



Response to Resistance Outline

Blue to Gold Law Enforcement Training
1818 W. Francis Ave #101, Spokane Washington 99205
888-579-7796 | bluetogold.com |
info@bluetogold.com

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learners

In-service training for certified law enforcement, including patrol, investigations, specialty units, and administration

length of instruction

8 - hours

Response to Resistance: Good tactics are vital to law enforcement officers in their efforts to keep our communities safe, but they are just the beginning. This course will provide officers with a greater understanding of use of force case law, allowing them to more effectively recognize the legally significant factors present when responding to resistance. After taking this class, attendees will also better comprehend the impact of stress on human performance, and both the value and limitations of body-worn cameras.

Course Introduction – 10 minutes

Instructor introduction.

- 1) Explain the course objective.
 - a) Define what actions are permissible with use of force.
 - b) Learn how to articulate reasons for use of force.
 - c) Identify a seizure under the Fourth Amendment.
- 2) Encourage attendees to ask questions and share feedback with other attendees.
- 3) Explain that certificates will be emailed after the class and each student will be registered in the Blue to Gold University.
- 4) Go over the three disclaimers:
 - a) Laws and agency standard operating procedures may be more restrictive. Blue to Gold teaching the federal standard unless otherwise stated. Therefore, students must know their state and local requirements in addition to the federal standard.
 - b) If students have any doubts about their actions, ask a supervisor or legal advisor.
 - c) The course is not legal advice, but legal education. Therefore, nothing we teach should be interpreted as legal advice. Check with your agency's legal advisor for legal advice.

Module One – Legal Fundamentals

- 1) The Fourth Amendment
- 2) State constitutional provision

Module Two – Golden Rules of Force

- 1) Pro-Tips
- 2) Trials
- 3) Case Study

Module Three – Compliance/Seizures

- 1) Voluntary
- 2) Compelled

- 3) Seizures
 - a) Authority
 - b) Physical Seizure

Module Four - §1983 Civil Suits & §242 Indictments

- 1) Most common types of lawsuits.
- 2) Prima Facie Case
- 3) § 1983 In Action
- 4) § 242
 - a) § 242 In Action

Module Five – Qualified Immunity

- 1) Requirements
 - a) Deprivation of a Right
 - b) Clearly Established
- 2) Examples
 - a) Granted
 - b) Denied

Module Six – Reasonableness of Use of Force

- 1) Three Prong Test
 - a) Severity of Crime
 - b) Immediate Threat
 - c) Actively Resisting
- 2) Legal Rules
- 3) Examples

Module Seven – Scenarios

- 1) Class Exercise
 - a) Articulate factors from Scenarios one through five.
- 2) Review Factors For Use of Force

End of class.