Administrative, Criminal and Legal Aspect of Use Of Force
Deadly Force and Officer Involved Shootings

Officer Well-Being: The most important aspect of any police agency is people. The agency must always be focused on caring for the well-being of its personnel. Obviously, when an officer is faced with the traumatic event of an involved-shooting his or her well-being may be impacted. This session will examine the best-practices with respect to agency response to officers who have been involved in these critical incidents and focus on psychological issues relating to police shootings.

The Lawsuit: Participants will examine the common issues in a lawsuit involving a police use of deadly force including: failure to train issues; policy issues; agency response issues which affect liability; distinguishing agency liability from individual liability, and the concept of qualified immunity in the context of use of force cases.

Policy Development: Participants utilizing the foregoing sessions will identify the best practices in officer-involved shooting events and put those practices into an officer-involved shooting policy which can be tailored for any size agency. The policy should serve as a roadmap for officers, investigators and supervisors who are faced, for the first time, with an officer-involved shooting.

Media Issues During Officer Involved Shootings: An agency’s initial and follow-up response to the media can have a far-reaching impact on citizen reaction to the shooting and to allegations in the expected lawsuit. This session will focus on the best police practices with respect to media responses during these critical police incidents. Participants will be asked to prepare a press-release regarding an actual police shooting. These statements will be critically analyzed in order to outline the best police practices and heighten the participant’s sensitivity to responses that may come back to haunt the involved-officer, investigators, supervisors, agency executives, and ultimately the agency itself.

Criminal Investigation: In every police shooting involving injury or death, a criminal investigation will be conducted. This investigation takes a two-faceted approach that includes an investigation of the suspect’s acts as well as a determination of whether the officer’s use of force was consistent with the criminal law. The subject officers have 4th, 5th, 6th, and 14th Amendment Rights just like every other citizen of the United States. These rights must be considered for any investigation to be complete and valid. This session will focus on investigative issues relating to officer involved use of force.

Don’t Jump The Gun - A Gunshot Wound To A Suspect’s Back May Not Indicate A Problem: This session focuses on what every investigator needs to know before drawing any conclusions relative to the appropriateness of an officer-involved shooting. A suspect who has been shot in the back does not always mean that the officer fired a shot after the threat had passed. Numerous studies have lead to the conclusion that reaction time may account for wounds to a suspect’s back. Participants will learn how these studies can be applied in a practical manner to an officer-involved shooting investigation.

Note: This course approved for CLE Credits. Nevada, California and Arizona will accept the CLE credits. Additional states with mandatory CLE and In-Service requirements have accepted LLRMI Training.

Instructors:

Lou Reiter
Deputy Chief (Retired)
Los Angeles Police Department
Los Angeles, California

David Rivers
Sergeant (Retired)
Miami-Dade Police Department
Miami, FL

Jack Ryan, Attorney
Captain (Retired)
Providence Police Department
Providence, Rhode Island

Rod Englert
Chief Deputy (Retired)
Multnomah County Sheriff’s Office
Portland, Oregon

December 5, 6, 7, 8 & 9, 2016
Las Vegas, Nevada
Register On-Line At: www.patc.com
There is arguably no single event that can traumatize a police agency than a police officer involved shooting incident. The criticism and intense scrutiny generated by the media, community activists, the general public, and the criminal justice system itself, can be enormous. Civil judgments resulting from such cases can debilitate a police organization for years, have an adverse effect on employee morale, and hamper agency effectiveness through the erosion of public opinion. It is, therefore, imperative that every police department prepare in earnest for this inevitable eventuality. It is also essential that the investigator charged with the task of leading a police officer involved investigation become as equally prepared.

**Overview:**

The purpose of this program is to prepare officers, supervisors, investigators, and prosecutors in the proper response and investigation of serious use of force incidents and officer-involved shootings. What can an agency expect when an officer wounds or kills a person? First, the agency can expect the onslaught of media attention. Second, the agency should expect that a criminal investigation will be conducted by the agency or some outside entity. Third, the agency must recognize its responsibility to conduct an administrative investigation into the shooting or use of force. Finally, the agency that experiences an officer-involved shooting or any serious use of force should expect that a lawsuit will follow. Throughout all of this, the agency must ensure the well-being of the involved officer.

**Scene Response:** This session will focus on issues related to the initial response to the scene by supervisors and investigators. It is imperative that evidence and witnesses are secured in a fashion that does not, in any way, taint the investigation or lead to charges of a cover-up by the involved agency. At the same time critical pieces of evidence that will assist agencies in tainting the investigation or lead to charges of a cover-up by the involved agency. At the same time critical pieces of evidence that will assist agencies in documenting the event for later use in all of the expected forums, i.e. criminal investigation; administrative investigation and civil suit may forever be lost.

**Legal Issues:** This session will examine the current legal trends in the use of force. Many of these trends are identified by examining lawsuits that both officers and agencies have faced following the use of deadly force. A clear understanding of the law relating to the use of force by law enforcement officers is essential in order to properly supervise, investigate or manage an officer-involved shooting event or serious use of force.

**Administrative Investigation:** The most important Internal Investigation that an agency will be faced with an officer-involved shooting. This investigation will be reviewed at multiple levels by persons outside the agency. This investigation, if not properly conducted, will be the subject of attack through lawsuits, outside commissions and the media. This session focuses on the best police practices relating to the internal investigation of officer-involved shootings. The session examines the distinction between the four necessary investigations: examines investigative techniques and emergency provisions for employees and supervisors.

**Agency Review Process:** Agencies must have a mechanism in place for reviewing use of force incidents. Low-level uses of force may be reviewed at the first-line supervisor level, while serious uses of force, including officer-involved shootings should be reviewed by a specified review panel. This session will focus on the process of use of force review and the options an agency may employ in the review process.

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**Seminar Agenda**

**Registration**
Jack Ryan
- Liability/Criminal Exposure & Civil Exposure in Use of Force Cases
- Legal Trends in Use of Force Cases
- Agency Issues/Failure to Train/Policy Deficiency/Failure to Supervise or Disciple/ The Concept of Ratification - Lunch (On Your Own)
- Fatigue and the Police
- Suicide v. Homicide Case Review
- Accident v. Homicide Case Review
- Preparing For Court and/or Inquest - Certified Presentation

**Scene Response**
David Rivers
- 12 High Risk Critical Tasks
- Stabilization, History and Facts Regarding Deadly Force
- Off Duty v. On Duty Confrontations
- Lunch (On Your Own)

**Legal Issues**
Lou Reiter
- Police Shooting Teams
- Search Warrants & Warrant Service

**Administrative Investigation**
Jack Ryan
- Fatigue and the Police
- Police Culture (What Makes It Different)
- Police Shooting Teams
- Search Warrants & Warrant Service

**Agency Review Process**
Rod Englert
- Preparing For Court and/or Inquest - Other "In Custody Deaths"

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**Seminar Title:** Use Of Force—5 Day

**Instructors:**
Jack Ryan, Lou Reiter, David Rivers, Rod Englert

**When:**
December 5, 6, 7, 8 & 9, 2016—Las Vegas, Nevada

**Registration Time:**
8:00 A.M. (December 5, 2016)

**Seminar Location:**
Palace Station
411 West Sahara Avenue
Las Vegas, NV 89102
1-800-634-3101
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**Hotel Reservations:**
1-800-323-7995
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