

Training Synopsis

Training of Type: In Service #2 2018
Dates: 2/10/18 – 2/24/17 8A - 4P
Location: Durham Elementary School 4099 SR-145 East Durham, NY 12423
Topic: Active shooter refresher / Room clearing techniques
Instructors: Sgt. Richards / Sgt. Marriott / Sr. Inv. Rowell
Target Audience: Deputies/Police Officers
Equipment List: Simmunition firearm conversion kits, Simmunition Scenario Safety equipment, Agency issued handguns and rifles, 200 rounds of 5.56 NATO blanks, 100 rounds of 9mm simmunition ammo.
Description of Training: <p>The intention of this block of training is to provide the students with a refresher training in how to respond to an active shooter incident. The students will be instructed in room clearing techniques which can be used during an active shooter incident as well as during daily patrol functions. The students will first be instructed in how to safely check rooms prior to entry using a method known as a "threshold assessment." The students will then perform the technique as instructed. A role player will then be inserted into the scenario and the students will be instructed on how to deal with a suspect when doing a threshold assessment. After the instruction is completed the student will then perform the techniques as instructed. The student will then be instructed on the method of "threshold assessment" using a two officer response. The students will then pair up with a partner and perform the technique as instructed. Once proficiency is displayed a role player will be entered into the scenario and the students will be instructed on how to take custody of that suspect using the two officer response. Once proficiency is shown the next phase of the training will start.</p> <p>The next phase of the training will be the student being exposed to an active shooter scenario. An active shooter role player is provided with simmunition safety equipment, an AR-15 patrol rifle equipped with a B.F.A. and 5.56 NATO blanks. The student is provided with simmunition safety equipment and a Glock 22 and/or an AR-15 patrol rifle converted to fire simmunition rounds. The student is then advised that an active shooter is currently inside of the burn tower structure and their responsibility is to respond to the location, find the suspect and stop the threat. The scenario is completed when the suspect is taken into custody by the student.</p> <p>Students will be instructed in how to search a large structure with multiple students in a "stack" formation. This searching technique will be performed with up to 10 students in the "stack". Once proficiency is shown the students will be exposed to a scenario involving a role player, or multiple role players, who need to be located and taken into custody.</p> <p>No handouts or paperwork provided to the students. Hands on skills training only. No attachments.</p>

New York State Division of Criminal Justice Services

CURRICULUM CONTENT FORM

9 NYCRR 6020, 6021, 6022, 6025

Course Title: General In-Service Training Course	School Dates: March 3 rd , 2020 – October 27 th , 2020
School Sponsor: Greene County Sheriff's Office	School Director: Undersheriff Adam Brainard
School Location: 25 Volunteer Drive, Cairo, NY 12413 (training center)	Assistant: Sgt. Travis Richards

Date	Instructional Start Time	Hours Assigned	MPTC Course Titles (Required)	Academy Course Title (Optional)	Instructor Name and Department	Instructor Certifications	Expiration Date
Tuesday 03/03/2020	0800 hours	4 hours	Law Enforcement Skills: CEW Training		Sgt. Marriott – GCSO	GT	
Saturday 03/07/2020	1200 hours	1 hour	Lunch				
Tuesday 03/10/2020	1300 hours	3 hours	Law Enforcement Skills: CEW Training				
Saturday 03/14/2020							
Saturday 03/21/2020	0800 hours	3 hours	Legal Issues: Bail Reform/Discovery		GC District Attorney Sr. Inv. Rowell – GCSO	GT	
Tuesday 03/24/2020	1100	1 hour	GCSO Policy for Discovery		Sgt. Richards – GCSO	GT	
Saturday 03/28/2020	1200 hours	1 hour	Lunch				
Tuesday 03/31/2020	1300 hours	3 hour	Elective: "Stop the Bleed"/ TECC Medical		Sgt. Richards/GC Public Health	GT/DHS	
Saturday 04/04/2020	0800 hours	4 hours	Elective: CPR/AED		Sgt. R. Feml – GCSO	GT/AHA Cert.	
Tuesday 04/07/2020	1200 hours	1 hour	Lunch				
Saturday 04/11/2020	1300 hours	3 hour	Legal Issues: Use of Force/Plain Clothes Encounters		Sgt. Marriott – GCSO	GT	
Tuesday 04/14/2020							

Tuesday 09/08/2020	0800 hours	4 hours	Law Enforcement Skills: Firearms Training - Qualifications		Sgt. Richards / Sgt. Marriott - GCSO	GT / FA	
Saturday 09/12/2020	1200 hours	1 hours	Lunch				
Tuesday 09/15/2020	1300 hours	3 hour	Law Enforcement Skills: Firearms Training – Shotgun & Carbine		Sgt. Richards / Sgt. Marriott - GCSO	GT / FA	
Saturday 09/19/2020							
Saturday 09/26/2020							
Saturday 10/17/2020	0800 hours	4 hours	Investigations: Evidence collection and Photography		Sgt. Marriott / Sr. Inv. Rowell- GCSO	GT/Evidence Technician	
Tuesday 10/20/2020	1200 hours	1 hour	Lunch				
Saturday 10/24/2020	1300 hours	2 hours	Emergency Management: GCSO Policy and Procedure Updates		Deputy Danko – GCSO		
Tuesday 10/27/2020	1500	1 hour	Community Interactions: Civil Updates and Policy		Deputy Danko - GCSO		

Personnel

Personnel Record



Richards, Travis J

Person ID richards-09021982-1133	Primary Phone -	Emergency Contact -
Mailing Address -	Primary Email -	

Certifications

Name	Type	Issue Date	Expiration	Status
Adult Protective Services and LE (ONLINE)	Non-Expiring	06/30/2015	Never	Active
Advanced Motor Vehicle Crash Management Course	Non-Expiring	03/11/2016	Never	Active
Basic Course for Police Officers or Equivalent	Expiring	06/23/2006	Contingent	Active
Basic Crash Management Course	Non-Expiring	01/29/2016	Never	Active
Breath Analysis Operator Course	Expiring	06/30/2006	02/17/2021	Active Print
Course in Police Supervision	Non-Expiring	02/01/2013	Never	Active
Drugs That Impair Driving Course	Non-Expiring	05/19/2006	Never	Active
Firearms Instructor Course	Instructor	05/21/2010	Never	Active
General In-Service Course for Police Officers	Non-Expiring	12/12/2015	Never	Active
Instructor Development Course - General Topics	Instructor	12/11/2009	Never	Active
Intermediate Crash Management Course	Non-Expiring	02/12/2016	Never more ▼	Active
	Non-Expiring	07/21/2011	Never	Active

Name	Type	Issue Date	Expiration	Status
Law Enforcement Active Shooter Emer Resp TTT				
Law Enforcement Officers Flying Armed	Non-Expiring	06/25/2010	Never	Active
Less Lethal Impact Munitions Instructor Course	Non-Expiring	05/03/2012	Never	Active
Opioid Overdose and Intranasal Naloxone Training for Law Enforcement Course	Non-Expiring	05/26/2015	Never	Active
Police Field Training Officer Course	Non-Expiring	05/22/2008	Never	Active
Radar/Lidar Operator Course	Non-Expiring	07/20/2006	Never	Active
Sex Offender Management Training	Non-Expiring	08/28/2008	Never	Active
Tactical Combat Casualty Care Course	Non-Expiring	05/01/2014	Never	Active
Tactical Team Leader Development Course	Non-Expiring	05/02/2012	Never	Active
Technical Crash Management Course	Non-Expiring	04/08/2016	Never	Active
The Impact of High Stress Events Training Course	Non-Expiring	06/04/2013	Never	Active

Employment

Organization	Employment Type / Appointment Type	Supervisor	Last Hired
Greene County Sheriff's Office 411921R Sergeant Active	Police / CPL §1.20 (34)		09/20/2005

Training

Reports

All planned, in-progress, and completed training is displayed.

- ▲ Upcoming, Ongoing, & Unconfirmed Training for Period: 0h 0m
 None Specified
- ▲ Current Period to Date (01/01/2020 - 09/17/2020) Training for Period: 0h 0m
 None Specified more ▼
- ▶ Previous Period (01/01/2019 - 12/31/2019) Training for Period: 0h 0m

▶ Other Periods (through 12/31/2018)

Training for Period: 467h 0m

Grades cannot be calculated because weights for this class are not valid.

more ▼

What is a Reasonable Officer?

- Similar training and experience
- Facing similar circumstances
- Based on totality of facts known to the officer at the time
- Acting properly within confines of clearly established law
- “An officer's actions are objectively unreasonable when no officer of reasonable competence could have made the same choice in similar circumstances.”

– Lennon v. Miller, 66 F3d.416 (1995) (quotations removed)



“Necessary” Force

- What does “necessary” force mean?
- Isn’t necessary a question that can ONLY be answered in hindsight?
- The question of necessity is based on the reasonable perception and belief held by the officer.
- “The calculus of reasonableness must embody allowance for the fact that police officers are often 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.”

– *Graham v. Connor*, 486 U.S. 386 at 397 (1989)



Division of Criminal
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“Necessary” Force

- Options available to an officer affect the necessity for force
- What are your options?
- Are there less intrusive means available?
- Would they be effective in controlling the situation?
- This is an **OBJECTIVE**, fact based inquiry.



Deadly Physical Force

Use of Physical Force and
Deadly Physical Force

Deadly Physical Force

- Can be used to protect one's self or another against imminent threat of serious physical harm.
- Use of DPF to effect arrest or prevent escape requires that the person pose some imminent threat to the officer or others.
- What does the term *imminent* mean in this context?

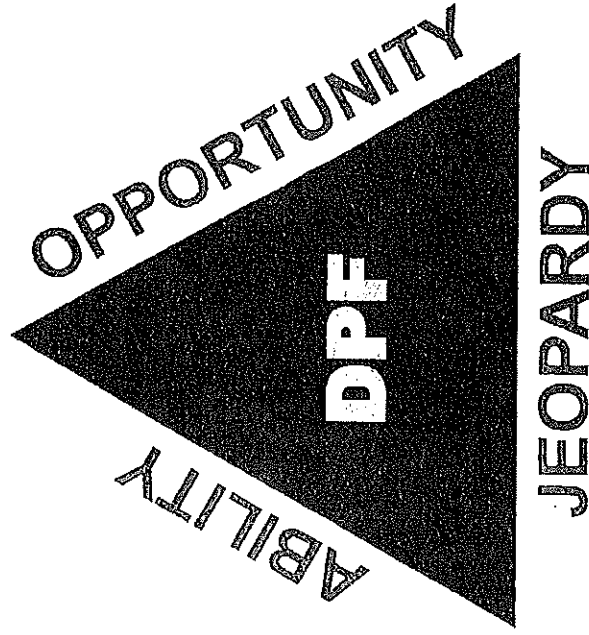


DPF – A Threat Assessment

- Ability – the ability to do harm
- Opportunity – opportunity to do harm
- Jeopardy – intent to do harm



(based on observable behavioral indicators)



Legal Misconceptions

- Must use minimum or least intrusive means available
- “Requiring officers to find and choose the least intrusive alternative would require them to exercise superhuman judgment. In the heat of battle with lives potentially in the balance, an officer would not be able to rely on training and common sense to decide what would best accomplish his mission.” – Scott v. Henrich 39 F. 3d 912, (9th Cir 1994)
- Continuum dictates progressive level, exhausting lower levels before proceeding.
- No duty to retreat to avoid using force -NYS PL §35.15(2)(a)(ii)



The force option used must be reasonable in light of the circumstances; not necessarily the most prudent course of action when viewed in hindsight.



The Decision Making Process

- “Totality of the circumstances”
- Requires a careful balancing act – right of the individual
legitimate governmental interest
- Not subject to 20/20 hindsight
- Not capable of “precise definition or mechanical application”



Factors to be Considered

- Must be reasonably known at the time
- The severity of the crime at issue.
- Whether the suspect possess an immediate threat to the officer or others
- Whether the suspect is actively resisting arrest
- What else?



More Articulable Facts – Not Exhaustive *

- The number of suspects vs. the officers involved
- Pre-assault indicators
- Size, age, and physical condition of the officer and suspect
- Known or perceived physical abilities of the suspect (i.e. known Mixed Martial Artist)
- Previous violent or mental history, known to the officer at the time
- Perception of the use of alcohol or drugs by the subject

- Perception of the suspect's mental or psychiatric history based on specific actions

* ~~The availability and proximity to weapons~~ of factors

• ~~Environmental factors~~ ^{34 1432} 1475 n 5 9th Cir. (1994)



Pre-Assault Indicators

- Verbal aggression
- Posture change
- Face becomes flush, teeth show, increased respiration
- 1,000 yard stare
- Undirected over-compliance
- Aggression directed at another or object
- Head drops, chin tucks
- Bobbing, rocking, or shifting of weight



Articulation

- Objective facts on which to base decisions
- Pay attention to specific actions and behaviors of the suspect

CONCLUSIONS	FACTS
ASSAULTIVE	Specific verbal threats or statements, bladed stance, weight shifting, scanned the area, etc. etc.
RESISTANT	Pulled away, folded arms, 1000 yard stare, became rigid, attempted to hide
OFFICER SAFETY	Physical size, known criminal history, BOLO information, proximity to weapons
SUSPICIOUS ACTIVITY	Manner of dress given the weather, unprovoked flight, stealthy movements
HIGH CRIME AREA	Types of arrests, personal observations, stats, citizen complaints



Other relevant factors

- Can a subject physical comply?
- Does the subject understand the commands?
- Mental illness
- Excited Delirium Syndrome
- Language barriers



Legally Permitted vs. “should”

- Proportionality
- Is there another way to handle this situation that would require less force?
- Can you use time, distance, or cover to allow for more discretionary time?
- Discretionary time allows for “breathing room” to make a decision
- De-escalation options

