

SAMPLE LESSON PLAN

This lesson plan has been vetted by the Colorado POST Curriculum SME committee to serve as an example of the content we are looking for in course materials submitted by academies for approval. It is important to note that while the lesson plan is the official documentation of what will be taught and how it is taught, it is not the only document required by Rule 21. The committee will review any test questions or other assessment method to determine if all of the performance outcomes are assessed in some manner. We will also look at any PowerPoint to ensure that all the information in it is also in the lesson plan.

This lesson plan was chosen because it combines classroom lecture, discussion, video scenarios and practical exercises. It is meant to serve as a sample, ***it is not mandated***. It is complete enough that another instructor could teach the class in the absence of the author and adequately cover all the content as planned. It is not perfect. ***We strongly recommend that academies not try to copy it.*** Other courses will have different needs and different structures.

Key Points to consider:

The cover sheet is correctly filled out.

Additional sources, not listed in the POST curriculum, are clearly labeled.

All performance outcomes are covered. Test questions, as indicated on the right, assess the POs as do the scenarios.

The content has section titles to indicate a change of topic.

Red font is used to indicate instructor guidance

All discussion questions have desired answers

Videos are summarized and student takeaways are described

The right column is used correctly to list delivery prompts

Scenario outcomes are clear

Key points of statutes are summarized rather than copying in the entire text from the source

Content is detailed and is written with student engagement and application that will increase retention

Scenarios are referenced in the lesson plan but are included in the folder as separate documents which contain the information needed to set up, run and assess the scenario.

Course Title:	Pedestrian Contacts
P.O.S.T. Required Hours:	4 hours
Academy Required Hours:	8 hours (4 classroom, 4 practicals)
Instructor(s):	
Date Prepared:	Spring 2021
Date Last Revised:	August 2022
Written By:	
Approved By:	
Date Approved:	October 7, 2022
Equipment Needed:	PowerPoint equipment for jump drive, white board, duty belts/blue guns for practicals.
Handouts:	N/A
Assessment:	Written Test
Method of Instruction:	Practical exercises with role players. Following 4 hours of lecture and discussion, cadets will participate in multiple scenarios pertaining to Ped Stops.
Learning Goal:	The student will demonstrate the legal and tactical aspects for safely contacting pedestrians while minimizing risk.
Performance Outcome(s):	<ol style="list-style-type: none"> 1. Using field-based scenarios, demonstrate the ability to legally and safely approach a pedestrian or suspect, including people with disabilities while alone or with another officer. 2. Distinguish between consensual, reasonable suspicion detention, and Terry stop and frisk. 3. Explain contact and cover roles. 4. Demonstrate the ability to effectively communicate with a pedestrian or suspect through the use of field-based scenarios, including but not limited to using a conversational versus commanding tone; asking pertinent identification questions, i.e., name, date of birth, address, phone number as well as pointed investigative questions. 5. Distinguish between behaviors that can be the result of a disability which might be similar to signs of intoxication, such as inconsistent responses or non-responsiveness to questions, coordination issues, heightened agitation, or inability to focus. 6. During field-based scenarios, recognize signs of deception when in contact with subjects, including but not limited to: repeated questions, vague answers, contradictory answers, and provable lies.

	<ol style="list-style-type: none"> 7. During field-based scenarios, recognize emotional and physical behavioral warning signs and how to react to them, including but not limited to: glances at officer weapon, looking for escape routes, rigid posture, clinched fists, etc. 8. Discuss the inherent dangers of foot pursuits, such as tripping, ambush, getting lost, fatigue, etc., and tactics that will reduce the risk of assault during a foot pursuit. 9. Demonstrate the proper use of an offensive and defensive posture during role-plays. 10. Document the contact in an accurate written report including required demographic information.
<p>Source Material:</p>	<p><u>POST Required Sources:</u> NONE</p> <p><u>Recommended Sources:</u> Street Survival: Tactics for Armed Encounters, Adams, McTernan and Remsberg (Calibre Press) The Tactical Edge: Surviving High Risk Patrol, Remsberg (Calibre Press) How to Identify Hidden Disabilities, The Arc’s National Center on Criminal Justice and Disability. https://www.thearcofil.org/arc-national-center-on-criminal-justice-disability/</p> <p><u>Additional Sources:</u> Colorado Peace Officer’s Handbook C.R.S 35th Edition https://www.youtube.com/watch?app=desktop&v=l1R2QnW0Y9I&has_verified=1&bpctr=1659549722 https://www.youtube.com/watch?app=desktop&v=4wyoYsmv5SY https://www.youtube.com/watch?v=8vZ-FeKsuUc https://www.youtube.com/watch?v=7Qg3dXfzvdw https://www.youtube.com/watch?app=desktop&v=opMg6wUhVIM&has_verified=1 https://www.youtube.com/watch?v=29x_5T2HnQ</p>

Safety Plan

The student, all role-players, and any observers will be unarmed during this event. No actual live weapons of any kind will be allowed into the role-play area. **Simulated blue guns are required.** A safety check will be performed by lining all of the students up in a line. Each student will check themselves, check the person to the right of them and then to the left of them for any weapons (guns, knives, ammo). The instructor and role player-officer will then check each student. The students will be told that if anyone needs to respond to their cars or needs to leave the training area and come back that they will need to re-check in with the instructor once they are back for another safety check.

The student will be told that the role-play does not involve any physical use of force. If the student at any time begins to move in that direction a "Time Out" should be called and the role-play should be reset after reminding all involved of the limitations of the role-play. If the student does move to go hands on, the role-player will immediately comply in case the instructor can't stop the student fast enough. Any handcuffing, if called for during the scenario will be simulated without the use of any handcuffs. There will be a first aid kit in the area for any minor injuries. In the event of a major injury appropriate first aid and or life-saving measures will be taken.

Content/Instructor Guidance	Delivery Notes/Prompts/ Slide Titles/PO#/TQ#
<p>Classroom presentation: 4 hours Practical scenarios: 4 hours</p> <p style="text-align: center;">***BEGIN POWERPOINT***</p> <p>Pedestrian Contacts</p> <p>Why do you all want to be here? Ask yourself do I have what it takes to perform this job to the highest of standards. Ask yourself are you capable to perform the job of police officer. Are you physically fit? Do you have a training program to become fit and stay fit? Do you have the mental strength to think clearly and work through some of the toughest situations you can imagine? Throughout your career as a police officer you should never stop training, never stop learning, identify skill sets that you know you want to become better at and make the effort and take the time to become the best.</p> <p><i>The class is shown a YouTube video which is titled Law Enforcement Motivation. I like to play this video at the beginning of this presentation to build up your motivation. Being a police officer is very challenging. It's a dangerous career and a very rewarding one as well. Law Enforcement work is not for everyone and that's ok if it's not for you. Many of you will see things in your careers that the majority of society will never experience both good and bad. To be successful in this career you must constantly learn, train and push yourself to be the best version of you that you can be. For you all sitting in here today, training started for you on day one of this academy. Every single day from now until the day you choose to leave law enforcement you will continue to learn, sharpen your skill set, become more confident in doing your job and you will do it with pride and honor OR you will choose not to. You will become complacent, and you will find yourself unhappy, injured, unemployed in this line of work or worst case you could be killed.</i></p> <p>https://www.youtube.com/watch?app=desktop&v=l1R2QnW0Y9I&has_verified=1&bpctr=1659549722</p>	<p>Instructional Aid- Power Point</p> <p>Instructor Introductions (Slide 1)</p> <p>Slide 2</p>

Pedestrian stops can be dangerous and should never be conducted as “routine.” If an officer gets in the mindset that pedestrian stops are routine, the officer becomes complacent which can hurt or kill the officer.

Today, we will be teaching you how to distinguish between a consensual pedestrian stop, an investigational pedestrian stop (reasonable suspicion detention), Terry v Ohio (stop and frisk), and probable cause contacts with pedestrians. We will discuss the difference between cover and concealment and identify objects that can be used for each while working in the field, steps towards safety (i.e., your mindset, physical fitness, working with a cover officer), identifying threat indicators such as watching for non-verbal cues and the importance of watching and controlling the hands of pedestrians, foot pursuits, taking control of your pedestrian contact and much more. I encourage you all to ask any questions you have throughout this class.

It will be stressed throughout this presentation the importance of always maintaining officer safety while conducting a pedestrian contact.

Operational Philosophy P.I.E

P.I.E is an operational philosophy. All sworn officers should have a firm understanding of this philosophy and it should be applied to every mission. P.I.E stands for Priorities of Life, Intelligence, and Environment. Let’s discuss this further.

Under Priorities of Life there are four lifesaving priorities.

Priorities of Life

- Those in Imminent danger of SBI or Death (highest priority)
- Uninvolved Citizens or Bystanders
- Officers
- Suspect (lowest priority)

Analyze this and never put the suspect before any one of the other priorities of life listed.

Slide 3 (TQ#3)

Slide 4

With these priorities of life in mind, you come across a suicidal subject armed with a gun alone inside of a house. You enter the house to confront the subject and force a lethal force encounter. Did we violate the lifesaving priorities?

Yes. Forcing exigency and placing the suspect's life above the officer's life.

Now let's take the same scenario and modify it. A suicidal subject armed with a gun inside of a house along with 3 young children and his spouse. You enter the house to confront the subject and force a lethal force encounter. Did we violate the lifesaving priorities?

No. You placed the lives of the 3 young children and the spouse above yourself and above the suspect.

Intelligence is constantly developing and fluid. Intelligence can constantly change. The tactics that we use are driven by the intelligence we have at the time.

Keep in mind that Information comes from several different sources. Information received is not always accurate. Information that is vetted (i.e. you see it for yourself) becomes intelligence. You receive information from several different resources, but it usually starts with your reporting party/s.

Environment dictates the tactics that can be utilized. Environment can sometimes be controlled or manipulated. We operate in multiple different environments such as trailers, apartments, schools, business complexes, open environments (fields and backyards), single family/multifamily residences, and vehicles.

Examples of controlling and manipulating your environment may include: Moving furniture, using a door stop, turning on a light switch.

Equipment utilized also falls into the environment officers are operating in.

Using a rifle inside of a trailer, which is located in a trailer park, might be an issue. Why? Tight quarters where manipulating your rifle may be cumbersome. Trailer walls are thin, and rounds may over penetrate into other trailers violating the priorities of life and putting citizens at risk.

What is a Pedestrian?

Can anyone define what a pedestrian is per CRS? If you have your CRS bluebooks, turn to CRS 42-1-102(68). We will find in this statute that a pedestrian is defined as any person afoot or any person using a wheelchair.

Now let's turn to CRS 42-4-801 and review pedestrian obedience to traffic control devices and traffic regulations. Here we will find under 42-4-801 (1) a pedestrian shall obey the instructions of any official traffic control device specifically applicable to the pedestrian, unless otherwise directed by a police officer. 42-4-801(2) pedestrians shall be subject to traffic and pedestrian control signals as provided in sections 42-4-604 and 42-4-802 (5). 42-4-801(3) at all other places, pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this title.

There are also some restrictions on pedestrians found in 42-4-801. They must cross at crosswalks, use pedestrian crossing lights, and if they do those things traffic must yield to them.

Consensual, Investigatory, Probable Cause Contacts

We will now discuss the three stops you as a police officer can conduct on a pedestrian.

- Consensual Stop- YOU NEED CONSENT
- Investigatory Stop- you need reasonable suspicion to detain.
- Probable Cause- you have PC

Let's first make sure you all have a firm understanding of what reasonable suspicion and probable cause are.

Slide 5 (TQ#7)

Slide 6 (TQ#11)

Slide 7

Slide 8 (PO#2) (TQ#6)

Slide 9

(Depending on when this class is presented, the students may or may not have already learned reasonable suspicion and probable cause)

Reasonable Suspicion is defined as when you suspect that a person is or was involved in criminal activity. The officer can rely upon his/her observations, information received, training, and experience in articulating reasonable suspicion.

Probable Cause is defined when you have sufficient specific reliable information to believe that under the totality of the circumstances there is a fair probability that the suspect has committed or is committing a crime (requires more facts and more certainty than reasonable suspicion).

Let's take for example you get dispatched to a local Walmart on report of shoplifting in progress. The loss prevention employee told dispatch it appeared as if the suspect had concealed an item off of the store shelf and into the suspect's pocket. When you arrive on scene the loss prevention employee points out the suspect to you who is still in the store. You as an officer approach the suspect. At this point you have seen no video surveillance showing the suspect concealed any items, you have no other independent witnesses who saw the suspect conceal any items onto their person. With the information you have in the moment you contact the suspect what kind of stop will you be conducting? Is this a consensual stop, investigatory stop, or probable cause to arrest? The correct answer is investigatory stop. You contact the suspect and question him about concealing items off of the shelf onto his person. The suspect tells you he never concealed any items. He mentioned he did pull his cell phone out of his pocket and then placed his cellphone back inside his pocket when he was finished using it. It's at this time the loss prevention employee approaches you with video surveillance on his cellphone showing the suspect you have detained pick up a prepaid cellphone off of the store shell, rip the packing open and place the prepaid cellphone into his upper right pants pocket. You look at the suspect's pants pocket and see an outline of what appears to be a cellphone in his pocket. With this new information at hand have we moved

**Scenario to the students
-Class Discussion**

from an investigatory stop (reasonable suspicion) to having probable cause? Yes we have.

With us now having a firm understanding of reasonable suspicion and probable cause let's look at reasonable suspicion closer by reviewing CRS 16-3-103 Stopping of suspect.

Here we will find:

- A peace officer may stop any person who he reasonably suspects is committing, has committed, or is about to commit a crime and may require him to give his name and address, identification if available, and an explanation of his actions. A peace officer shall not require any person who is stopped pursuant to this section to produce or divulge such person's social security number. The stopping shall not constitute an arrest.
- When a peace officer has stopped a person for questioning pursuant to this section and reasonably suspects that his personal safety requires it, he/she may conduct a pat-down search of that person for weapons.

This brings us to **Terry v. Ohio** which was a landmark decision of the Supreme Court of the United States in which the Court ruled that it is constitutional for police to “stop and frisk” a person they reasonably suspect to be armed and involved in a crime. It further states for their protection, after a person has been stopped, police may perform a quick surface search of the person's outer clothing for weapons if they have reasonable suspicion that the person stopped is armed. This reasonable suspicion must be based on “specific and articulable facts” and not merely upon an officer's hunch.

Let us talk of an example where you as an officer would be justified in conducting a “stop and frisk” also known as a pat down.

You are assigned to work night shift and during briefing you were advised of a large increase in 1st trespass into vehicles in your assigned area to work. It is a warm summer night in August, and you park your patrol vehicle in a school parking lot located in the high crime area you were briefed about to catch

Slide 10 (TQ#8)

Slide 11 (PO#2) (TQ#5)

**Scenario to the students
-Class Discussion**

up on reports. You shut down all your exterior lights to your patrol vehicle and roll your windows down to get fresh air. As you are typing your report you hear off in the short distance the sound of glass shattering however it is dark and not a well-lit area. You decided to drive towards the sound of the glass you heard shatter and as you make it a few yards down the road you observe a male dressed in a black hoodie, black pants, a black ski mask, wearing black gloves and carrying a backpack. He is the only subject you see, and it appears as if he is walking quickly away from where you thought you heard glass shatter. You decide to park your patrol vehicle several feet in front of the male who is walking towards your direction, and you get out of your patrol vehicle. With use of your flashlight, you shine your light towards the male subject approaching you and you identify yourself as a police officer and ask to speak to him. Is this a consensual stop, an investigatory (reasonable suspicion) stop, or do you have probable cause to arrest this subject with the information given to you so far?

This would be an investigatory stop as you have reasonable suspicion to detain this male subject. Why do you have reasonable suspicion at this point? This is a high crime area with a big increase in 1st trespasses into vehicles. It is a warm summer night, and the male is dressed in a long sleeve hoodie, pants, gloves, and a ski mask. Based off your observations you heard what you know to be glass that was shattered. This male subject is the only person you can see who was walking quickly away from the sound of the glass shattering.

A cover officer responds to the area and notices a truck parked on the side of the street with its front passenger window shattered out. Glass is laying on the ground next to it and inside the truck on the driver's seat. This truck is located just a block away from where this subject came from.

You begin speaking to the male and you realize this subject is someone you have arrested a month prior and during that arrest you recall he had a loaded handgun in his pants pocket. Based off Terry v. Ohio case law do you as an officer have reasonable suspicion that this subject has committed a crime,

and do you have a reasonable belief that he may be armed and presently dangerous? Can you perform a “Terry Frisk aka stop and frisk”? Yes.

Keep in mind that this does not allow us to search the subjects backpack without consent, a warrant, or unless you obtain probable cause to arrest and then conduct a search incident to arrest.

If you have not already, review 24-31-309 and have a firm understanding of what information you as a police officer must report to your agency after making a contact whether consensual or nonconsensual for the purpose of enforcing the law or investigating possible violations of the law.

The information that is required per 24-31-309 is

- The perceived demographic information of the person contacted, provided that the identification of these characteristics is based on the observation and perception of the peace officer making the contact and other available data.
- Whether the contact was a traffic stop
- The time, date, and location of the contact
- The duration of the contact
- The reason for the contact

Each of you will need to read your agency's policy regarding collecting information per 24-31-309.

Cover is defined as an object that will stop, slowdown, or deflect gunfire.

What do you think are some examples of objects we can use as cover while working in the field? (Wooden or steel utility poles, vehicle engine blocks, concrete or steel stairs, brick walls, large trees, ballistic doors in patrol vehicles if equipped).

Slide 12 (PO#10)

(TQ#12)

Slide 13

Slide 14 (TQ#4)

Scenario to the students
-Class Discussion

Although these are all examples of objects that can be used as cover, it's important to understand that those objects can be destroyed by gunfire to the point it no longer can be used as cover. In an example, on June 12, 2016, a gunman committed a mass shooting in a club located in Orlando FL. Some of the responding officers took a position on an exterior cinderblock wall where the shooter was barricaded on the other side of the wall. In this picture (the class is shown a picture of the wall) you can see where after multiple rounds of ammunition was fired and directed at the wall from inside shooting out (the shooter) and from outside shooting in (officers) the wall began to lose its integrity and rounds started to go through the wall. The large holes in the wall were created by explosive breaches and an armored vehicle).

Slide 15 (depicts an image of an exterior wall of Pulse Nightclub after an active shooter)

If you use a vehicle as cover keep in mind that the best cover is behind the engine block, wheels, drive train (axles) and ballistic doors if equipped. Windshields, non-ballistic doors, trunks cannot deflect gunfire and always if possible, get out of your vehicle and have the mobility to move vs being stuck sitting in the drivers or passenger seat behind a glass windshield.

Slide 16 (TQ13)

Concealment is defined as anything that will block you from view but does not protect you from gunfire.

Slide 17

What do you think are some examples of objects we can use as concealment while working in the field? (Bushes, wood fences, drywall, cardboard boxes, shadows). If you are in a situation where you are trying to conceal yourself, keep in mind your uniform, coat/jacket with POLICE reflective lettering, badge, and equipment you carry may reflect light or be visible.

When can you as a police officer affect an arrest? If you need to, turn to CRS 16-3-102.

Slide 18

A peace officer may arrest a person when:

- He/she has a warrant commanding that such person be arrested; or
- Any crime has been or is being committed by such person in his presence; or

- PC exists to believe a crime was committed and PC to believe the offense was committed by the person to be arrested.

Let's also review CRS 18-1-707. Use of physical force in making an arrest or in preventing an escape.

A peace officer is justified in using reasonable and appropriate physical force upon another person when and to the extent that he reasonably believes it necessary:

- To effect an arrest or to prevent the escape from custody of an arrested person unless he knows that the arrest is unauthorized; or
- To defend himself or a third person from what he reasonably believes to be the use or imminent use of physical force while effecting or attempting to affect such an arrest or while preventing or attempting to prevent such an escape.

When using force always remember Law, Policy and Ethics. Is the force being used within the scope of all 3?

Let's discuss some situations as to when you might stop a pedestrian for a pedestrian contact.

Fits the description of a wanted person or fits the description of a subject reference a call you are on or responding to.

- Subjects who appear out of place (90 degrees and you observe someone dressed in a long sleeve hoodie, ski mask, gloves on in a high crime area for trespass).
- Subjects who are in possession of something suspicious.
- Anything you can articulate based on the several variables.
- Subjects acting strange. (The class is shown a YouTube video of an individual who was contacted outside of the Police Department after he was observed filming the Police Department and the patrol car parking lot. When officer approach this subject and ask him what's going on, the subject refuses to answer their questions).

Slide 19

Slide 20

Slide 21

Slide 22

<https://www.youtube.com/watch?app=desktop&v=4wyoYsmv5SY>

Were the officer's actions effective?

Yes! Police contacted an individual who was standing out front of a police department filming the police building as well as patrol vehicles and police officers. Although it may seem like suspicious behavior, it is important to remember it's not illegal to film from a public place. Officers may come across people like this who are testing the officer's knowledge of the laws. It is paramount the officer knows the laws, constitutional rights and can recognize that as in this video, no laws had been violated. This particular individual is well known to the LE community for filing civil lawsuits against police for violating his rights, which is what he hopes for.

- Subjects who stop people on the streets for:
 - Panhandling (is it a code violation?)
 - Pimping
 - Selling stolen goods or selling goods without a sales tax license (example of people who try to sell cologne or merchandise from their car in a shopping center parking lot)
 - Dealing narcotics (you observe what you know based off of your training and experience to be a hand-to-hand drug deal).

Slide 23 (TQ#14)

When an officer conducts an investigatory stop, the subject who is stopped can be detained by the officer for a "reasonable" amount of time.

The purpose, nature, and duration must be reasonable. A good rule of thumb is 20 minutes. However, if articulable, the detention could last longer. You need to be able to explain in your report why you detained the subject as long as you did.

Slide 24

For your safety, you may conduct a cursory pat-down search of a subject who you feel may be armed. Again, your tactics must be reasonable, and the scope of your search limited. (That would eliminate going into shirt pockets or tiny containers "looking for a shotgun.") The key is that you must later be able to put into words, if need be, exactly why you felt the subject might have posed an immediate, armed threat to

you. Your police experience counts here, and you may be able to cite such factors as:

- The subject is known to carry weapons
- The contact is occurring in a high-crime area
- You observe furtive actions made by the subject
- You observe suspicious circumstances, such as bulges in clothing “Printing of firearm”
- Your own knowledge of the subject's history with violent crime
- Any admissions about weapons made by the subject.

An example of this could be you were dispatched to a 1st trespass into a vehicle in a grocery store parking lot. The reporting party stated that a male just used a large rock to break the driver’s side window to a black Ford truck. The male leaned into the truck to grab something and quickly walked off and was last seen wearing blue jeans a dark colored t-shirt and a baseball style hat. The reporting party stated he was last seen walking into a McDonald’s restaurant that is situated in the same parking lot. You arrive in the area and decide to walk towards the McDonalds and observe a male with a black baseball style hat, blue jeans and a dark grey t-shirt on walk out of the restaurant. You identify yourself as a police officer and ask the male to stop and speak to you. The male complies and provides you with an ID and stated he was in the McDonalds for at least 30 minutes and did not break into anyone’s truck or car. You look through the glass windows into the restaurant and see no other subjects inside other than a couple of employees working in the kitchen. Your cover officer sees that you are ok from across the parking lot and decides to contact the reporting party however she cannot get hold of the RP. Your cover officer then goes inside the grocery store to inquire as to if they have any video surveillance that might have captured the suspect break the window to the Ford truck. You have now detained your subject for approximately 15 minutes when your cover officer responds over to you and tells you that a loss prevention employee is enroute from another grocery store he works at to come here and review video surveillance of the parking lot. The loss prevention employee stated he was 10 minutes away. After another 10 minutes had passed the loss

Scenario to the students
-Class Discussion

prevention employee arrives on sight and begins to go through video surveillance footage. You now have had this subject detained for 25 minutes. Approximately 10 minutes later the loss prevention employee shows your cover officer the video surveillance footage which depicts the subject you have detained was the suspect who broke into the truck. In total you had detained him for approximately 35 minutes prior to him being placed under arrest for 1st trespassing.

We will now shift a little and talk about the importance of personal evaluation “self-awareness”. What is your physical and mental condition? It’s important for each officer to constantly evaluate themselves prior to starting their shift.

Are you focused, alert and aware (did you get sleep, is your mind preoccupied about a death in your family, going through a divorce, relationship issues etc.). Expect the unexpected. Things can change fast if you do not maintain control. Remain alert. Recognize complacency and know if you get complacent, you are setting yourself and your fellow officers you work with up for failure and could get seriously hurt and/or killed.

Are you confident in your abilities to do the job? *(This instructor gives an example of early in his career he was not 100 percent confident in his firearms skills. It was after going to a firearms instructor asking for help to get better, getting more time on the range, going through a remedial firearms class when this instructor gained the confidence he was looking for in firearms).*

Never stop training and bettering yourselves in all disciplines such as firearms, arrest control, building searches, physical conditioning etc.

Practice noise discipline. Adjust your weapons, ammunition, flashlight, baton, keys, radio to be silent when moving and in a position of advantage for you to use if needed on your duty belts.

The class is given a scenario:

You have made the decision to stop a suspicious pedestrian and inquire into his/her activities. You have determined that it’s both legal and tactically wise to do so. What now?

Slide 25

Slide 26 (TQ#15)

(This slide has a picture that shows inmates working out in a prison. The caption below the picture states “REMEMBER Every day You Don’t Workout THEY DO). This is to insinuate that criminals are training and staying in good physical condition. If criminals are working hard to stay in shape, shouldn’t you be too?)

Slide 27 (TQ#15)

Slide 28

Scenario to the students
-Class Discussion

Observe and gather information first. Don't be in a hurry to confront a suspicious pedestrian. If possible, watch from a point where you would most likely be unnoticed if possible. Who is the person? What is he/she doing? Why is she/he here? Is the pedestrian out of place at this location and time? Any indicators of weapons or a crime? Do you need a cover officer? Can you wait for cover?

Slide 29 (TQ#9)

Pick your spot. Try to contact your subject at a location of tactical advantage.

- Avoid a bar parking lot (avoid other subjects who may be intoxicated and could interfere).
- Pick a spot with limited escape routes (think ahead. What if the subject decides to run)?
- Good lighting if at night.
- For your safety get out of your car if you're in one.

Slide 30

Approach from the rear if possible. If on foot or car you'll have a better chance of catching a pedestrian off-guard from behind. You may have to pretend to ignore him/her to pass so that you can return from a direction of tactical advantage. While passing, do not leave sight of the subject if possible.

Slide 31

Watch your initial approach and positioning.

- As you begin your approach from the subject's rear, be conscious of where you can take cover in the event things go bad and deadly force encounter unfolds. If possible, approach from left rear. 90% of the population is right-handed.
- Once you have initiated the contact, do not let him (or them) get too close. You will want a reactionary gap of several feet (typically 6 to 9 feet) separating you from your subject so that you may have time to react to a sudden attack.

Slide 32

Maintain your reactionary gap.

Never turn your back on the subject. Always keep the subject in sight.

Keep your gun side away from subject (bladed stance).

Slide 33

Always keep your gun hand free.

Do a pat-down, if necessary. If you suspect that your safety requires it, have the subject face away from you, legs apart and fingers interlaced on top of his head while you do a protective search for weapons. Keep one hand gripped on his interlaced fingers as you pat him down. Be sure he remains off-balance.

It's estimated that over 4.5 million people in the U.S. carry concealed weapons. Some hints of a concealed firearm that you should be looking for are:

- One side of shirt tucked and one side of shirttail out.
- Walking with coat open or over arm in cold weather.
- Wearing a jacket when weather is hot.
- Bulge in the waist band.
- Jacket hangs heavy on one side.
- Subject brushes hand over weapon to make sure it's still there.
- Always touching the firearm.

The class is shown a YouTube video. In this video an officer arrives on scene of what appears to be a single vehicle traffic accident with the occupant stumbling across the street walking away from a disabled vehicle. The officer approaches the subject on foot and does not maintain a reactionary gap. From dash cam video the subject appears to be hiding his left hand behind his back. The officer tells the subject, "Let me see your hands" and the subject pulls a gun out resulting in a struggle to disarm the subject.

<https://www.youtube.com/watch?v=8vZ-FeKsuUc>

This video is an example as to why it is necessary to maintain a reactionary gap. In this case, the officer was successful in disarming the subject and placing him into custody; however, it is always best to not close distance and to allow yourself a reactionary gap to respond to an armed individual.

Based off of what you have learned today we can see the importance of maintaining a reactionary gap. By not maintaining a reactionary gap, you drastically minimize and, in some cases, eliminate the time you could have to react to a

(Pat down searches has been or will be taught to the students in arrest control during the academy).

Slide 34

-Class Discussion after watching the video.

threat. Giving yourself distance also gives you time to make an appropriate response to the threat (move to a place of cover, draw your weapon, draw your Taser, etc...)

If you know the pedestrian, you are going to contact is armed or known to be armed:

- Pick a location to stop him where you can get behind cover or concealment from view before you issue the command to stop.
- Be prepared to use your handgun or long gun if available.
- Limit his avenues of escape.
- Order him to keep his hands visible and to not reach for his weapon.

The class is shown a YouTube video. In this video an officer arrives on scene of a male subject walking down the street. The officer approached in his vehicle from behind the subject, keeps a distance between himself and the subject, gets out of his vehicle and uses his car door as cover and gives loud verbal commands to the subject to make his hands visible. At one point in this video, the male subject pulls a handgun out from his pocket and when the weapon is directed toward the officer, the officer uses deadly force.

https://www.youtube.com/watch?app=desktop&v=opMg6wUhVIM&has_verified=1

In this video you can see how by the officer maintaining a reactionary gap he was able to place himself in a position of dominance by having cover, distance, and time to react accordingly to the actions of the suspect.

If you have a cover officer with you while conducting a pedestrian contact, it is the job of the cover officer to cover you while you conduct your investigatory stop or while you place the subject into custody. Stay in communication with your cover officer. If you see something that your cover officer may otherwise not have seen such as a weapon tucked into the pants of the subject, say something. Work as a team and always communicate with each other, listen, and make good decisions.

Slide 35

-Class Discussion after watching the video.

Slide 36 (PO#3)

Slide 37

It's imperative as officers you must watch and control the hands of subjects/suspects. Hands are what can hurt us and can kill us. Keep hands in sight before, during and after the contact. Treat any hand that is out of sight as a red flag. Especially if you give a lawful order to have the subject/suspect show their hands and they do not comply.

The class is shown a YouTube video.

<https://www.youtube.com/watch?v=ssARbfxgTh0>

In this video an officer is responding to a domestic dispute. The officer's body camera shows the officer respond to the male half of the domestic's house where the male steps outside to speak to the officer with both of his hands in his coat pockets. The officer says to the male subject "you don't have any weapons in your pockets or nothing like that?" The male says "no". When the officer goes to perform a pat down search on the male subject, the male is seen pulling a handgun out of his right coat pocket. The officer was shot 6 times and was killed.

This video shows an example of how quickly someone who has their hands concealed in a pocket could pull out a weapon. Maintaining a reactionary gap, giving clear and loud verbal commands, and having a cover officer are all things to consider.

Maintain control! Tell the subject in your pedestrian stop that you will treat him/her fairly but also make sure he/she knows you are in control! This starts with officer presence and how you speak to them.

This instructor explains how he started his career working in a County Sheriff's Office detention center. I explain that by working in the detention center I really learned how to talk to and listen to people. I learned that by giving respect, the inmates gave me respect back. With the mutual respect it made my job much easier to maintain control. When I asked an inmate to do something, they knew it was this instructor asking and they would do it out of respect. The same goes for the people I have worked with on the streets. Over the course of 22

Slide 38

years in law enforcement, I have been told many times from suspects I have arrested "thank you, thank you for being cool, I know you're doing your job, thanks for listening to me, etc..".

To maintain control, aside from officer presence and verbal articulation/rhetoric you need to be explicit, direct, and if you have to, forceful.

This instructor likes to work by ATM. Ask, Tell, Make.

In an example, you contact a pedestrian on foot who you believe fits the description of a suspect who just fled from stealing items at a gas station. Upon contact you identify yourself as a police officer and explain the reason for the contact. Upon watching the body language of this pedestrian, you notice he is looking past you over your shoulder, he clinches his fists, he's pacing, so you ASK the pedestrian to have a seat on the sidewalk "Do me a favor and have a seat on the sidewalk until I can investigate this further". After asking the pedestrian to have a seat and he continues to pace with clinched fists you TELL the pedestrian "Have a seat on the sidewalk! Do it now!" The pedestrian begins to try to walk past you. MAKE the pedestrian sit "using the force that is reasonable, appropriate and necessary".

Have the pedestrian continue to sit with his hands visible. If his hands are inside pockets, tell him to very slowly remove his hands from the pockets OR based off of your observation tell him to keep his hands in his pockets while you wait for cover, maintain a reactionary gap, and continue to watch him closely.

If you know the pedestrian you are contacting has a weapon such as a concealed gun or knife on their person DO NOT ASK THEM TO REMOVE IT. YOU take control of your contact by instructing your contact to NOT touch the weapon and YOU safely remove the weapon yourself for officer safety concerns. In example "Without reaching for it, do you have any weapons on you such as guns, knives, anything that could hurt me? *Yes, officer I have a concealed gun in my front waistband.* Thank you for letting me know. For my safety and for yours do not reach for the gun. Place your hands behind your back, you are not under arrest at this point, I am going to remove your gun for you and hand it to my partner for the duration of this contact".

Slide 39

A scenario of ask, tell, make or ATM

(TQ#1)

Keep in mind that you as an officer, throughout your career will contact many kinds of individuals all with different personalities, life experiences, different mental and physical disabilities and each person you contact may respond differently to you. If you are attempting to contact a pedestrian who is ahead of you, you announce yourself as a police officer and ask this pedestrian to stop and talk to you, the pedestrian appears to ignore you. However, they are not walking away faster or appear to be trying to elude you, is it possible this pedestrian has earphones in their ears? Maybe they have a hearing impairment?

In another example, you are walking over to contact a pedestrian and as you approach you observe this pedestrian to be stumbling and having a difficult time keeping his balance. Is this person intoxicated? Does he have a physical or cognitive disability that affects his balance?

The takeaway here is you must understand and be able to distinguish behaviors that can be the result of a disability which might be similar to signs of intoxication, such as inconsistent responses or non-responsiveness to questions, coordination issues, heightened agitation, or inability to focus. Throughout your career you will have ongoing training and hands on experience about identifying and working with people with mental and physical disabilities.

You can use deceit while making initial contact when you do not wish to alert the subject to the fact that you may suspect he is wanted or that he matches the description of a suspect to a crime.

A video clip embedded in the power point presentation shows a male armed suspect knock on the front door of someone's apartment. The suspect is holding a gun behind his back while he knocks and waits at the front door. Officers are called to the scene on reports of an armed man walking around the apartments, banging on doors while holding something behind his back and yelling incoherently. Officers arrived on scene and reviewed video surveillance footage one of the complainants

(PO#5)

Slide 40

-Class Discussion

had of the suspect who was on video holding a gun behind his back as he knocked on her door. One of the officers recognized the suspect from prior encounters. Officers responded to the suspect's apartment and knocked on the front door. The suspect opens the front door, and the officer is seen pointing out into the parking lot and saying, "Is that your Dodge Challenger down there". This could have been a way to start a conversation with the suspect so as to not quickly escalate the contact knowing the suspect was in possession of a handgun prior to their arrival.

Floating Triangle.

When you have a cover officer (two officers contacting one subject) stand in what's called the floating triangle formation.

At this time the instructor asks for two recruits to join him at the front of the class. I identify one of them to be my cover officer and the other to be the pedestrian we are in contact with. I show the class how the two officers stand around the pedestrian in a triangle like formation. I explain you must be fluid and dynamic meaning if the subject moves, we (the officers) also move to maintain the triangle formation. This formation can help to eliminate crossfire.

In instances where you are the only officer and have multiple subjects/suspects detained.

- Keep all parties at least 6 feet away (reactionary gap).
- Keep your strong hand free at all times.
- Maintain control and Ask, Tell, or Make all parties sit down.
- Keep your eyes on the primary suspect while roving eye contact with the other subjects.
- DO NOT allow yourself to be surrounded or too close to you. Always have an egress point if things go bad.
- When cover arrives on scene, remove the primary suspect from the others.

Remember it's the cover officer's job to cover while the primary officer is contact. Contact officer does most to all of the talking. Remember to maintain the floating triangle.

Slide 41 (PO#3) (TQ#10)

-Class participation
Ask for two volunteers to come to the front of the class and demonstrate the formation of a floating triangle.

Slide 42 (TQ#2)

Slide 43

Slide 44

Once the contact has ended and your pedestrian is free to leave, make sure to watch him/her until he/she has departed the area. Do not turn your back or lower your guard. If you happened to have removed a weapon such as a pocketknife from your pedestrian for the duration of your contact and now wish to return the knife, consider placing the knife on the ground several feet in front of you and then telling the pedestrian to grab their knife on their way. This provides a reactionary gap rather than simply handing the knife back to them with no reactionary gap. Just because you tell the pedestrian they are free to leave does not mean the pedestrian wouldn't possibly try to injure you as they leave.

Slide 45

Many times, you may need to contact a pedestrian coming from your patrol vehicle. Here are some things to consider.

Ideally if the environment allows you to, park approximately 50 feet behind the pedestrian. This distance will allow you the time to safely exit your car while observing the pedestrian prior to making contact. Depending on the nature of the contact, you can consider exiting your patrol vehicle and using your vehicle as cover while you order the subject/suspect to stop. If the subject/suspect's hands are in his pockets, tell him to very slowly remove his hands from his pockets and hold his hands out in front of him or up; again, depending on the nature of the contact. Once the pedestrian shows his compliance and you feel safe to do so, order the pedestrian to walk towards you keeping in mind the 6-foot at a minimum reactionary gap OR if you feel safe to do so approach the pedestrian on foot and maintain the reactionary gap.

Slide 46

If you cannot approach the pedestrian from behind and are approaching the pedestrian who is walking towards you while you're in your patrol vehicle:

- Exit your vehicle with the pedestrian approximately at least one car length ahead of you (reactionary gap).
- Maintain eye contact with the pedestrian and watch the pedestrian's movements and hands.

Slide 47

Slide 48

High Risk Stops and Vehicle Stops will be or have been covered in this academy in a separate presentation.

If you need to contact a pedestrian who you observed walk over to and get into a parked vehicle, ask yourself what is the severity or nature of the contact? Do you need to treat this as a high risk stop and take a position of cover while you order the subject out of the vehicle, or could you approach on foot and treat it as a traffic stop?

Slide 49 (TQ#16)

Let's talk about some threat indicators you could encounter while conducting a pedestrian contact. Remember to always be aware and to not become complacent! Some of the most dangerous encounters you will have in your career will come with non-verbal cues that you should be aware of and always be looking for. Some of these cues are:

- The pedestrian is not making eye contact. It could be an indication that the pedestrian is looking for an escape route or looking for any cover officers coming or witnesses to something the pedestrian is about to do i.e., pull out a weapon, fight you, run, or even possibly looking for a friend who has intentions of trying to ambush you. Maintain eye contact and if you have to tell the pedestrian, "Do me a favor and look at me" or "I see you looking everywhere but at me". Let the pedestrian know you observe his actions and that you are maintaining control of the contact.
- The pedestrian ignores you, ignores your commands, or is only compliant with partial commands. Remember ATM- Ask, Tell, Make.
- The pedestrian is concealing their hands. We have talked a lot about controlling hands throughout this class. Remember to always control their hands because hands are what can hurt and kill us.
- The pedestrian is taking off layers of clothing. We have all seen some people pull off a shirt before they engage in a fight. Be mindful of this and if your pedestrian attempts to or does take off layers of clothing, take control!
- The pedestrian starts to clench his fists and/or jaw. These are pre indicators that can tell you the pedestrian wants to or is about to fight to escape you.
- The pedestrian begins to close distance on you. Order the pedestrian to get back. If the pedestrian remains non-compliant and continues to walk towards you, use the force

that is reasonable, appropriate, and necessary to get back from the pedestrian and maintain your reactionary gap.

The class is shown a YouTube video.

<https://www.youtube.com/watch?v=7Qg3dXfzvdw>

This video shows an officer pull his patrol vehicle up behind a subject he wished to contact and then exits his patrol vehicle. The officer walks up behind the subject while telling the subject to “come here” and “stop” repeatedly. The subject is displaying threat indicators to the officer by ignoring the officer’s commands to stop and ignoring the officer’s commands to take his hand out of his pocket. The officer closes distance on the subject by walking up to the subject and by doing so also loses his reactionary gap. The officer draws his Taser and is met with lethal force from the subject after the subject removes his hand from his coat pocket holding a gun. The officer is shot multiple times. Things to consider after being presented with threat indicators like in this video are to follow the subject from a distance and maintain a reactionary gap while waiting for cover to respond.

Slide 50 (PO#8)

What if a pedestrian you need to contact or are currently in contact with flees on foot? Do you have a reason to pursue him on foot?

- Ask yourself why is he running? Do I have charges on him? Does he appear armed? Is he alone? Are you alone or do you have a cover officer? What don’t you know about this situation that could hurt you? Do you know his identity already?
- Communicate and air important information over the radio such as direction of travel and a physical and clothing description. Air what charges if any you have before a supervisor has to get on the radio and ask you. This potentially can take away a lot of resources on the street.
- If you do engage in a foot pursuit, DO NOT RUN BLINDLY after him. It is easy to get lost and not know your exact location while in a foot pursuit and many officers have been killed in foot pursuits after they have lost sight of who they are pursuing due to ambushes. There are many examples of where a suspect ran from officers and set up an ambush

point behind a house or building. When the officer comes running blindly around the corner, the suspect can seriously hurt or kill you. With this in mind SLOW DOWN at corners. Use the space you have provided to you to get away from the corners and “slice the PIE” get off your hips and take small steps until you can fully see around the corner all while looking for body parts (a foot, a leg, an arm etc..). Consider not pursuing on foot and ask for responding officers to set up a perimeter. Request a K9 to assist by tracking the suspect. USE TACTICS THAT WILL REDUCE THE RISK OF ASSAULT DURING A FOOT PURSUIT (i.e.K9’s, slicing the PIE, setting up perimeters with additional responding officers, use of a drone, helicopter). Running after a subject/suspect will also cause you fatigue. I have heard officers out of breath to the point they cannot communicate on the radio. I have heard officers key up on the radio out of breath asking for emergent cover and not know where they are at while they are about to engage in a physical fight.

The class is shown a YouTube video. In this video it shows surveillance camera footage along with body camera footage of officers engaged in a foot pursuit that resulted after attempting a traffic stop. The video shows officers run through a neighborhood after the driver who fled on foot when out of nowhere a suspect with a gun, unrelated to the original traffic stop and foot pursuit points a gun and fires rounds at the pursuing officer. This video depicts how dangerous foot pursuits can be for the officer.

https://www.youtube.com/watch?v=29x_5T2HnQ

Be sure to document your contact in a well written report. Articulate your reason for the pedestrian contact, questions you asked and their responses. Document their level of cooperation or lack of. If you have detained your pedestrian explain in your report why. Did you perform a pat down (stop and frisk)? If so, document what reasonable suspicion you had at that time and why you had a reasonable belief that he/she may have presently been armed or dangerous. Remember a

Slide 51 & Slide 52

Slide 53 (PO#10)

Report writing will be or has been covered in a separate presentation during this academy

Questions can be asked at this time.

End of presentation.

well written accurate report with lots of details can help you later down the road if you need to refer to your report for court or if there is a complaint filed reference your contact.

SCENARIOS:

Note to instructor: PO# 1 through #10 will be covered in role-playing scenarios at a later date during this academy. Scenarios are attached on separate sheets.

Scenario #1- Solicitor Call for Service. Covers PO#1, 2, 4, and 10.

Scenario #2- Intoxicated party. Covers PO#1, 2, 3, 4, 5, 10.

Scenario #3- Subject in need of medical. Covers PO#1, 2, 4, 5, 10.

Scenario #4- 7-11 shoplift. Covers PO#1, 2, 3, 4, 10.

Scenario #5- Walking home in a high crime area. Covers PO#1, 2, 4, 7, 9.

Scenario #6- Unwanted subject with a warrant. Covers PO#1, 2, 3, 4, 6, 7, 9, 10