

USE OF FORCE: APPLICATION AND LEGAL ANALYSIS

TENNESSEE P.O.S.T. APPROVED

RESTRICTED TO LAW ENFORCEMENT AND CORRECTIONS



DeMuro Enterprises, LLC

Average student evaluations for a 10 year period: **75% Excellent, 22% Above Average**

Contrary to what many believe, the typical use of force by law enforcement is a push or grab. Yet any use of force by law enforcement -deemed excessive or not- can have a negative effect on a community and the officers that serve it. With the controversy currently surrounding the use of force by law enforcement personnel throughout the U.S., understanding how lawfully applied force will be analyzed by the courts can be a critical concern for both officers and agencies alike.

U.S. Courts do not normally use a force continuum and apply a constitutional standard to evaluate the force used by law enforcement personnel. As a result, this training will examine how the force used by law enforcement will most commonly be reviewed. Clear articulation for the post-force environment and scenario assessment will be used to reinforce the need to explain the level of force required in relation to the totality of the circumstances. And overall, the need for clear documentation when writing a report and testifying in court -as well as the need for a thorough supervisory review- will be stressed in this training as the Standard is explored.

TOPICS INCLUDE:

- A look at the myths and realities of the use of force by law enforcement and the changes that have evolved with the incorporation of the U.S. Supreme Court's 4th Amendment Standard.
 - An analysis of the use of lethal and non-lethal force through a review of the Tennessee v. Garner ('85), Graham v. Connor ('89), and other Supreme Court rulings.
 - An examination of legal liabilities associated with a use of force, the "reasonableness" standard, and the "Objective Test", and its use in assessing an officer's use of force, as well as some Federal recommendations.
- Liability, summary judgment, qualified immunity, and the "Canton Test" for training on the use of force by law enforcement.
 - The approach Tennessee Courts and its Federal Appeals Court apply when reviewing a law enforcement officer's use of force and the various types of force used (*pursuits, the use of vehicles and the violent felony rule, tasers, attack dogs, etc.*).

The instructor has been certified to instruct legal topics to Law Enforcement, Corrections and Corrections-Probation personnel and has instructed legal topics at both the basic and advanced academy levels. Having instructed legal topics to Law Enforcement for over two decades, his instruction on law and legal guidelines have been employed to train line officers, investigators and supervisors a variety of legal topics ranging from liability to enforcement and investigative concerns.

To Register or for more information go to DeMuroTraining.com.

Pre-registration is required.

LOCATION: Collegedale Police Department, Collegedale – TN

PRESENTED BY: DeMuro Enterprises, LLC

DATES: August 21 - 24, 2017 (Monday-Thursday) COST: \$375

Comments on this training course:

- ◆ *"... I really enjoyed your class! I learned a ton and hope to improve our department because of you"*
From a Captain of Administration
- ◆ **"Very informative and eye opening. Every trainer, FTO and officer needs this."**
From a Sergeant/Trainer
- ◆ *"This is an excellent course...I highly recommend it"*
From an Asst. Chief
- ◆ **"Excellent course. A must for all supervisors & trainers"**
From a Patrol Sgt.
- ◆ *"Awesome training and thoroughly enjoyed it!"*
From an Academy Administrator
- ◆ **"Great Instructor & class material ... I recommend to all"**
From an Inspector

2017 Training Schedule – TN

- Use of Force Incident Report Analysis
Germantown Police Dept. April 4 – 5
- Use of Force Incident Report Analysis
Germantown Police Dept. April 6 – 7
- Probable Cause, Arrest, Search & Seizure. **Germantown PD August 1 – 4**
- Use of Force: Application & Legal Analysis. **Collegedale PD August 21 – 24**
- De-escalating Force: Principles & Concepts, Cultural Bias, and Legal Concerns
Germantown PD September 12 – 13
- De-escalating Force: Principles & Concepts, Cultural Bias, and Legal Concerns
Germantown PD September 14 – 15
- De-escalating Force: Principles & Concepts, Cultural Bias, and Legal Concerns
Germantown PD October 2 – 3