



OFFICER
—SURVIVAL SERIES—

DE-ESCALATION THROUGH CONFIDENCE

**Handcuffing, OC Spray, and Baton
Instructor Manual**



Welcome to the “Officer Survival Series: Triple Certification Program.” We are deeply committed to providing law enforcement with the very best use of force, defensive tactics, and arrest and control training possible. This course will focus on four topic areas: Handcuffing, OC Spray, Baton, and Team Arrest procedures (team tactics).

Our program will follow a crawl, walk, run approach. Students will learn the material in easy-to-understand format through a combination of practical skill building and topic lectures. Students will have their knowledge tested through practical exercises/mini scenarios, teach backs, and a written test. Those who successfully complete this program **will receive instructor certification in handcuffing, baton, and OC spray**. This certification is valid for three years upon completion of the course.

CT separates handcuffing, baton, and OC spray instructor certification from Arrest and Control and Defensive Tactics. To obtain a defensive tactics and/or arrest and control instructor endorsement through the Officer Survival Series, students must adhere to the standards of our eight-day OSS De-Escalation Through Confidence Program. **Students cannot obtain a DT or arrest and control endorsement by attending the Triple Certification Course. This course only covers handcuffing, baton, and OC Spray endorsements.

In addition to this manual, students will receive access to our online video curriculum database for the length of their certification. This database contains videos of the material taught in this program as a supplement to the in-person training. The sharing of these videos online or with non-police personnel is strictly prohibited and can result in your access being terminated. This course is fully CT POSTC Certified.

Why is this training needed?

It's no secret that one of our country's biggest issues in the past several years and throughout policing history has been police use of force. Officers are facing the highest trained and most resistant civilian population of our time. Officers are being scrutinized to a much higher degree in these situations than ever before, but few agencies are trying to correct the issue. The training that most officers receive ***DOES NOT ADDRESS WHAT THEY ARE FACING IN THE STREET.***

Officers desperately need updated training that is not static, step by step techniques that will fail when placed under pressure. Too often officers are taught to respond to a “scripted role” that occurred in training. Unfortunately, real fights are not scripted. Instead, officers need concepts, principles, and fundamental positions that are pressure tested and give them confidence because they work against ***resisting suspects that are fighting back*** and are not playing a role.



Officer Survival Series Triple Certification Packing List

The following items are required to be brought to class every day. If you don't have these items, you will not be allowed to participate and therefore will not pass the course.

When students show up unprepared, that tells us as coaches that you don't care or are not taking the training seriously. If that is your attitude, then we don't want you in our course. We take what we do very seriously, and we demand you do the same. There are no refunds provided for students that fail the class or are sent home because they are unprepared.

What to bring:

- BDU/Duty Pants (no shorts)
- T-shirt (bring spare each day)
- Clean sneakers/mat shoes
- Duty Belt, red/blue gun, handcuffs with key (no live weapons/sources)
- Duty Baton
- OC Spray Holder (no spray needed; we will provide inert training spray)
- Duty Vest
- Notebook/Pen
- Clothing for outdoor weather conditions

Daily Hydration, Lunch and Snacks

We will utilize short breaks for water, snacks, and other light foods and will have a formal 30-minute lunch each day. Any questions please contact Rob Magao at rmagao.rlmtraining@gmail.com 860.377.7897



Officer Survival Series Terms

Scripted Role: A process by which many defensive tactics/arrest and control instructors “test” their material by severely restricting the resistance level, movement, and reaction ability of course participants. This creates a false reality of what works under real pressure and gives officers a false sense of confidence in the material presented. We do not train like this!

Pressure Test: The process of validating a technique, concept, or principle under live conditions where the participants are resisting one another.

Volume Control (Scalability): The ability to adjust one’s response to a situation based on the level of resistance being faced. A type of “volume control” for the physical application of force. Not all situations require a “10” on the volume dial. Make sure you’re on the right frequency, otherwise it’s just noise.

Crawl, Walk, Run, Training Method: Students begin by learning techniques and concepts used in our program in a slow, crawling pace, with little to no resistance. As confidence is gained, we begin adding in small problems to solve with light resistance (walking pace). Eventually, and under close supervision, students will be faced with situations where their opponent is not cooperating and is trying to prevent the techniques from being successful (run phase).

Controlled Descent: The ability of controlling the impact of a person to the ground based on the circumstances being faced in the moment. Suspect takedowns can be dynamic if required but more commonly they can be controlled, with little to no damage if performed by a well-trained officer.

Technique: A method or application of a specific movement that when applied correctly answers a specific question.

Concept/Principle: A method of understanding how to respond to situations you may have not faced before. Gives you the ability to figure out answers to situations you have not faced before because you understand how and why concepts of fighting work.

5 Ranges of Combat: Striking, Clinching, Takedowns, Groundwork, and Weapons Based Environment. It is vital to be well rounded in all ranges.

Decisive Force: Applying the correct level of force at the right moment to reduce the possibility for the un-needed escalation of force. Actions that produce a definitive result and prevent the situation from worsening.



De-Escalation: Human behavior, communication or actions that are intended to prevent escalation or continued conflict. De-Escalation can be applied in many forms, not just verbal.

Triple HHH Control (Hips, head, and hands): Control these things and you control the person.

Positional Control: Being able to successfully control a suspect's movement with properly applied positional control holds is vital. Understanding how and where to apply pressure. Understanding posture, base, angles, grips and how to take these things away from a suspect, all while maintaining these things for your own benefit is crucial. The single most important combative ability for police officers is understanding positional control.

Knee Ride/Hip Control: A positional control method that uses your knee/shin to properly control a suspect's hips in the prone position by utilizing leverage, angle, and properly applied weight distribution. Allows the officer to take mobility away from a suspect while maximizing the officer's mobility. When properly applied, the knee ride position does not place weight on a suspect's back, spine, neck, or chest area and does not impede a suspect's breathing. *Best positional option for LEO purposes.

Control, Cuff, Search: A suspect needs to be physically controlled first before handcuffs or other restraint devices are applied and then searched. No other order is safe or acceptable.

Building The House: When a prone suspect can "Army Crawl" and get their legs under their hips and start to "build the foundation of the house" to get back to their feet. Proper knee ride position and team tactics will often prevent this from happening. *Remember Triple HHH Control.

High Elbow: The configuration/position of a person's elbow indicative of a weapon being drawn as a person reaches into or near their waist band to draw a weapon. The angle of the elbow typically ranges between 45 and 90 degrees as a weapon is drawn.

Distance Management: Awareness of both the minimum and maximum ranges that a person with or without a weapon can harm you. Also understanding the effective ranges of any techniques or weapons you may use during a physical engagement. If you can manage the distance, you can manage the damage.

Timing Rule: Process of controlling your opponent's arm/hand nearest to your weapon before drawing your own weapon. You must earn your draw, otherwise your adversary will interfere with your draw and very possibly take your weapon (to include firearm, spray, baton, ECW). Many LEOs draw a tool/weapon based on an emotional response vs a tactical decision. ***Credit to Craig Douglas Shivworks***



Handcuffing/Restraint Systems and Team Arrest Procedures

The mission of the Officer Survival Series (OSS) Handcuffing and Restraint Program is to provide officers with the most up to date tactics and procedures as related to the deployment and legal standards for the application of restraint systems to include handcuffs (hinged, chain and flex cuffs) as well as familiarity with belly chains, black box, leg irons, tether chains/pad lock, spit hood, and wrap mesh blanket.

Learning Goal: To learn the appropriate deployment methods for controlling and restraining a person utilizing handcuffs, leg shackles, flex cuffs, humane belt, mesh blanket wrap, spit hood and other restraint systems utilized by law enforcement and correctional authorities. Students will also learn case law in relation to these topics, specifically regarding the court circuit decisions that affect their region (2nd circuit for CT) and the US Supreme Court. Team arrest procedures will also be covered. Many times, when officers are making arrests, they are working with one or more additional officers on scene to control the person being detained/arrested. Knowing how to effectively work together to de-escalate the situation and control the suspect is vital to ensure everyone's safety.

Restraint Training Day 1 and 2

1. Handcuffs – Chain/swivel and hinged handcuffs to include nomenclature, application of cuffs standing in open space, against wall, kneeling, prone with and without a partner assisting. Stance, carry options (belt/vest carrier), approach, application, double locking, searching, escorting, removing cuffs and documentation using body camera and in written report. Discuss cuffing under power of Taser. *Control-cuff-search.
2. Leg Irons – types, nomenclature, and application in standing, kneeling and prone positions. Double strand towards the shin, single strand towards the achilleas.
3. Black Box – Proper installation and procedures for utilizing a handcuff cover (black box). Importance of double locking.
4. Tether Chains/Pad Lock Two main types, and usage's (leg irons to the black box) (around the waist to the black box) "Martin Link" is the rectangular end, one of the chains will have a martin link on one end, and a loop on the other, (this one goes from the leg irons to the black box, the other chain will have a Martin Link on one end, and a clip on the other. Application: this is done after the handcuffs are applied, spaced, locked, and black box applied. Leg irons go through the ring so it's in the middle of the chain, leg irons are applied (single strand on achilleas), spaced, locked "key holes down".



5. Belly Chains: Nomenclature: same as handcuffs. Application: (standard, cross arms) Belly chains wrap the waist and generally secure with a padlock, the wrist restraints are applied the same as handcuffs (options are available, you can use them in either a same side manner, or by crossing the suspects arms).
6. Flex Cuffs: Nomenclature: strap with locking teeth, locking box. Application: flex restraints are generally an expedient method of restraining someone, or when a larger number of people need to be restrained quickly. Flex restraints typically are not for long term use or can be used in conjunction with handcuffs if the person is prone to (Slipping) restraints. It's important to understand flex cuffs do NOT have a double locking ability.
7. Wrap Mesh Blanket – Instruction in the proper application and use of a mesh restraining blanket. These are commonly being used in many jurisdictions throughout the USA, especially when dealing with individuals experiencing a mental health crisis and become combative (See demo video in online curriculum).
8. Proper care and maintenance of these items will also be covered.

*Students will have to successfully demonstrate these techniques and explain them during teach back portions of the course.

Singular Officer and Team Arrest Procedures

When applying restraints such as handcuffs, officers are taught to control-cuff-search as an order of events. The issue with many police handcuff training programs is that very little emphasis is placed on the control portion of this equation. When reliable control hold positions are not attained first it allows a suspect to resist. This resistance often leads to higher levels of force needing to be applied because proper and effective positional control was not attained first. In our program, students will learn highly effective, and pressure tested positional control holds that place the suspect in a significantly disadvantaged position that allows officers to safely apply handcuffs and other authorized restraint systems to take the suspect into custody. Officers will learn methods as a singular officer and as part of a team of officers working together vs working against one another.

1. Escort Positions – Two on one, wrist weave and underhook variations.
2. Suspect Takedowns – Two on one, wrist weave, rear clinch, high/low (burrito) with controlled decent and using the concept of scalability.
3. Knee Ride on hips for control. Apply pressure as needed (volume control).



4. How to roll suspect over to prone position
5. Prone handcuffing position/Knee Ride
6. Arm extraction methods when suspect is prone and laying on top of their hands.
7. HHH Control – Hands, Head and Hips
8. Working as team – priorities of work. Arms/hips, head, legs, and effective communication.
9. Use of wall or vertical structure or floor/ground to secure suspect
10. Modify to seated or standing position as soon as possible and monitor/apply aide if needed.
11. Placing handcuffed person into patrol vehicle and removing them from a patrol vehicle to include the application of a seat belt.

*Students will have to successfully demonstrate these techniques and explain them during teach back portions of the course.

Handcuffing



Federal Cases and Legal Concepts For Connecticut Police Officers

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I. Disclaimer

The information contained within this document is for training purposes only. Do not construe or rely upon it as legal advice. Government entities, law enforcement agencies, officers, and others should consult with their legal representative(s) and/or supervisory authority for specific guidance related to any and all of the subject matter and information contained herein.

II. Overview

This document discusses *some* federal handcuffing-related cases and legal concepts applicable to Connecticut police officers. It primarily includes cases from the United States Supreme Court and Second Circuit Court of Appeals. Each of the cases cited and discussed within this document are only summarized, and often include additional relevant facts, court analysis, and issues, among other useful information. These cases should be consulted directly and fully for more complete information related to each respective decision. Moreover, the cases listed herein are not exhaustive and represent only *some* of many pertinent decisions pertaining to this subject matter. Finally, officers should also be aware of and directly consult other authorities and/or sources related to this topic - such as, in part, other court decisions, State laws and cases, State and/or department policies, supervisor orders/instructions, training and related materials, and equipment manufacture instructions/recommendations - some of which may place additional constraints on, and/or offer additional guidance for, officers as it relates to handcuffing and related issues.

III. Fourth Amendment Standard

As a brief review, in Graham v. Connor, 490 U.S. 386 (1989), the Supreme Court held that excessive force claims against police officers within the context of an arrest, investigatory stop, or other seizure of a free person must be evaluated under the objective reasonableness standard of the Fourth Amendment. *Id.* at 394-97. The court further noted, in part, that "[t]he test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application" before adding that "its proper application requires careful attention to the facts and circumstances of each particular case". *Id.* at 396. Several factors highlighted by the court - commonly referred to as the *Graham* factors - relevant to this reasonableness inquiry include the following: (1) the severity of the crime at issue; (2) whether the suspect poses an immediate threat to the safety of the officers or others; and (3) whether he is actively resisting arrest or attempting to evade arrest by flight. *Id.*

With that basic foundation in mind, the cases that follow will focus on several specific issues/topics within the context of handcuffing-related excessive force claims.

IV. Federal Cases

A. No *Per Se* Handcuffing Rule

- Soares v. Connecticut, 8 F.3d 917 (2nd Cir. 1993)

Facts

Soares (the plaintiff) was arrested by DEP officers on a warrant stemming from his alleged violation of a fishing regulation. *Id.* at 919. On scene, Soares was placed in handcuffs and put into a police car, before being transported to a local police station. *Id.* When Soares arrived at the station his handcuffs were removed, however, his right wrist was slightly bruised and his left wrist had a temporary indentation. *Id.*

Procedural History

Soares later initiated a suit for, among other things, the use of excessive force related to his handcuffing. *Id.* The District Court subsequently allowed this excessive force claim to proceed, and the defendant officers appealed. *Id.* at 919-20.

Court's Analysis and Holding

Regarding the excessive force claim on appeal, the plaintiff argued that since he was charged with a minor and non-violent crime, physical custody and handcuffing of him by police were unreasonable applications of force in violation of his Fourth Amendment rights. *Id.* at 921. Defendant DEP officers contended that the District Court's decision must be reversed because handcuffing an arrestee is *per se* reasonable under the standard articulated in Graham v. Connor. *Id.*

The Second Circuit ultimately refused to adopt the *per se* rule advanced by the defendant DEP officers. *Id.* In doing so, the Court stated, among other things, the following: “[a]lthough handcuffing will be the reasonable course in many, if not most arrest situations, we do not accept the principle that handcuffing is *per se* reasonable or that Graham v. Connor requires such a conclusion.” *Id.* The court then discussed Graham in further detail and noted that in order to determine whether the force used to effect a particular seizure is reasonable, a court must evaluate the particular circumstances of each case. *Id.* Consequently, the Second Circuit rejected the defendants' invitation to adopt a *per se* rule that the use of handcuffs in effecting an arrest is always reasonable. *Id.*

Although the Court refused to adopt a *per se* handcuffing rule in Soares, it subsequently granted the defendant DEP officers' summary judgment motion based on qualified immunity because the right in question was not clearly established at the time of this incident. *Id.* at 921-23.

B. Reasonable Accommodations

- Ziming Shen v. City of New York, 725 Fed. Appx. 7 (2nd Cir. 2018)

Facts

Ziming Shen (the plaintiff) and his wife were leaving a federal courthouse and Shen got into a physical altercation with a photographer, who was one of a group of professional photographers covering his court appearance. *Id.* at 10. Shen sustained several injuries during the altercation. *Id.* The police responded to the scene and eventually arrested Shen, who they also transported to the hospital for treatment. *Id.*

Procedural History

Shen later sued various parties associated with this incident including, as is relevant here, the involved officers who he claimed used excessive force in handcuffing him and transporting him to the hospital. *Id.* at 11. The District Court subsequently dismissed this claim, among others. *Id.*

Court's Analysis and Holding

The Second Circuit held that Shen's excessive force claim against the officers ultimately failed as a matter of law. *Id.* at 11-12. In doing so, the court noted that when the officers arrived on scene they encountered a volatile situation, injured parties, and a crowd in the area to contend with. *Id.* at 11. As for Shen's excessive force/handcuffing claim - which covered only the timeframe from when Shen was handcuffed until he was placed in the ambulance - the record showed that Shen was handcuffed with two sets of connected handcuffs because of his complaints to the officers about the shoulder injury that he sustained during the altercation. *Id.* at 11-12. This method of double-handcuffing therefore allowed Shen's hands to rest near the side of his hips rather than completely behind him. *Id.* at 12. Although Shen later testified at his deposition that he experienced significant pain from the injury to his shoulder - including during the brief period that he was handcuffed - the Second Circuit found that Shen failed to offer any evidence that the handcuffing caused him any further injury (other than that which he had already sustained from the previous altercation). *Id.*

Thus, since the undisputed facts showed that officers responded to a reported violent incident by handcuffing Shen - the suspected aggressor - using two sets of handcuffs to accommodate his shoulder injury, and in a way that did not result in any further injury to Shen, the court concluded that no reasonable juror could find that the officers' conduct was objectively unreasonable. *Id.*

C. Unreasonably Tight/Injurious Application of Handcuffs

- Cugini v. City of New York, 941 F.3d 604 (2nd Cir. 2019)

Facts

Cugini (the plaintiff) voluntarily surrendered to police custody in relation to several misdemeanor crimes. *Id.* at 609. Cugini was then handcuffed by the defendant officer, processed, and placed (unhandcuffed) in a holding cell for several hours. *Id.* The defendant officer later returned to transfer the plaintiff to another facility and although she was compliant, the officer grabbed her arms, twisted her wrists into a "weird position," and handcuffed her "very tight." *Id.* Cugini said "ouch," and her body shuddered. *Id.* In response, the officer stated "don't make me hurt you" and tightened her handcuffs further. *Id.* The plaintiff again reacted, either exclaiming "ow" or uttering a "cry." *Id.* Once the plaintiff was handcuffed, the officer moved her to the rear of a police car and drove her to the other facility. *Id.*

About 40 minutes elapsed between the handcuffing and their arrival at the other facility, however, the plaintiff did not inform the officer that her handcuffs were causing her pain or ask that they be adjusted because - as she later testified - she was "too scared." *Id.* After reaching the other facility, the officer attempted to remove the plaintiff's handcuffs, but his efforts instead repeatedly made them even tighter. *Id.* During this time, another officer noticed that the cuffs were on backwards and eventually had someone else to remove them. *Id.* Cugini felt pain in her wrists immediately upon the cuffs being removed. *Id.* After being released from custody later that day, Cugini went directly to the emergency room and subsequently began experiencing pain, numbness, and twitching in her arms. *Id.* The plaintiff was later diagnosed with permanent nerve damage to her right wrist, and consequently lost the ability to perform many basic household functions. *Id.*

Procedural History

All charges against Cugini were later dismissed, and she subsequently sued. *Id.* at 609-10. The District Court later concluded that the defendant officer was entitled to qualified immunity and granted summary judgment with respect to the plaintiff's excessive force claim against him. *Id.* at 610.

Court's Analysis and Holding

The Second Circuit ultimately concluded that the plaintiff had sufficiently established a constitutional claim for excessive force, but that the involved officer was nevertheless entitled to qualified immunity. *Id.* at 611-18. In doing so, the court

initially discussed the legal standard associated with such a claim and noted, among other things, the following:

... a plaintiff asserting a claim for excessive force need not always establish that she alerted an officer to the fact that her handcuffs were too tight or causing pain. The question is more broadly whether an officer reasonably should have known during handcuffing that his use of force was excessive. A plaintiff satisfies this requirement if either the unreasonableness of the force used was apparent under the circumstances, or the plaintiff signaled her distress, verbally or otherwise, such that a reasonable officer would have been aware of her pain, or both.

Id. at 613.

Citing *Graham*, the court further noted that "... as with all aspects of a Fourth Amendment inquiry, an officer's awareness is "judged from the perspective of a reasonable officer on the scene." *Id.* The court then held the following:

We conclude that where an officer's use of force in handcuffing is plainly unreasonable under the circumstances *or* where a plaintiff manifests clear signs of her distress—verbally or otherwise—a fact finder may decide that the officer reasonably should have known that his use of force was excessive for purposes of establishing a Fourth Amendment violation.

Id.

After applying that standard to the facts of this case, the court concluded that a reasonable jury could find that the defendant's actions were objectively unreasonable under the circumstances and that Cugini therefore established a Fourth Amendment violation. *See id.* at 613-15.

Regarding the issue of qualified immunity, however, the court concluded that the plaintiff failed to establish that the defendant officer violated a clearly established constitutional right at the time of her arrest. *See id.* at 615-17. The Second Circuit also cautioned officers faced with similar situations in the future as follows:

We also conclude, however, that officers can no longer claim, as the defendant did here, that they are immune from liability for using plainly unreasonable force in handcuffing a person or using force that they should know is unreasonable based on the arrestee's manifestation of signs of distress on the grounds that the law is not "clearly established."

Id. at 617.

D. Prone Handcuffing/Restraint

- Lombardo v. City of St. Louis, 141 S. Ct. 2239 (2021)

Facts

Police arrested Gilbert for trespassing and failing to appear in court, and placed him in a holding cell at the police department. *Id.* at 2240. At some point, Gilbert apparently attempted to hang himself in the cell, so three officers responded and entered the cell. *Id.* The Court then went on to describe the subsequent events that unfolded, in part, as follows:

... One grabbed Gilbert's wrist to handcuff him, but Gilbert evaded the officer and began to struggle. The three officers brought Gilbert, who was 5'3" and 160 pounds, down to a kneeling position over a concrete bench in the cell and handcuffed his arms behind his back. Gilbert reared back, kicking the officers and hitting his head on the bench. After Gilbert kicked one of the officers in the groin, they called for more help and leg shackles. While Gilbert continued to struggle, two officers shackled his legs together. Emergency medical services personnel were phoned for assistance.

Several more officers responded. They relieved two of the original three officers, leaving six officers in the cell with Gilbert, who was now handcuffed and in leg irons. The officers moved Gilbert to a prone position, face down on the floor. Three officers held Gilbert's limbs down at the shoulders, biceps, and legs. At least one other placed pressure on Gilbert's back and torso. Gilbert tried to raise his chest, saying, " 'It hurts. Stop.' "

After 15 minutes of struggling in this position, Gilbert's breathing became abnormal and he stopped moving. The officers rolled Gilbert onto his side and then his back to check for a pulse. Finding none, they performed chest compressions and rescue breathing. An ambulance eventually transported Gilbert to the hospital, where he was pronounced dead.

Id.

Procedural History

Gilbert's parents sued, alleging that the officers had used excessive force against him. *Id.* The District Court granted summary judgment in favor of the officers, concluding that they were entitled to qualified immunity. *Id.* The Eighth Circuit Court of Appeals affirmed on different grounds, holding that the officers did not apply unconstitutionally excessive force against Gilbert. *Id.* at 2240-41.

Court's Analysis and Holding

The United States Supreme Court noted, among other things, that it was unclear whether the Eight Circuit thought the use of a prone restraint - no matter the kind, intensity, duration, or surrounding circumstances - was *per se* constitutional so long as an individual appears to resist officers' efforts to subdue him. *Id.* at 2241. The Supreme Court then pointed out the Eight Circuit's apparent minimization and/or absence of a fact specific inquiry into several key issues related to this case. *Id.* These issues included, in part, the duration and circumstances under which Gilbert was placed/remaining in a prone position and subsequently had pressure put on this back, particularly after he may have already been handcuffed and leg shackled. *See id.* Having either failed to analyze such evidence or characterized it as "insignificant", the Supreme Court noted that the Eight Circuit's opinion could be read as a *per se* rule pertaining to similar situations with "ongoing resistance" and that such a rule would contravene the careful, context-specific analysis required by the Supreme Court's excessive force precedent. *Id.* at 2241-42.

The Supreme Court ultimately expressed no view as to the constitutionality of the involved officers' actions in this case, nor as to the issue of qualified immunity. *Id.* at 2242. Instead, the Court vacated the judgment of the Eighth Circuit, and remand the case so that the Eight Circuit could conduct the appropriate fact specific inquiry required in such a case. *Id.*

Subsequent Appellate History From The Eight Circuit

While not binding for Connecticut officers, nor generally for those outside of the Eight Circuit, on remand the Eight Circuit Court of Appeals in Lombardo v. St. Louis, 38 F. 4th 684 (8th Cir. 2022) addressed the issues raised by the U.S. Supreme Court above. *See id.* at 686-692. The Eight Circuit ultimately concluded that the involved officers were entitled to qualified immunity, affirming the judgment of the District Court. *Id.* at 686. As is relevant here, the Eight Circuit discussed Supreme Court, Eight Circuit, and other Circuit Court of Appeals' precedent related to this issue and then noted, in part, the following: "[g]iven the foregoing, Gilbert's right to be free from prone restraint while engaged in ongoing resistance, even where officers applied force to various parts of his body, including his back, was not clearly established in 2015 when the incident with Gilbert occurred. Because the right at issue was not clearly established, the officers are entitled to qualified immunity." *Id.* at 690-92.

- Rivas-Villegas v. Cortesluna, 142 S. Ct. 4 (2021)

Facts

Police responded to a call from a 12-year-old girl reporting that she, her mother, and her 15-year-old sister had shut themselves into a room at their home because Cortesluna (her mother's boyfriend) was trying to hurt them and had a chainsaw. *Id.* at 6. The girl told the operator that Cortesluna was "always drinking," had "anger issues," was "really mad," and was using the chainsaw to "break something in the house." *Id.* This information - as well as a description of Cortesluna - was relayed to the responding officers, including Rivas-Villegas (defendant officer). *Id.* While on scene for several minutes, officers observed a man matching the suspect's description through the window of the home. *Id.* Dispatch personnel also informed the officer(s) that the females were unable to get out, and that a 911 operator had heard sawing in the background and thought that Cortesluna might be trying to saw down the door. *Id.* The Court then went on to describe the subsequent events that unfolded, in part, as follows:

After receiving this information, Rivas-Villegas knocked on the door and stated loudly, "police department, come to the front door, Union City police, come to the front door." Another officer yelled, "he's coming and has a weapon." A different officer then stated, "use less-lethal," referring to a beanbag shotgun. When Rivas-Villegas ordered Cortesluna to "drop it," Cortesluna dropped the "weapon," later identified as a metal tool.

Rivas-Villegas then commanded, "come out, put your hands up, walk out towards me." Cortesluna put his hands up and Rivas-Villegas told him to "keep coming." As Cortesluna walked out of the house and toward the officers, Rivas-Villegas said, "Stop. Get on your knees." Plaintiff stopped 10 to 11 feet from the officers. Another officer then saw a knife sticking out from the front left pocket of Cortesluna's pants and shouted, "he has a knife in his left pocket, knife in his pocket," and directed Cortesluna, "don't put your hands down," "hands up." Cortesluna turned his head toward the instructing officer but then lowered his head and his hands in contravention of the officer's orders. Another officer twice shot Cortesluna with a beanbag round from his shotgun, once in the lower stomach and once in the left hip.

After the second shot, Cortesluna raised his hands over his head. The officers shouted for him to "get down," which he did. Another officer stated, "left pocket, he's got a knife." Rivas-Villegas then straddled Cortesluna. He placed his right foot on the ground next to Cortesluna's right side with his right leg bent at the knee. He placed his left knee on the left side of Cortesluna's back, near where Cortesluna had a knife in his pocket. He raised both of Cortesluna's arms up behind his back. Rivas-Villegas was in this position for no more than eight seconds before standing up while continuing to hold Cortesluna's arms. At that point, another officer, who had just removed the knife from Cortesluna's pocket and tossed it away, came and

handcuffed Cortesluna's hands behind his back. Rivas-Villegas lifted Cortesluna up and moved him away from the door.

Id. at 6-7.

Procedural History

Cortesluna filed suit claiming, among other things, that Rivas-Villegas (defendant officer) used excessive force in violation of the Fourth Amendment. *Id.* at 7. The District Court granted summary judgment to the officer, but the Court of Appeals for the Ninth Circuit reversed. *Id.*

Court's Analysis and Holding

The U.S. Supreme Court reversed the Ninth Circuit and granted qualified immunity to the defendant officer. *Id.* at 7-9. The court initially discussed *Graham* and *Garner*, among other cases, before subsequently noting that neither the plaintiff nor the Ninth Circuit identified any Supreme Court case that addressed facts similar to those at issue in this case. *Id.* at 8. The Court also distinguished this case from the one solely relied on by a Ninth Circuit - *LaLonde*, a previous 9th Circuit case - to overturn the District Court's decision. *Id.* at 8-9. As it relates to this issue, the Supreme Court highlighted the following key facts in this case - which were materially distinguishable from those present in *LaLonde* - to support its reversal of the Ninth Circuit's decision: (1) here the officers were responding to a serious alleged incident of domestic violence, possibly involving a chainsaw; (2) the suspect had a knife protruding from his left pocket for which he had just previously appeared to reach; and (3) video evidence confirmed that the involved officer placed his knee on the suspect's back for no more than eight seconds, and only on the side of his back near the knife that officers were in the process of retrieving. *Id.*

- Rogoz v. City of Hartford, 796 F.3d 236 (2nd Cir. 2015)

Facts

Police observed Rogoz engage in what appeared to be a drug transaction on a city street. *Id.* at 240. An officer in plain clothes and an unmarked vehicle then attempted to approach/apprehend Rogoz, but Rogoz drove off and eventually made his way onto the highway. *Id.* Rogoz would later claim that he was unaware that the individual approaching him was a police officer, and that he fled the area/city because he was concerned for his safety. *See id.* at 240-43. While on the freeway, Rogoz eventually saw police lights and heard sirens so he pulled onto the shoulder of the highway. *Id.* at 241-42. After his vehicle was stopped, Rogoz was directed by an officer to exit the vehicle with his hands up and he complied. *Id.* at 241. Rogoz was then ordered by the

officers to lay face down on the ground with his hands behind his back and he complied. *Id.* Rogoz further complied with each of the officers' subsequent commands, and did not resist in any way. *Id.* For the purposes of defending the summary judgment ruling in this case on appeal, the defendant officers also conceded that while Rogoz was lying face down on the ground (with his hands behind his back) and was waiting to be handcuffed, one of the officers jumped onto his back, landing knees first. *Id.* The force of the impact fractured one of Rogoz's ribs and fractured his spine in two places. *Id.*

Procedural History

Rogoz later sued various involved parties and made several claims including, as is relevant here, an allegation of excessive force. *Id.* The District Court then, in part, granted the motion to dismiss Rogoz's excessive force claims. *Id.* at 243-45.

Court's Analysis and Reasoning

The Second Circuit ultimately reversed the District Court as to this issue, concluding that the defendant officer was not entitled to summary judgment on either the merits of the plaintiff's excessive force claim or on the officer's defense of qualified immunity to that claim. *Id.* at 251

As it pertains to this issue, the Second Circuit initially applied Graham to the underlying facts of this case and seemingly found it significant that - at the time of the involved officer's application of force in this incident - the suspect did not "pose[] an immediate threat to the safety of the officers or others" and was not "actively resisting arrest or attempting to evade arrest by flight." *Id.* at 247-48. The Second Circuit also called into question much of the District Court's reasoning and findings, particularly those related to whether Rogoz ever actually knew that officers were chasing him prior to seeing police lights on the highway, as well as whether the involved officer ever identified himself as law enforcement at the onset of this incident. *See id.* at 246-50. The Second Circuit also distinguished the facts of this case from others relied on by the District Court, and found that the District Court did not properly view much of the fact/evidence in the light most favorable to the plaintiff (as was required here). *Id.* at 249-51. The court then reviewed some of its precedent related to this issue and held that in light of such rulings, no officer in 2009 could reasonably have believed it permissible under the Fourth Amendment to jump on the back of a prone and compliant suspect gratuitously, with sufficient force to break his spine and rib. *See id.* at 250-251.

E. Use of Force on a Handcuffed/Restrained Person

- Ketcham v. City of Mt. Vernon, 992 F.3d 144 (2nd Cir. 2021)

Facts

Ketcham (the plaintiff) - a retired federal probation officer - was walking along the street near his home. *Id.* at 146. At that time, two officers in plain clothes and in an unmarked vehicle - who were part of a warrant squad - saw Ketcham, who fit the physical description of an individual with an active warrant that they were looking for. *Id.* According to Ketcham, the officers quickly approached him and asked him to identify himself. *Id.* Ketcham asked the same of the officers, and one of the officers stated that they were “taking [him] in”. *Id.* Unaware if the males were actually police, and fearing that he might be getting mugged/abducted, Ketcham called out for bystanders to "get a uniformed police officer to the scene." *Id.* An officer then grabbed Ketcham’s wrist, twisted his arms behind his back, threw him into a nearby chain link fence, and snapped handcuffs tightly around his wrists (causing him substantial pain). *Id.* The handcuffs were apparently not double-locked, and officers ignored his complaints that the handcuffs were hurting his wrists. *Id.* Officers then forced Ketcham into the backseat of their car, slamming his head into the car’s door frame. *Id.* Officers eventually confirmed Ketcham’s identification and discovered that he was not the subject of their outstanding warrant. *Id.* They then removed his handcuffs and released him. *Id.* Ketcham asked for the officers' business cards, but one of the officers laughed and the officers then drove away. *Id.* Ketcham claimed to have suffered various injuries as a result of this incident, including to his head, knee, and wrists. *Id.* at 147.

Conversely, the officers' version of events differed greatly from Ketcham's, but also from each other’s in certain respects. *Id.* The officers stated, in part, that they approached Ketcham, identified themselves as police officers (and had their badges visible), informed Ketcham that he matched the description of a suspect with a warrant, and asked for identification. *Id.* Ketcham did not provide ID and became argumentative before, according to one of the officers, he tried to push past the officer. *Id.* That officer then grabbed onto Ketcham to place him in handcuffs and Ketcham resisted and began screaming. *Id.* Ketcham continued to struggle and actively resist, so one of the officers eventually pushed him up against the chain link fence to secure him. *Id.* Once handcuffed, officers attempted to move him to their vehicle, but he continued resisting. *Id.* One of the officers testified that he subsequently attempted to guide Ketcham's head as they moved him into the vehicle, but Ketcham's flailing resulted in him bumping his own head into the door frame. *Id.* Another officer testified instead that he asked Ketcham to sit in the vehicle, but Ketcham resisted by placing his foot in the door frame. *Id.* That officer then asked Ketcham again to sit in the vehicle, and he complied. *Id.* That officer further testified that Ketcham did not hit his head on the vehicle. *Id.* After being placed in the vehicle,

Ketcham became cooperative and provided his identification, at which time the officers learned that he was not the subject of their warrant. *Id.* The officers subsequently apologized for the incident and Ketcham was quickly released. *Id.*

Procedural History

Ketcham later filed suit for, among other things, excessive force. *Id.* 147-48. The District Court later granted summary judgment in favor of the defendant officers as to all claims. *Id.* at 148. The plaintiff appealed. *Id.*

Court's Analysis and Holding

The Second Circuit ruled in Ketcham's favor, vacating the judgment of the District Court and remanded the case for further proceedings. *Id.* at 152-53. On appeal, as it pertains to the conflicting accounts of the incident offered by the involved parties, the Second Circuit noted that - in deciding the defendants' motion for summary judgment - the District Court was required to determine whether Ketcham raised a question of material fact and draw all inferences in his favor. *Id.* at 149. The Second Circuit found that the District Court failed to do this. *Id.* The court added, among other things, that drawing all inferences in Ketcham's favor a reasonable factfinder could determine that one of the involved officers - who acknowledged he did not feel that he was in any danger - unnecessarily threw Ketcham against a wall, placed him in overtight restraints (despite his protestations), and deliberately pushed Ketcham's head into the car door. *Id.* The court then examined its precedent pertaining to similar conduct by officers in previous cases and determined that such conduct has and can constitute excessive force. *Id.* at 149-152. The Second Circuit also found that even though Ketcham's injuries were only minor in nature, he was still permitted to bring his claim. *Id.* at 150-51. Moreover, the court refused to grant the defendant officers qualified immunity as to the plaintiff's excessive force claims. *Id.* at 151-52.

F. Forcible Movement

- Tracy v. Freshwater, 623 F.3d 90 (2nd Cir. 2010)

Facts

Tracy (the plaintiff) was driving around at night in poor winter weather and was stopped by the involved officer. *Id.* at 93. After some questioning, the officer ordered Tracy out of the vehicle so that he could pat Tracy down for weapons and then arrest him. *Id.* Although their accounts differ as to that happened next, a physical struggle eventually ensued and subsequently result in Tracy being handcuffed while on the ground. *Id.* at 93-94. Tracy also sustained a leg injury and was pepper sprayed while on the ground. *Id.* at 94. While lying on top of Tracy, the officer attempted to call for help on his portable radio, but it malfunctioned and he received no response. *Id.* The officer then attempted to move Tracy, who later contended that the officer did so angrily and despite him telling the officer that he was in pain. *Id.* Tracy further claimed that although he continued to protest that he was injured, the officer grabbed him by his arms and forced him to his feet. *Id.* The officer stated, however, that he assisted Tracy in standing by picking him up under his arms from behind. *Id.* Both parties agreed that as Tracy was made to stand, his body made a distinct popping noise. *Id.* Tracy claimed that he immediately felt excruciating pain. *Id.* According to Tracy, although he again indicated that he was injured and needed medical attention, the officer held him up by his hands and forced him to walk the roughly twenty feet to the patrol car. *Id.* Once they reached the patrol car, the officer put Tracy in the back seat and used the car's radio to call for backup and medical personnel. *Id.* Tracy was later taken by ambulance to a hospital for treatment primarily related to a fracture dislocation of his hip, which he subsequently received at least one extensive surgery on. *Id.*

Procedural History

Tracy later sued and, among other things, brought an excessive force claim against the involved officer. *Id.* at 95. The District Court later decided that the involved officer was entitled to qualified immunity on the excessive force claim because his actions were objectively reasonable and, accordingly, did not amount to a constitutional violation. *Id.* This appeal followed. *Id.*

Court's Analysis and Holding

The Second Circuit addressed four separate use of force issues in this case, however, as it relates to the forcible movement issue specifically, the court ultimately found the use of force by the officer to be reasonable. *Id.* at 98. The court further

noted that although it is certainly possible, under different circumstances, that the forcible movement of an injured arrestee might amount to the employment of excessive force, that was not the case here. *Id.* The court then highlight several factors that it found particularly relevant pertaining to this issue, which included the following: (1) undisputed evidence indicated that the officer here attempted to request assistance using his portable radio (but his equipment failed); (2) Tracy's previous conduct (i.e. attempting to flee arrest); and (3) the cold and wet weather conditions. *Id.* The Second Circuit therefore concluded that it was not objectively unreasonable for the officer to have declined to leave Tracy unattended while he returned to his patrol car to summon aid, and that summary judgment was thus appropriate as to this issue. *Id.*

V. Conclusion/Contact Information

If you have any questions or comments please feel free to contact me at spalmer@newmilfordpolice.org.

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DISCLAIMER:

The information in this curriculum is meant to supplement, not replace, proper law enforcement training. Like any training involving skill, speed, equipment, balance and environmental factors, this training poses some inherent risk. The author advises readers to take full responsibility for their safety and know their limits. Before practicing the skills described in this curriculum, be sure that your equipment is well maintained and do not take risks beyond your level of experience, aptitude, training, and comfort level.

www.officersurvivalseries.com



Baton Instructor Lesson Plan

This program will provide prospective instructors with the legal and practical applications of the police baton. Instruction will be conducted in classroom lecture and practical skills. The practical portion on the use of the baton will focus on appropriate use, deployment, and retention of the baton, as well as the strengths and weaknesses of a police baton in modern policing.

- 1) Provide the legal justification for baton strikes in accordance with the State of Connecticut Use of Force laws as well as established case law.
- 2) Students will demonstrate carry and deployment methods for the baton.
- 3) Students will demonstrate proper applications of strikes and control positions using the baton.
- 4) Students will demonstrate retention of holstered and unholstered baton.
- 5) Students will demonstrate blocking and defensive countermeasures using the baton.
- 6) Students will demonstrate the ability to transition from baton to hands on skills and or other less lethal and lethal weapons.
- 7) Students will demonstrate knowledge of the pros and cons of the baton, its deployment, and its intended applications.
- 8) Students will demonstrate through practical skills the ability to transition controlling a suspect in a handcuffing position from both successful and unsuccessful baton deployment and usages.
- 9) Students will demonstrate their ability to retain a holstered and unholstered baton.
- 10) Understanding the Baton Strike Zones (Green, Yellow, Red).
- 11) Baton Nomenclature (Grip end, striking surface, striking end, baton grip and release button (if applicable)).
- 12) Deployment considerations: Environmental, managing distance from suspect, timing rule, bystanders, transition to other force options.



- 13) Various carry and deployment considerations such as officer's skill with baton, suspect characteristics, belt mounted carry strong side/support side, vest carrier mounted, or D-ring.
- 14) Cross draw vs strong side draw methods

Basic Baton Course Techniques

- 1) Stance – Proper Stance and movement on the feet while using a baton
- 2) Baton Grips
 - a) One Hand Grip
 - b) Two-Handed Grip variations
- 3) Baton Carry Options
 - a) Vertical Carry Position
 - b) Outside the Arm Carry Position
 - c) Two-Sided Carry Position
- 4) Baton Draw Methods
 - a) Cross Draw
 - b) Strong Side Draw
- 5) Blocking Methods
 - a) Two-Handed High Block
 - b) Two-Handed Strong-Side Block
 - c) Two-Handed Middle Block
 - d) Two-Handed Support-Side Block
 - e) Two-Handed Low Block
- 6) One Handed Strikes
 - a) Forward Strike
 - b) Reverse Strike
- 7) Two-Handed Strikes
 - a) Front Jab
 - b) Rear Jab
 - c) Strong-Side Horizontal Strike
 - d) Support-Side Horizontal Strike
 - e) Middle Strike



8) Baton Retention

- a) One or two hand grab defenses for one-hand grip
- b) One or two hand grab defenses for two-handed grip

*Students will have to successfully demonstrate these techniques and explain them during teach back portions of the course.



SABRE O.C. Pepper Spray Officer Survival Series

OC Spray Instructor Program



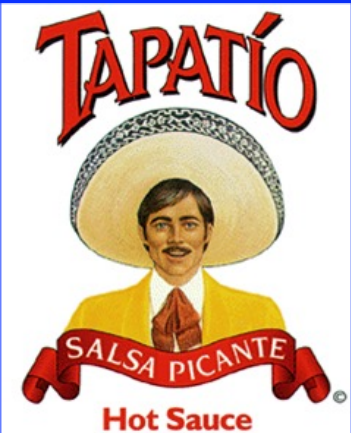
O.C Student Course Objectives

At the end of this session the student will be able to demonstrate, outline and explain the:

- Effects produced by Oleoresin Capsicum – OC
- Cone pattern
- Proper use of Oleoresin Capsicum
- Decontamination procedures
- Preventing Officer Contaminations!
- Warning signs which require Emergency Services
- Reporting Force

What is OC?

- OC (oleoresin capsaicin) spray is an inflammatory agent derived from organic chemical compounds found in various forms of potent pepper plants



Capsaicinoids

- Active ingredient in OC spray
- Heat bearing and pain producing components
- Higher = Stronger
- Most accurate measure of OC strength
- SABRE Red has 1.33% Major Capsaicinoids



SABRE COMPARISON CHART

<u>Product</u>	<u>OC</u>	<u>Capsaicinoid Content</u>
SABRE Red	10%	1.33%
SABRE 5.0	5%	0.67%
SABRE 5.5	5.5%	0.37%
SABRE Defense	10%	0.33%
SABRE Advanced (includes 1.5% CS)	2.5%	0.33%

Inactive Ingredients



- Propellant: a liquid or gas which pressurizes the can
- Carrier: Inactive ingredients that create an even disbursement of OC throughout the formulation, H₂O
- Non-flammable with Conducted Electrical Weapons i.e. Taser

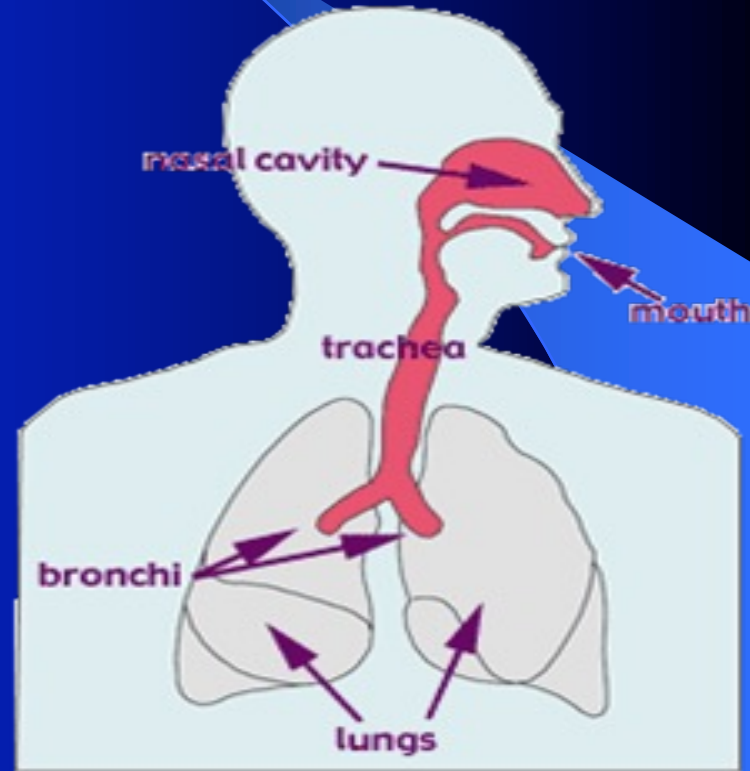
O.C.

- Is a distance option (*3-20 feet*)
- Doesn't physically incapacitate:
 - *Drug-induced subjects*
 - *High Motivated and Goal-oriented persons*
 - *Mental Health subjects*
 - ***Take Away Vision – Get Tactical Advantage!***
- Be ready to reassess and transition to another option if necessary

What does it affect?

3 MAIN AREAS

- *Eyes*
- *Respiratory System*
- *Skin*



Eyes



- Painful burning sensation
- Involuntary eye closure
- Profound tearing
- Visual impairment
- Protracted redness
- **Eye Closure = Best Tactical Advantage!**

Respiratory System



- Inflammation of mucous membranes, i.e. lips, nose, tongue
- Pronounced mucous secretion
- Coughing, shortness of breath
- Tightening of chest

Skin



- Intense burning sensation
- Possible inflammation
- Reddening of skin surface

Psychological Effects

- Fear
- Anxiety
- Possible panic
- Hyperventilation

What an Exposure Looks Like?



3 Levels of Contamination

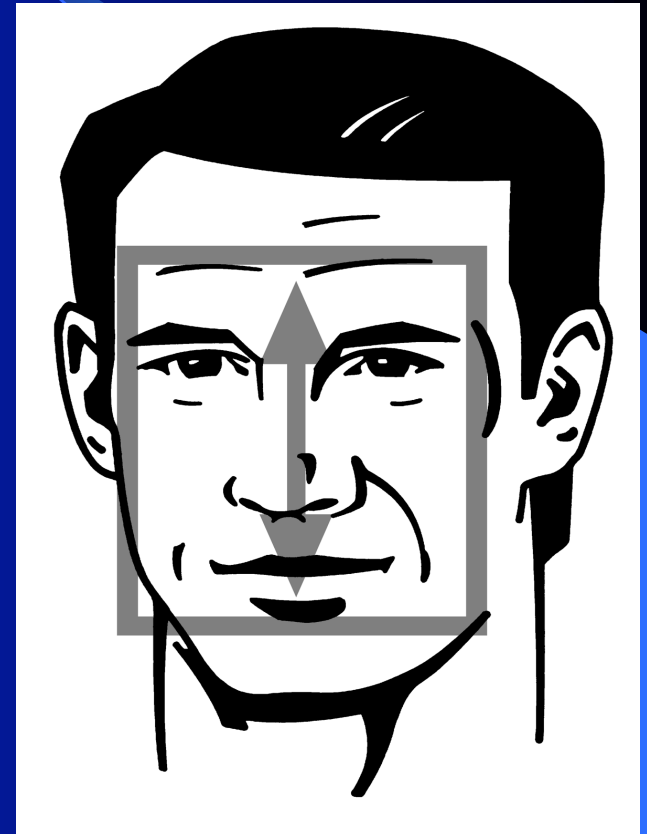
- **Level 1** – Direct exposure – sprayed into the eyes and face.
- **Level 2** - Indirect or Secondary exposure, contact with a person who has been exposed to Level 1
- **Level 3** Environmental – In the atmosphere

3 Spray Delivery Systems

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

Cone Delivery

- **Spray up & down – center of the face.**
- At five feet, the cone delivery has a diameter of twelve (12) inches.
- Restriction of deep lung breathing
- Cross contamination & wind blow back concerns



Have I targeted the required area?

- Natural OC pigment
Yellowish to Red-Orange
- Identifies area of
contamination
- Don't touch this area!
- Additional deployments may
be necessary
- Ultraviolet marking dye is
included and may last on skin
and clothing for up to 48 hrs



Special Considerations for Deployment

1. Persons in an elevated location.
2. Persons in charge of a vehicle while it is running.
3. Females that are known to be or are obviously pregnant.
4. People that are elderly or infirm
5. Crowded Areas

Environmental Considerations

- Terrain –footing
- Elevated position
- Weather (Wind, Snow, Rain)
- Lighting- visibility
- Other hazards- Traffic, obstructions

Environmental Considerations

- Friendly/hostile territory
- Availability of physical cover proximity of back-up
- Tactical withdrawal/ disengagement possibility

Surviving a use of force incident

- Watch the Eyes:
 1. Avoidance
 2. Scanning
 3. Target Glance
 4. 1000- Yard Stare
 5. Contact with associates

Surviving a use of force incident

- Facial Cues:

1. Sweating
2. Tight Jaw Muscles
3. Hands to face

Surviving a use of force incident

- Body Language Cues:

1. Lack of movement
2. Flanking moves
3. Adjust clothing repeatedly
4. Clinched fist
5. Hands
6. Grooming

Surviving a use of force incident

- Clothing Cues:

1. Clothing inconsistent with weather
2. Unnatural bulges
3. Jacket / clothing is removed when you are seen
4. Repeated adjustment of clothing

Why Use Intermediate Weapons?

- The purpose of an OC spray deployment is to create a *window of opportunity* to:
 - *Take follow up control*
 - *Tactically reposition and assess* which is a continuous process before during and after.
 - To achieve Safe Separation

Tactical Considerations

- Conceal OC from the subject before use, element of surprise is key.
- Be aware of environmental factors (wind, rain, cross-contamination)

OC Hidden



Preferred Hand Position



2 Hand Hold



Both Hands Same Distance



Least Preferred



Tactical Considerations

- After deploying a 1 second burst, move off the line of attack (45 degree) if possible, redirect to the canister side
- Do not deploy at distances less than 3 feet - Hydraulic Needle Effect, splash back & weapon retention
- Combat tuck retention position, do not offer the canister to the subject.

Tactical Considerations

- Use loud repetitive verbal commands! “Police, Get Back, Get Back, Get on the Ground, Do it now”!!
- Combat Tuck if required!
i.e. Retention position

O.C. and Animals

- O.C. is effective on dogs but will not stop a dog charging at you.



Storage

- Store at normal room temperature, 70 F
- Do not store below 32 F
- Do not expose to temperatures over 120 F
- Store in cool dry place
- 5 Year shelf life – expiration date printed on canister label
- Replacement after each usage.

Maintenance

- Clear debris and check nozzle at regular intervals
- 1/4 second deployment to check functionality every 6 months. Spray into a drain or towards the ground while outside.

Post Application Procedures

- Control subject
 - Wait for product to take affect!
 - Clenched fists
 - Grimace – Painful Sounds
 - Hands out to side for balance
 - Hands on Knees
 - Eyes Close
 - Let product dissipate into atmosphere 1st!
- *Remove subject from contaminated area as soon as is practical*

Post Application Procedures

- *Determine if serious medical condition requiring emergency services exist:*
 - *heart problems*
 - *severe respiratory problems*
 - *Diabetes, Epilepsy*
 - *high blood pressure*
 - *under the influence of alcohol or drugs*
 - *if subject requests medical attention*
 - *loses consciousness*
 - *shallow breathing combined with sweating*

Decontamination process

- Reassure subject
- Decontaminate (wet and dry paper towels if applicable, copious amounts of cool water into open eyes, eye strobing)
- If significant relief is not achieved after 45 minutes contact emergency services
- Monitor for at least 2 hours
- Document (Arrest forms, Notebook, RCC)
- Contaminated Officers to use SABRE DECON

Field Treatment

- Assure the subject the effects are temporary
- Remove subject from the contaminated area
- Allow any OC that is still wet to dry on subject before transport
- Continually monitor the subject's condition:
 - Ask about respiratory issues: asthma, bronchitis, etc
 - If symptoms continue past 45 MINUTES, especially in the eyes and respiratory system, provide prompt medical attention using EMS.
- Allow subject to wash with copious amounts of cool water and soap when available.
- Inform Desk personnel that a subject that is being detained has been sprayed with OC.

Use of Force Considerations

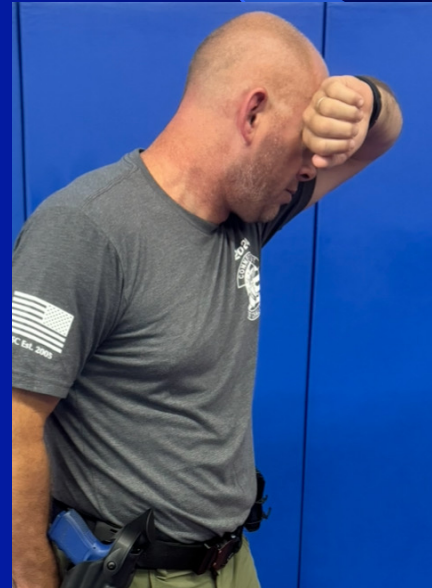
- LEOs may only use that degree of force that is necessary to achieve a lawful purpose. A police officer is never justified in using physical force to punish a suspect or to retaliate for physical or verbal abuse.
- Because OC spray causes no permanent injury, OC may be introduced in the Use of Force Matrix much earlier. The Use of Force Matrix is a concept designed to interpret the use of force by troopers.
- OC spray is considered an available use of force option and is not intended to replace firearms, batons or any other authorized piece of equipment, nor is it intended to replace control techniques that are used within the force matrix.

Sabre Red OC

- Sabre Red has a nonflammable based propellant for use in conjunction with the TASER X2.
- Other Police Department issued OC Spray is potentially flammable.

If Attacked With Spray

- Tuck Chin and Cover forehead with forearm to block spray
 - Do not completely block vision
 - Keep eyes open and watch attacker
 - Strongly exhale
 - -to prevent inhalation
 - -expel contaminants
 - Tactically relocate from contaminated area
 - Be prepared for additional attacks



If Attacked With Spray

- Strongly exhale
 - to prevent inhalation
 - expel contaminants
- Tactically relocate from contaminated area
- Be prepared for additional attacks

What If You Get Contaminated

- Create safe separation
- Slow rhythmic breathing
- Stay Calm, (Warrior Mindset)
- Prepare for a secondary attack
- Ensure back up is on the way
- Notify supervisor
- Decontaminate as soon as possible

Reporting Use of Force

- Recommended Topics to Include in your report:
 - How many members at the scene
 - Verbal dialogue before during and after
 - Subjects' response (or lack of) to commands
 - Why encounter began and why it couldn't be avoided
 - Techniques used

Reporting Use of Force

Recommended Topics to Include in your report:

- How long resistance lasted
- De-escalation techniques used after subject submitted
- Documentation of Decon process
- Details of transportation
- *Note Keep in mind that video cameras are everywhere. Be sure your reports are as complete and accurate as possible. You may not always know you are being recorded, you should treat every situation as though it were being recorded.*

Documentation of OC Spray Deployment

Police Officers who deploy OC Spray must thoroughly and accurately document their actions and OC Spray utilization in their investigative report and advise their duty supervisor of said deployment.

Decontaminations Don'ts

- Do not rub eyes
- Do not remove subjects' contacts
- Do not use commercial eyewash, skin creams, or salves
- When using fan or air con to cool face do not open eyes!

Transportation Issues

- While transporting the exposed subject, the officer should:
 - Allow the subject to sit in an upright position
 - Continually monitor the subject's medical condition
 - Check to make sure the subject is breathing normally

Questions??

- Will you be sprayed as a recruit or instructor?
 - Recruit, yes. A minimum of one *level one* exposure.
 - Those in an OC instructor course that have already received a level one exposure as a police recruit will receive a level two exposure during instructor course.

DO NOT RUB YOUR EYES / RINSE WITH TONS OF WATER





Below you will find numerous QR codes. When you scan these codes, you will be re-directed to various secure/unpublished YouTube links of the course curriculum for OC Spray and Baton techniques learned in this course. These videos are not to be posted or shared online and are for designed as a refresher to those who have been through our program. These videos are not meant to replace in-person, live training, with a qualified instructor. They are simply offered as a supplement to the in-person course. Unauthorized sharing or posting of these videos may result in the video links being changed and your authorization to use them restricted or completely removed. All team tactics and handcuffing/restraint videos are available to authorized users on our website curriculum database. Course instructors will explain how to gain access to this material. www.officersurvivalseries.com



OC arrive on-scene



OC actions on-scene



Post Spray Considerations



Baton Stance/Draw



Baton Carry Modes



Baton One Hand Strikes



Baton 2 Hand Strikes



Blocking/Retention