

Course Outline

COURSE: JLE 205 **DIVISION:** 50 **ALSO LISTED AS:**

TERM EFFECTIVE: Spring 2016 **CURRICULUM APPROVAL DATE:** 10/12/2015

SHORT TITLE: OFFICER INVOLVED SHOOTING

LONG TITLE: Officer Involved Shooting and Death Investigation

Units	Number of Weeks	Type	Contact Hours/Week	Total Contact Hours
1	18	Lecture:	.57	10.26
		Lab:	1.71	30.78
		Other:	0	0
		Total:	2.28	41.04

COURSE DESCRIPTION:

This course is designed for students who are assigned to investigate law enforcement involved critical incidents including officer-involved shootings, use of force incidents and in custody deaths. Topics covered throughout this course include understanding stakeholders, lawful and unlawful force, physiological and psychological changes (human factors), administrative and criminal investigations, legal considerations and courtroom testimony, crime scene reconstruction, video forensics, taser incidents, excited delirium related deaths, and contemporary critical incident case studies. **PREREQUISITE:** POST Basic Certificate or Equivalent

PREREQUISITES:

COREQUISITES:

CREDIT STATUS: C - Credit - Degree Non Applicable

GRADING MODES

- L - Standard Letter Grade
- P - Pass/No Pass

REPEATABILITY: N - Course may not be repeated

SCHEDULE TYPES:

- 02 - Lecture and/or discussion
- 03 - Lecture/Laboratory
- 04 - Laboratory/Studio/Activity

STUDENT LEARNING OUTCOMES:

1. Demonstrate effective crime scene management by collecting the involved officer's statement, utilizing Peer Officers and performing a scene walk-through according to agency guidelines during class exercise.

Measure: Skills Demonstration, Simunitions Scenario

PLO:

ILO: 1, 2, 4

GE-LO:

Year Assessed: 2014

2. Document physical evidence through photographs, scene sketches, written notes, and other weapon-specific information such as make, model, contents, and magazine count.

Measure: Skills Demonstration, Simunitions Scenario

PLO:

ILO: 2, 3

GE-LO:

Year Assessed: 2014

3. Identify what actions legally constitute the use of deadly force through examination of recent California Case Law.

Measure: Class Discussion

PLO:

ILO: 2, 3

GE-LO:

Year Assessed: 2014

4. Demonstrate techniques for effectively interviewing witnesses, suspects and officers involved in a shooting both at the crime scene and at the station.

Measure: Skills Demonstration, Simunitions Scenario, Class Discussion

PLO:

ILO: 1, 2, 3

GE-LO:

Year Assessed: 2014

CONTENT, STUDENT PERFORMANCE OBJECTIVES, OUT-OF-CLASS ASSIGNMENTS

Curriculum Approval Date: 10/12/2015

1.0 Hours

Content:

I. Understanding Stakeholders

A. People with a stake in the investigations

1. Involved agency

2. Government Officials of the policing agency

3. Media

4. Police oversight groups

5. Public

6. Officer's family

7. Other involved party (suspect)

8. Other involved party's family

- 9. Influences on stakeholders
- 10. Political Issues
- 11. Criminal
- 12. Liability

B. Effect on investigation

- 1. Strategies for management
- 2. Strategies for media
- 3. Strategies for District Attorney
- 4. Strategies for agency officers
- 5. Strategies for outside (victim officer) agency personnel
- 6. Strategies for crime scene response

Student Performance Objectives (SPO): Identify techniques for addressing various stakeholders in an investigation while maintaining the confidentiality of certain aspects of the case.

Out-of-Class Assignments: Review Instructor Handouts

2.0 Hours

Content:

II. Simunitions Scenario

A. Staff Responsibilities

- 1. Stage and maintain equipment
- 2. Role-play activity
- 3. Dispatcher role-play
- 4. Safety Monitor (Simunitions Safety Officer)
- 5. Detailed Safety Briefing
- 6. Role-play as suspect
- 7. Pre-brief Scenario

B. Set-up

- 1. Scene set up
- 2. Murder Scene
- 3. Investigation Team
- 4. First responders

5. Witnesses

C. Script

- 1. Pre-Shooting
- 2. Shooting
- 3. Post-Shooting

Student Performance Objectives (SPO): Demonstrate the ability to follow procedure and act efficiently at a crime scene as either a first responder or as part of an investigative team in a class scenario activity.

Out-of-Class Assignments: Review Instructor Handouts

4.0 Hours

Content:

III. Crime Scene Management

A. Public Safety Statements

- 1. Right against self-incrimination
- 2. Shooting officer statement requirements
- 3. Ward v City of Portland, 857 F 2d 1373 (9th Cir 1988)

B. Peer Officers

1. Selection
2. Remain with shooting officer
3. Chain of custody of human evidence

C. Scene walk-through

1. Personnel on walk through
2. Guidelines

D. Involved officer statements

1. Purpose
2. Voluntary
3. Voluntary but inadequate
4. Refused/ invokes

E. Statement types

1. Written
2. Audio recorded
3. Audio and video recorded

F. Interview Styles

1. Narrative
2. Questionnaire
3. Confrontational
4. Cognitive

G. Interview Timing

1. Immediate
2. Sleep cycle research
3. Policy
4. Flexibility based upon circumstances
5. Chicago Police Union

H. Video Viewing

1. To allow or not to allow
2. Don't show

Student Performance Objectives (SPO): Determine the appropriate time to interview involved officers, witnesses, and victims in order to obtain the most detailed and accurate recollections.

Out-of-Class Assignments: Review Instructor Handouts

4.5 Hours

Content:

IV. Physical Evidence

A. Basic Sketch

1. Label evidence
2. Label impacts/defects
3. Measurements

B. Suspect firearm documentation

1. Documentation
2. Semi-automatic documentation
3. Revolver documentation
4. Render Safe

C. Trajectory Analysis (Bullet Path Determination)

1. Definition
 2. Limitations
 3. Tools & Methods
 4. Bullet Impacts/Holes
 - D. Chemical Testing
 1. Dithiooxamide
 2. Sodium Rhodizonate
 - E. Distance Determination
 1. Gunshot Residue
 2. Shot Pattern
 3. Tasers
 - F. Ejection Pattern Analysis
 1. Definition & Methods
 2. Limitations
 - G. Bloodstain Pattern Analysis
 1. Blood spatter patterns
 2. Experienced bloodstain examiner
 3. Void Pattern Analysis
 - H. Locard's Exchange Principle
 1. Definition
 2. Application to OIS investigation
 - I. Discovery
 1. Original notes
 2. Final report
 3. DA/ defense counsel will often want original notes and final report
- Student Performance Objectives (SPO): Demonstrate the ability to properly sketch and label the crime scene through class activity.
- Out-of-Class Assignments: Review Instructor Handouts

4.5 Hours

Content:

- V. Lawful Force
 - A. Investigator Background
 1. Appropriate force
 2. Objective investigations
 - B. Force Law Terminology
 1. Threshold Event
 2. Precipitous
 3. Perception
 - C. Seizure of Persons
 1. Consensual Contacts
 2. Detentions
 3. Arrests
 - D. Use of Force
 1. Use of Verbal Commands
 2. Use of Physical Force
 3. Use of Deadly Force

4. Basis of Deadly Force

E. Legal Standards

1. Constitution
2. Federal Law
3. State Law

F. Legal Standards

1. Graham v. Connor, 490 US 386 (1989)
2. Tennessee vs Garner (Deadly force)
3. Forrett v. Richardson (9th Circuit 1997)
4. Scott v Harris 550 US 2007
5. Forrester v San Diego (9th Cir. 1994)
6. Bryan vs McPherson (F3d, 2009 WL 5064477 (CA9) Dec 28,2009)
7. Reynolds v County of San Diego (9th Cir 1996)
8. Long Beach POA v City of Long Beach (CA Appeals, 2nd Dis 1976)
9. Peterson v Long Beach (CA Sup 1979)

G. Additional References - Supporting State Case Law Decisions

1. Scott v Henrich (9th Cir 1994)
2. Reed v Hoy (9th Cir 1989)
3. Other Case Law

H. Involved Officer Tactics

1. Officer's State of Mind
2. Investigation regarding tactics (questions)

Student Performance Objectives (SPO): Define Case Law regarding the use of deadly force.

Out-of-Class Assignments: Review Instructor Handouts

4.0 Hours

Content:

VI. Digital Forensics

A. Sources

1. Civillians video recordings
2. Police
3. Private companies

B. Getting access

1. Legality

C. Logistics and procedures

1. Agency digital forensic personnel and contact information
2. Standard operating procedure
3. Priority-initial collection of evidence
4. Aggressive follow up of potential perishable sources
5. Grab whole unit
6. Keep owner from keeping video file
7. If owner is left with a copy of the video file
8. Retain video forensics resource
9. Investigator awareness

D. Limitations

1. Quality
2. Frame Speed

3. Perspective

4. Case study

E. Modifications

1. Alterations

2. Intentional/ Unintentional

3. Re-Enactment

F. Enhancements

1. Avoid "compressed" files

2. Capabilities

3. Resources

G. Examples of Advanced FVA Procedures

1. Reverse Projection

2. Comparative Analysis

3. Image Comparison

4. Headlight Spread Pattern Analysis

Student Performance Objectives (SPO): Identify the procedures for obtaining, preserving and analyzing digital forensic evidence such as video surveillance, texts, and social media posts.

Out-of-Class Assignments: Review Instructor Handouts

2.5 Hours

Content:

VII. Physiological and Psychological changes

A. Background

1. Officers involved in shootings

2. Physiological distortions affect all parties

B. Training

1. Physical fitness

2. Inoculation to stress- force on force training

3. Amount of training

C. Effects of high stress survival events on the human body

1. Increased Heart Rate

2. Auditory Exclusion

3. Visual Problems

4. Increased reaction time

5. Deterioration of motor skills

6. Vasoconstrictions

7. Endurance limitations

8. Additional Effects

D. Psychological effects

1. After Shooting

2. Post-shooting study

3. Investigator issues

Student Performance Objectives (SPO): Identify the effects high stress survival events can have on the officer and techniques to relieve and manage that stress.

Out-of-Class Assignments: Review Instructor Handouts

5.0 Hours

Content:

VIII. Administrative Investigations (with scenario)

A. Administrative Investigators

1. Bifurcated investigations
2. Protocols (vary by agency-possible suggestions)

B. Compelled Statements

1. Historical Background
2. Garrity v New Jersey (1967) 385 US
3. Gardner v Broderick (1968) 392
4. Uniform Sanitation Men v New York (1968) 392 US 280
5. United States v Indorato (1st Cir 1980) 628 F 2d 711
6. Kastigar v United States (1972) 406 us 441
7. Murphy v Waterfront Comm's (1964) 378 US 52,79 n 18
8. United States V Koon (1994) 34 F 3d 1416
9. Police Officer Bill of Rights
10. Lybarger v City of Los Angeles (1985) 40 cal 3d 822

C. Beyond Lybarger

1. People v Gwillim (1990) 223 Cal App 3d 1254
2. Aguilera, et al v Baca (9th Cir 2007) 510 F 3d 1161
3. Spielbauer v County of Santa Clara (2009) 45 Cal 4th 704
4. Procedure
5. People v. Singleton, (2010) 182Cal App 4th 1

Student Performance Objectives (SPO): Identify the key differences between administrative investigators and criminal investigators such as purpose and protocols to be followed.

Out-of-Class Assignments: Review Instructor Handouts

3.0 Hours

Content:

IX. District Attorney Roll-Out Procedures

A. Rollout team background

1. Erosion of public confidence in law enforcement
2. JSID provides independent legal evaluation
3. Matters involving use of force
4. What a DA Rollout Team does NOT do

B. DA responsibilities

1. Investigative and Prosecute Criminal Conduct
2. Statutory direction
3. Review
4. Detailed Factual & Legal Analysis
5. File and Prosecute Appropriate Cases
6. Recent historical data

C. District Attorney's Office Protocol

1. Agreement defining type of incident and role to be played
2. DA levels of involvement
3. DA Rollout Team logistics
4. Roll Out Requirements- Officer Involved Shooting

- 5. Roll Out Requirements
- 6. Quick Response
- D. Investigator interaction with DART (District Attorney Roll Out Team)
 - 1. Conducting the investigation
 - 2. Independent Investigation
 - 3. Off duty cases
- E. Strategies for successful collaborative investigative effort
 - 1. Know the law that applies
 - 2. Benefits of DA Roll-Out
 - 3. At the Scene
- F. Conclusion
 - 1. Key takeaways

Student Performance Objectives (SPO): Identify the benefits of DA Roll-Out and demonstrate techniques for collaborating with the DA at the scene of the crime in various situations through class exercise.

Out-of-Class Assignments: Review Instructor Handouts

3.5 Hours

Content:

- X. Excited Delirium and Tasers
 - A. Death in Custody Reporting Act
 - 1. States to report to the Attorney General
 - 2. Study and report of information by the BJS (Bureau of Justice Statistics)
 - B. Excited Delirium defined
 - 1. State of extreme mental and physiological excitement
 - 2. Delirium syndrome if it results in sudden death
 - 3. Excited Delirium vs Agitated Chaotic Event "ACE"
 - C. Causes of Excited Delirium
 - 1. Metabolic
 - 2. Pharmacologic
 - 3. Infectious
 - 4. Psychological
 - D. Phases of Excited Delirium
 - 1. Hyperthermia
 - 2. Delirium with agitation
 - 3. Respiratory arrest
 - 4. Cardiac Arrest
 - E. Who is at risk
 - 1. Males
 - 2. 31-45 years of age
 - 3. Geographic locations
 - 4. Death follows bizarre behavior
 - F. Recognizing behaviors
 - 1. Sudden Death: Pre-disposing Factors
 - 2. Excited- Agitated Delirium
 - G. Investigator protocol: Excited Delirium & Sudden, In-Custody Death
 - 1. Pre-Incident Factors
 - 2. Custody Incident Factors

3. Environmental Factors

4. TASER

5. Post- Incident Factors

Student Performance Objectives (SPO): Identify the physical characteristics, psychological behaviors, communication behaviors, and physical behaviors associated with Excited-Agitated Delirium.

Out-of-Class Assignments: Review Instructor Handouts

1.5 Hours

Content:

XI. Guest Speaker

- A. Investigative errors exploited in court
- B. Investigative prowess thwarting an otherwise winnable case
- C. General advice
- D. Other legal issue
 - 1. Filing
 - 2. Evidence
 - 3. Statements
 - 4. Reporting
- E. Case Examples

Student Performance Objectives (SPO): Identify and examine possible legal issues when investigating a case and specific examples of these errors exploited in court.

Out-of-Class Assignments: Review Instructor Handouts

1.0 Hours

Content:

XII. Creating Factual Presentations

- A. Purpose
 - 1. Preliminary management review
 - 2. Use of force review board
 - 3. Miscellaneous
- B. PowerPoint Presentations
 - 1. Getting Started
 - 2. Creating a presentation
 - 3. Formatting Text on Slide
 - 4. Adding Graphical Objects to a presentation
 - 5. Modifying objects
 - 6. Adding Tables to a presentation
 - 7. Inserting Charts in a presentation
 - 8. Inserting media files in a presentation
 - 9. Preparing to deliver a presentation

Student Performance Objectives (SPO): Demonstrate the skill set needed to create an informative, well-organized powerpoint presentation.

Out-of-Class Assignments: Review Instructor Handouts

1.0 Hours

Content:

XIII. Case Studies

A. Actual California Officer Involved Shooting and In Custody Death Cases

B. Elements of regional case studies

1. Multiple officer shooting
2. Multiple officers injured
3. Officers dead
4. Multiple suspects
5. Multiple agency coordination
6. High-profile cases
7. Cutting edge investigative technology
8. Officer use of lethal force other than firearm
9. Suicide by cop

Student Performance Objectives (SPO): List elements of regional case studies including multiple officers shooting, multiple suspects, suicide by cop etc.

Out-of-Class Assignments: Review Instructor Handouts

2.5 Hours

Content:

XIV. Scenario Factual Presentations

A. Questions common to investigator presentations

B. Questions by over aggressive stakeholders

C. Strategies for investigators

1. Similar court testimony
2. Remain objective
3. Reserve opinions
4. Prepare a comprehensive presentation

Student Performance Objectives (SPO): Demonstrate the ability to give a successful presentation on an officer involved shooting case such as remaining objective, reserving opinions, and preparing a comprehensive presentation.

Out-of-Class Assignments: Prepare Scenario Factual Presentation

METHODS OF INSTRUCTION:

Skills Demonstration, Lecture, Scenario Training

METHODS OF EVALUATION:

CATEGORY 1 - The types of writing assignments required:

Percent range of total grade: 0 % to %

If this is a degree applicable course, but substantial writing assignments are NOT appropriate, indicate reason:

Course primarily involves skill demonstration or problem solving

CATEGORY 2 - The problem-solving assignments required:

Percent range of total grade: 20 % to 30 %

Field Work
Other: Skills Exam

CATEGORY 3 - The types of skill demonstrations required:
Percent range of total grade: 50 % to 90 %
Class Performance/s
Field Work
Performance Exams

CATEGORY 4 - The types of objective examinations used in the course:
Percent range of total grade: 30 % to 50 %
Other: Skills Demonstration

REPRESENTATIVE TEXTBOOKS:

Instructor Handouts
Reading level of text, Grade: 12 Verified by: Doug Achterman

ARTICULATION and CERTIFICATE INFORMATION

Associate Degree:
CSU GE:
IGETC:
CSU TRANSFER:
 Not Transferable
UC TRANSFER:
 Not Transferable

SUPPLEMENTAL DATA:

Basic Skills: N
Classification: Y
Noncredit Category: Y
Cooperative Education:
Program Status: 2 Stand-alone
Special Class Status: N
CAN:
CAN Sequence:
CSU Crosswalk Course Department:
CSU Crosswalk Course Number:
Prior to College Level: Y
Non Credit Enhanced Funding: N
Funding Agency Code: Y
In-Service: N
Occupational Course: C
Maximum Hours: 1
Minimum Hours: 1
Course Control Number: CCC000568915
Sports/Physical Education Course: N

Taxonomy of Program: 210550