

San Jose Police Department Training Unit Projectile Impact Weapons Instructor

Expanded Course Outline

16 Hour Course

Rev. 12/22/2020

Course Goal:

To provide students with the information and hands-on experience needed to effectively use Projectile Impact Weapons. Peace officers are met with circumstances where they must use force to subdue combative or resistive persons. This course will cover options available in such situations to include Projectile Impact Weapons as a less lethal option.

Course Objectives:

The student will understand:

1. Safety while utilizing the weapon systems
2. Manipulation of weapon systems
3. Nomenclature associated to each weapon system utilized
4. Deployments
5. Case law
6. Use of Force Law – AB392
7. Department Policy – SB230
8. Officer Safety
9. Range Safety
10. Use of Force and Force Options
11. Documentation and required First Aid
12. Adult Learning Concepts
13. Instructor liability
14. Proficiency with weapon systems

POST 1082 Minimum Content Requirements

1. Apprehension techniques
2. Level of effectiveness
3. Medical treatment protocol
4. Precautions
5. Projectile Specifications
6. Psychological Effects
7. Reporting Procedures
8. Adult Learning Concepts
9. Legal Issues

10. Performance Evaluation
11. Safety Protocols
12. Written, Oral and/or Demonstration Assessment

I. Introduction

1. Welcome
2. Registration
3. Overview

II. Use of Force

1. Force Options
 - A. Professional Presence
 - B. Words/Voice
 - C. Physical Control
 - D. Electronic Devices
 - E. Impact
 - F. Less Than Lethal
 - G. Deadly Force
 - H. Non-lethal not avail or appropriate based on circumstance
 - I. Duty Manual

III. Law

(9)

1. Federal Law

- A. Title 18, USC Sec 242 and 1983 (Civil Rights)

2. State

- A. PC 835, Method of making arrests, amount of restraint
- B. PC 835a, Use of reasonable force to effect arrest, prevent escape or overcome resistance
 - a. 835a(a)(2) – “Shall use other available resources and techniques if reasonably safe and feasible...”
 - b. Discuss how agency policy has changed relative to AB 392.
 - c. Discuss how agency policy has changed relative to SB 230.
 - i. Tactical Conduct Policy
- C. PC 843, Arrest under warrant; force permissible, what force may be used

3. Case law

- A. Deorle v. Rutherford – Officers duty to warn, if possible, prior to force application
- B. Quezada v. County of Bernalillo 944F.2d710 (10th Cir. 1991) – Officer may be held liable for putting him or herself in a

situation which required deadly force against an armed suicidal citizen

- C. O’Kneal v. De Kalk County, Georgia (850 F.2nd 653 11th Cir. 1998) – Failing to pursue less lethal options and failing to train and equip officers in the use of “alternative, less drastic measures”
- D. Plakas v. Drinkski 19F .ed 1143 (7th Cir. 1994) – “There is no constitutional duty to use non-deadly alternatives first”
- E. Langford v. Gates – Documented training
- F. Whitley v. Warden – Use of force documentation
- G. Graham v. Conner – Reasonable force
- H. Forrester v. San Diego – Level of force used

4. Agency Policy

- A. Overview of SJPD Less Lethal policy
 - 1) Less Lethal Policy defined
 - 2) Definition of less lethal munitions
 - 3) Less lethal vs. Less than lethal
 - 4) Prioritization of human life
 - 5) Application
 - 6) Documentation
 - 7) Notifications

- B. Force Options
 - 8) Uniform presence
 - 9) Verbal
 - 10) Chemical agents
 - 11) Hands/Control holds
 - 12) Impact weapons
 - 13) Electronic disruption weapons
 - 14) Less lethal
 - 15) Lethal

IV. Tactical Overview

1. Students will understand:

- A. Awareness
- B. Familiarization with equipment (2, 5)
 - 1) Less lethal weapon launchers
 - a) 12 gauge bean bag rounds – XXXXXXXXXX
 - i. 1st Generation
 - 1. Silica Lead filled 40gm. Square bag
 - ii. 2nd Generation
 - 1. Silica Lead filled 40gm. Drag stabilized bag
 - iii. 3rd Generation
 - 1. Super Sock Rounds

- b) 40mm launcher – [REDACTED]
 - c) L8 Multi-Launcher – [REDACTED]
 - d) Sphere Launchers (Pepperball)
 - e) FN 303
 - f) Types of re-loads
 - i. Non-Flexible
 - ii. Flexible Less Lethal
- C. Accuracy (target acquisition)
- D. Psychological Effects (6)
- E. Launcher Inspections
 - 1) Barrel
 - 2) Extractor
 - 3) Ejector
 - 4) Firing Pin
 - 5) Safety
 - 6) Shell Carrier and Shell Stoops
- F. Malfunctions
 - 1) Failure to Fire
 - 2) “Squib” Round
- G. Shot placement (4)
 - 1) Authorized Human Strike Zones
 - a) Front/Back Arms, Above/Below Elbows
 - b) Front/back Legs, Above/Below Knees
 - c) Solar Plexus
 - 2) Non-strike zones
 - a) Head
 - b) Chest
 - c) Groin
 - d) Kidneys
 - e) Spine
- H. Avenue of escape/surroundings
- I. Movement
- J. Cover
- K. Concealment
- L. Distance (tactical advantage and weapon capabilities)
- M. Apprehension/Custody
 - 1) Operator
 - 2) Supervisor
 - 3) Cover officer
 - [REDACTED]
 - 5) Negotiator
 - 6) Arrest team
 - 7) Other personnel
- N. Communications
 - 1) With subject

- 2) With fellow officers
- 3) With dispatch
- O. Kinetic energy/Levels of Effectiveness
 - 1) Energy Transfer from projectile to target
 - 2) Measure by $V^2 \times M / 450, 240$
 - 3) Permanent Wound Cavity
 - 4) Temporary Wound Cavity
- P. Blunt force trauma
 - 1) Head and neck
 - 2) Chest and spine
 - 3) Abdomen
 - 4) Extremities
- Q. Penetration Issues
- R. Blunt Trauma Injuries
- S. Deployment statistics
- T. Fatality statistics
- U. Medical treatment and First Aid following use of force (3)

V. **Accurate Documentation** (7)

- 1. Items included in the use of force report
 - A. Type of call
 - B. Reason for response
 - C. Suspects actions/statements
 - D. Verbal warning given
 - E. Type of force used
 - F. Result of use of force
 - G. Medical Aid provided (3)
 - 1) Duty to provide
 - 2) Department policy
 - 3) Documented treatment
 - 4) Appropriate notifications
 - 5) Supervisors response
 - 6) Custodial staff notifications

VI. **Range Safety** (11)

- 1. Four Range Safety Rules:
 - A. Treat all weapons as if they are loaded
 - B. Never point a weapon at anything you do not intend to shoot
 - C. Keep you finger off the trigger until up on target and ready to shoot
 - D. Always be aware of your target and backstop

VII. **Learning Activities (at a SJPD approved range)** (10)

- 1. Instructors will demonstrate and students will manipulate:
 - A. 12 gauge bean bag shotgun
 - 1) Familiarization with the 12 gauge bean bag round

- 2) Knowledge of authorized target areas
- 3) Discriminatory fire
- B. 40 MM launcher
 - 1) Familiarization with the 40 MM sponge round
 - 2) Knowledge of authorized target areas
 - 3) Discriminatory fire

VIII. Weapon System Qualification (at a SJPD approved range) (12)

- A. 12 gauge bean bag round
 - 1) Each student will fire 5 bean bag rounds from a 12 gauge Bean Bag shotgun at 20 yards. The students will be required to strike only authorized target zones on the individual targets.
- B. 40 MM sponge round
 - 1) Each student will fire 5 40 MM sponge rounds from a 40 MM launcher at 20 yards. The students will be required to strike only authorized target zones on the individual targets.

IX. Adult Learning Concepts (8)

- 1. Outlines
 - A. Third level outline construction
- 2. Lesson Plans
 - A. Imperative items to be included
- 3. Use of Media/Videos/PowerPoint
- 4. 1070 Controlled Topics
- 5. Overview of EDI
- 6. Course construction
 - A. Outline
 - B. Resumes
 - C. Safety Plans
 - 1) When safety plans are required
 - D. Hourly Distribution
 - E. Course Administration Information
- 7. Facilitation vs. Lecturing
- 8. Course Handouts

X. Instructor Teaching Demonstrations (12)

- 1. Assigned Topics
- 2. 10 – 15 minutes per presentation

XI. Instructor Liability (9)

- 1. Common Types of Liability
- 2. Duty to care
- 3. Negligence
- 4. Methods of preventing claims
- 5. Primary assumption of risk

- 6. Contingency Planning
 - A. Agency to Agency notifications
 - B. Internal notifications
 - C. POST notifications
 - D. Documentation

XII. Written Test (12)

- 1. Test
- 2. Remediation (if necessary)

XIII. Conclusion

- A. Students will be given Certificates of Completion
- B. Students will have an opportunity to provide school feedback and instructor evaluations
- C. POST rosters completed