



## Gig Harbor Police Department Training Announcement

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### ***UNDERSTANDING & MANAGING USE OF FORCE IN WASHINGTON***

Two separate one-day programs – however, in order to take the second program the participant ***MUST*** take the first.

#### Day 1 - ***UNDERSTANDING USE OF FORCE IN WASHINGTON***

Legal, liability, risk management aspects of use of force in Washington – includes, current issues, case examples, analysis, discussions, and practical strategies

#### **Legal Standards of Law Enforcement Use of Force**

- Use-of-force legal basics
- Federal use-of-force standards (Constitutional, civil, criminal, consent decree)
- Washington State use-of-force standards (Constitutional, civil, criminal)

#### **Law Enforcement Basics**

- Jurisdiction and authority (jurisdiction, jurisdiction extenders and grantors, fresh pursuit, mutual aid, citizen's arrest, etc.)
- Encounter, stop/detain, frisk, and arrest

#### **Using Force**

- What are the foreseeable consequences of excessive force?
- Analyzing force incidents (including ***Force Analysis Model***)
- Use of force - general principles
- Deadly force
- Non-deadly and less-than-deadly force
- Special force considerations
- Conducted energy weapons (Taser®)
- Pepper spray (chemical agents and irritants)

#### **Restraints**

- Restraint liability concerns
- Handcuffs
- Alternative restraints

#### **Sudden Unexpected and Unforeseeable Death**

#### **Medical Care and Emergency Detention**

- Legal requirement to provide medical attention

#### **Vehicle Operations Force**

- Emergency vehicle operations
- Pursuits
- Road blocks
- Controlled deflation devices

- Special vehicle considerations

### **Reporting Use of Force Events**

#### **Physiological and Psychological Aspects of Force**

**Law Enforcement Officers Safety Act of 2004** (signed into law on July 22, 2004)

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### Day 2 - *MANAGING USE OF FORCE IN WASHINGTON*

- Pre-requisite - you **MUST** attend the Understanding Use of Force in Washington
- This program will go into the management/oversight roles of the Officers' Program

#### **Legal Standards of Law Enforcement Conduct**

- Federal standards (Constitutional, civil, criminal, consent decree)
- Washington State standards (Constitutional, civil, criminal)

#### **Other Standards of Law Enforcement Conduct**

- Best practices
- Accreditation standards (CALEA, State of Washington)
- Agency policy standards
- Training standards (Agency, State of Washington, National)
- Manufacturers' standards
- Special interest group standards (Incl: ACLU, Amnesty International, etc.)
- Interplay between standards
- Avoiding the perils of unnecessarily inflated standards

#### **Realities of Using Force**

- Critics
- Media hysteria and sensationalism

#### **Managing Force**

- Use of force policies
- Use of force training
- Use of force supervision
- Use of force reporting

#### **Use of Force Risk Management**

- Foreseeable risks of using force
  - Managing the risks of force
  - Lessons learned – avoiding force problems
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Date: 15 & 16 Feb 2004 0800-1700

Location: Best Western, 6575 Kimball Dr., Gig Harbor

Contact: Officer Dan Welch, 253-278-0817 or [welchd@cityofgigharbor.net](mailto:welchd@cityofgigharbor.net)

Cost: Members of AWC Risk Management Service Agency (RMSA) – free!! All others \$100 for both days or \$50 for just the first day of training. February 1st is the cutoff day for registration.

## **Instructor: Mike Brave**

Michael Brave is the President of LAAW International, Inc., and the former President of the International Force Institute, Inc. He is also the Director of Law Enforcement and Security Consulting for API Services, Inc. His experience includes involvement in a wide-range of comprehensive law enforcement and private security risk/liability and litigation management services including: training programs, policy development and review, liability/risk assessments, training appraisals, department audits, post critical incident analysis, etc. He has served as a litigation consultant and an expert witness in state and federal civil rights issues, including: sudden unforeseeable and unexpected death; positional asphyxia; restraint; handcuffing; law enforcement policy, training, supervision, discipline, retention, and termination; use of force (including deadly force, personal weapons, threat analysis, batons, pepper spray, electronic restraint, physical restraint, neck restraints, defensive tactics, etc.); vehicle operations (including pursuits, road blocks, emergency operations, occupant restraint, parking); canines; jail issues (including suicides); failure to protect; failure to provide medical care, failure to act; and numerous other cases. Mr. Brave is formerly the Chief of the Intelligence and Investigative Operations Unit, Office of Enforcement Operations (OEO), United States Department of Justice (DOJ), in Washington, D.C. In that position, he oversaw several highly sensitive law enforcement programs. Mr. Brave also held the concurrent position of Deputy Director for International Operations of the Federal Witness Security Program where he coordinated the foreign aspects of the Program, including a portion of Plan Colombia, for the official who oversaw the Program in the DOJ. Mr. Brave's other DOJ duties included: OEO Use-of-Force and Firearms Training Officer, Criminal Division Security Officer, and Division Watch Officer. Mr. Brave was also a Special Deputy United States Marshall and his National Security Information security clearance was above Top Secret.

As a certified, and nationally recognized, instructor in several facets of deadly force, many nonlethal, and less-than-lethal programs, several law enforcement vehicle operation programs, and others, Mike has presented hundreds of law enforcement legal, risk, and liability management and training programs across the country, and numerous internationally (including the United Kingdom and Mexico).

Mike has also served as the lead attorney for the International Association of Chiefs of Police (IACP) and the National Highway Traffic and Safety Administration for their Occupant Restraint Risk Management program. Mike is (since 1983) a certified Wisconsin law enforcement officer. Additionally, he has served as a (part-time) police legal advisor, trainer, field-training officer, and patrol captain.

Mike is the National Litigation Counsel for Taser® International, Inc. (he is also a Certified Master Taser® Instructor). He is the Legal Advisor and an Ex-Officio Advisory Board member of the International Law Enforcement Educators and Trainers Association; and is a Board Member of the Scientific Combatives Group International. Mike has served on the National Advisory Boards of the Police Law Institute, the Jail Law Institute, and Defense Training International, Inc. He is a former member of the Executive Board of the American Society for Law Enforcement Training (ASLET). He also served as a member of the Executive Committee of the Legal Officers' Section of the IACP and is a former consultant to the Law Enforcement Legal Defense Manual. Mike has published articles in periodicals including the Police Chief, American City & County, the Prosecutor, Police & Security News, Public Risk, the ASLET Journal, Casino Enterprise Management, the International Use of Force Journal, the Law Enforcement Legal Defense Manual, and others; and has presented several programs on the Law Enforcement Television Network.

Mike's prior experience includes being an attorney for a St. Paul (MN) law firm with special emphasis on municipal and liability defense, and being the personnel and special projects director for the National Institute for Trial Advocacy, a leading provider of attorney litigation education. Mr. Brave holds a Juris Doctor degree from Hamline University School of Law, a Bachelor's Degree in Business Administration and a Master's Degree in Management Technology from the University of Wisconsin - Stout. He has been certified as a Certified Protection Specialist and a Certified Security Trainer. He is admitted to the U.S. Supreme Court; the 7th, 8th, and D.C. Federal Circuit Courts of Appeal; Wisconsin and Minnesota State Courts; and others.

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