Use of Force and Documentation

Course Information

Documenting the use of force is difficult because these rapidly evolving events are physically and emotionally stressful. Reporting critical details accurately requires effective recall, note-taking, organization, and writing skills.

Reports must provide details that are clear, concise, accurate, and easy to understand. Reports that lack needed details are more likely to be taken out of context, attract unnecessary scrutiny, and generate litigation.

The use of force is not an exact science. U.S. Supreme and Circuit Court opinions view force as (1) a seizure under the 4th Amendment; and (2) a subjective decision made by officers on the scene using it.

Graham v. Connor
The test of reasonableness, under the 4th Amendment, is not capable of a precise definition or mechanical application. Proper application requires careful attention to the facts of each particular case.

The calculus of reasonableness must allow for the fact that police officers must make split-second decisions in circumstances that are tense, uncertain and rapidly evolving.

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.

Tennessee v. Garner
471 U.S. 1, (1985)
Deadly force is reasonable when the officer believes a suspect poses an imminent threat of serious physical harm or death either to the officer or other.

Scott v. Henrich
39 F.3d. 912; 9th Circuit (1994)
Officers need NOT avail themselves of the least intrusive means of responding to an exigent situation. They need only act within that range of conduct we identify as reasonable.
Requiring officer to find and choose the least intrusive alternative would require them to exercise superhuman judgment. Imposing such a requirement would inevitable induce tentativeness by officers, and thus deter police from protecting the public and themselves.

The following concepts are unique and provided to assist users with reporting efforts. The use of force is a rapidly evolving circumstance with no two events identical. When force is used by offenders (resist) and officers (control), it involves the following three concepts:

- Target
- Tool
- Time

Instructor

Jon Blum brings a unique blend of law enforcement and technical writing experience into the classroom. He began his law enforcement career with the Winston-Salem, North Carolina Police Department. His previous assignments include uniform patrol, FTO, Drug Interdiction, and SWAT. Jon was the POST Training Director for the NC Department of Justice and PIO for the Garner, North Carolina Police Department. He earned his MPA and BS in Criminal Justice form the University of North Carolina. Jon also holds TASER, OC, ASP, and impact weapon instructor certifications. He is a qualified use of force expert in both state and federal courts.

Dates:

July 21-23, 2015

Location:

Columbus, Ohio Division of Police Training Academy - 1000 North Hague Ave., Columbus, OH 43204-2121

Course Contact / Registration

Officer Stephanie Gibson
(O) 614-645-4800, ext 1116
(e-mail): slgibson@columbuspolice.org

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