was accomplished through the efforts and research of Trooper Michael Roux in 1987. Revisions in 1993 were completed with the input and dedication of self-defense instructors and compiled by Training Supervisor Alan Hammond. A second revision was completed in 2000 by Officer Jim Libby of the Bangor Police Department and coordinated by the Training Coordinator of the Municipal/County Basic Police School. A third revision was completed in 2005 with the input of the two lead MARC instructors, Officer James Buckley of the Bangor Police Department and Trooper Scott Hamilton of the Maine State Police and coordinated by Director John B. Rogers. A fourth revision was completed in 2013 by Sergeant Scott Hamilton of the Maine State Police, Warden Bruce Loring of the Maine Warden Service and Sergeant Paul Fenton of the Cape Elizabeth Police Department and coordinated by Director John B. Rogers.

Finally, this revision was completed in 2018 with the input the Co-lead MARC instructors, Deputy Arthur Smith of the Knox County Sheriff's Office, Deputy Joshua Daley of the Oxford County Sheriff's Office, Officer Jeffrey Warren of the South Portland Police Department, BLETP Training Coordinator David Tyrol and coordinated by Director John B. Rogers. Without their effort and every participant named above in completely revamping the MARC program, we would not have a successful program.

I would be remiss not to thank all the MARC instructors, many dedicated past and present instructors and other people who have helped on previous manuals and teaching MARC classes. I would also be remiss not to thank Director Brian MacMaster and Detective James Gioia from the Office of the Attorney General who has given the Academy decades of advice and guidance to help officers understand the proper use of force to be applied and when it should be applied.

Sincerely,



John B. Rogers, Director
Maine Criminal Justice Academy

MISSION STATEMENTS and PHILOSOPHY

DEPARTMENT OF PUBLIC SAFETY – Philosophy

Employees of the Maine Department of Public Safety will continue to serve the public to the best of our ability by being dedicated and accountable and by managing resources effectively and efficiently. We seek to preserve the peace and to protect the persons' property, rights and privileges of all people in the State through ethical leadership and the development of our employees, while upholding and respecting the constitutional rights of all persons to liberty, equality and justice.

DEPARTMENT OF PUBLIC SAFETY – Mission Statement

The Department of Public Safety serves the people by providing, coordinating and leading a responsive and comprehensive public safety system to protect their lives, rights and properties.

MAINE CRIMINAL JUSTICE ACADEMY – Mission Statement

Provide a central training facility and training courses, as well as administering certification programs established by the Board of Trustees for law enforcement, corrections and criminal justice, in order to promote the highest level of professional performance.

BLETP – Mission Statement

It shall be the mission of the Basic Law Enforcement Training Program to educate and train officers in basic law enforcement science, legal issues, leadership, problem solving and law enforcement skills, using community policy philosophy and ethics as guiding principles.

LEPS – Mission Statement

It shall be the mission of the Law Enforcement Pre-service Training Program to educate and train officers in basic law enforcement science, legal issues, leadership, problem solving and law enforcement skills, using community policy philosophy and ethics as guiding principles, prior to becoming a law enforcement officer.

MARC – Mission Statement

The purpose of this MARC mission is to ensure that law enforcement officers are taught to use the proper and appropriate Mechanic of Arrest, Restraint and Control training methods pertaining to self-defense and suspect control, which are closely related to actual incidents that law enforcement officers will encounter on the job. The MARC program will be used in both the BLETP and the LEPS training program, as time allows or each program.

INTRODUCTION

Due to the unpredictable behavior of an individual or law violator who may be physically and verbally out of control, it is essential that law enforcement officers follow the Mechanics of Arrest, Restraint and Control (MARC) training. These methods have been designed to closely resemble actual incidents law enforcement officers may encounter in the field. Because every situation is different however, it is naïve to think that techniques taught in the MARC class will address all techniques necessary to counter those of an adversary.

The following techniques will be covered in this course: stance, blocks, counters, takedowns, wrist locks, handcuffing, searching, weapon disarming/retention, transport of prisoners, comealongs, pressure points, escapes, ground techniques, vehicle extrication, edged weapons, chemical agents, long gun disarming/retention and baton. Each of these techniques will be demonstrated and discussed using the proper level of force under the Situational Use of Force Options.

An officer is justified in using physical force in the performance of his or her law enforcement duties, as outlined in 17-A M.R.S. §107. An officer must be able to make a determination as to the appropriate amount of force used in the situation he or she is facing and whether or not that situation is so dangerous that it warrants the use of deadly force. 17-A M.R.S. §107 clearly outlines the allowable and legally justifiable use of both deadly force and non-deadly force. Based on appropriate training, a law enforcement officer should be able to use the appropriate force option when assessing Situational Use of Force Options.

Students should remember that the main objective of MARC is one of control, not to punish the suspected violator. Students must always be conscious of officer safety and the safety of the individual, the suspected law violator, and the public.

Students must be able to justify their actions when utilizing a MARC technique in relationship to 17-A M.R.S. §107 and applicable case law. Students will also be required to articulate verbally, in writing, and through demonstration all justifications of their assessment and actual Situational Use of Force Options.

DEFINITIONS

It is important that officers have a clear understanding of the following terminology and definitions, in order to properly assess a use of force situation and properly utilize the appropriate force option.

1. **Actual Belief:** A subjective state of mind in which the actor holds a genuine or honest conviction.
2. **Bodily Injury:** Physical pain, physical illness or any impairment of physical condition. (17-A M.R.S. §2(5)).
3. **Canine:** A law enforcement agency authorized dog which is trained and certified in handler protection and suspect apprehension. The deployment is considered a use of nondeadly force.
4. **Chemical Agents:** A tool used to disable a person with the use of chemicals, including but not limited to Disabling Pepper Agents, OC, CN, or CS products, or any similar substance composed of a mixture of gas and chemicals which has or is designed to have a disabling effect upon human beings. (17A M.R.S. §1002(1)).
5. **Compliance Techniques:** The methods of arrest, restraint, and control that include manipulation of joints, pressure point applications and take-down techniques to control an aggressive offender.
6. **Deadly Force:** Physical force which a person uses with the intent of causing, or which he knows to create a substantial risk of causing, death or serious bodily injury. Intentionally or recklessly discharging a firearm in the direction of another person or at a moving vehicle constitutes deadly force. (17-A M.R.S. § 2(8)).
7. **Electronic Weapon:** A portable device or weapon from which an electrical current, impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to have a disabling effect upon human beings. (17-A M.R.S. §1004).
8. **Excessive Force:** Physical force that is unreasonable or unnecessary or inappropriate for the particular circumstances. Determining whether the application of physical force was reasonable and appropriate requires consideration of the severity of the crime, the nature and extent of the threat posed by the suspect, the degree to which the suspect resists arrest or detention, and any attempts by the suspect to evade arrest by flight. Facts or circumstances unknown to the officer may not be considered later determining whether the force was justified. (Graham v. Conner, 490 U.S. 386).
9. **Firearm:** Any weapon, whether loaded or unloaded, which is designed to expel a projectile by the action of an explosive and includes any such weapon commonly referred to as a pistol, revolver, rifle, gun, machine gun or shotgun. Any weapon, which can be made into a firearm by the insertion of a firing pin, or other similar thing, or by repair, is a firearm. (17-A M.R.S. § 2(12-A)).
10. **Imminent:** Impending, immediate or appearing as if about to happen.
11. **Impact Weapon:** A device or weapon designed for use by an officer in close quarter physical defense of the officer and/or control of an aggressive offender. Examples of an impact tool are a straight baton, a side-handle baton, a collapsible baton, a flashlight or other similar device.

12. Individual Actions: As a part of the Situational Use of Force assessment process, the categories below can be used to describe an individual subject's behavior:
- **Cooperative**: Compliant and willing to obey, posing minimal threat to the officer(s) or others.
 - **Passive Resistive**: Non-compliance, defiance or failure to cooperate with lawful verbal direction, but offering no resistive or evasive bodily movement to prevent the officer's attempt at physical control (e.g., a passive demonstrator, a person going limp, prone or refusing to stand up, lie down, enter / exit vehicle, leave the scene, etc.).
 - **Active Resistive/Aggression**: Physically resistive or evasive bodily movement, including but not limited to muscle tension, bracing, pushing, pulling, flailing or flight, to avoid or defeat an officer's attempt at physical control, or to prevent being taken into or retain in custody. Verbal statements, defiance and belligerence alone do not constitute active resistance. Active Aggression is a threat of an assault, coupled with any pre-attack indicators (e.g., clenched fists, flanking, fighting stance, etc.) and the present ability to carry out the threat or assault, reasonably indicating that an assault or injury to the officer or another person is imminent.
 - **Assaultive (High Risk)**: An overt act of an assault, or highly agitated or combative actions or behavior posing an imminent threat of injury to the officer or another. Such actions may include, but are not limited to hostile physical or active resistance, kicking, punching or spitting, whether an assault occurs or not.
 - **Life Threatening/Serious Bodily Injury (High Risk)**: Actions or behavior that could cause death or serious bodily injury, potentially justifying the use of deadly force.
13. Less-than-Lethal Munition: A low-kinetic energy projectile designed to be discharged from a firearm that is approved by the Board of Trustees of the Maine Criminal Justice Academy that has been designed to have a disabling effect upon human beings. (17-A M.R.S. § 102(5-B))
14. Nondeadly Force: Any physical force that is not deadly force. (17-A M.R.S. §2(18)).
15. Physical Force: The actual exercise of some form of kinetic energy (one person to another) of such a nature that may create an imminent and substantial risk of causing bodily harm.
16. Reasonable Belief: When facts or circumstances the law enforcement officer knows are such as to cause an ordinary and prudent officer to act or think in a similar way under similar circumstances.
17. Serious Bodily Injury: Bodily injury that creates a substantial risk of death or which causes serious, permanent disfigurement or loss or substantial impairment of the function of any bodily member or organ, or extended convalescence necessary for recovery of physical health. (17-A M.R.S. §2(23)).

18. Situational Use-of-Force Options: A dynamic process by which an officer assesses, plans, and responds to situations that threaten public and officer safety and require the use of force and control. The assessment process begins with the situation and circumstances immediately confronting the officer, including but not limited to the severity of the crime or suspected offense, the level and imminence of any threat to the officers or public, the level of resistance, the risk or apparent attempt to flee or escape, the suspect's behavior and individual actions (cooperative, passive resistive, active resistive/ active aggression, assaultive or life threatening/serious bodily injury) and the officer's perceptions and tactical considerations. Based on this assessment, the officer selects from the available response options while continuing to evaluate the evolving situation, adapting a plan and actions that are appropriate and effective in bringing the particular situation under control.
19. Substantial: Considerable, big, large or sizeable.
20. Verbal Commands: The ability to speak clearly and authoritatively, issuing concise commands using a tone that reflects control and professionalism.
21. Weapons of Availability: Flashlights, vehicles, tools, implements or objects or other devices that are not necessarily issued, intended or normally authorized as weapons, but that may be used in extraordinary circumstances when their use would be reasonable and justifiable; and no other adequate or suitable defensive tool is immediately available.

17A M.R.S. §107. Physical force in law enforcement

1. A law enforcement officer is justified in using a reasonable degree of non-deadly force upon another person:
 - A. When and to the extent that the officer reasonably believes it necessary to effect an arrest or to prevent the escape from custody of an arrested person, unless the officer knows that the arrest or detention is illegal; or
 - B. To defend himself or herself or a 3rd person from what the officer reasonably believes to be the imminent use of unlawful non-deadly force encountered while attempting to effect such an arrest or while seeking to prevent such an escape.
2. A law enforcement officer is justified in using deadly force only when the officer reasonably believes such force is necessary:
 - A. For self-defense of to defend a 3rd person from what the officer reasonably believes is the imminent use of unlawful deadly force after having given a warning, e.g., "drop the gun," or an instruction to cease the threatening behavior, IF FEASIBLE; or
 - B. To effect an arrest or prevent the escape from arrest of a person when the law enforcement officer reasonably believes that the person has committed a crime involving the use or threatened use of deadly force, is using a dangerous weapon in attempting to escape or otherwise indicates that the person is likely to endanger seriously human life or to inflict serious bodily injury unless apprehended without delay; and
 - (1) The law enforcement officer has made reasonable efforts to advise the person that the officer is a law enforcement officer attempting to effect an arrest or prevent the escape from arrest and the officer has reasonable grounds to believe that the person is aware of this advice; or

(2) The law enforcement officer reasonably believes that the person to be arrested otherwise knows that the officer is a law enforcement officer attempting to effect an arrest or prevent the escape from arrest.

For purposes of this paragraph, "a reasonable belief that another has committed a crime involving use or threatened use of deadly force" means such reasonable belief in facts, circumstances and the law, which, if true, would constitute such an offense by that person. If the facts and circumstances reasonably believed would not constitute such an offense, an erroneous but reasonable belief that the law is otherwise justifies the use of deadly force to make an arrest or prevent an escape.

3. A private person who has been directed by a law enforcement officer to assist the officer in effecting an arrest or preventing an escape from custody is justified in using:

A. A reasonable degree of non-deadly force when and to the extent that the private person reasonably believes such to be necessary to carry out the officer's direction, unless the private person believes the arrest is illegal; or

B. Deadly force only when the private person reasonably believes such to be necessary to defend himself or herself or a 3rd person from what the private person reasonably believes to be the imminent use of unlawful deadly force, or when the law enforcement officer directs the private person to use deadly force and the private person believes the officer is authorized to use deadly force under the circumstances.

4. Private Persons.

5. Except where otherwise expressly provided, a corrections officer, corrections supervisor or law enforcement officer in a facility where persons are confined, pursuant to an order of a court or as a result of an arrest, is justified in using deadly force against such persons under the circumstances described in subsection 2. The officer or another individual responsible for the custody, care or treatment of those persons is justified in using a reasonable degree of non-deadly force when and to the extent the officer or the individual reasonably believes it necessary to prevent any escape from custody or to enforce the rules of the facility.

5-A. A corrections officer, corrections supervisor or law enforcement officer is justified in using deadly force against a person confined in the Maine State Prison when the officer or supervisor reasonably believes that deadly force is necessary to prevent an escape from custody. The officer or supervisor shall make reasonable efforts to advise the person that if the attempt to escape does not stop immediately, deadly force will be used. This subsection does not authorize any corrections officer, corrections supervisor or law enforcement officer who is not employed by a state agency to use deadly force.

6. Repealed.

7. Use of force that is not justifiable under this section in effecting an arrest does not render illegal an arrest that is otherwise legal and the use of such unjustifiable force does not render inadmissible anything seized incident to a legal arrest.

8. Nothing in this section constitutes justification for conduct by a law enforcement officer or a private person amounting to an offense against innocent persons whom the officer or private person is not seeking to arrest or retain in custody.

Situational Use of Force Options

+ Officers Response Options to a Subject's Actions +

Individual's Actions Cooperative

Officer's Options

- Professional Presence
- Verbal and Nonverbal
- Control Techniques

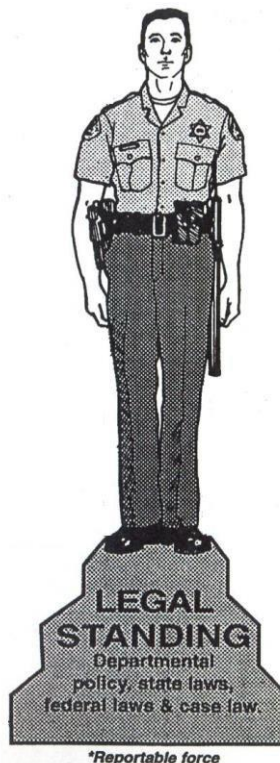
Individual's Actions Passive Resistive

Officer's Options

- Come-along Techniques
- Compliance Techniques
- Control Techniques

Individual's Actions Active Resistive/Aggression Officer's Options – Nondeadly Force

- Come-along Techniques
- Control Techniques
- Strikes
- O/C Spray or Chemical Weapons
- Electronic Weapons
- Impact Weapons
- Police Canines
- Weapons of Availability



Individual's Actions Assaultive (High Risk)

Officer's Options – Nondeadly Force

- Compliance Techniques
- Strikes
- O/C Spray or Chemical Weapons
- Electronic Weapons
- Impact Weapons
- Police Canines
- Weapons of Availability

Individual's Actions Life Threatening/Serious Bodily Injury (High Risk)

Officer's Options – Deadly Force

- Firearms or Lethal Weapons
- Impacting Vital Areas
- Other Incapacitating Force Options
- Weapons of Availability

Mechanics of Arrest Restraint an

** Once a subject is controlled, then handcuffs and/or restraints are appropriate

8.6.0 MECHANICS OF ARREST, RESTRAINT AND CONTROL

Instructional Goal: Through lectures, demonstrations and practical applications, the student will be introduced to the proper methods for arrest, defense, restraint and control. Emphasis will be placed on an approach system through blocking and joint manipulation, to control. The use of handcuffs and baton, weaponless defense, vehicle extrication, chemical agents, searching, counter movement, transporting and body mechanics.

Cadets will be required to participate in each of the listed objectives, regardless of prior experience, unless a demonstrated accommodation is required. Cadets will be required to pass the MARC standards to the Basic Law Enforcement Training Program (BLETP) adopted by the Board of Trustees.

PERFORMANCE OBJECTIVES

- 8.6.1 Identify proper procedures to conduct field search of arrested persons.
- 8.6.2 Identify proper procedures to conduct a frisk or pat down in a “Terry Type” stop.
- 8.6.3 Recognize circumstances which influence strategy in effecting an arrest.
- 8.6.4 Identify proper procedures to handcuff suspects or prisoners.
- 8.6.5 Identify legal requirements regarding strip searches and refer the Cadets to their agency policy.
- 8.6.6 Demonstrate, at an acceptable level of proficiency, the proper approach, verbal contact and interview position with respect to a:
 - A. Unknown Risk suspect
 - B. High-Risk suspect
- 8.6.7 Demonstrate at an acceptable level of proficiency, the following skills:
 - A. The proper methods used by one officer in the personal search of a male and/or female:
 - 1. Unknown Risk suspect
 - 2. High-Risk suspect
 - B. The proper methods used by two officers in the personal search of a male and/or female:
 - 1. Unknown Risk suspect
 - 2. High-Risk suspect
- 8.6.8 Demonstrate at an acceptable level of proficiency, handcuffing:
 - A. A single suspect.
 - B. Two suspects with a single pair of handcuffs.

- 8.6.9 Demonstrate at an acceptable level of proficiency, the removal of handcuffs from one and/or two suspects by:
 - A. Maintaining control of the suspect(s).
 - B. Maintaining control of the restraining device.
- 8.6.10 Identify the basic concepts of weaponless defense.
- 8.6.11 Identify the areas of the body, which are vulnerable to physical attack.
- 8.6.12 Identify those parts of the body, which are capable of delivering a blow which would minimize injury to a noncompliant person(s).
- 8.6.13 Demonstrate at an acceptable level of proficiency in the following techniques:
 - A. “Counter and escape holds”.
 - B. “Take-down” tactics.
 - C. Control holds.
 - D. Blocks.
 - E. Ground Defensive Techniques.
- 8.6.14 Given a practical exercise with an armed or unarmed suspect, demonstrate at an acceptable level of proficiency with at least one of the techniques listed in 8.6.13.
- 8.6.15 Given a practical exercise simulating a suspect with a semiautomatic and/or revolver, demonstrate at an acceptable level of proficiency, front and rear gun disarming.
- 8.6.16 Given a practical exercise simulating a suspect with a shotgun and/or rifle, disarm the suspect who has him/her “covered” with a long-barreled firearm from the front or rear.
- 8.6.17 Given a practical exercise wherein he/she is faced with a single simulated suspect attacking him/her with a knife, disarm the attacker.
- 8.6.18 Identify whether or not the utilization of the police baton would be appropriate and/or justified in given situations.
- 8.6.19 Identify the vital body points that affect police baton “target” areas.
- 8.6.20 Identify those body points that are potentially lethal when struck by a baton.
- 8.6.21 Demonstrate at an acceptable level of proficiency, the proper use of the baton, including:
 - A. Methods of gaining positions.
 - B. Methods of attack.
 - C. Methods of release.
 - D. Baton parries.

- 8.6.22 Demonstrate at an acceptable level of proficiency techniques utilizing physical means of removing a seated male and/or female suspect from a vehicle.
- 8.6.23 Demonstrate proper use of chemical agents, e.g., mace, cap stun in subduing a subject. Each cadet will experience the effect of their department issued chemical agent, or if none available an Academy provided agent, demonstrate decontamination procedures and participate in a practical exercise.
- 8.6.24 Identify proper procedures to transport prisoners.
- 8.6.25 Identify the proper procedures for detention of arrested persons for an extended period (1-5 hours) at each of the following:
- A. Arrest scene (inside and outside of vehicle).
 - B. Station house (booking and interviewing).
 - C. Refer to agency policy for other locations.
 - D. Hearing or courtroom.
- 8.6.26 Identify need to seize evidence discovered during a custodial search including weapons, contraband and fruits of a crime, following agency policy regarding handling of evidence.
- 8.6.27 Identify the importance of the knowledge of the student's specific agency policy relating to all Use of Force issues regardless of techniques or procedures in the Mechanics of Restraint and Control Manual or those taught in the practical MARC program.
- 8.6.28 Identify situational use of force options justified when using nondeadly force.
- 8.6.29 Identify situational use of force options justified when using deadly force.
- 8.6.30 Demonstrate how to properly handle a threatening person in mental health crisis that may or may not have weapon.
- 8.6.31 Demonstrate how to properly handle a threatening person in a domestic violence situation that may or may not have weapon.
- 8.6.32 Demonstrate how to properly handle a threatening person on an unknown risk traffic stop that may or may not have weapon.
- 8.6.33 a Demonstrate how to properly maintain control of the officers' weapon when a suspect attempts to grab that weapon (semi-auto pistol).
- 8.6.33b Demonstrate how to properly maintain control of the officers' weapon when a suspect attempts to grab that weapon (long gun)

PHILOSOPHY STATEMENT

The “law enforcement officer” in Maine is expected to act professionally. Modern society has become complicated and demanding, and has high expectations for officer behavior. Officers may be assigned to work patrol, investigative services or other field assignments. When a crime is committed, it is the officer’s job to confront the perpetrator of that crime and take him or her into custody.

Law enforcement officers often take what appears to be aggressive action. The public may find it difficult to understand that a gunfight between armed subject and law enforcement officers is an example of the law enforcement officer in defense of themselves or another person. It is not aggression when the officer takes the initiative to confront the individual or law violator. It is the officer’s duty to perform these actions. The officer’s act is not one of hostility, but rather it is one designed to defend and protect the community from criminality.

At the moment of confrontation, if the individual or law violator wants to surrender, the officer would not deny the violator of that opportunity. On the contrary, officers seek for and extend to offenders every possible opportunity to surrender. This is why these actions are not considered offensive in nature. Officers are forced to react to the actions of the offender and act accordingly. If an officer engages in force that is excessive, it’s because of the officer’s own uncertainty about his or her ability, agency policies, or his or her own methods of performing the duties and tasks.

A great deal of time and resources are spent in law enforcement training on using the appropriate amount of force necessary to take an individual or law violator into custody. Obviously, what constitutes a necessary use of force depends on the conduct of the individual or law violator. Through training and experience, officers will develop the critical skills and decision-making ability to perform this duty.

Even to the untrained eye, certain law enforcement uses of force seem like the obvious or the only logical response to a violent offender’s act. Whereas other situations can prove more challenging due to sometimes complicated circumstances. The well-trained officer should be able to draw from a number of techniques to counter a number of different attacks or aggressions while staying within the confines of the law.

Initial perception, a cool and level head and a quick assessment are the first steps toward an appropriate response in a use of force situation. An officer’s most important attribute when he or she approaches an explosive situation is the officer’s own self-confidence and self-controlled action. If officers lose control, they can’t expect to control an individual or law violators. These qualities will also influence onlookers. The officer’s calm, self-confident approach has a good effect on people who have gathered to watch the situation.

Any use of force program should begin with a look at the state statutes regarding concepts related to arrest, restraint and control. The use of non deadly forces encompasses the vast majority of all uses of force nationwide by police. 17-A M.R.S. § 107(1) permits the

arresting officer to use non-deadly force to carry out an arrest or prevent an escape under three conditions. First, the **degree** of non-deadly force must be **reasonable**. Reasonable force is that amount of force necessary to prevent persons from interfering with the officer's duties to arrest or prevent escapes. For example, less force will be justified in overcoming the resistance from a young, small child than from a large, strong adult. It should be noted that under Section 107(1) an officer's authority to use non-deadly force is not limited to the person escaping or being arrested. The officer may use reasonable non-deadly force against any person who interferes with his attempt to arrest or prevent escape.

The second condition is that the officer reasonably believes that non-deadly force is **necessary** to affect an arrest or prevent escape. Essentially, this is a commonsense limitation, which means that if the officer knows that force is not necessary, he or she is not justified in using force even though other circumstances might justify its use.

The third condition under Section 107(1) involves the **legality** of the arrest. If the arresting officer knows that the warrantless arrest or detention is illegal, he or she is not justified in using **any** force. It is important for officers to know and apply the laws of arrest as found in 17-A M.R.S., §15.

The key concept when using force is control of the individual. Control is defined as exercising, restraining or directing influence over a given situation. Control is a two-way street. It isn't enough that the officer is able to control the individual; the officer must be in complete control of himself or herself. The ingredients that comprise control depend entirely on the circumstances of each situation.

In some cases, officers can do more to control most individuals or law violators with their voice, their demeanor, and/or their command presence, than officers can by dependence on any physical method alone. The techniques outlined in this MARC program are designed to elicit cooperation from the individual or law violator. The officer's only object in applying a control technique is to elicit cooperation and submission into custody. Any pain the violator feels will come from his or her resistance or lack of submission.

Because the duty of officers is to control individuals or law violators, not to fight or punish them, always apply tension (reasonable force), but in such a way that the tension alone will let the individual or law violator know what the officer wants him or her to do. There is a big difference between inflicting uncontrolled injury to a person without having a specific objective and inflicting a degree of controlled tension for a purpose. Again, the key is control.

The defensive nature of law enforcement demands that officers have at their disposal a variety of custody control techniques. These techniques insure the safety of the officer, safety to the public, and safety to the individual or law violator. These objectives can only be accomplished with control. A lack of control and appropriate response can lead to the subject escaping, injuries or death to officers and / or subjects and the potential for law suits. It is the purpose of this Mechanics of Arrest, Restraint and Control program to teach officers to stay in control from the time of contact with the individual or law violator until the suspect is safely in

jail or otherwise under control. As officers prepare for this class and then work in the field, they should always keep these principles and rules in mind.

PRINCIPLES

- Your duty is to **CONTROL** the individual or law violator, not to fight or punish him or her. Be relaxed and alert.
- It is not aggression when you take the initiative to confront an individual or law violator.
- The officer's role in a physical arrest is essentially **DEFENSIVE in nature**.
- Control the situation through the control of yourself and the suspect.
- Arrest is an emotional problem as well as a physical one.
- Upon being assaulted, defend or attack the aggression, not the aggressor.
- Know what you want the individual or law violator to do before you apply a control technique.
- Apply only the degree of force necessary to achieve and maintain control.
- Tension/Pain versus injury.
- Be prepared, not paranoid.

RULES

- Understand and accept the fact that your objective is **CONTROL** of yourself, as well as control of the individual or law violator.
- Practice will give you the ability to shift your concentration rapidly from task to task.
- Condition yourself to think problems all the way through.
- Always know before you apply a control technique exactly what you intend to do.
- Never use brute strength; instead use the strength and momentum of the individual or law violator to your own advantage.
- Physical balance and mental balance are equally necessary.
- Use distraction techniques to achieve control.
- Use the lag time resulting from the individual's or law violator's distraction to your advantage.
- Avoid hesitations, verbal abuse, unnecessary force and other compensating behavior. It comes from your own uncertainty and lack of confidence.
- You can increase your self-confidence by practicing your defensive tactics techniques and having a working knowledge of your agency policy on the use of force.
- Always be ready for the truly peaceful individual or law violator, just as you are always alert to the possibility of violence.

SITUATIONAL USE OF FORCE OPTIONS

The underlying principle of Situational Use of Force is threat assessment. As Thomas Petrowski stated, “Hesitation in using force is natural and inevitable. . . Use-of-force training based on threat assessment will result in an escalating approach when it is appropriate and a timely response when it is not.” An officer who confronts a situation in which force must be used is trained to do an assessment for the officer’s safety, as well as the safety of others. The assessment process considers three factors: the circumstances, the subject’s behavior, and the officer’s perception (including tactical considerations). The use of force falls into two categories: deadly force and non-deadly force. Deadly force is authorized under 17-A M.R.S. §107, subsection 2 (page 9 of the MARC manual). Non-deadly force is authorized under 17-A M.R.S. §107, subsection 1 (page 9 of this MARC manual). The key to using the proper type of force is recognizing a threat.

Officers need to be trained in threat assessment regarding all threats of force and using the correct force option that will effectively and reasonably neutralize the threat. If the officer reasonably believes after a threat assessment that the threat is life-threatening or deadly force is being used or threatened to be used, then the officer is legally justified and may use the deadly force option. Case law has shown that, where deadly force is justified, there is no constitutional requirement to choose non-deadly alternatives first. There is no legal obligation to use the least intrusive means of force in a deadly force situation. It is an impossible standard to meet, and the United States Supreme Court and every federal circuit court in this country recognize this. Note also that deadly force is **not** mandatory. It is an option that is allowed when reasonably necessary. However, as Urey Patrick stated, “If the attempt to utilize an alternative, in a situation wherein deadly force is justified, significantly increases the risk of death or serious injury, then it is an exercise in poor judgment that, if ultimately successful, can only be attributed to luck. Reliance on fate and good fortune is not an acceptable means for resolving an imminent threat of death or serious injury.”

If the officer determines after a threat assessment that a non-life-threatening situation is presented, then the officer should use the force option based on the individual situation. If a reasonable threat assessment is completed and the correct situational force option is utilized, then officer hesitation is eliminated. This can save the officer from being assaulted and/or killed.

A graphic depiction of the Situational Use of Force Options is provided on page 12 of this manual. Situations are categorized according to the individual’s actions, and the officer’s options vary according to the individual’s actions. The categories are: cooperative, passive resistive, active resistive, assaultive/high risk, and life threatening – serious bodily injury. Situational Use of Force models describe a cooperative person as a person who is, or can be developed into, a cooperative individual; a person who is compliant and willing to obey. A potential threat exists with every arrest; however, a cooperative person presents a minimal threat to the officer and to himself/herself if the person remains cooperative. In a cooperative situation, the officer’s options are: a professional presence, verbal and non-verbal communication, and proper control technique and then a search and handcuffing techniques.

A passive resistive person is a person who is not aggressive, however is not voluntarily compliant with the officers' professional presence or verbal commands. This person may be a "sit-in protester" or a protester on a picket line. A passive resistive person presents a minimal threat to the officer and to himself/herself if the person remains cooperative. In a passive resistive situation, the officer's options are: come-along techniques, compliant techniques and control techniques and then a search and handcuffing techniques.

A resistive person can be described as either passive or active. The active resistive/aggressive person exhibits resistive or aggressive movement in response to verbal and other direction. This individual is non-compliant, refusing to leave a scene or follow directions, and may be taunting or inciting others to disobey or act out. The potential to create injury is primarily caused by the individual having to be lifted or moved by the officer. The active resistive/aggressive person exhibits resistive/aggressive movement to avoid physical control. There is increased intensity beyond verbal defiance; this could be mere muscle tension or could be an evasive movement of the arm, flailing, or flight. Regardless, this is a non-deadly force situation, and the officer's options are: come-along techniques, compliance techniques, strikes, chemical agents/O.C. spray, electronic weapons, impact weapons, use of a police canine and weapons of availability and then a search and handcuffing techniques. The officer would continue to verbalize instructions to the individual to gain control.

An assaultive (high risk) person performs physical actions, without weapons, that are aggressive and demonstrates behavior likely to cause physical injury. There is active and hostile resistance, kicking, punching, spitting, or clenching fists, whether an assault occurs or not. Proximity of the person to the officer and the person's highly agitated or combative state contribute to a higher threat of injury to all parties. This remains, however, a non-deadly force situation. The officer's options are: compliance techniques, strikes, electronic weapons, impact weapons, use of a police canine and weapons of availability and then a search and handcuffing techniques. Again, the officer would continue to verbalize instructions to the individual to gain compliance.

In a life-threatening/serious bodily injury (high risk) situation, the person's actions could cause death or serious bodily injury. It is a deadly force situation and the officer's options are: firearms or lethal weapons, any other force that would impact vital areas and incapacitate the threat, other incapacitating force method and weapons of availability and then a search and handcuffing techniques. Deadly force is justified in two situations: protection of self or others and prevention of escape. There are restrictions placed upon both scenarios. Under Maine law, for a law enforcement officer to be justified in using deadly force for purposes of self-protection or the protection of third persons, two requirements must be met. **First**, the officer must actually and reasonably believe that unlawful deadly force is imminently threatened against the officer or a third person. **Second**, the officer must actually and reasonably believe that the officer's use of deadly force is necessary to meet or counter that imminent threat.

Under Maine law, a law enforcement officer is justified in using deadly force to effect the arrest or to prevent the escape from arrest of a person who has committed a crime involving the use or threatened use of deadly force, is using a dangerous weapon in attempting to escape, or who otherwise indicates that the person is likely to seriously endanger human life or to inflict serious bodily injury unless apprehended without delay. The officer must actually and reasonably believe that one of these three situations has occurred.

One of two further requirements must also be met: the officer must also make reasonable efforts to advise the person that the officer is a law enforcement officer attempting to effect an arrest or prevent the escape from arrest and have reasonable grounds to believe that the person is aware of this, OR the law enforcement officer must reasonably believe that the person to be arrested otherwise knows that the officer is a law enforcement officer attempting to effect an arrest or prevent the escape from arrest.

Situational Use of Force requires that the officer continuously assess the threat being presented by the individual because the threat can change during the course of the event. The situation varies according to environment, number of individuals, perceived abilities of individual(s), knowledge of individual(s), time and distance, and potential signs of attack. The individual's behavior can change, and each officer brings a unique set of skills to a situation. This will determine how an officer perceives or assesses that situation. Combined with factors such as the availability of backup or special teams, this can also affect the officer's tactical considerations. The goal of Situational Use of Force is to train officers to recognize hostile intent and indicators of capability, to respond quickly by overcoming the human tendency to hesitate, and to act reasonably by immediately ceasing the application of force once a threat is no longer present.

The officers' Situational Use of Force Options can further be described as:

1. **Officer Presence** is not a use of force, however can be illustrated when the officer arrives at the scene. The violator sees the officer and does not alter his/her behavior. The assumption is that the violator knows that the person who has just arrived at the scene is a law enforcement officer. (S)he may acknowledge the officer's presence because of the marked patrol car or because of the officer's uniform.
2. **Verbal Commands** are not a use of force, however can be illustrated when the officer advises the violator to keep quiet, move along and so forth. Again, the violator ignores the officer's verbal directions. The assumption is that the violator can clearly hear the officer's directions.
3. **Control and Restraint** is illustrated when the officer applies a defensive technique to control and/or restrain the violator. For example, a driver will not exit his/her car after being lawfully ordered to do so by the officer. Upon refusal, the officer applies a vehicle extraction technique using the flashlight.
4. **Chemical Agent** is illustrated when the officer administers O.C. spray or similar chemical agent to the violator. Title 17A defines chemical mace or any similar substance (pepper spray) composed of a mixture of gas or chemicals, which has or is designed to have a disabling effect on human beings and is expressly designated as non-deadly force.

5. **Impact Weapon** is illustrated when the officer is forced to defensively strikes the violator with the impact tool or other weapon.
6. **Electronic Weapon** is described when the officer is forced to deploy and temporally incapacitate the violator with an electronic weapon, such as a TASER.
7. **Police Canine** is described when a certified law enforcement dog is utilized to protect an officer or another person from being harmed or injured when other non-deadly force options are not working or unreasonable for the officer to use.
8. **Deadly Force** is illustrated when the officer must shoot the violator, or in a life or death situation strike the violator in such a fashion that it could result in the violator's death or serious injury.
9. **Weapon of Availability** is best illustrated as flashlights, vehicles, tools, implements or objects or other devices that are not necessarily issued, intended or normally authorized as weapons, but that may be used in extraordinary circumstances when their use would be reasonable and justifiable; and no other adequate or suitable defensive tool is immediately available.

It should be noted that officers are not obligated to move sequentially from one Situational Use of Force Option to another. The officer may decide to retreat and decide upon another course of action. However, should the officer adapt his or her force to overcome the violator's use of force, this is called escalation. When the officer moves downward in force using the Situation Use of Force Options, it is called de-escalation.

De-escalation may occur at any time. For example, if an officer applied a restraint technique and the violator stopped fighting and agreed to be peaceful, the officer would, most likely, be in error should the officer continue to Chemical Agents, Impact Weapons, Electronic Weapons or Deadly Force. The reason: After the violator's actions plateau or decrease in intensity, any further escalation of force on the officer's part may be viewed as excessive in nature.

References:

1. Analysis of the Use of Deadly Force, by Urey Patrick
2. Evaluation of Guidelines for Use of Force Training, Illinois Law Enforcement Training and Standards Board
3. A National Use of Force Framework, The Canadian Association of Chiefs of Police
4. Use of Force Options, Los Angeles County Sheriffs Department
5. Use of Force Policies and Training -- A Reasoned Approach (Part One and Part Two), by Thomas D. Petrowski, J.D.
6. 17-A M.R.S. § 107 (1) (2)
7. 17-A M.R.S. § 752-B (3)

MEDICAL IMPLICATIONS / VITAL POINTS OF THE BODY

Following is a list of vital and sensitive points of the body.

1. **Temple** – a highly sensitive and vital spot. A blow of sufficient force to this area may cause unconsciousness, serious bodily injury or death.
2. **Ears** – a blow to the ears may cause deafness, unconsciousness, serious bodily injury or death.
3. **Eyes** – a blow to the eyes may cause loss of sight, unconsciousness, serious bodily injury or death.
4. **Bridge of Nose** – a hard blow to this area may cause unconsciousness, serious bodily injury or death.
5. **Upper Lip** – specifically, the spot directly under the nose at the top of the upper lip. Bone chips or cartilage from the nose may be driven in to the brain cavity, which may cause serious bodily injury or death.
6. **Jaw** – specifically, the point at which the jaws hinges. It's very vulnerable, but usually non-lethal. A blow here may shatter the jaw or cheekbones.
7. **Throat** – highly vulnerable. A blow here may damage the windpipe, causing serious bodily injury or death.
8. **Collarbone** – non-lethal, in most cases, and may have a tendency to break.
9. **Solar Plexus** – death may result from a sharp blow to this area.
10. **Lower Abdomen** – the spot just below the naval. May be attacked with a punch or jab.
11. **Groin** – may be attacked. A moderate blow will result in a sharp pain. A sharp blow may cause shock, which may cause serious bodily injury or death.
12. **Knee Joint** – a sharp blow may damage the knee area.
13. **Shin** – a sensitive, non-lethal area.
14. **Instep** – a sensitive, non-lethal area.
15. **Back of Neck** – highly vulnerable. A sharp blow may cause serious bodily injury or death.
16. **Hollow Behind Ear** – a sensitive area that may be used for pain-compliance however, a blow to this area may cause serious bodily injury or death.
17. **Muscular Area of Upper Back** – effective striking area. Used to break holds.
18. **Kidney** – may be attacked. Very sensitive. A sharp blow may cause serious bodily injury or death.
19. **Tail Bone (coccyx)** – sharp blow to this point may cause serious bodily injury.
20. **Achilles Tendon (back of heel)** – good striking area. Used to disable.
21. **Inside of Wrist** – a very effective striking area.
22. **Back of Hand** – a sharp blow to this area may open the hand.
23. **Spine/Center Line of Body** – a highly sensitive area. A sharp blow may cause serious bodily injury or death.
24. **Body Joints** – a highly sensitive target area. A sharp blow may cause damage to the joints.
25. **Pressure Points** – sensitive points on the body used for pain-compliance in nonlethal areas.
26. **Nerves** – sensitive portion of the body used for pain-compliance. Extended pressure may cause serious bodily injury.

Use-of-Force Policies and Training – A Reasoned Approach (Part One)

By THOMAS D. PETROWSKI, J.D.

This is the first of a two-part article examining law enforcement policies and training related to the use of force. It will provide an overview of the constitutional constraints on the use of force by law enforcement, address the inherent hesitation of police officers to use significant levels of force, and make recommendations regarding the ubiquitous force continuum and other training considerations.

The United States is currently experiencing an unprecedented level of violence. For example, the per capita rate of aggravated assaults has increased nearly 500% since 1959.¹ This growth in violent crime forever has altered training in the use of force by law enforcement. While there has been a decrease in the number of law enforcement officers feloniously killed each year,² injury to any law enforcement officer who is a victim of attack is unacceptable. In reviewing felonious assaults on law enforcement officers resulting in death or injury, one common denominator often is conspicuously present—the victim officer hesitated in responding with force. During post incident review of assaults on police, victim officers often indicated that they were uncertain about what force options were permissible under law or department policy and that they did not perceive their attacker to be a serious threat until it was too late. This hesitation is tragic and often avoidable.

Constitutional Limits

The seminal case defining the modern constitutional constraints on law enforcement use of force is the 1989 U.S. Supreme Court decision in *Graham v. Connor*.³ The case involved an investigative detention of an individual and the use of nondeadly force by the detaining officers that resulted in injury to the detainee. While the U.S. Supreme Court did not decide whether the use of force by the detaining officers was constitutionally permissible,⁴ the Court defined how use of force by law enforcement should be constitutionally evaluated. The decision demonstrates that the Court understands the dynamics of violent encounters and the practical safety issues law enforcement officers face. The Court makes clear that the law profoundly distinguishes between the dangerous and the endangered and pays great deference to officers who use force to defend themselves or another.

The Court held in *Graham* that the use of force by law enforcement while making a seizure—to include force used in self-defense or defense of another—is evaluated under the Fourth Amendment. Such conduct, therefore, is analyzed for reasonableness since the Fourth Amendment prohibits “unreasonable searches and seizures.”⁵ The test of what is reasonable is a common sense evaluation of what an objectively reasonable officer might have done in the same circumstance. The Court held reasonableness is an objective standard viewed from the officer’s perspective:

The “reasonableness” of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The Fourth Amendment is not violated by an arrest based on probable cause, even though the wrong person is arrested, nor by the mistaken execution of a valid search warrant on the wrong premises. With respect to a claim of excessive force, the same standard of reasonableness at the moment applies: Not every push or shove, even if it may later seem unnecessary in the peace of a judge’s chambers, violates the Fourth Amendment. The calculus of reasonableness must embody allowance for the fact that police officers often are forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation. As in other Fourth Amendment contexts, however, the “reasonableness” inquiry in an excessive force case is an objective one: the question is whether the officers’ actions are “objectively reasonable” in light of the facts and circumstances confronting them...⁶

The legal question is whether an objectively reasonable officer could have taken the action in issue. Put another way, an unreasonable use of force is one that no objectively reasonable law enforcement agent would have used. It does not involve any subjective information regarding the officer who used the force, such as training, age, or experience. For example, in *McLenagan v. Karnes*,⁷ the Fourth Circuit Court of Appeals applied the Graham objective reasonableness standard. In *McLenagan*, a police officer shot an individual he perceived to be armed and posing a deadly threat (the individual turned out to be neither armed nor posing a threat). Within moments after shooting the plaintiff, the defendant police officer realized he had shot the wrong person and then—for no reason offered in the opinion—fired two rounds through a closed door where the subject may have been. Those two rounds, while not injuring anyone, were clearly unreasonable.

In finding the use of force by the officer against the plaintiff to be reasonable, the court noted: “To ascertain whether probable cause existed for [the police officer] to fire his weapon, we consider the particular circumstances confronting the official at the time of the questioned action. . . if a reasonable officer possessing the same particularized information as [the police officer] could have ..believed that his conduct was lawful, then [the actions of the police officer were reasonable].”⁸ With respect to the two additional rounds fired after the plaintiff was shot, the court noted that “.. such conduct might be indicative of an officer’s propensity for ill-considered actions. . [h]owever, in this case, [the officer] had no time to consider anything at all—except his and the public’s immediate safety. At the moment of truth, [the officer] acted well within the range of behavior expected of a police officer. What happened after the critical time had passed is simply irrelevant.”⁹

The court in *McLenagan* also addressed the fundamental Fourth Amendment principle that law enforcement officers need not be correct—only reasonable—in their decisions to use force. The court held: “We will not second-guess the split-second judgment of a trained police officer merely because that judgment turns out to be mistaken, particularly where inaction could have resulted in death or serious injury to the officer and others. Although it is extremely unfortunate that [the plaintiff] was seriously injured, [the law] does not purport to redress injuries resulting from reasonable mistakes.”¹⁰

The Court in *Graham* made clear that the determination of reasonableness requires a commonsense pragmatic approach¹¹ from the perspective of an objectively reasonable law enforcement officer to determine whether an officer's conduct was constitutional. The legal constraints on the use of force by law enforcement are based on practical considerations unique to each circumstance. Unlike other Fourth Amendment contexts, officer's actions are not based on a specific rule set out by the Court. The Court prefers to give bright-line rules when possible, particularly in Fourth Amendment matters.¹² When such specific guidance is given by the Court, it is important that department policy and training reflect that guidance. However, the constitutional restrictions on law enforcement use of force are not—because they cannot be—bright-line rules. It is critical that use-of-force policy and training not be based on strict rules or, as the Court said in *Graham*, “mechanical applications.” The law is defined by the realistic functional aspects of each case. In use-of-force training, legal and practical considerations are not two separate subject matters; they are complementary.

In recognizing that an officer's decision to use force occurs in “circumstances which are tense, uncertain and rapidly evolving,” the Court underscored that law enforcement agents are reacting to a subject's refusal to voluntarily comply with the law. It is the subject that dictates what use of force, if any, is necessary and reasonable. Federal case law recognizes the short critical time period in which law enforcement officers must make use-of-force decisions.¹³ This also takes into account the effects of adrenal stress,¹⁴ which is an involuntary reaction with substantial psychological and physiological results that significantly affect a person's capacity to react, perceive information, and recall details.

The Court in *Graham* also noted that use of force by police has two distinct justifications. The first is in response to a suspect posing an immediate threat to the safety of the officers or others, and the second is to prevent the escape of a subject.¹⁵ While the use of force under both justifications is evaluated for Fourth Amendment reasonableness, the practical considerations—and, thus, the approach to training—can be quite different. In responding to a subject who is attempting to escape while not posing an immediate danger to the seizing officers, there may be time, albeit seconds, to contemplate force options. However, in response to immediate threats to safety there is virtually never that luxury of time. Training in the use of force must address this distinction. Unfortunately, many use-of-force curricula address both force justifications with the same approach.

Hesitation: The Ever-Present Adversary

More than 25 centuries ago, Sun Tzu, in his classic military treatise *The Art of War*, noted that “the worst calamities that befall an army arise from hesitation....”¹⁶ The notion that one must not hesitate in the face of a dangerous threat seems elementary in use-of-force training, but in some training contexts, hesitation is exactly what is encouraged or expressly prescribed.

Empirical data indicate that law enforcement officers responding to a threat hesitate to use force, particularly deadly force, even in the face of an imminent threat. Studies of military conflict confirm that the vast majority of individual soldiers in combat refused to kill an identified enemy even when they knew that doing so would endanger their own lives.¹⁷ Review of FBI officer victimology studies and information provided by victim officers' departments¹⁸ indicated that approximately 85 percent of law enforcement officers feloniously killed in the line

of duty never discharged their service weapons. Review of individual case studies revealed that victim officers often hesitated—even in the face of an immediate threat.

FBI Uniform Crime Reports (UCR) data indicated that only a small portion of law enforcement officers who are violently assaulted respond with deadly force.¹⁹ UCR data for the years 1991 through 2000 indicated that 644 law enforcement officers were feloniously killed in the line of duty. The data also indicated an annual average of 60,307 documented assaults on law enforcement officers. An annual average of 10,994 of these assaults involved a dangerous weapon; an average of 49,313 involved the attacker using personal weapons. It should be noted that these numbers represent assaults documented by a department and then reported to the U.S. Department of Justice. Further, while there are more than 17,000 law enforcement agencies in the United States, the average number of agencies reporting documented assaults was only 8,985.

It is safe to assume that these assault statistics are very conservative, if not grossly underreported. UCR data also indicated that during the period 1994 through 2000, law enforcement officers in the United States intentionally killed an annual average of 364 felons while in the line of duty.²⁰ This number does not address those individuals nonfatally shot by law enforcement officers.²¹ There are certainly legitimate reasons that could have prevented officers from using deadly force when it clearly was justified. There could have been tactical reasons to not introduce a service weapon into a conflict; officers may have been murdered with their own weapon,²² been ambushed,²³ or selflessly chose not to shoot because of a danger to a third party. However, the annual rate of fatal use of deadly force by law enforcement officers (364) compared with the annual reported assaults on law enforcement officers (60,307—10,994 of which involved a deadly weapon) is telling. These data, supported by the historical military studies and officer victimology reports, clearly indicated a reluctance on the part of officers to use significant force even when confronted with an imminent threat of death or serious physical injury.

Compounding the inherent hesitation officers have in using significant levels of force is the instinctive tendency to quickly close with subjects and place themselves between the offender and those they protect.²⁴ Officers are quick to put themselves in harm's way but are then reluctant to use significant force. Use-of-force training should take this into account and strive to reduce officer hesitation to use force when it is clearly necessary. Unfortunately, some use-of-force training takes the opposite focus of encouraging officers not to use force, particularly deadly force, unless it is preceded by unrealistically lengthy deliberation.

The Use-of-Force Continuum: A Strategy for Hesitation

In *Graham*, the Court's insightful statement, "...the test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application..."²⁵ was meant to illustrate the notion that every situation involving the use of force by police is unique and that it is impossible to define specific applications of force options. Unfortunately, many law enforcement agencies have adopted training in the guise of a "force continuum," which is precisely the mechanical application that the Court proscribed for use by lower courts because it is inconsistent with the concept of reasonableness.

Most use-of-force continua indicate a reflective approach to a menu of force options with the goal of selecting the least intrusive option. The typical force continuum begins with the presence of the officer or with verbal commands and then lists use-of-force options in order of increasing intrusiveness, ending with deadly force. Usually, accompanying language suggests that officers should consider which force option is appropriate and includes the suggestion of “escalating” their response to a subject with a view toward “de-escalating” the threat posed by the subject. The continuum also usually contains language that suggests officers consider progressing up or down the force continuum. While virtually every force continuum provides that such progressing through force options may not be appropriate in all use-of-force situations, the seed of hesitation is inescapably planted. The word continuum implies a sequential approach.

The force continuum can be superficially very attractive, particularly when provided in the form of a euphonic acronym. This purports to make it easy to remember the steps of the continuum—which is exactly what it does—resulting in guaranteed hesitation in the face of a threat. The force continuum is most problematic when it is necessary for an officer to apply deadly force or a higher nondeadly force option. An officer trained to progress through a force option menu inevitably will hesitate too long to eliminate all less intrusive force options.

There may be situations where the progressive escalating force option approach is logical, such as when a subject poses no immediate threat of serious physical harm to anyone while attempting to escape. When there is no immediate threat, officers may have the luxury of time to escalate through force options to use the least intrusive force option. But, to require such an escalating approach when faced with an immediate serious threat is contrary to common sense and the specific direction of the Supreme Court.²⁶ It assumes a propensity by police to use unnecessary force when the empirical data show that the common response is to hesitate. The force continuum purports to provide a mechanical application when officers should be making a subjective threat assessment. It encourages officers to “wait and see,” in the hope that either the aggressors will abruptly change their minds or the assessment of threat by the officer will become very simple. While it is often a prudent practice for departments to have policies that are more restrictive than the law requires to ensure compliance with the law, mandating force continua risks more than the loss of evidence—it risks the lives of officers. While this approach may reduce use of force by police, the risk to officers is significant and not constitutionally required.

Some departments and vendors take the force continuum even further, employing what they call a “less-lethal” option. That is, while the force option constitutes deadly force, it is less intrusive than other deadly force options. This practice requires that once it is determined (consistent with a review of force options on the continuum) that deadly force is necessary, then a review of options within that level be undertaken. This creates a continuum within a continuum, making an unacceptably long decision process even longer.

The Least Intrusive Alternative

The goal of force continua—using the least intrusive means to respond to a threat—simply is not constitutionally required. The law does not require officers to select the minimum force necessary, only a reasonable option. The Seventh Circuit Court of Appeals said in *Plakas v. Drinski*,²⁷ “[t]here is no precedent in this circuit (or any other) which says that the Constitution requires law enforcement officers to use all feasible alternatives to avoid a situation where deadly force can justifiably be used. There are, however, cases which support the assertion that, where deadly force is otherwise justified under the Constitution, there is no constitutional duty to use nondeadly alternatives first.”²⁸ Choosing the least intrusive alternative is not legally required because it is an impossible standard to apply to hold law enforcement. The U.S. Supreme Court and every federal circuit in this country recognize this. It is an obvious point that use-of-force trainers and policy makers should heed.

Conclusion

The constitutional constraints on the use of force by law enforcement require reasonableness. The Supreme Court has identified a number of considerations lower courts should look at in determining reasonableness that emphasize looking at the practical circumstances facing the officer who used force. Each case should be evaluated in light of the particular unique facts from the perspective of the officer at the time the decision to use force was made. The law provides that there cannot be bright-line rules (“mechanical applications”) regarding what force an officer may use. It is the practical considerations that inform the law.

Hesitation commonly plagues police who are victims of attack. Use-of-force training regarding immediate self-defense differs from use of force to effect a seizure when an officer does not face an imminent threat. When training officers to use force in self-defense or defense of another, the focus must be on removing hesitation. The use of a force continuum perpetuates hesitation and exacerbates a natural reluctance to apply significant force even when faced with a serious threat. The progressive escalating approach—with the goal of using the least intrusive force—should never be applied to defense-of-life training. Next month, the FBI Law Enforcement Bulletin will feature the second part of this article which will address specific use-of-force training strategies and policy considerations.

Endnotes

¹ According to U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States*, aggravated assaults in 1959 occurred at the rate of 67.3 per 100,000 inhabitants. In 1999, the rate was 334.3 per 100,000 inhabitants. The murder rate in 1959 was 4.8 per 100,000 inhabitants and 5.7 in 1999. Obviously, aggravated assault is a better indicator of the increase in violent crime because it shows how often people in this country actually are committing serious acts of violence. The murder rate as an indicator of society’s capacity to be violent is skewed by the significant advances in health care over the past 40 years. This increase in violent crime is particularly cogent in light of recent positive influences on violent crime, such as the legalization of abortion. See John J. Donohue III and Steven D. Levitt, “The Impact of Legalized Abortion on Crime,” *The Quarterly Journal of Economics*, MIT Press, Harvard University’s Department of Economics, Cambridge, MA. See also David A. Grossman, *The Bullet-Proof Mind* (Carrollton, TX: Calibre Press, 1999).

² During the period 1971 through 1975, the average annual number of law enforcement officers feloniously killed was 128. The annual average for the period 1996 through 2000 was 57. See U.S. Department of Justice, Federal Bureau of Investigation, *Law Enforcement Officers Killed and Assaulted* for the indicated years. The reduction in law enforcement officers killed has been caused primarily by the increased use of bullet-proof vests and improvements in Kevlar technology. Other factors that may have contributed to the reduction are better training and police practices.

³ 490 U.S. 386 (1989). The Graham decision is relevant only to Fourth Amendment cases. Use-of-force matters involving incarcerated convicts are brought under the Eighth Amendment, and Fourteenth Amendment claims can be brought for use of force by law enforcement that do not apply to either the Fourth or Eighth Amendments.

While there have been numerous applications of the Graham decision by the Supreme Court and in every federal circuit, in 2001 the Supreme Court generally readdressed the issue in *Katz v. Saucier*, 121 S. Ct. 2151 (2001). The Court in *Katz* was extremely pro-law enforcement and made clear that in evaluating the use of force by law enforcement great deference must be paid to the risks assumed by law enforcement and strongly reinforced its previous decisions in police use of force cases. The *Katz* decision is replete with references of deference to law enforcement in both qualified immunity and constitutional contexts. For example, at 2158: “ We set out a test that cautioned against the “20/20 vision of hindsight” in favor of deference to the judgment of reasonable officers on the scene. Citing *Graham*, at 396. Emphasis added. And, at 2158-2159:

The deference owed officers facing suits for alleged excessive force is not different in some qualitative respect from the probable cause inquiry in [search cases]. Officers can have reasonable, but mistaken, beliefs as to the facts establishing the existence of probable cause or exigent circumstances, for example, and, in those situations, courts will not hold that they have violated the Constitution. Yet, even if a court were to hold that the officer violated the Fourth Amendment by conducting an unreasonable, warrantless search, *Anderson* still operates to grant officers immunity for reasonable mistakes as to the legality of their actions. The same analysis is applicable in excessive force cases, where in addition to the deference officers receive on the underlying constitutional claim, qualified immunity can apply in the event the mistaken belief was reasonable. Emphasis added.

⁴ The Court remanded the case back to the trial court to apply the Court’s new guidance in determining the reasonableness of police use of force. A jury found the actions of the officers to be reasonable and, thus, constitutionally permissible.

⁵ The Fourth Amendment to the Constitution of the United States.

⁶ *Graham* at 396.

⁷ 72 F.3d 1002 (4th Cir. 1994). ⁸ *McLenagan* at 1007.

⁹ *Id.* at 1008.

¹⁰ *Id.* at 1007.

¹¹ The Supreme Court has always reduced the determination of probable cause and reasonableness to a laymen’s view: “[a]rticulating precisely what ... “probable cause” means is not possible. [It is a] commonsense, nontechnical conception that deals with the factual and practical considerations of everyday life on which reasonable and prudent men, not legal technicians, act.”

U.S. v. Ornelas, (U.S. Supreme Court) 517 U.S. 690, 695 (1996) (emphasis added), citing two previous decisions.

¹² For examples, see *Chimel v. California*, 395 U.S. 752 (1969) (officers always may search an arrestee, to include the wingspan area, incident to arrest); *Pennsylvania v. Mimms*, 434 U.S.106 (1977) (driver of a vehicle always may be ordered to exit vehicle incident to traffic stops); *Maryland v. Buie*, 494 U.S. 325 (1990) (incident to an arrest in a structure, officers always may conduct a protective sweep of the room in which the arrest occurs and all rooms adjacent thereto); *Michigan v. Summers*, 452 U.S. 692 (1981) (officers always may detain occupants of a residence where a search warrant is executed). These cases illustrate the substantial deference the Court gives to those who put themselves in harm’s way by making arrests and conducting searches. The Court tries, where it can, to give law enforcement clear guidance to prevent the difficult decision making that occurs in the “tense, uncertain and rapidly evolving” circumstances of most searches and seizures. However, with respect to review of use-of-force matters they have mandated that each case be individually evaluated, giving great deference to those making such difficult decisions.

¹³ “The time-frame [an officer has to respond to a subject] is a crucial aspect of excessive force cases. Other than random attacks, all such cases begin with the decision of a police officer to do something, to help, to arrest, to inquire. If the officer had decided to do nothing, then no force would have been used. In this sense, the police officer always causes the trouble. But it is trouble which the police officer is sworn to cause, which society pays him to cause and which, if kept within constitutional limits, society praises the officer for causing.” *Plakas v. Drinski*, 19 F.3d 1143, at 1150 (emphasis added) (7th Cir. 1994).

The notion that an individual attacked will not have time to evaluate responses is not new to the courts. In 1921, the Supreme Court in *Brown v. U.S.*, 41 S. Ct. 501, related at 502:

“Detached reflection cannot be demanded in the presence of an uplifted knife. Therefore, in this Court, at least, it is not a condition of immunity that one in that situation should pause to consider whether a reasonable man might not think it possible to fly with safety or to disable his assailant rather than kill him.”

¹⁴ See generally Alexis Artwohl, Ph.D. and Loren W. Christensen, *Deadly Force Encounters: What Cops Need to Know to Mentally and Physically Prepare for and Survive a Gunfight* (Boulder, CO: Paladin Press, 1997).

¹⁵ Graham, at 396. For a discussion of the legal aspects of use of force to effect an arrest or to prevent escape, see John C. Hall, “Use of Deadly Force to Prevent Escape,” and “Police Use of Nondeadly Force to Arrest,” *FBI Law Enforcement Bulletin*, March 1994, 27-32 and October 1997, 27-32, respectively.

¹⁶ Numerous translations of *The Art of War* are available. See translation and commentary by Lionel Giles, published by Indypublish.com, 2001, or translation by Samuel B. Griffith, Oxford University Press, London, England, 1963.

¹⁷ See generally David A. Grossman, *On Killing* (Boston, MA: Little, Brown and Company, 1996), nominated for a Pulitzer Prize. See also George T. Williams, “Reluctance to Use Deadly Force,” *FBI Law Enforcement Bulletin*, October 1999, 1-5.

¹⁸ A 1992 FBI Uniform Crime Report (UCR) study of law enforcement officers feloniously killed in the line of duty indicated that 85 percent of the officers killed never discharged their service weapons. A review of 148 incidents of law enforcement officers killed from 1998 through 2000 indicated that 125 (84.5 percent) of the victim officers never fired a round at their killer. See U.S. Department of Justice, Federal Bureau of Investigation, *Killed in the Line of Duty* (Washington, DC, 1992); and U.S. Department of Justice, Federal Bureau of Investigation, *Law Enforcement Officers Killed and Assaulted* (Washington, DC, 1998, 1999, and 2000).

¹⁹ See U.S. Department of Justice, Federal Bureau of Investigation, *Law Enforcement Officers Killed and Assaulted* (Washington, DC, 2000).

²⁰ See U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States* (Washington, DC, 1998 through 2000).

²¹ For a discussion of extrapolating the number of individuals shot (fatally and nonfatally), see generally William A. Geller and Michael S. Scott, “The Prevalence of Shootings,” in *Deadly Force: What We Know* (Washington, DC: Police Executive Research Forum, 1992).

²² During the period 1991 through 2000, 51 of the 601 law enforcement officers killed with firearms were killed with their own weapon (8.5 percent). See U.S. Department of Justice, Federal Bureau of Investigation, *Law Enforcement Officers Killed and Assaulted* (Washington, DC, 2000).

²³ During the period 1991 through 2000, 89 of the 644 slain law enforcement officers were ambushed (13.8 percent). See U.S. Department of Justice, Federal Bureau of Investigation, *Law Enforcement Officers Killed and Assaulted* (Washington, D.C., 2000).

²⁴ See Anthony J. Pinizzotto, Edward F.

Davis, and Charles E. Miller III, “Escape from the Killing Zone,” *FBI Law Enforcement Bulletin*, March 2002, 1-7.

²⁵ Graham at 396 (quoting a prior Supreme Court decision).

²⁶ By adopting unnecessarily restrictive policies, departments also may be holding themselves to a higher legal standard. While mere policy violations normally do not give rise to civil rights lawsuits, some courts have held such actions may be viable when the policies have been adopted for the benefit of those ultimately injured. The Ninth Circuit Court of Appeals said in *Scott v. Henrich*, 39 F.3d 912 (9th Cir. 1992), “Assuming internal police guidelines are relevant to determining whether use of force is objectively reasonable,...they are relevant only when one of their purposes is to protect the individual against whom force is used. Thus, if a police department limits the use of chokeholds to protect suspects from being fatally injured,...or restricts the use of deadly force to protect suspects from being shot unnecessarily,...such regulations are germane to the reasonableness inquiry in an excessive force claim.” *Id.* at 915. Even if the above policy-based suit fails, a department that adopts overly restrictive use-of-force continua probably will expose itself to “expert” witnesses who will opine that lack of compliance with a department’s policies indicates an unreasonable use of force.

²⁷ 19 F.3d 1143, at 1148 (7th Cir. 1994).

²⁸ The first time the U.S. Supreme Court expressly asserted that Fourth Amendment reasonableness did not require the least intrusive alternative was in *Illinois v. Lafayette*, 462 U.S. 640 (1983). For other examples of courts finding that a law enforcement officer need not select the least intrusive option, see *U.S. v. Sokolow*, 490 U.S. 1 (1989); *Roy v. Lewiston*, 42 F.3d 691 (1st Cir. 1994); *Salim v. Proulx*, 93 F.3d 86 (2nd Cir. 1996); *Elliott v. Leavitt*, 99 F.3d 640 (4th Cir. 1996); *Collins v. Nagle*, 892 F.2d 489 (6th Cir. 1989); *Tauke v. Stine*, 120 F.3d 1363 (8th Cir.

1997); *Schulz v. Long*, 44 F.3d 643 (8th Cir. 1995); *Scott v. Henrich*, 39 F.3d 912 (9th Cir. 1994); *Warren v. Las Vegas*, 111 F.3d 139 (9th Cir. 1997); *Wilson v. Meeks*, 52 F.3d 1547 (10th Cir. 1995); *Manual v. Atlanta*, 25 F.3d 990 (11th Cir. 1994); and *Medina v. Cram*, 252 F.3d 1124 (10th Cir. 2001). See also the reference to *Brown*, *supra* note 13.

Use-of-Force Policies and Training – A Reasoned Approach (Part Two)

This is the second of a two-part article¹ examining law enforcement policies and training regarding the use of force. The first part provided an overview of constitutional constraints on the use of force by law enforcement and addressed the inherent hesitation of police officers to use significant levels of force. The law requires law enforcement officers to be reasonable and provides that there cannot be bright-line rules—“mechanical applications” in the words of the Supreme Court²—regarding what level of force an officer may use. Practical considerations inform the law. The law, which reflects the pragmatic factors, and the natural hesitation officers’ experience when using force suggest it is not prudent to use an escalating force continuum when training officers to use force in defense of life. Force continua perpetuate hesitation and exacerbate the natural reluctance of officers to apply significant force even when faced with a serious threat.

The Primary Use-of-Force Training Focus

When evaluating the reasonableness of force used by law enforcement, the Supreme Court said in *Graham v. Connor*³ that “[t]he test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application...; however, its proper application requires careful attention to the facts and circumstances of each particular case, including...whether the suspect poses an immediate threat to the safety of the officers or others and whether he is actively resisting arrest or attempting to evade arrest by flight.”⁴ The Court thus observes that use of force by law enforcement officers⁵ can arise from two circumstances:⁶ 1) in response to an imminent threat of harm from a subject or 2) to effect the seizure of a nonthreatening subject who is resisting or attempting to escape.

Use-of-force trainers must define a training focus that addresses both distinct situations. Using force to defend against serious assaults is a priority because of the gravity of the encounter; using force to make arrests—where there is no immediate threat to the arresting officer or others—is a significant training concern because this use of force is far more common than using force in defense of life.⁷ The dilemma facing use-of-force trainers is how to prepare officers to use reasonable force in both situations—using adequate force without hesitation in defense of life but never using excessive force to make an arrest of a nonthreatening subject. The answer is to train officers to understand when they face an imminent threat. The ability to assess a threat will prompt officers to use necessary force in a timely manner when they are about to be assaulted and discourage unnecessary force when seizing an uncooperative, but non-threatening, subject.

Threat Assessment

The cornerstone of use-of-force training should be threat assessment. The essence of the reasonableness inquiry in defense-of-life cases is whether the officer who used force reasonably perceived a threat.⁸ That is, whenever law enforcement officers use force, the legal evaluation will focus on whether they reasonably perceived a threat at the time they used force and whether the force used was a response that an objectively reasonable law enforcement officer might have selected. Thus, the most important use-of-force attribute any law enforcement officer can develop is the ability to recognize a threat. The goal of this training is to enable officers to recognize an imminent threat and reasonably respond in a timely manner.⁹

A threat is a capability to do harm joined by hostile intent.¹⁰ Both elements must be present for an individual to present a threat. Training should emphasize indicators of hostile intent and indicators of a capability (i.e., what subject conduct represents a threat).¹¹ Threat factors can be categorized as an indicator of either a capability or intent. Intent of a subject is the more critical consideration, but recognizing and articulating the intent of someone, particularly prior to an actual assault, often is very difficult. Examples of indicators of intent include aggressive verbal and nonverbal communications, coupled with noncompliance with clear verbal commands of an officer.¹² Capability indicators are easier to recognize because they are more tangible. For example, possession of, or access to, a weapon (including an officer's weapon), a demonstrated combat ability or skill, size or fitness, or multiple subjects clearly indicate a capability to harm. Training to focus on cues of the subject that indicate a capability to harm, and understanding the logical inferences of those cues, is paramount.

For example, in training to assess a deadly threat, the FBI provides four categories of a deadly threat which are taught in conjunction with its deadly force policy.¹³ If an agent has probable cause to believe any of the four examples exist and the subject poses a threat of serious physical injury, then deadly force may be permissible under the policy. The four examples of a deadly threat are as follows:

1. The subject possesses a weapon, or is attempting to gain access to a weapon, under circumstances indicating an intention to use it against the agent or others.
2. The subject is armed and running to gain the tactical advantage of cover.
3. A subject with the capability of inflicting death or serious physical injury, or otherwise incapacitating agents, without a deadly weapon, is demonstrating an intention to do so.
4. The subject is attempting to escape the vicinity of a violent confrontation in which he or she inflicted or attempted the infliction of death or serious physical injury.

Not only is intent difficult to determine before an actual attack, but it is also a natural human reaction to hesitate—subconsciously hoping the assault does not manifest.¹⁴ This is why the common practice is to wait until a threat manifests—making the threat obvious—even though this places the victim officer in avoidable peril.¹⁵ Focusing use-of-force training on threat assessment prepares officers to make reasonable use-of-force decisions when confronted with a threat or when apprehending a nonthreatening subject. When officers thoroughly understand threat assessment, they recognize the existence and nature of a threat. When there is no immediate threat, officers have time to consider less intrusive means of effecting the arrest. However, if a threat exists, the officer immediately can address it without the delay caused by

natural hesitation or a continuum. A reasonable response to a violent assault is to initially consider whether deadly force is necessary.

If it is not, the officer can select a suitable nondeadly option. If deadly force is necessary, there rarely is time to consider another option—which is exactly the problem with the conventional force continuum. Only when deadly force is not necessary is an officer likely to have the luxury of a moment to consider a nondeadly force option. While the typical force continuum can be applied to seizures of individuals who do not pose a significant threat and the “reverse” continuum (considering deadly force first) is appropriate for confronting threats, both responses (in a much simpler format) are the result of the threat assessment-based training model, which will naturally cause some hesitation in using force to seize nonthreatening subjects—where it should be.

Threats of Attack, Versus Actual Attacks

Use-of-force training should focus on the assessment of threat so officers can react to the threat of attack and not the actual attack. If a subject to be arrested has not threatened anyone, the arresting officers initially can apply little or no force and then escalate their response as needed. But, once a subject poses a threat, it is critical to respond to that threat before it manifests into an assault.

Use-of-force training should prepare officers to respond to a threat before the assault occurs, enabling them to determine when they have probable cause to believe a threat exists without waiting until the actual assault is in progress. When the subject of the officer’s force already is assaulting the officer or another, the threat assessment is simple. However, the law, and any rational department policy, does not require an officer to wait to act until an actual assault occurs.

The quintessential practical consideration in use of force by an officer is to respond to the threat of violence and not to the actual violence itself.¹⁶ While understanding that someone poses a threat during an assault is certainly easier, assuming the officer still is capable of doing so, the resulting tactical disadvantages greatly outweigh the purpose of “strike only after being struck” teachings.

Generally, if an officer responds to an actual assault, there has been an unnecessary delay in that response.¹⁷ The law recognizes this fundamental principle. Examples of courts recognizing this issue are found in cases of police officers reasonably using deadly force against unarmed subjects who the officer reasonably believed to be armed.¹⁸ For example, in *Anderson v. Russell*,¹⁹ the Fourth Circuit Court of Appeals found reasonable an officer’s (Russell) use of deadly force against an unarmed man (Anderson) who the officer believed was reaching for a weapon.

The court noted: “The evidence establishes that immediately before Russell fired, Anderson was reaching toward what Russell believed to be a gun. Any reasonable officer in Russell’s position would have imminently feared for his safety and the safety of others. This circuit has consistently held that an officer does not have to wait until a gun is pointed at the officer before the officer is entitled to take action... [a]ccordingly, because Russell had sound reason to believe that Anderson was armed, Russell acted reasonably by firing on Anderson as a protective measure before directly observing a deadly weapon.”²⁰

The Fourth Circuit also addressed this issue in *McLenagan v. Karnes*,²¹ holding that an officer was entitled to use deadly force when he had reason to believe that the suspect was armed. The court reemphasized this in *Elliot v. Leavitt*,²² stating: “[t]he critical point, however, is precisely that [the subject] was ‘threatening,’ threatening the lives of [the officers]. The Fourth Amendment does not require police officers to wait until a suspect shoots to confirm that a serious threat of harm exists.”²³ The notion that threats should be addressed before a suspect acts is not limited to deadly force situations; it applies to any use of force. In *Wardlaw v. Pickett*,²⁴ Pickett (a U.S. Marshal) was removing an individual from a courthouse. Mr. Wardlaw (a friend of the individual being removed) ran up to Pickett yelling at him to leave his friend alone. As Wardlaw closed on Pickett, and before actually assaulting him, “Pickett turned and punched the approaching Wardlaw once in the jaw and two or three times in the chest.”²⁵ In finding Pickett’s actions reasonable, the court noted: “[W]hen Wardlaw rushed down the stairs toward them, Pickett...[was] in a vulnerable position, caught in a stairwell and moving an uncooperative individual. Wardlaw admits that he shouted at the deputies as he approached them, thus, again reasonably, raising a fear that he was about to attack. Furthermore, as Wardlaw acknowledges, Pickett hit him no more than three or four times, all in rapid succession. Once Wardlaw sat down on the stairs, and it became apparent that he was not going to attack, Pickett did not hit him.... We believe that no reasonable jury could find that Pickett’s use of force was so excessive that no reasonable officer could have believed it to be lawful.”²⁶ This case illustrates an example of a reasonable response to the threat of assault without waiting for the actual assault to commence. Note that the court also took notice of the fact that Pickett ceased his use of force as soon as “it became apparent that he [Wardlaw] was not going to attack.” The court found the use-of-force decision reasonable based on the presence, or absence, of a threat.

In *Prymer v. Ogden*,²⁷ a police officer (Ogden) had arrested and handcuffed Prymer. As Ogden was walking with Prymer to the police transport vehicle, Prymer made a gurgling noise in his throat as if he were going to spit on Ogden. Ogden “struck Mr. Prymer in the forehead with a straight-arm stun technique to redirect Mr. Prymer’s head.”²⁸ In finding Ogden’s response to the threat of being spat on reasonable, the court commented that “Mr. Prymer was preparing to spit on Officer Ogden and that the open-handed stun technique was a reasonable response to prevent Mr. Prymer’s actions.”²⁹

Reasonable Force Is Always Preemptive

In use-of-force training, the concept of striking after the threat is realized but before the assault commences often is referred to as preemptive force. This incorrectly suggests that using force after the assault commences is not preemptive. Actually, any legal use of force is preemptive in nature, regardless of whether the assault has started. Force lawfully used is employed to prevent—that is, preempt—future harm; it is never to punish.

Once an individual has commenced an assault, force used against that subject is not to address the previous assault, but to prevent future assaults. The assessment of threat is just easier once the assault occurs. Except for force included in a criminal sentence, constitutionally permissive force always is preemptive in nature. Sound use-of-force training should refrain from characterizing preassault responses as “preemptive” because it suggests a legal distinction

between preassault and postassault uses of force. There is no such distinction. It is either justified (i.e., the threat has reasonably been perceived) or it is not.

Action Versus Reaction

Training to respond to threats lets officers act, not react. This is critical because there are inherent limitations on a person's ability to assess and respond to perceived threats. An individual's reaction always is slower than the action that prompted the response. This is commonly referred to as the reactionary gap.³⁰ Action always beats reaction, making it even more critical to respond to the threat of violence, and not to the actual violence itself. In any violent encounter, one party takes advantage of the reactionary gap; the other must react and be at a significant disadvantage. When possible, officers must be on the "action" side of the action/reaction model.

In *Montoute v. Carr*,³¹ the Court of Appeals for the 11th Circuit Court addressed the reactionary gap and the concept that an officer must react to a threat before it manifests into an assault. In *Montoute*, a police officer was chasing a subject armed with a sawed-off shotgun. The officer eventually shot the subject in the back after verbal commands to stop went unheeded. The court noted: "[although the subject] never turned to face [the pursuing officer] and never actually pointed the sawed-off shotgun at anyone.... There was nothing to prevent him from doing either, or both, in a split second. At least where orders to drop the weapon have gone unheeded, an officer is not required to wait until an armed and dangerous felon has drawn a bead on the officer or others before using deadly force."³²

Hesitation, resulting in a delay of only fractions of a second, puts an officer at great risk, particularly when coupled with the unavoidable psychophysiological delay associated with reacting to a subject's action. Training to respond to preassault threats, as the officer did in *Montoute*, places officers in a position to act and the subject in the disadvantageous position of reacting.

Reducing Incidents of Unreasonable Force

Threat assessment training will reduce incidents of unreasonable force. Courts look for the presence of a threat or attempt to escape in evaluating use of force by law enforcement. If courts find the force to be unreasonable, it is typically because there was no threat or escape attempt. For example, in *Lee v. Ferraro*,³³ an officer allegedly slammed an arrestee's head into the trunk of her car after arresting and handcuffing her. The court found: "... there is absolutely no evidence indicating that [the arrestee] posed any threat to the arresting officer or to anyone else. Similarly, ...there is no indication that [the arrestee] actively resisted or attempted to flee.... We can discern no reason, let alone any legitimate law enforcement need, for [the officer] to have led [the arrestee] to the back of her car and slammed her head against the trunk after she was arrested and secured in handcuffs. At this point, [the arrestee] clearly posed no threat at all to the officer or to anyone else and no risk of flight. Under all of the factors set forth in the governing case law, the facts. .plainly show that the force used by [the officer] after effecting [the] arrest was unnecessary and disproportionate."³⁴ This case illustrates the chief use-of-force concern of the law enforcement manager: a postarrest, postthreat use of force. It typically occurs after a high-stress interaction between the arresting officer and the subject, such as a high-speed chase or assault by the subject. Such uses of force are punitive in nature, and, while there may

be extreme provocation, such force used in the absence of a threat or escape attempt never will be constitutionally reasonable.

The training model based on threat assessment teaches officers to instinctively associate use of force with a threat. It conditions officers to respond to a threat with appropriate force and immediately cease all force options once an arrest is effected and there is no threat.³⁵ This method underscores the inviolate rule that, regardless of any provocation, once a seizure has been made and the threat ceases, so must any use of force.

The response of many departments (particularly after well-publicized incidents) is to implement across-the-board restrictions on all uses of force and to emphasize an escalating force continuum. However, denying officers lawful and necessary force options is not the appropriate method to reduce uses of excessive force. Proper training in threat assessment is the answer; training should condition officers to associate force with a threat and associate discontinuing force with the termination of a threat.

A Reasoned Use-of-Force Policy

A sound use-of-force policy should explain its purpose and philosophy. The policy should emphasize reasonableness as its core— both in the perception of a threat or escape attempt and the application of force. The adoption of any mechanical rules regarding the application of force must be avoided because each circumstance is unique and reasonableness is based on the totality of the circumstances. The policy should address the two justifications for using force: a threat to officers or others or to effect seizures of nonthreatening subjects. Specific quotes from *Graham*³⁶ and any relevant state law³⁷ also should be included. It is imperative that departments identify considerations in determining reasonableness and include examples of what constitutes a threat. A policy should include a discussion of deadly force and nondeadly force applications³⁸ through a random presentation of force options (not as a continuum). It also should include the requirement to seek medical attention if the force used has resulted in any injury to the subject,³⁹ as well as administrative reporting requirements regarding use-of-force incidents. The cornerstone of the policy should be threat assessment, not an escalating approach or a force continuum. Escalating responses should be encouraged when making seizures of individuals assessed to be non-threatening but never must be the foundation of a force policy.

Conclusion

The U.S. Constitution prohibits law enforcement officers from using unreasonable force. The determination of what force is reasonable is based on the unique, practical considerations facing the officer. “Reasonableness” is a concept not capable of precise definition. Like obscenity, it is difficult to legally define but will be known when seen.⁴⁰ Force can be lawfully used by law enforcement officers either in response to a threat or to effect the seizure of a nonthreatening subject. Officer response to these two justifications can be very different; training and policies should emphasize this distinction.

When law enforcement officers use force, the ultimate legal questions are: 1) why the officers perceived the subject of their force to be either a threat or to otherwise hinder the seizure in a nonthreatening manner; and 2) whether that perception and the response were objectively reasonable.

Policy makers and trainers must focus on core use-of-force principles:

1. Hesitation in using force is natural and inevitable.
2. Policies and training must focus on overcoming hesitation, not encouraging it.
3. There never can be bright-line rules.
4. Every use-of-force situation is unique.
5. The cornerstone of use-of-force training must be threat assessment.
6. Officers must be trained to respond to the threat of violence and not to the actual violence itself.

Use-of-force responses to the two force justifications are very different. Where there is a threat, officers must be trained to not hesitate and must be able to deploy reasonable force quickly. When seizing a nonthreatening subject, officers often can use force in an escalating manner and attempt less intrusive force options.

Using force in an escalating manner must be a secondary consideration. Because arrests of non-threatening subjects are more common, some departments make the escalating approach the foundation of their use-of-force policies and training in order to prevent the excessive use of force. This exacerbates the natural hesitation officers' experience and leaves officers less prepared to respond to a threat. The focus of policy and training first and foremost must be the determination of whether someone poses a threat. Use-of-force training based on threat assessment will result in an escalating approach when it is appropriate and a timely response when it is not. If used effectively, this approach will train officers to immediately cease application of force once a threat is no longer present and eliminate postarrest punitive force. It is clear, in both the law and in practice, that the proper approach to the use of force is not all-encompassing restrictions on force or using the escalating force continua as the primary response. Such dangerous policies place officers at significant and avoidable risk. As the Fourth Circuit Court of Appeals said in *Elliot*: "The Constitution simply does not require police to gamble with their lives in the face of a serious threat of harm"⁴¹—neither should their departments.

Endnotes

¹ Thomas D. Petrowski, "Use-of-Force Policies and Training: A Reasoned Approach," FBI Law Enforcement Bulletin, October 2002, 25-32 (hereafter "Part One").

² *Graham v. Connor*, 490 U.S. 386, 396 (1989).

³ *Id.* at 396.

⁴ *Graham* at 396.

⁵ All law enforcement seizures inherently involve some use or threat of force. Even handcuffing a compliant subject constitutes a level of force. The Supreme Court said in *Graham* at 396: "Our Fourth Amendment jurisprudence has long recognized that the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it." This article focuses on force used to respond to subject resistance—either a threatening or nonthreatening hindrance to a seizure.

⁶ The critical distinction between the two justifications is the presence of a threat of harm to the arresting officers or others. A subject who is escaping poses different tactical considerations than an individual simply resisting. However, in terms of preparing an officer to make such a seizure, the significant consideration is that there is no imminent threat to the officers, which may allow time for an escalating approach and possible attempt at lesser force options. Obviously, a subject can be a threat to the officers or others while escaping or resisting in which case force, up to and including deadly force, would be applied to interdict the threat. See *infra*, notes 8 and 12.

⁷ See U.S. Department of Justice, Office of Justice Programs, *Use of Force By Police, Overview of National and Local Data*, (1999). This report notes at page vii of the Executive Summary: In 7,512 adult custod[ial] arrests...fewer than one out of five arrests involved police use of physical force (defined as use of any weapon, use of any

weaponless tactic, or use of severe restraints)...Also known with substantial confidence is that police use of force typically occurs at the lower end of the force spectrum, involving grabbing, pushing, or shoving. In the study focusing on 7,512 adult custody arrests, for instance, about 80 percent of arrests in which police used force involved use of weaponless tactics. Grabbing was the tactic used about half the time. About 2.1 percent of all arrests involved use of weapons by police. Chemical agents, such as pepper spray, were the weapons most frequently used (1.2 percent of all arrests), with firearms least often used (0.2 percent).

⁸ The Supreme Court made clear in *Graham* that the conclusive legal questions when law enforcement officers use force in self defense are: (i) why the officer perceived the subject of their force to be a threat or to otherwise hinder the seizure in a nonthreatening manner; and (ii) whether that perception, and the response, were objectively reasonable. Additionally, the Court also focused on the presence of a threat as the foundation of the use-of-force decision in its most significant opinion on the use of deadly force by law enforcement, *Tennessee v. Garner*, 105 S. Ct. 1694 (1985). The Court said at 1701: “Where the suspect poses no immediate threat to the officer and no threat to others, the harm resulting from failing to apprehend him does not justify the use of deadly force to do so ... Where the officer has probable cause to believe that the suspect poses a threat of serious physical harm, either to the officer or to others, it is not constitutionally unreasonable to prevent escape by using deadly force” (emphasis added).

When force is used to effect the seizure of a nonthreatening noncompliant subject, the inquiry also is focused on the officer’s reasonableness in response to the conduct, albeit nonthreatening, of the subject.

The Supreme Court also has used the presence or absence of a threat as the determining issue in Eighth Amendment use-of-force cases. In *Hope v. Pelzer*, 122 S. Ct. 2508 (2002), at 2513, the Court affirmed the lower courts finding that “[using force] for a period of time that surpasses that necessary to quell a threat or restore order is a violation of the Eighth Amendment; and at 2519: [w]e find that [the use of force] for a period of time extending past that required to address an immediate danger or threat is a violation of the Eighth Amendment” (emphasis added). See also *Treats v. Morgan*, 8th Cir., 2002 WL 31055497, where the court noted: “[t]he law ..does [not] justify punitive use of force on difficult inmates not posing a real threat to other persons.....A basis for an Eighth Amendment claim exists when...an officer uses pepper spray without warning on an inmate who.... poses no threat.”

⁹ This training focus avoids unnecessarily going through a progressive series of options to experiment to find the least intrusive tool. See Part One, note 28.

¹⁰ Some force trainers include “opportunity” as a third element to this formula. Opportunity is actually a component of the “capability” element, because an individual would not have the capability to imminently harm if the opportunity was not present.

¹¹ For an example of training to identify cues which indicate a threat, see generally Thomas Gillespie, Darrel Hart, and John Boren, *Police Use of Force, A Line Officer’s Guide* (Shawnee Mission, KS: Varro Press, 1998).

¹² This was part of the rationale of the Supreme Court in noting in *Garner*, supra note 8, that law enforcement officers should give verbal warnings when feasible before using deadly force to prevent the escape of an unarmed dangerous subject. The Court said in *Garner* at 1701. “Where the officer has probable cause to believe that the suspect poses a threat of serious physical harm, either to the officer or to others, it is not constitutionally unreasonable to prevent escape by using deadly force. Thus, if the suspect threatens the officer with a weapon or there is probable cause to believe that he has committed a crime involving the infliction or threatened infliction of serious physical harm, deadly force may be used if necessary to prevent escape, and if, where feasible, some warning has been given.” But, when warnings are not feasible, they are not required, and no officer should delay in using necessary force. This issue was presented in *McLenagan v. Karnes*, 27 F.3d 1002 (4th Cir. 1994). The court noted at 1007: “ For all [the officer] knew, the hesitation involved in giving a warning could readily cause such a warning to be his last. We decline, therefore, to fashion an inflexible rule that an officer must always warn his suspect before firing—particularly where, as here, such a warning might easily have cost the officer his life.” Unfortunately, some courts greatly exaggerate the constitutional duty to give such warnings even when the facts clearly indicate no feasible way for such warnings to be given. See *Deorle v. Rutherford*, 242 F.3d 1119 (9th Cir. 2001) (Police officer should have given warnings before bean bag shooting of armed attacking subject 30 feet away), *Vaughn v. Cox*, 264 F.3d 1027 (11th Cir. 2001) (during high speed chase reaching 85 mph officer should have given verbal warnings before shooting from his cruiser into subject’s vehicle), *Idaho v. Horiuchi*, 253 F.3d 359 (9th Cir. 2001) (FBI sniper deployed 200 yards in the woods from an armed subject should have given verbal warnings before shooting).

¹³ See John C. Hall, “FBI Training on the New Federal Deadly Force Policy,” *FBI Law Enforcement Bulletin*, April 1996, 25-32. It should be noted that state and local law enforcement agencies may have legal constraints more restrictive than the federal constitutional limits applicable to the FBI deadly force policy.

¹⁴ See Part One, page 28.

¹⁵ It should be noted that threat assessment based on intent and capability of a subject parallels use-of-force training for officers. The attributes use-of-force trainers instill in trainees are those that officers look for in subjects when assessing a threat. Any sound force training program should emphasize the mind-set of the officer ahead of the ability to apply force options. Bringing a proper mind-set to an encounter significantly supports both threat assessment and responding without hesitation.

¹⁶ The strategy of addressing a threat before it manifests is fundamental to any violent encounter. This point often has been made since the terrorist attacks of September 11, 2001. For example, President Bush, in his commencement speech to West Point on June 1, 2002, remarked that “[w]e must take the battle to the enemy, disrupt his plans, and confront the worst threats before they emerge...the only path to safety is the path of action... [i]f we wait for threats to fully materialize, we will have waited too long...the war on terror will not be won on the defensive.” Mike Allen and Karen DeYoung, *The Washington Post*, June 2, 2002.

See also Col. Rex Applegate, *Kill or Get Killed* (Boulder, CO: Paladin Press, 1943), and its progeny. Applegate discusses this issue regarding law enforcement at 103: “A pure definition of ‘defensive shooting’ is ‘fire returned by an individual after the enemy fires the first shot.’ The individual is then considered to be shooting in defense of his life.... This often occurs in law enforcement, without any intent of the officer involved. In some cases, such instructions—that is, to shoot only when shot at—actually have been issued to law enforcement officers in combating known desperate men. The result has been casualties among those who have faithfully followed them.”

¹⁷ Except for ambushes (see Part One, notes 13 and 23), assaults on law enforcement officers typically are prefaced by some interaction between the officer and the attacker.

¹⁸ For examples of cases holding officer’s use of deadly force to be reasonable see *Roy v. Lewiston*, 42 F.3d 691 (1st Cir. 1994) (police shot intoxicated man with two steak knives); *Salim v. Proulx*, 93 F. 3d 86 (2nd Cir. 1996) (police shot juvenile who grabbed for officer’s firearm); *Colston v. Barnhart*, 130 F.3d 96 (5th Cir. 1997) (police shot unarmed subject after he knocked them to the ground and moved in direction of police vehicle where shotgun was located); *Pena v. Leombruni*, 200 F.3d 1031 (7th Cir. 1999) (police officer shot man attacking with a concrete slab); *Monroe v. City of Phoenix*, 248 F. 3d 851 (9th Cir. 2001) (officer shot unarmed man who attacked officer); *Wilson v. Meeks*, 52 F. 3d 1547 (10th Cir. 1995) (police shot man armed with empty handgun). For examples of qualified immunity being denied in the use of deadly force against an unarmed subject, see *Ludwig v. Anderson*, 54 F.3d 465 (8th Cir. 1995) (police shot emotionally disturbed man armed with a knife) and *Clem v. Corbeau*, 284 F.3d 543 (4th Cir. 2002) (police officer shot unarmed man who posed no threat).

¹⁹ 247 F.3d 125 (4th Cir. 2001). See also *Thompson v. Hubbard*, 257 F.3d 896 (8th Cir. 2001) where the court noted at 899: “An officer is not constitutionally required to wait until he sets eyes upon the weapon before employing deadly force to protect himself against a fleeing suspect who turns and moves as though to draw a gun;” and the Court in *Ryder v. City of Topeka*, 814 F.2d 1412, (10th Cir.1987) at 1419, note 16, noting that “[t]here might be numerous situations that would justify a police officer’s belief that a suspect was armed and that he posed an immediate threat to the officer, even though the suspect was not in fact armed. Certainly, whether a suspect is armed is a relevant factor in determining whether the suspect poses an immediate danger. A per se rule, however, that a police officer never may employ deadly force unless attacked by a suspect possessing a deadly weapon would place a police officer in a dangerous and unreasonable situation. Therefore, we conclude that whether a particular seizure is reasonable is dependent on the ‘totality of the circumstances’ and not simply on whether the suspect was actually armed.”

²⁰ *Id.* at 131 (emphasis added).

²¹ The court in *McLenagan* held at 1007: “We do not think it wise to require a police officer, in all instances, to actually detect the presence of an object in a suspect’s hands before firing on him.” See also Part One at pages 26-27.

²² 99 F.3d 640 (4th Cir. 1996). In *Elliot*, two police officers arrested Mr. Elliot for drunk driving. They handcuffed him and placed him in a marked cruiser. While the police officers were standing outside the cruiser, Mr. Elliot produced a handgun (which the arresting officers missed during their search of him) and pointed it at them. After unheeded verbal commands by the officers, both officers fired at Mr. Elliot in the cruiser fatally wounding him. The court granted Summary Judgment for the officers notwithstanding plaintiff’s arguments that the officers’ conduct was unreasonable because: Elliot was drunk; they should have found the gun during their search; they fired too many rounds; they should have restrained Elliot more effectively; they should have used less intrusive means; and, they should have simply gotten out of the way.

²³ *Id.* at 643.

²⁴ 1 F.3d 1297 (D.C. Cir.1993).

²⁵ *Id.* at 1300.

²⁶ Wardlaw at 1204 (emphasis added).

²⁷ 29 F.3d 1208 (7th Cir. 1994).

²⁸ Id. at 1211.

²⁹ Prymer at 1212 (emphasis added).

³⁰ See Bruce K. Siddle, *Sharpening the Warrior's Edge*, Chapter Four: Survival Reaction Time, PPCT Research Publications, Millstadt, IL, Fourth Edition, 2000.

³¹ 114 F.3d 181 (11th Cir. 1997).

³² Id. at 185.

³³ 284 F.3d 1188 (11th Cir. 2002).

³⁴ Id. at 1198. It should be noted that the court was reviewing this case to determine if it was appropriate to grant the arresting officer qualified immunity and therefore, assumed facts in a light most favorable to the arrestee. See also *U.S. v. Harris*, 293 F.3d 863, (5th Cir. 2002) (postarrest, postthreat use of force by police officer involving substantial provocation by arrestee/victim and ethnic animus of arresting officer).

³⁵ Of course once an arrest is made, there still may be a threat issue. Examples include the Elliot and Prymer cases noted herein where both subjects were handcuffed and in custody when they posed a threat to the arresting officers.

³⁶ See Part One, note 6, for language in the Graham decision suitable for policy introduction. This language often also is used in jury instructions during excessive force litigation. See *Cox v. Treadway*, 75 F.3d 230 (6th Cir. 1996). The court upheld jury instructions that included specific Graham language, notwithstanding the plaintiff's characterization, and objection, of the language as inappropriate "Heat of Battle" instructions.

³⁷ For example, the following are Florida statutes relevant to the use of force by state and local law enforcement officers: § 776.05, law enforcement officers use of force in making an arrest; § 776.06, deadly force; and § 776.07, use of force to prevent escape.

³⁸ Departments should consider specifically addressing force options. For example, defining the use of an impact weapon as either deadly or nondeadly force or the use of a knife as an improvised weapon. See Steven Tarani, "Model Policy for Patrol Knives," *Law and Order*, January 2002. Mr. Tarani is a consultant to the FBI Defensive Tactics Program regarding edged and impact weapons.

³⁹ While a use of force may be reasonable, it may create a duty to provide the subject of that force medical treatment. Not providing access to that treatment may result in other constitutional issues. See *Gibson v. County of Washoe, Nevada*, 290 F.3d 1175 (9th Cir. 2002) (denial of Summary Judgment regarding defendant county's policy of delaying medical screening of combative inmates as it may pose a substantial risk of serious harm to detainees and whether county was aware of the risk). Cf. *Wilson v. Meeks*, 52 F.3d 1547, (10th Cir. 1995) (officers did not have duty to render medical attention to subject they had just shot).

⁴⁰ Supreme Court Justice Stewart said in his concurring opinion in *Jacobellis v. State of Ohio*, 84 S. Ct. 1676 (1964) regarding obscenity: "I shall not today attempt further to define the kinds of material I understand to be embraced within that shorthand description; and perhaps I could never succeed in intelligibly doing so. But I know it when I see it..."

⁴¹ Elliott at 641.

BLOCK – 1

STANCE and TARGET AREAS

INTERVIEW STANCE

- Staggered stance, gun side away
- Feet position 45 ° from subject's center
- Feet are spread to the width of hips
- Weight distribution – 50/50
- Knees slightly bent
- Body balanced and centered
- Weight on the balls of the feet

EYE CONTACT

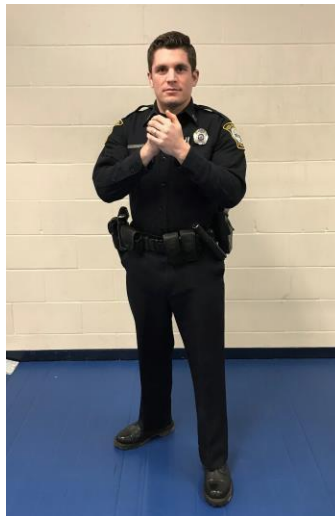
- Soft, no tunnel vision
- Peripheral vision encompasses the entire subject's body and surrounding areas
- Vary your gaze – break eye contact occasionally

HANDS

- Hands up, ready to block unexpected blows
- Natural or non-combative

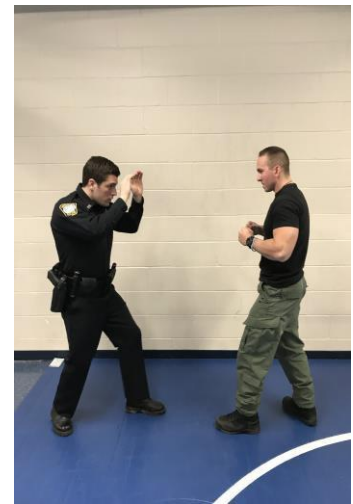
DISTANCE

- “Street Distance” equals two arms length plus a “stutter step” or about 4 – 6 inches
- High risk contacts – increase distance



FIGHTING STANCE

- Feet position slightly wider than hip width
- Lower center by bending knees
- Hands up in defensive position
- Open handed / relaxed and above your center
- 50/50 weight distribution
- Body and foot angle same as interview position
- Eye contact shifts to center mass of subject
- Distance remains the same as street distance or it increases



TARGET AREAS FOR STRIKES ARE DEPENDENT ON THE FORCE SITUATION

- In general, centerline strikes are considered non-target areas. Peripheral areas, i.e.: large muscle groups are preferred (thigh, calf, upper and lower arms)

Active resistance, subject non-compliant, trying to get away

- Target areas include, but are not limited to:
 1. Peripheral areas of the body
 2. Large muscle groups
 3. Distraction / decentralizing strikes to the face

Active aggression, subject fighting, trying to injure officer

- Target areas include, but are not limited to:
 1. Peripheral areas of the body
 2. Large muscle groups
 3. Distraction / decentralizing strikes to the head
 4. Joint attacks (control techniques)
 5. Strikes to the face

BLOCK – 1

BLOCKS

ARCHING BLOCK

- Bring hand / arm up alongside of head
- Inside of arm tight against your body and head
- “Brushing back your hair” motion
- Step in, cutoff the attack
- Other hand should be up protecting the head



STEP-OFF

- Step off-line toward subject approximately 45°
- Drag rear foot
- Hands up in defensive position
- End up facing subject in the 2 ½ position



CROSS BODY BLOCK

- As subject moves in, close the distance / “Crash the Line”
- With a strong base, feet shoulder width apart, lower your center by bending your knees
- Using either right / left arm, in a position of outside 90°, strike the subject across their sternum, pectoral, clavicle
- Keep your fingers splayed during the blocking sequence
- Block with your opposite forearm, above their subject’s elbow / bicep area
- Keep your eyes up, head forward, while tucking your chin into your lead shoulder
- Maintain a strong frame



BLOCK – 1

COUNTERS

CLOSED FIST / OPEN HAND JAB STRIKE

- From a staggered stance, toes face same direction as hips and chest
- Weight properly distributed
- Strike with your lead arm while rotating your shoulder, rotating your elbow and rotating your hand all simultaneously
- As you extend lead arm out, step lead foot forward
- When lead foot steps forward, back foot also steps replacing same distance as front step
- Strike should be retracted immediately back to starting position
- Back step as you retract strike back to your fighting stance



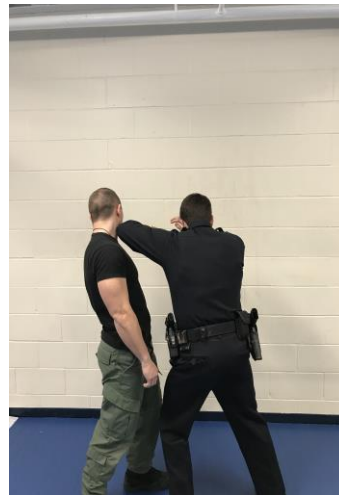
CLOSED FIST / OPEN HAND CROSS STRIKE

- From a staggered stance, toes face same direction as hips and chest
- Weight properly distributed
- Strike with your rear arm while rotating your shoulder, rotating your elbow and rotating your hand all simultaneously
- Extend arm out and turn hips (power is generated from hips)
- Rear foot should pivot on the toe like “putting out a cigarette”
- Non-striking hand should be up protecting the head
- Strike should be retracted immediately back to starting position



ELBOW STRIKES

- From a staggered stance (very close quarters), toes face same direction as hips and chest
- Strike through your target with point of elbow, not forearm
- Everything rotates as you throw strike (power is generated from hips)
- Strike is thrown like you are “wiping your nose with the back of your hand”
- Non-striking hand should be up protecting the head
- Strike should be retracted immediately back to starting position
- Strike can be thrown to a variety of target areas, with either elbow and at any angle



KNEE STRIKES

- From a Cross Body Block
- Plant front foot and drop your weight
- Push rear leg off the ground and bring the foot of the striking leg close to your buttocks
- Drive knee up and through target
- Keep hips forward and weight back
- After knee strike, immediately return leg back to a strong base



FRONT KICK

- Officer lifts leg and extends it forward
- Hips drive forward for power
- Strike with ball of foot through target
- Strike can be done with either foot
- Hands stay up to protect head
- After strike, immediately return foot back to a strong base
- Target areas might be thigh, abdomen or groin



ROUND HOUSE KICK

- From staggered stance, with weapon side back
- Plant lead foot out at 45° angle
- Drop weight to your striking leg to add power
- Lift and slightly turn leg over as you rotate your hip forward
- Strike through your target with your shin (not foot or ankle)
- Foot should return to starting position after the strike

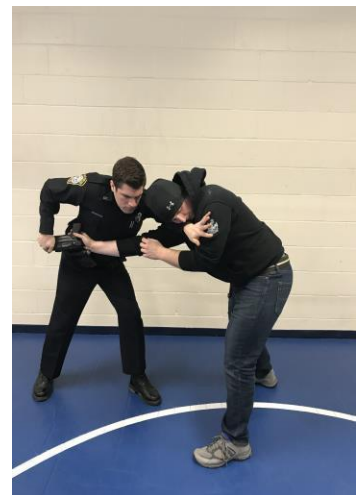


BLOCK – 1

WEAPON RETENTION

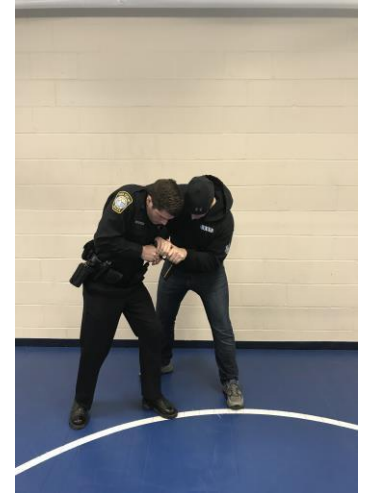
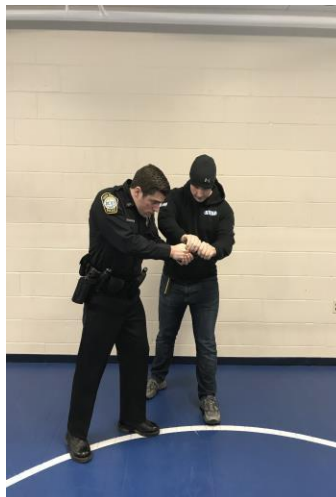
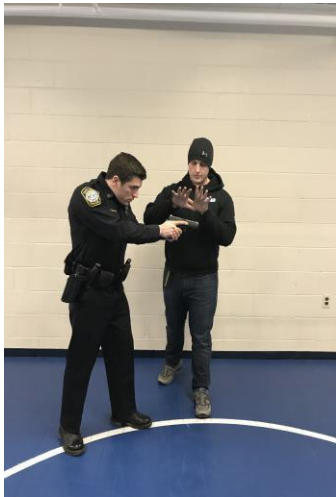
WEAPON HOLSTERED

- With a strong base, feet shoulder width apart, lower your center by bending your knees
- Force your weapon down into your holster with your weapon side hand or trap subject's hand down as they attempt to remove weapon
- While maintaining control of your weapon with your other hand, use your weapon side hand to grasp bottom of holster
- Lift up on holster forcing your weapon into your center (hip)
- Rotate your body away from subject
- Attack subject with non-gun hand / knees / feet



WEAPON OUT-OF-HOLSTER

- With a strong base, feet shoulder width apart, lower your center by bending your knees
 - Bring weapon to center (pulling weapon into center / move to weapon)
 - Attack subject with non-gun hand (fists, elbows, knees, feet)
 - Force subject back onto their heels / off balance position
 - Maintain control of weapon
- OR
- With muzzle pointing at subject, pull trigger (Deadly Force)



OR



BLOCK – 1

CONTROL TECHNIQUES

THUMB UP WRIST LOCK

- Grasp subject's hand keeping your thumbs below their knuckles
- Keep subject's wrist tight to your body (center)
- Rotate subject's wrist outward
- Step out 45°
- Force subject backward and to the ground
- Maintain control of subject



THUMB DOWN WRIST LOCK

(Option #1)

- Grasp subject's hand between your two hands, rotating subject's hand so their thumb points down
- Keep subject's hand tight to your body (center)
- Apply pressure straight down, pointing subject's pinky toward their shoulder
- Force subject to ground, facedown
- Maintain control of subject



THUMB DOWN WRIST LOCK

(Option #2)

- Grasp subject's hand (your palm to the back of their hand)
- Rotate subject's hand so their thumb points down
- Keep subject's hand tight to your body (center)
- Obtain bend in subject's elbow
- Other hand applies downward pressure on elbow
- Controlling hand applies rotation to subject's wrist
- Force subject to ground, facedown
- Maintain control of subject



GOOSENECK

- Approach from the 2 ½ position
- Under hook with your opposite arm (Left/Right, Right/Left)
- With both hands, secure a wristlock
- Keep suspect's wrist above their elbow
- Secure suspect's elbow tight to your body (center)
- Apply wristlock



REAR GOOSENECK

- From a Gooseneck control hold
- Maintain control of suspect's elbow tight to your body (center)
- Transfer suspect's arm behind their back by forcing their hand downward and back
- Maintain control of subject and apply wristlock



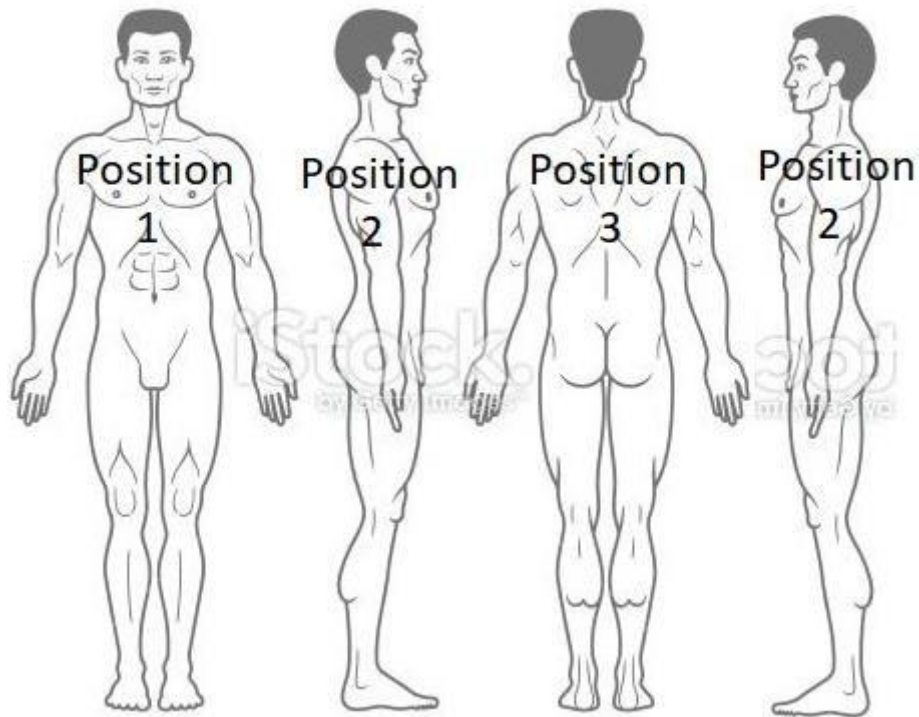
CHICKEN WING

- Approach from the 2 ½ position
- With your near side hand, strike subject's arm to the rear
- Control subject's tricep with other hand, pulling subject forward and down
- Grasp subject's tricep with an open hand grip
- Striking hand wraps up inside subject's arm, locking subject's elbow at a 90° bend or more
- Maintain control of subject and apply force



BLOCK – 2

STANDING TRANSITIONS



ARM DRAG

- From the Cross Body Block
- Use either hand to gain control of subject's outside arm, above their elbow/lower triceps area
- Pull subject's arm, forcing it across their body
- Step to the subject's outside shoulder, to the 2 ½ position



DUCK UNDER

- From the Cross Body Block
- With a strong base, feet shoulder width apart, lower your center below the subject's shoulders by bending your knees
- Post your hand on the subject's outside elbow, forcing their arm upward
- Duck under subject's outside arm while pulling subject forward with your opposite hand
- During the movement, maintain a close distance to the subject
- Move to the 2 ½ position



OVERHOOK

- From the Cross Body Block
- Isolate subject's upper arm by tightly over wrapping it with your outside arm
- With your opposite arm, force the subject's head down and away
- Maintain control of subject



UNDERHOOK

- From the Cross Body Block
- Sidestep while grabbing under subject's arm
- Secure a hold high on the back of the subject's shoulder
- Post your opposite arm against subject's head
- With a strong base, lower your center while pressuring the subject downward
- Maintain control of subject

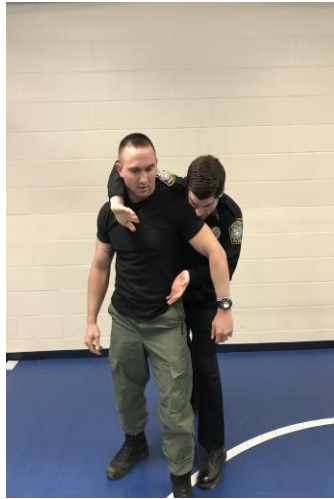


BLOCK – 2

TAKE DOWNS

SEATBELT

- From a 2 ½ or 3 position
- Secure an under hook behind the subject's arm with your same side arm
- Over hook with your other arm across subject's far side collar
- Isolate the subject's upper torso with a clinch around the subject's head and arm
- Squeeze and pull the clinch in tight to your body
- Break subject's base by bringing their center of gravity backward
- Pressure down with your over hook arm and pivot the subject to that same side
- Force subject to the ground
- Maintain control of subject



and Cont

DOUBLE LEG

- From the 2 ½ position
- With a strong base, feet shoulder width apart, lower your center by bending your knees
- Keep good posture, chest out and head up
- Maintain pressure against the subject, head against subject's back while forward shoulder is tight against the subject's hip
- Face your head toward subject's far side
- Isolate the subject's legs with your hands/arms by securing above the subject's far knee and behind the subject's near knee
- Pull the subject's far leg toward your chest while lifting the subject's near leg
- Drive through the subject on an angle, forcing the subject to the ground
- Maintain control of subject



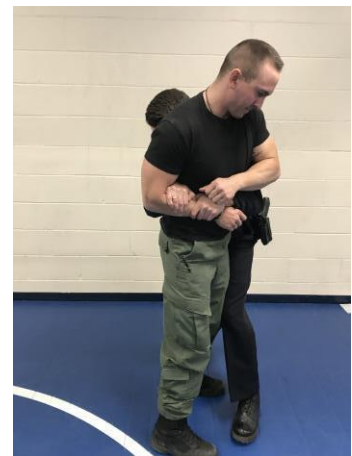
REAR BEARHUG

- From the 2 ½ or 3 position
- Secure both your arms around subject's body, above their waist
- Pull and squeeze the clinch toward your chest, pressuring against the subject
- Maintain a tight clinch and step to the 2 position, standing perpendicular with subject
- Keep your head facing toward the subject's back
- Post your lead foot in front of the subject's nearest foot
- With a strong base, feet wider than shoulder width, lower your center by bending your knees
- Drive subject forward and slightly lift them off the ground
- While subject is unbalanced, sweep subject's (nearest) leg with your lead knee
- Force the subject to the ground
- Maintain control of subject



BODY CLINCH TAKEDOWN

- From the 2 ½ or 3 position, maintain pressure against subject
- Secure your arms around subject's body, above their waist, while isolating one of the subject's arms
- Squeeze and pull the clinch tight to your body (center)
- Keep good posture, chest out and head up
- Post your same side foot (Left/Left, Right/Right) behind the subject's far foot
- Keep your head tight against subject's back, facing toward your posted foot
- Lower your center of gravity by bending your knees, dropping all your weight
- While pressuring down with the clinch, pivot subject over your posted foot
- Force subject to the ground while maintaining control



ARM BAR

- From the 2 ½ position, maintain pressure against subject
- With your same side hand (Left/Left, Right/Right), gain wrist control on the subject's near arm
- While facing the same direction as the subject, step your opposite side foot (Left/Right, Right/Left) against the subject's foot
- As you square your hips parallel with the subject's hips, extend subject's controlled wrist to your far-side hip (center)
- Forearm strike to subject's upper arm, above the elbow
- Apply downward force with your forearm
- Maintain control of the subject to the ground



STANDING KIMURA

- From a Cross Body Block
- With your opposite hand as the subject (Left/Right, Right/Left), gain wrist control
- Step in to the 1½ position as your reach over subject's controlled arm with your opposite hand
- Lace your arm back through the space created by the subject's bicep, upper forearm and ribcage
- Keep wrist control and grab onto your own forearm
- Apply force and maintain control of the subject to the ground



BLOCK – 2

STANDING DEFENSE

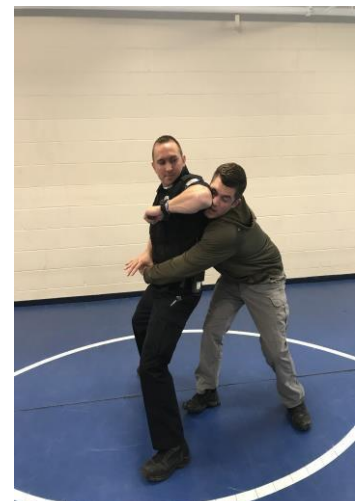
SPRAWL

- Block subject's forward attack with hands/arms
- Keep head up while looking at subject
- Transfer weight forward absorbing to subject's momentum
- Kick both legs backward and out
- Pressure hips downward while forcing the subject's head toward the ground
- Continue kicking legs out and apply a cross-face or a front head-and-arm lock breaking subject's hold around your leg
- Spin to 2 ½ position while maintaining weight on subject



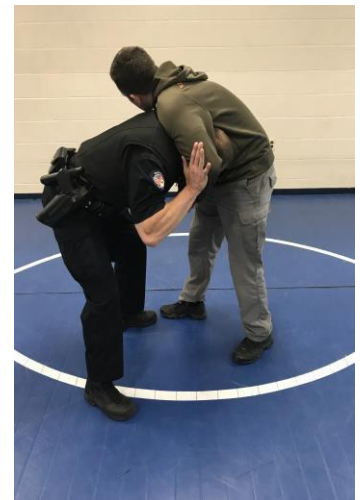
REAR BEAR HUG (Without Arms Trapped)

- Establish a grip onto subject's arms while shrugging your shoulders
- With a strong base, feet wider than shoulder width apart, lower your center by bending your knees
- Strike to exposed areas (elbows, kicks, head-butts)
- Break the subject's grip
- With your opposite hand as the subject (Left/Right, Right/Left), gain wrist control
- Reach your other arm back over the subject's elbow, lacing your hand through the space created by the subject's bicep, upper forearm and ribcage
- Keep wrist control and grab onto your own forearm
- Step back and turn your hips to face the subject
- Apply force and escape subject's control



FRONT HEADLOCK / “CHOKE”

- Turn head, tuck chin and use both your hands to maintain your airway
- Keep downward pressure on the subject’s controlling arm
- Strike to exposed areas (elbows, kicks, groin strikes)
- With your outside hand, apply upward / forward pressure on the subject’s elbow
- While forcing subject back, pivot your hips away
- Escape the subject’s control



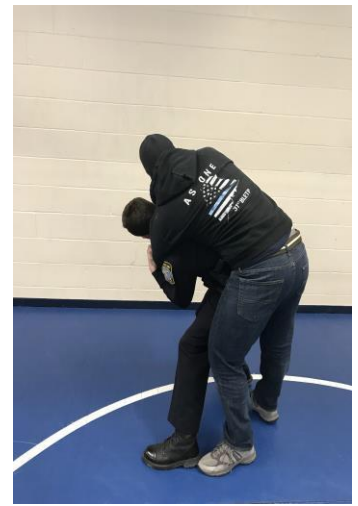
SIDE HEADLOCK / “CHOKE”

- Turn head, tuck chin and use both your hands to maintain your airway
- With your inside forearm, post against subject’s body
- With your outside hand apply upward / forward pressure under subject’s elbow
- Force subject away while turning your hips toward subject
- Escape the subject’s control



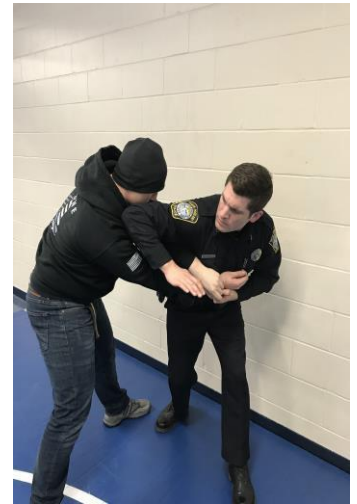
REAR HEADLOCK / “CHOKE”

- Turn head, tuck chin and use both your hands to maintain your airway
- Lower your center of gravity bringing subject over your hip
- While pulling down on the subject’s controlled arm, drop your weight forward forcing the subject over your shoulder
- Escape the subject’s control



FRONT GRAB / “CHOKE”

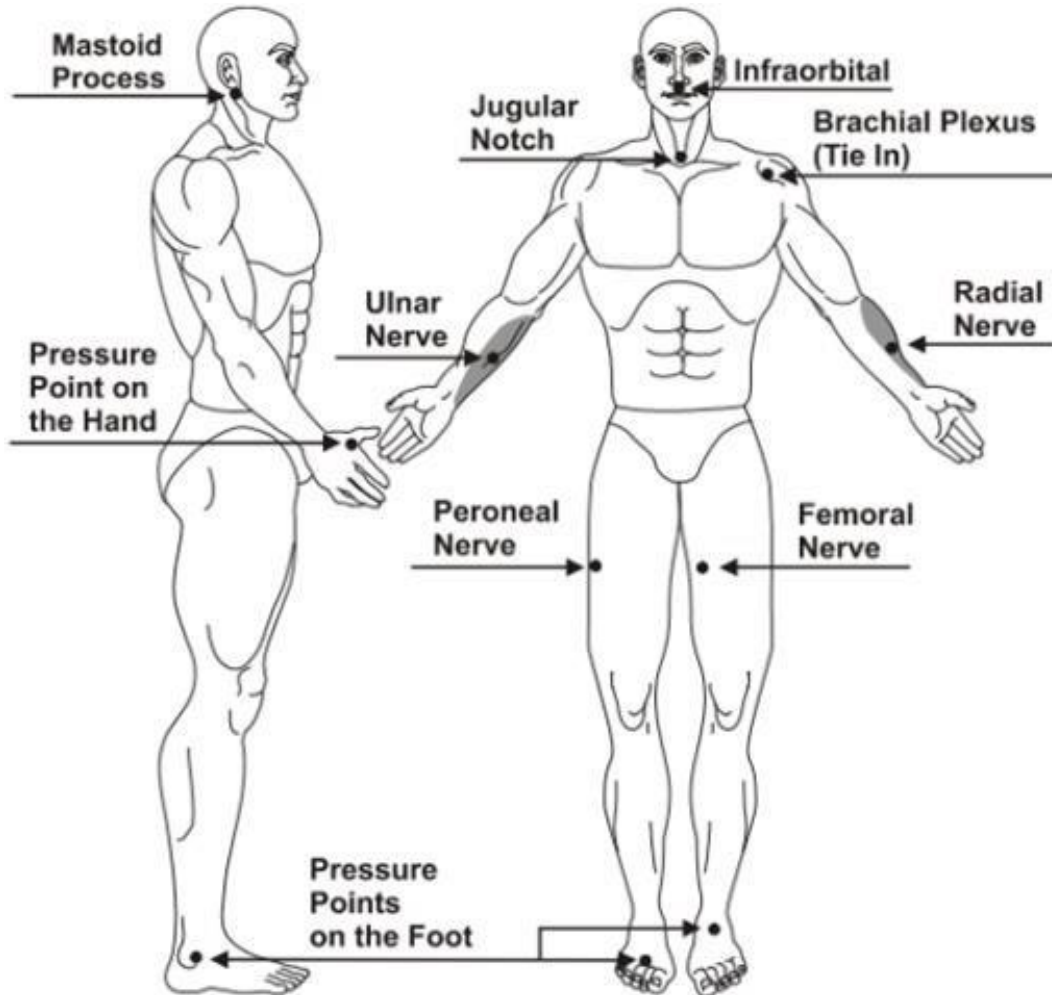
- Shrug shoulders and lower center of gravity
- Strike across subject’s arms
- Strike to exposed areas (elbows, knees, kicks, groin strikes)
- Rotate your body away from subject
- Escape subject’s control



BLOCK – 3

PAIN COMPLIANCE TECHNIQUES

PRESSURE POINTS OF THE BODY



- There are nerves in the human body that, when pressure is applied or when they are struck, allow you to control a subject through pain compliance. Use pressure points to control a subject when deadly force is not desired. You can also use pressure points to soften or distract an opponent so a lethal or nonlethal technique can be employed. The figure above illustrates the body's pressure points. You can execute attacks to these pressure points by rapidly kicking or striking pressure points or slowly applying steady pressure to pressure points.

PRESSURE POINTS OF THE BODY

(Continued)

Infraorbital Nerve

- The infraorbital nerve is just below the nose. You can apply pressure to this nerve with an index finger to control the subject.

Mastoid Process

- The mastoid process is behind the base of the ear and beneath the edge of the jaw. Apply inward and upward pressure to this pressure point with the fingers to distract and control the subject.

Jugular Notch

- The jugular notch is at the base of the neck in the notch formed at the center of the clavicle. Apply pressure in a quick, stabbing motion with the index finger. Strikes to the jugular notch cause serious damage.

Brachial Plexus (Tie In)

- The brachial plexus (tie in) is on the front of the shoulder at the joint. Strikes and pressure applied with the hand are effective on this nerve.

Radial Nerves

- Radial nerves are on the inside of the forearms along the radius bones. Strikes and pressure applied with the hand to the radial nerve serve as a softening technique.

Ulnar Nerve

- Ulnar nerves are on the outside of the forearms along the ulnar bones. Strikes and pressure applied with the hand to the ulnar nerve serve as a softening technique.

PRESSURE POINTS OF THE BODY

(Continued)

Pressure Point on the Hand

- The hands contain a pressure point on the webbing between the thumbs and index fingers where the two bones of the fingers meet. To force a subject to soften or release their grip, apply pressure with your index fingers to this pressure point or strike this pressure point with your fists.

Femoral Nerves

- Femoral nerves are on the inside of the thighs along the femur bones and help a person extend their knees. Hard strikes to the femoral nerve can make it difficult for the subject to stand while pressure to the nerve can act as a softening technique.

Peroneal Nerves

- Peroneal nerves are on the outside of the thighs along the femur bones and provided sensation to the front and side parts of the legs and to the top of the feet. Strikes to the peroneal nerve serve as a softening technique and cause the subject to be unable to lift their foot.

Pressure Points on the Feet

- There are pressure points on the feet that, when pressure is applied or when they are struck, serve to soften or distract the subject. You can apply pressure to these areas with the toe, edge, or heel of your boots to the following points:
 - The notch below the ball of the ankle.
 - The top center of the foot, above the toes.
 - The top of the foot where the leg and foot meet.

Mandible Angle

- Three nerves run together behind the jaw bone at the base of the ear lobe
- Apply pressure using fingers, knuckles or thumb
- Applied between the mastoid and the mandible at the base of ear lobe toward the center of the head and at a slight angle, forward to the nose



Infra Orbital

- Base of nose
- Apply pressure using fingers, thumb or forearm
- Applied under nose towards top/center of head



Hypoglossal

- One inch forward of the right angle of the mandible and one inch under the jaw
- Quick touch using fingers



Superior Laryngeal – Recurrent Laryngeal

- Trachea jugular notch at top of chest (NOT THROAT)
- Touch or quick penetration
- Applied toward center of body at downward 45° angle



Horse bite

- Grasp skin and pinch with entire hand
- Intended target area is back of leg



BLOCK – 3

GROUND TECHNIQUES

TACTICAL STANDING

- Officer is on the ground and subject remains standing above
- Subject poses an immediate physical threat
- When possible, sit weapon side down with your feet towards the subject and forward arm up blocking your head
- Post your forward foot and rear arm for balance and posture
- Remain in an athletic position, able to spin in a 360° turn if subject moves
- Lift your weight onto your posted arm and foot
- Pendulum your other leg back, posting your foot near your rear hand
- Form a strong base with your feet much wider than shoulder width apart
- Stand up to a Fighting Stance



ROUND HOUSE KICK FROM GROUND

- Turn your hips over, transitioning your weight to your opposite side
- Post on your knee and rear hand for balance
- With opposite leg, strike subject with your shin (not foot or ankle)



STRAIGHT KICK FROM GROUND

- Lift your body off the ground using your posted foot and rear hand for balance
- Strike subject with your opposite foot



DEADLY FORCE FROM GROUND

- Officers can fall backward and access all their weapons



PRY (Option #1)

- With subject in prone position, arms under body
- Maintain pressure on subject from 2 ½ position
- With your same side arm (Left/Left, Right/Right) reach through the triangle created by the subject's bicep, upper forearm and ribcage
- Grab subject's wrist
- Apply force against the subject's triceps, while pivoting (windshield wiping) the subject's forearm downward
- Pry subject's wrist out from under their body and apply wristlock control



PRY (Option #2)

- With subject in prone position, arms under body
- Maintain pressure on subject
- Using an expanded baton, insert the tool through the triangle created by the subject's bicep, upper forearm and ribcage
- Place baton in front of subject's forearm
- Officer's non-baton hand should be in contact with subject's upper arm for control
- Officer uses baton as a lever, steadily prying the subject's arm out from under their body
- As the arm comes out, officer takes hold of subject's wrist and places arm into a chicken wing
- Secure baton



SHOULDER LOCK

- Maintain pressure on the subject as the subject attempts to push-up from a prone position
- From 2 ½ position, forearm strike to the subject's front arm (Left/Left, Right/Right)
- Clasp hands together, applying pressure toward subject's shoulder
- Bring subject's wrist to their back and apply wristlock control



BREAKDOWN (Option #1)

- From a 2 ½ position, maintain pressure as subject builds to their base (hands and knees position) from prone
- Place your head against the subject's back while your forward shoulder is tight against the subject's hip
- Your head should face back towards the subject's far side
- Reach under the subject with your forward hand/arm and isolate subject's far knee
- With your opposite hand/arm, reach behind the subject's legs securing around both
- Pull subject's legs toward your chest while driving through the subject on an angle
- Force the subject to the ground and back to a prone position
- Maintain control of subject



BREAKDOWN (Option #2)

- From a 2 ½ position, maintain pressure as the subject builds to their base (hands and knees position) from prone
- Place your chest against the subject's back while applying heavy weight
- With your forward arm, secure a hold around the subject's waist
- Your back foot should be planted on the ground, pressing your knee against the subject
- With your opposite hand, grab the subject's far ankle
- While lifting the subject's ankle up and off the ground, force the subject forward and back to a prone position
- Maintain control of subject



NON-COMPLIANT HANDCUFFING POSITION (Option #1)

- Place subject into a prone position
- With both knees, secure subject's arm
- While avoiding vital areas (neck and spine), maintain downward pressure with both knees onto the subject's shoulder and back
- Maintain control of nearest arm in a straight arm lock/wrist lock
- Attempt to obtain compliance by applying force
- Handcuff subject's wrists



NON-COMPLIANT HANDCUFFING POSITION

(Option #2)

- Place subject into a prone position
- While avoiding vital areas (neck and spine), maintain downward pressure with your forward knee onto the subject's shoulder
- Secure a chicken wing wrist lock
- With other knee tight beside the subject's body, support the joint lock with continued pressure
- While maintaining control, attempt to obtain compliance by applying force
- Handcuff subject's wrists



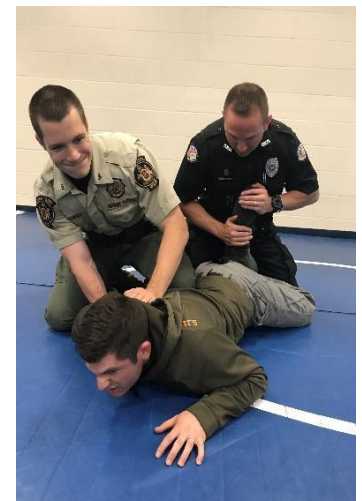
NON-COMPLIANT HANDCUFFING POSITION (Option #3)

- Place subject into a prone position
- With both knees tight beside the subject's body, secure a chicken wing wrist lock
- While maintaining control, attempt to obtain compliance by applying force
- Handcuff subject's wrists



LEG CONTROL

- While subject's upper body is controlled by additional officers
- Controls subject's legs, being cautious of kicks
- Fold one of subject's legs behind their other knee (figure four)
- Fold remaining leg up, capturing the first leg
- Apply weight to leg, pinning subject



KNEE ON BELLY (Option #1)

- While subject is on their back, officer places their inside knee just below the subject's diaphragm
- Outside foot extends out for base and balance
- With pressure and hand control, guide subject away
- With your same side hand (Left/Left, Right/Right) gain control of subject's nearside arm
- Strike the subject and push on their nearside elbow
- Drop your chest and weight down on the controlled arm, trapping it
- Reach under the subject's head and gain wrist control
- Push on the subject's elbow while pulling on the subject's wrist, forcing them to roll onto their stomach
- Adjust your weight and position during the roll for balance
- Maintain control of subject



KNEE ON BELLY (Option #2)

- While subject is on their back, officer places their inside knee just below the subject's diaphragm
- Outside foot extends out for base and balance
- Gain wrist control (thumb facing up) of the subject's far wrist with the officer's opposite hand (Left/Right, Right/Left)
- While maintaining wrist control, pivot to a front position
- With your opposite hand, reach through the triangle created by the subject's bicep, upper forearm and ribcage
- Keep wrist control as you grab onto your own forearm and apply pressure onto the subject
- Circle your near leg around the subject's head and pin the subject's uncontrolled arm with your opposite knee
- Maintain control and apply force



BLOCK – 3

GROUND DEFENSE

OFFICER MOUNTED ON SUBJECT

- Subject on back and officer is in a full mount position
- Drop your weight forward with your arms out to maintain balance
- Secure an under hook of one of the subject's arms
- With your under-hook arm flat against the ground, walk your hand up towards the subject's head, forcing that controlled arm to cross the subject's head/chest OR
- Strike the subject's arm as they push against the officer and force that controlled arm to cross the subject's chest
- Drop your chest and weight down on the controlled arm, trapping it
- Reach under the subject's head and gain wrist control
- Push on the subject's elbow while pulling on the subject's wrist forcing them to roll onto their stomach
- Adjust your weight and position during the roll for balance
- Maintain control of subject



SUBJECT MOUNTED ON OFFICER (Option #1)

- Officer on back and subject is on top of you in a full mount position
- Cover head as to not be struck
- Knee strike the subject, buck hips up and/or pull the subject down
- Over hook the subject's arm (weapon side when possible)
- Bury your head into the subject's chest to protect from strikes
- Step outside of subject's foot on the same side as the controlled arm
- Force the subject to their back by pulling down with your over hooked arm, pushing off your opposite foot and bridging your hips off the ground
- While performing the move, under hook with your opposite arm, reaching over the top of the subject's far shoulder
- Maintain control of subject



SUBJECT MOUNTED ON OFFICER (Option #2)

- Officer is on back and subject is in a full mount position
- Cover head as to not be struck
- Knee strike the subject, buck hips up and/or pull the subject down
- Over hook the subject's arm (weapon side when possible)
- With your opposite hand, clinch the subject's head to your chest by reaching over to the subject's far side ear and pull their head tight to your side
- Step outside of subject's foot on the same side you control their head
- With your over hook hand, place your palm under the subject's chin
- Push off your opposite foot and bridge your hips off the ground
- Force the subject over by pulling down on the subject's head while pushing their chin up toward the sky
- Maintain control of subject



OFFICER IN SUBJECT'S GUARD (Option #1)

- Subject on their back and officer is in their full guard position
- Maintain a grounded base by sitting back on your heels
- Bury your head into the subject's abdomen to protect from strikes
- Control the subject's arm(s) and force the subject's head away
- Building your base by pressing forward, pinning the subject's shoulders to the ground (keep your ears over hips)
- With a strong base, feet planted and wider than shoulder width apart, arch you're back upward

OR

- Kneel down to one side onto the subject's arm
- Keep your hands up as a block from any strikes
- Strike to exposed areas (elbows, punches, groin strikes)
- Escape subject's control



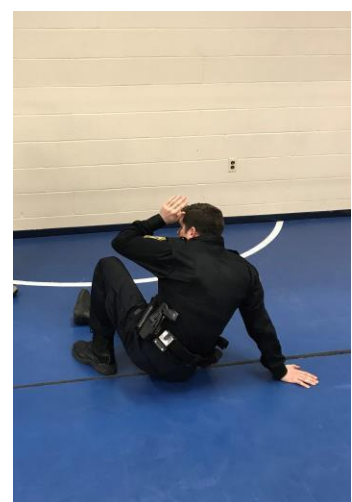
OFFICER IN SUBJECT'S GUARD (Option #2)

- Subject on their back and officer is in their full guard position
- Maintain a grounded base and sit up covering head as to not be struck
- Strike the exposed areas (femoral nerve, groin, head) until the subject releases leg lock
- Keep your other hand up as a block
- Force one of the subject's legs to the ground by pressuring your elbow and knee into the subject's thigh
- Escape subject's control



SUBJECT IN OFFICER'S GUARD (Option #1)

- Officer on their back and subject is in your full guard position
- Lock your legs around the subject's waist and cover your head as to not be struck
- Pull the subject close to you and over hook an arm (weapon side when possible)
- With your opposite hand, control subject's head tight against your chest
- As the subject attempts to pull away, release your hold
- As the subject snaps back and up, push and kick them away
- When safe, preform a tactical stand to your feet



SUBJECT IN OFFICER'S GUARD (Option #2)

- Officer is on their back and subject is in your full guard position
- Lock your legs around the subject's waist and cover your head
- Pull subject close and over hook an arm (weapon side when possible)
- With your opposite hand, clinch the subject's head to your chest by reaching over to the subject's far side ear and pull their head tight to your side
- With your over hook hand, place your palm under the subject's chin
- Release your leg lock, stepping outside of subject's foot on the same side you control their head
- Push off your opposite foot and bridge your hips off the ground
- Force the subject over by pulling down the subject's head while pushing their chin up toward the sky
- Maintain control of subject



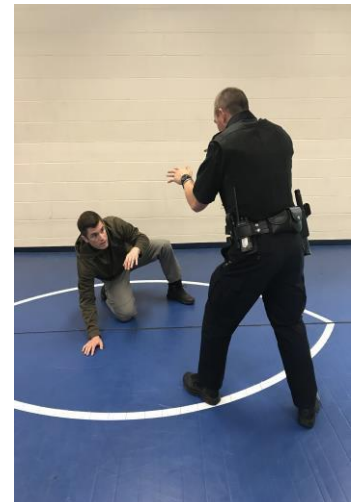
SUBJECT IN OFFICER'S GUARD (Option #3)

- Officer is on their back and subject is in your full guard position
- Lock your legs around the subject's waist and cover your head
- Pull subject close and over hook an arm (weapon side when possible)
- With your opposite hand, clinch the subject's head to your chest
- Secure a wrist lock on the controlled arm and release the leg lock
- Scoot your hips back and to the side, away from the controlled arm
- Sit up and with your opposite arm, reach over the top of subject's controlled arm
- Lace your arm back through the space created by the subject's bicep, upper forearm and ribcage
- Keep wrist control and grab onto your own forearm
- Scoot your hips to the opposite side and apply force by pushing the subject's controlled wrist towards the back of their head
- Escape subject's control



SUBJECT WITH BACK CONTROL (Option #1)

- From a seated position with subject controlling the officer's back
- Shrug your shoulders and pin your chin down into your own chest
- Protect your airway with your hands / arms
- With your knees bent and heels planted, scoot your hips forward
- With your upper torso, maintain pressure against subject
- Obtain control of subject's arms or legs while you continue to move your hips away
- Turn your hips over toward the ground and face the subject
- Escape subject's control



SUBJECT WITH BACK CONTROL (Option #2)

- From a seated position with subject controlling the officer's back
- Shrug your shoulders and pin your chin down into your own chest
- Protect your airway with your hands / arms
- Obtain control of subject's over hook arm
- Keep your knees bent and heels planted
- Force the controlled arm to the other side of your head
- While pulling down on the controlled arm, push into subject forcing them back and to the ground
- From a bridge position, slide to one side of the subject placing your back / shoulder on the ground (preferably to the side of the subject's non-controlled arm)
- Rotate toward the subject and control their head with your far hand
- Maintain the pressure as you continue to turn and face the subject, escaping the back control



BLOCK – 4

HANDCUFFING and SEARCHING

CARRYING HANDCUFFS

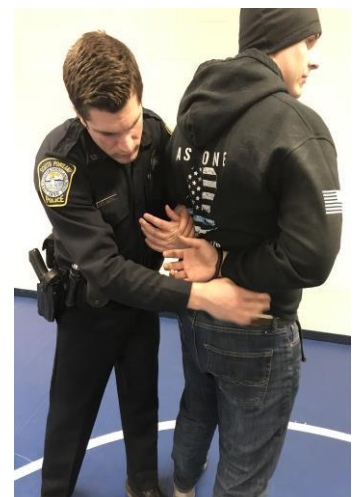
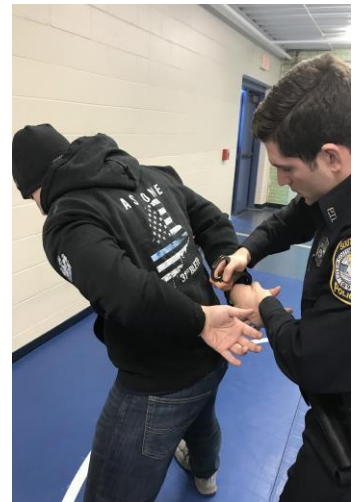
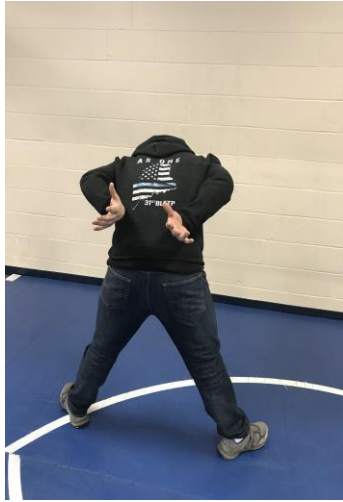
(Refer to Agency Policy)

- Key holes together
- Single bars facing out
- Remove handcuffs from case with same hand used for handcuffing



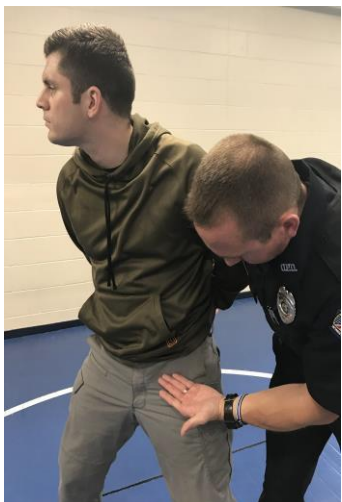
COMPLIANT HANDCUFFING

- Place suspect into position of disadvantage (off balance, hands behind their back, thumbs up)
- From 2 ½ position, grasp subject's hand with reverse handshake (Left / Right, Right / Left) and apply trailing handcuff
- Grasp other hand, apply second handcuff
- Maintain control of subject (wristlocks, under hook)
- Conduct immediate search (Refer to Compliant Searching)
- Check handcuff tightness (Capillary Refill / Spacing)
- Double lock handcuffs



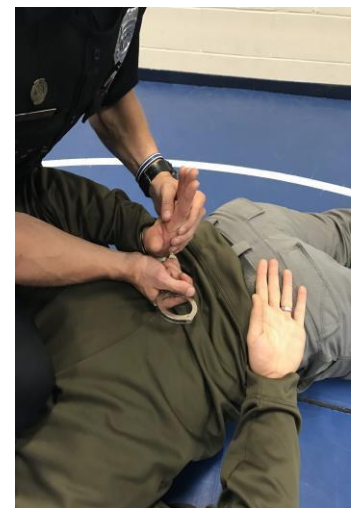
COMPLIANT SEARCHING

- Maintain control of subject (wristlocks, under hook)
- Conduct immediate search around the waistband and areas accessible to the hands
- Divide the body into quarters (Front / Back / Upper / Lower)
- Pull clothing tight and “Crush & Twist” search technique non-pocketed areas
- Continue “Crush and Twist” overlapping quartered areas
- Re-search waistband overlapping quartered areas
- Look inside pocketed areas and pull pocket out exposing content or push content from pocketed area out
- Check tightness and double lock handcuffs (always AFTER search)



NON-COMPLIANT HANDCUFFING

- Force subject into a handcuffing position (refer to Non-Compliant Handcuffing)
- Maintain control of subject (wristlocks, shoulder locks) and handcuff the secured or unsecured wrist
- Search the subject
- Check handcuff tightness (Capillary Refill / Spacing)
- Double lock handcuffs



NON-COMPLIANT SEARCHING

- Subject in the prone position (avoid supine position)
- Maintain control of subject (wristlocks, under hook)
- Immediately search waistband and areas accessible to the hands
- Divide the body into quarters (Front / Back / Upper / Lower)
- Roll subject onto their side, facing away from your direction
- Force subject's top leg back, securing it with your leg
- Pull clothing tight and "Crush & Twist" search technique non-pocketed areas, overlapping quartered areas
- Re-search waistband overlapping quartered areas
- Look inside pocked areas and pull pocket out exposing content or push content from pocked area out
- Roll subject to their other side and change positions to that side
- Maintain control while moving around the subject's head
- Repeat the same technique for subject's opposite side
- Double Lock handcuffs (always AFTER search)



STANDING AFTER HANDCUFFING

- Roll subject from a side position to a seated position
- Have subject pull a leg towards themselves
- Maintain control of subject (wristlocks, under hook)
- Rock subject forward onto their knees and into a standing position (left leg bent/roll to the left, right leg bent/roll to the right)



BLOCK – 4

SPRAYING CHEMICAL AGENT

SPRAYING O.C.

Contents

- Active Ingredients - O.C. (oleoresin capsaicin) spray is an inflammatory agent derived from organic chemical compounds found in various forms of potent pepper plants
- Inactive ingredients – water or oil to create an even disbursement of OC throughout the formulation

Delivery Systems

- Stream - liquid
- Fog / Cone - Gaseous
- Foam – Hybrid (Liquid/Solid)
- Gel – Hybrid (Liquid/Solid)

Physiological Affects

- Eyes
 - Painful burning sensation
 - Involuntary eye closure
 - Profound tearing
 - Visual impairment
 - Protracted redness
- Respiratory System
 - Inflammation of the mucous membranes
 - Pronounced mucous secretion
 - Tightness of chest
 - Coughing, shortness of breath
- Skin
 - Intense burning sensation
 - Possible inflammation
 - Reddening of skin surface

Psychological Affects

- Fear
- Anxiety
- Possible panic
- Hyperventilation

Deployment

- From a distance of 3-20 feet
- One second burst
 - Stream delivery - Spray from ear-to-ear across the eyes
 - Cone delivery - Spray up & down – center of the face
 - Foam Delivery - Aim eyes, center of face and spray in circular motion
 - Gel Delivery - Spray from ear-to-ear across the eyes
- Officer recognizes potential non-deadly threat and puts hands in a defensive position
- When safe, reach for the chemical agent spray, while keeping opposite hand up as a defense
- When appropriate, announce the deployment of O.C. spray
- Officer sprays subject and steps off line when appropriate



Decontamination

- Refer to Agency policy and procedure

BLOCK – 4

BATON TECHNIQUES

BATON

Delivery System

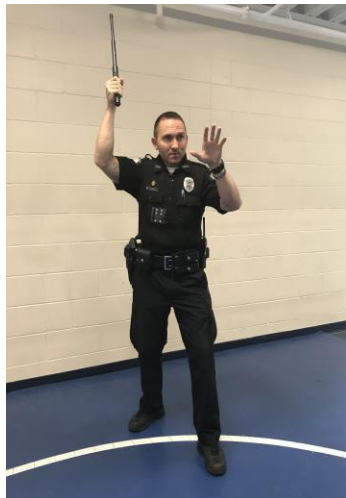
- Friction Loc – the flare of one shaft locks into the swage of the mating shaft of a Friction Loc Baton. The deadlock taper locks the shafts together. Friction Loc Batons close with direct impact to the tip.
- Talon Loc – spring loaded discs of the Talon Loc engage an interior groove to lock the baton open. The manual release design is closed by pressing a button or cap to pull the locking discs out of the interior groove.

Deployment Modes

- Carry in scabbard, baton closed with tip down
- Deploy with either strong or support hand
- Closed mode – baton is fully closed within the handle of the weapon
- Open mode – baton is fully extended and locked in place
- Strikes should be delivered with the dominate hand, utilizing a full hand grasp
- Primary striking areas are large muscle groups – Nonlethal Force

Opening the Baton

- To the sky – provides maximum visibility
- To the ground – allows opening swing to continue around to a fighting stance or to execute an immediate strike



CONCEALED CARRY STANCE

- Fighting Stance
- Baton (open or closed) resting behind leg



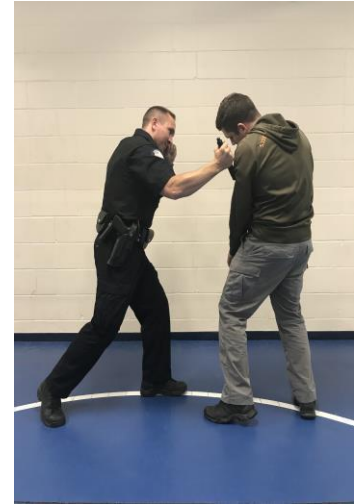
HIGH READY STANCE

- Fighting Stance
- Baton (open or closed) up in defensive position



CLOSED MODE STRIKE

- From a fighting stance position
- Lower center by bending knees
- Body weight distributed evenly
- Officer can step forward to increase power
- Rear foot should pivot on the toe like “putting out a cigarette”
- Support hand should be up protecting the head
- Baton is held with a thumb up and palm up (with Friction Loc Batons thumb should secure tip of baton)
- Strike with base of the baton at a downward 45° angle
- Retract hands immediately back to a defensive block position



CLOSED MODE CLEARANCE STRIKE

- From a completed strike position
- Support hand should be up protecting the head
- Baton is held with a thumb up grip and palm is down (with Friction Loc Batons thumb should secure tip of baton)
- Strike with the base of the baton at a downward 45° angle
- Retract hands immediately back to a defensive blocking position



CLOSED MODE STRAIGHT STRIKE

- From a fighting stance position
- Body weight distributed evenly
- Baton is held with a thumb up grip (with Friction Loc Batons thumb should secure tip of baton)
- Support hand should be up protecting the head
- Strike with your fist in a horizontal, downward 45° angle
- Retract hands immediately back to a defensive block position



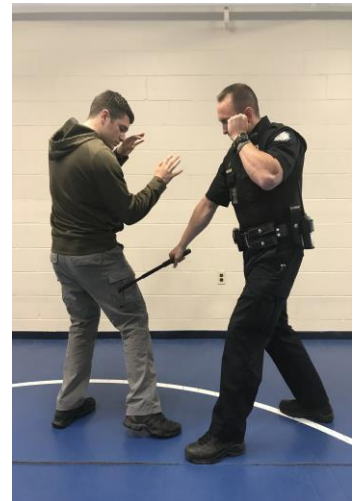
OPEN MODE STRIKE

- From a fighting stance position
- Lower center by bending knees
- Body weight distributed evenly
- Rear foot should pivot on the toe like “putting out a cigarette”
- Officer can step forward to increase power
- Support hand should be up protecting the head
- Strike by swinging baton at a downward 45° angle
- Strike with the last 3 inches of the baton
- Retract hands immediately back to a defensive block position



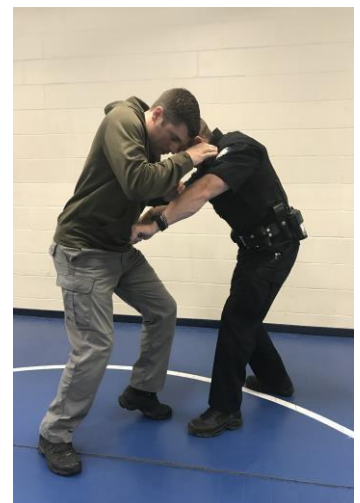
OPEN MODE CLEARANCE STRIKE

- From a completed strike position
- Support hand should be up protecting the head
- Strike hand should be palm down
- Strike by swinging baton at a downward 45° angle
- Strike with the last 3 inches of the baton
- Retract hands immediately back to a defensive blocking position



OPEN MODE STRAIGHT STRIKE

- From a fighting stance position
- Body weight distributed evenly
- Baton is held with an overhand grip at both ends
- Strike with the baton in a horizontal, downward 45° angle
- Striking surface is the middle of the baton
- Retract hands immediately back to a defensive block position



BLOCK – 4

OPTIONAL TECHNIQUES

OPTIONAL BLOCKS

STRAIGHT BLOCK

- Bring hands up in front of face
- Elbows together
- Separate elbows after punch is blocked
- Eyes at center mass of subject



STRAIGHT BODY BLOCK

- Block with forward arm only
- Small twisting motion brings forearm in to divert punch



OUTSIDE BODY BLOCK

- Drop elbow
- Keep elbow tight to side



OPTIONAL COUNTERS

CLOSED FIST / OPEN HAND HOOK STRIKE

- Used for very close quarters
- From a strong base, toes face same direction as hips and chest
- Weight properly distributed
- Strike with either arm, at minimum a 90° bend
- Everything rotates as you throw strike (power is generated from hips)
- Non-striking hand should be up protecting your head
- Strike should be retracted immediately back to starting position
- Strike can be thrown with either hand

OPTIONAL WEAPON RETENTION

LONG GUN RETENTION

- Bring weapon to center (pulling weapon into center / moving to the weapon)
- From a strong base, feet shoulder width apart, maintain weapon in center while obtaining a wider grip
- Circle the weapon in a small clockwise motion (counterclockwise for left handed officers)
- As the weapon nears the 10:00 o'clock position (or 2:00 o'clock position), forcefully bring the weapon downward as you step backward
- Maintain control of weapon

OR

- With muzzle pointing at subject, pull trigger (Deadly Force)



OPTIONAL STANDING TRANSITIONS

SINGLE COLLAR TIE

- From the 1 position
- With a strong staggered stance, feet shoulder width apart, lower your stance by bending your knees
- Keep good posture, head up and center over hips
- In a position of outside 90°, strike the subject across their clavicle with your lead forearm
- Secure an open grip hold on the back of subject's neck (collar)
- With opposite hand, maintain (inside) control of subject's arm/wrist
- Keep your eyes up, head forward, while tucking your chin into your lead shoulder
- While keeping a strong frame, apply force with push/pull
- Maintain control of subject

DOUBLE COLLAR TIE

- From the 1 position
- With a strong base, feet shoulder width apart, lower your stance by bending your knees
- Keep good posture, head up and center over hips
- In a position of outside 90°, strike the subject across their clavicle and pectoral with your forearm
- Secure an open grip hold on the back of subject's neck (collar) with both hands
- Keep your eyes up, head forward, while tucking your chin
- While keeping a strong frame, apply force with push / pull
- Maintain control of subject

OPTIONAL TAKEDOWNS

RUSSIAN TAKEDOWN

- From a 2 ½ position
- Secure a hold with both arms around subject's arm
- While facing the same direction as the subject, step your opposite side foot (Left/Right, Right/Left) near the subject's closest foot
- With your inside hand, control an under hook high on the subject's arm
- Control subject's forearm / bicep with your other hand
- Pull the controlled arm against your chest (center)
- With your inside shoulder, apply downward pressure against subject's shoulder
- Force the subject forward and to the ground
- Maintain control of subject



OPTIONAL STANDING DEFENSE

SINGLE LEG

- While standing, subject takes control of one of the Officer's legs from the side
- Lace your near arm through the space created by the subject's bicep and ribcage, grabbing onto your inside thigh (whizzer)
- Move your foot of the controlled leg between you and the subject (outside of the subject's legs)
- With a strong base and heavy weight, pressure down on the controlled leg
- Bend at your waist while shouldering the subject forward
- With your other hand, strike to the exposed areas with your fist and break the subject's grip
- Escape the subject's control

SIDE HEADLOCK / “CHOKE” (Option #1)

- Turn head, tuck chin and use both your hands to maintain your airway
- Turn hips toward subject
- Strike subject’s head away
- Escape subject’s control



SIDE HEADLOCK / “CHOKE” (Option #2)

- Turn head, tuck chin and use both your hands to maintain your airway
- Strike to exposed areas (knees, groin strike, foot stomp)
- Inside arm reaches over to redirect the subject’s face or control the opposite shoulder
- Outside arm lifts subject’s nearside leg while inside arm pulls subject’s upper body back
- Escape subject’s control



FRONT BEAR HUG

- With a strong base, feet wider than shoulder width apart, lower your center by bending your knees
- Back your hips away from subject
- Create space by pushing subject away
- With your arms, push away from subject, shrug your shoulders and extend your arms
- Strike to exposed areas (elbows, groin strikes, head-butts)
- Pivot your hips away and escape the subject's control

REAR BEAR HUG (Arms Trapped)

- Establish a grip onto subject's arms and shrug your shoulders
- With a strong base, feet wider than shoulder width apart, lower your center by bending your knees
- Strike to exposed areas (elbows, kicks, head-butts)
- Turn your hips in an attempt to face the subject
- Escape subject's control



OPTIONAL GROUND TECHNIQUES

ROLLOVER (Option #1)

- While suspect in a prone position
- Safely gain control of suspect's wrist
- Keep suspect's fingers pointed up
- Roll suspect to stomach by walking around their head
- Apply wristlock, rotating their hand for pressure
- Maintain control by rotating wrist / arm toward suspect's head
- Move in toward the suspect and preform a Non-Compliant Handcuffing Position

KNEE ON BELLY

- While subject is a supine position, officer places their inside knee just below the subject's diaphragm
- Outside foot extends out for base and balance
- With your same side hand as the subject (Right/Right, Left/Left), gain wrist control of their far side arm
- Maintain control as you stand up
- Pull the subject toward you, posting your foot against their near side
- With your other hand, control the subject's elbow by applying downward pressure / strike
- Force the subject over and preform a Non-Compliant Handcuffing Position

BREAKDOWN

- From a 2 ½ position, maintain pressure as the subject builds to their base (hands and knees position) from prone
- Place your chest against the subject's back while applying heavy weight
- With your backside arm, secure a hold around the subject's waist
- Plant your back foot on the ground, pressing your knee against the subject
- With your opposite hand, strike the subject's nearside arm, collapsing it towards their body
- Force the subject over their collapsed arm and to a prone position
- Maintain control of subject

LEG CONTROL

- While subject's upper body is controlled by additional officers
- Obtain control of one of the subject's legs while being cautious of the subject's ability to kick
- Wrap your opposite leg (Left/Right, Right/Left) around the subject's controlled leg
- Keep your leg perpendicular to the subject
- Extend your other leg out for a stronger base and balance
- Fold the subject's controlled leg and apply pressure
- Maintaining control and apply force with an ankle lock

OPTIONAL GROUND DEFENSE

SUBJECT IN OFFICER'S GUARD

(Option #1)

- Officer is on their back and subject is in your full guard position
- Pull the subject down and clinch the subject's head and arm (weapon side if possible)
- As the subject pulls away, ultimately lifting the officer off the ground, post with one hand to base upright
- With your other hand, reach over the subject's head to their opposite shoulder, securing an over hook around that arm
- Open your guard to post your leg (same side leg as posted arm) against the subject's leg
- Force the subject over by hiping into the subject, pulling down on the over hook and pushing off your opposite foot
- Escape subject's control

SUBJECT IN OFFICER'S GUARD

(Option #2)

- Officer is on their back and subject is in your full guard position
- Pull the subject down and clinch the subject's head and arm (weapon side if possible)
- As the subject pulls away, open your guard creating some hip space, but maintain tight control of the subject's head and arm
- Scoot your hips back and to the side, away from the controlled arm
- Bring your top leg between you and the subject by placing your shin across their waist
- Post your other leg against the subject's leg
- Take the subject off their base by pulling them towards you
- Force the subject over by extending your bent leg, sweeping with your other leg and rolling the subject toward the controlled arm
- Escape subject's control



SUBJECT WITH BACK CONTROL

- From a seated position with subject controlling the officer's back
- Shrug your shoulders and pin your chin down into your own chest
- Protect your airway with your hands / arms
- Keep your knees bent and heels planted
- With your upper body, push into subject forcing them back and to the ground
- From a bridge position, slide to one side of the subject (Non-over hooked side if possible) placing your back / shoulder on the ground
- As the subject attempts to transition to a full mount, push the subject's leg away with your far side hand
- Continue to rotate into the subject and scoot your hips away, escaping the subject's back control

OPTIONAL HANDCUFFING & SEARCHING

REMOVING HANDCUFFS

- Place subject in a position of disadvantage
- Maintain control with a wristlock
- Remove first handcuff (subject places their hand on their head)
- Close first handcuff, step away extending the subject's arm out
- Remove second handcuff (have subject place their second hand on their head)
- Secure handcuffs (street distance)



PRISONER TRANSPORT

(Refer to Department Policy)

- Search every prisoner you transport (even if someone has already done so)
- Place in vehicle (front/rear)
- Have subject turn head to the side
- Block subject's leg with your same side leg (Left/Left, Right/Right)
- Block subject's face "area" with your arm
- Secure seatbelt



CLOSE RANGE WEAPON DEFENSE CLOSE RANGE FRONT GUN DEFENSE

- Raise your hands up and move close enough to touch the gun (Don't reach for the weapon)
- Move offline from the muzzle of the gun by pivoting your body (when possible move to the outside of the subject's gun arm)
- Strike subject while gaining control of the subject's gun arm
- Follow your hands down toward the gun
- Secure a hold with both hands on the gun and bring the weapon to your center (pulling weapon into center / moving to the weapon)
- Pivot body and twist the gun away from subject's control
- Maintain control of weapon OR
- While controlling the direction of the muzzle, draw your service pistol, point your pistol at subject and pull trigger (Deadly Force)



CLOSE RANGE REAR GUN DEFENSE

- Raise your hands up and move back, close enough to touch the gun (Don't reach for the weapon)
- Move offline from the muzzle of the gun by pivoting your body (when possible move to the outside of the subject's gun arm)
- Strike subject as you turn around to face them
- Gain control of the subject's gun arm, following your hands down to the weapon
- Secure a hold with both hands on the gun and bring weapon to your center (pulling weapon into center / moving to the weapon)
- Pivot body and twist gun away from subject's control
- Maintain control of weapon OR
- While controlling the direction of the muzzle, draw your service pistol, point your pistol at subject and pull trigger (Deadly Force)



CLOSE RANGE KNIFE DEFENSE (Option #1)

- Subject moves and you recognize the knife
- Front push kick, step off line and draw your service pistol

OR

- Close the distance / “Crash the Line” with a strong base, feet shoulder width apart, lower your center by bending your knees
- Using both arms, in a position of outside 90°, strike the subject across their pectoral and shoulder (weapon arm)
- With opposite forearm, strike above subject’s elbow / lower bicep
- Gain control of the subject’s weapon arm, following your hands down to the subject’s wrist (knife hand)
- Secure a hold with both hands (baseball bat hold) on subject’s wrist, applying heavy downward weight
- Maintain control of knife hand and transition to the 2 ½ position
- Continue the attack and / or draw your service pistol, point the pistol at subject and pull trigger (Deadly Force)



CLOSE RANGE KNIFE DEFENSE

(Option #2)

- Subject moves and you recognize the knife
- Front push kick, step off line and draw your service pistol

OR

- Close the distance / “Crash the Line” with a strong base, feet shoulder width apart, lower your center by bending your knees
- Using both arms, in a position of outside 90°, strike the subject across their pectoral and shoulder (weapon arm)
- With opposite forearm, strike above subject’s elbow / lower bicep
- Gain control of the subject’s weapon arm with a low over hook around the subject’s lower bicep / forearm
- With your opposite arm, force the subject’s head down and away
- Continue the attack and / or draw your service pistol, point the pistol at subject and pull trigger (Deadly Force)



CLOSE RANGE KNIFE DEFENSE

(Option #3)

- Subject moves and you recognize the knife
- Front push kick, step off line and draw your service pistol

OR

- Close the distance while using both arms to form a tight block (perpendicular to the subject's knife arm), striking above and below the subject's elbow
- Gain control of the subject's weapon arm, following your hand down to the subject's wrist (knife hand)
- Complete an arm drag, transitioning to the 2 ½ position
- Maintain control of subject's weapon arm with a Russian tie-up (refer to Russian Takedown)
- Continue the attack and / or draw your service pistol, point the pistol at subject and pull trigger (Deadly Force)

CLOSE RANGE LONG GUN DEFENSE (Option #1)

- Raise your hands up and move close enough to touch the gun (Don't reach for the weapon)
- Move offline from the muzzle of the gun by pivoting your body to the inside of the subject's control
- Secure a wide hold with both hands on gun and bring weapon to your center (pulling weapon into center / moving to the weapon)
- Pull down with your inside hand while pushing up and away with your other hand (muzzle end)
- Continue the attack by striking exposed areas (elbows, head-butt, knees) and force the gun away from subject's control

OR

- While controlling the direction of the muzzle, draw your service pistol, point your pistol at subject and pull trigger (Deadly Force)



CLOSE RANGE LONG GUN DEFENSE

(Option #2)

- Raise your hands up and move close enough to touch the gun (Don't reach for the weapon)
- Move offline from the muzzle of the gun by pivoting your body to the outside of the subject's control
- Secure a wide hold both hands on the gun and bring the weapon to your center (pulling weapon into center / moving to the weapon)
- Continue the attack by striking exposed areas (elbows, head-butt, knees) and / or while controlling the direction of the muzzle, draw your service pistol, point your pistol at subject and pull trigger (Deadly Force)

VEHICLE EXTRICATION

DRIVER'S SIDE EXTRACTION (Option #1)

- Subject seated in car, grasping steering wheel
- Strike back of subject's hand
- Officer's right hand goes under subject's arm
- Grasp subject's thumb and raise subject's elbow
- Bring subject's hand off steering wheel and out doorway
- Using B-post as fulcrum, apply wristlock
- Bring subject out of car and directly to ground
- Maintain control of subject



DRIVER'S SIDE EXTRACTION (Option #2)

- Use kubotan, flashlight, or baton as control tool
- Pressure is applied to top of subject's wrist (thumb side)
- Tight grip so subject cannot rotate wrist
- Apply pressure and remove subject from car, using B-post as fulcrum
- Take subject to ground
- Maintain control of subject

