

DJO • RUBY A RAINAULT • ROBERT A WA  
DMAS D CATCHINGS • CRAIG S HERBER  
UCKMAN • LUKE T HOFFMAN • WILLIAM



**The first known line-of-duty death occurred in 1792, when New York's Deputy Sheriff Issac Smith was shot and killed. Since then, over 18,600 officers have died while performing their duties. New York City has lost more officers than any other department, with more than 690 deaths. The state with the highest number of police deaths is California, with more than 1,200. Vermont has the fewest deaths, with 19.**



**TRIBUTE**

# Officers Killed In The Line of Duty By Gunfire



# Deputy Steve Cox

**King County S.O.**

**Steve, a 9 year veteran, was shot and killed during a struggle with a armed murder suspect inside a home.**

**Commissioned 1997**

**E.O.W. December 2, 2006**



# Deputy Saul Gallegos

**Chelan County S.O.**

**Saul conducted a traffic stop on a motorist who possessed a suspended license.**

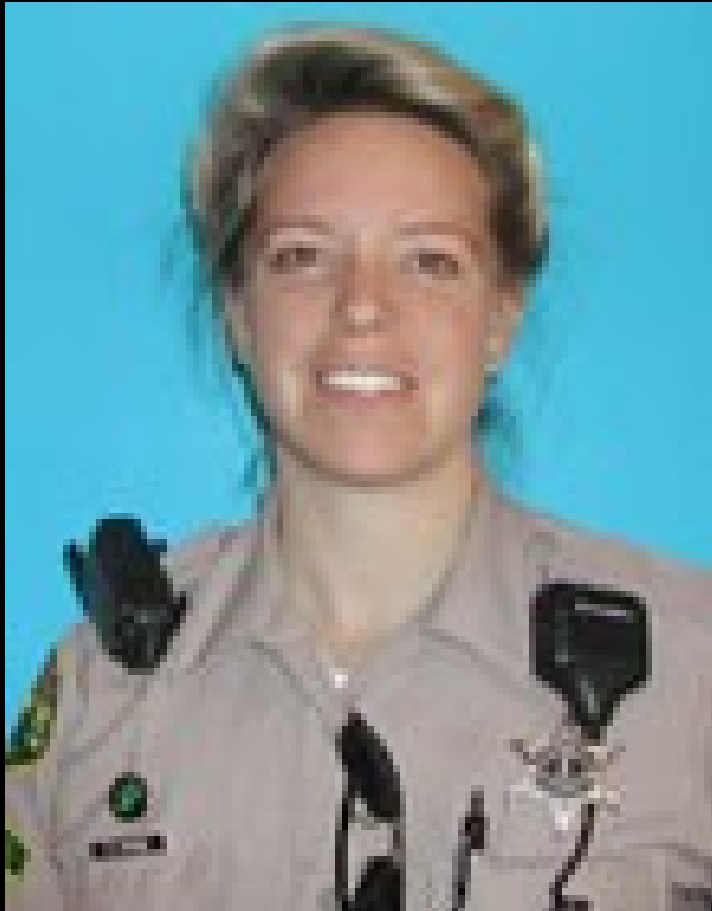
**A short time later, a citizen used Deputy Gallegos' radio to report that an officer had been shot.**

**Commissioned 1995**

**E.O.W. June 26, 2003**



# Dep. Anne Marie Jackson



## **Skagit County S.O.**

**Anne responded to a disturbance call alone.**

**When she failed to report her status, others responded and found her mortally wounded.**

**Commissioned 2002**

**E.O.W. September 2, 2008**

# Deputy Jerry Ortiz

**Los Angeles County  
Sheriff's Department**

**Jerry was ambushed  
when he conducted an  
investigation at a  
residence which had  
reported "shots-  
heard."**

**He is survived by his  
wife and two sons.**

**Commissioned 1990  
E.O.W. June 24, 2005**





# Deputy Wallace Davis



**Clallam County S.O.**

**Davis was shot and killed after responding to a DV by himself. Deputy Davis was shot once in the face as he approached the porch of the residence.**

**Commissioned in 1979**

**E.O.W. August 5, 2000**

# Trooper Linda C. Huff



**Idaho State Police**

**Trooper Huff was walking to her car from the patrol office. An assailant ambushed the officer, shooting her 10 times.**

**Commissioned 1984  
E.O.W. June 17, 1998**

# Deputy Joel Wahlenmaier



Fresno County S.D. CA

Joel was fatally shot as he assisted Fire Marshals serving an arrest warrant on a suspected arsonist in a mobile home park.

He is survived by his wife and two children.

Commissioned 1998

E.O.W. February 25, 2010

# Officer Patrick M. Maher



Federal Way P. D.

Maher was shot and killed when he attempted to stop a fight between two brothers. When Officer Maher intervened, one of the men gained control of Maher's weapon and shot him in the abdomen.

Commissioned 1995  
E.O.W. August 2, 2003

# Deputy Bradley J. Riches



Orange County Sheriff's  
Dept. CA

Deputy Riches was killed  
while driving on routine  
patrol through a 7 Eleven  
parking lot. Several AK-47  
rounds were fired from a  
robber inside the store.

Comm. August 24, 1990

E.O.W. June 12, 1999

# Sergeant Lee S. Newbill



Moscow P.D., ID

Sgt. Newbill was ambushed and fatally shot as he rushed to the Latah County courthouse on a shots-fired call.

Commissioned 2001

E.O.W. May 20, 2007

# Sergeant Mark Dunakin



Oakland P.D. CA

Sgt. Mark Dunakin and Officer John Hege pulled over a Buick sedan for an equipment violation. A wanted felon exited the vehicle and opened fire on Hege and Dunakin, striking both.

Sgt. Dunakin is survived by his wife and their three children .

Comm. July 31, 1993

E.O.W. March 21, 2009

# Off's Greg Richards, Mark Renniger Ronald Owens, & Tina Griswold



Lakewood P.D.

Veteran officers were meeting at a coffee shop before their shift when a gunman entered and executed the four as they sat in a nearby booth.

E.O.W. November 29, 2009



# Deputy Kent Mundell



**Pierce County S.O.**

**Shot and killed by an assailant during a DV investigation. The suspect walked up to the 2<sup>nd</sup> floor landing at a residence where he opened fire.**

**He is survived by his wife and two children.**

**Commissioned in 1999  
E.O.W. December 28, 2009**

*One person picks up a gun  
to rob and kill; one picks  
up a gun to protect and  
serve*

*I never dreamed it would be me  
And with heavy heart and bended  
knee*

*I ask for here and all the past  
Dear God, let my name be the  
last*

MAY THEY  
REST IN  
PEACE

# WEAPONS SAFETY

## FOUR BASIC SAFETY RULES

- ✦ **Treat all firearms as loaded**
- ✦ **Never allow muzzle to cover anything you are not willing to destroy**
- ✦ **Keep finger off trigger until ready to shoot**
- ✦ **Be sure of your target and background**

# GOAL: Improve decision making skills related to Use of Force

## OBJECTIVES

- ★ Increase ***awareness*** in current law and departmental policy
- ★ Increase ***proficiency*** in selection of appropriate force options
- ★ Improve ***skills*** in tactics and force options by utilization of simulator

# OFFICER SAFETY

- ★ The following was obtained from the F.B.I. report on “Law Enforcement Officers Killed and Assaulted”
- ★ Statistics from 1999-2008
- ★ 586 officers murdered
- ★ 561 of these murdered with firearms

# CIRCUMSTANCES

- ★ Disturbance calls =103, (DV's =61)
- ★ Arrest situations = 211
- ★ Investigating suspicious persons/circs =106
- ★ Traffic stops = 101
- ★ Mentally deranged =8
- ★ Ambush = Handling transporting = 89



# DISTANCE

- ★ 0-5 feet = 303 officers
- ★ 6-10 feet = 121 officers
- ★ 11-20 feet = 70 officers
- ★ 21-50 feet = 52 officers
- ★ over 50 feet = 49 officers

# WEAPONS

- ★ 57 officers killed with their own weapon
- ★ 158 officers fired their own weapon
- ★ 113 officers had their weapon stolen
- ★ Wound Location
  - ★ 202 were front head shots
  - ★ 231 were front torso shots

# WEAPON TYPE

★ Handgun = 480 (9mm, .38 cal)

★ Rifle = 112 (7.62 x 39mm)

★ Shotgun = 34

★ Knife = 12

★ Personal = 6

weapons

# **PEACE OFFICER AND AGENCY LIABILITY(federal)**

- ★ **Title 18, USC Section 242 (criminal)**
  - ★ **Peace officers are prohibited from depriving citizens of their rights under the color of the law**
  - ★ **If death results, officers may be punishable by life imprisonment**
- ★ **Title 42, USC Section 1983 (civil)**
  - ★ **Peace officers are prohibited from depriving citizens of their rights under the color of authority**

# **JUSTIFIABLE HOMICIDE BY A P.O. – RCW 9A.16.040**

- ★ In obedience to the judgment of a competent court**
- ★ When necessarily committed in overcoming actual resistance to the execution of some legal process, or in the discharge of any other legal duty**
- ★ When necessarily committed in retaking felons who have been rescued or have escaped, or when necessarily committed in arresting persons charged with felony and who are fleeing from justice or resisting such arrest**

# JUSTIFIABLE HOMICIDE, ANY PERSON – RCW 9A.16.050

- ★ When committed in defense of the slayer, or any other person in his/her company, when there is reasonable ground to apprehend that person about to do great personal injury to another
- ★ And when committed when the person is in imminent danger, OR
- ★ When committed in the resistance of the attempt to commit a felony upon a person in their home

# JUSTIFIABLE HOMICIDE

## SUFFICIENCY OF FEAR

- ✱ Bare fear not sufficient to justify
- ✱ Must be sufficient to excite the fears of a reasonable person
- ✱ Party killing must have acted under the influence of such fears alone

# HOME SAFETY

- ✦ You may be prosecuted if a child injures or kills with your firearm
- ✦ Firearms and ammunition should be kept separate and secured away from children's access



# **ARREST AUTHORITY, FORCE PERMISSABLE, RCW10.31.050**

- ✦ Arrest under probable cause**
- ✦ After announcement of intent to arrest**
- ✦ Suspect flees or forcibly resists**
- ✦ Officer may use all necessary means to effect the arrest**

# **METHOD OF MAKING ARREST AMOUNT OF RESTRAINT**

- ★ Submission to custody**
- ★ Arrestee subject to amount of restraint as is reasonable for his arrest and detention**

# REASONABLE FORCE

- ✦ A peace officer may use reasonable force to arrest, prevent escape, or overcome resistance of any person he believes has committed a public offense
- ✦ A peace officer need not retreat or desist because suspect resists or threatens to resist
- ✦ Officer is not deemed an aggressor
- ✦ Officer does not lose right of self defense by using reasonable force

# REASONABLE FORCE *CASE LAW*

- ★ **Deadly force - Tennessee v. Garner**
- ★ **Reasonable force - Graham v. Conner**
- ★ **More restrictive policy - Long Beach POA v. Long Beach**
- ★ **Violating agency policy - Peterson v. Long Beach**
- ★ **Level of Force - Forrester v. San Diego**

# TENNESSEE v. GARNER

## Use of Deadly Force

- ★ Life-threatening Felony/Crime of Violence
  - ★ Threatens an officer with a weapon or is believed to be armed
  - ★ Committed a crime involving the infliction or threatened infliction of serious physical harm
- ★ Life-threatening Escape
  - ★ Poses significant threat to officers or others if allowed to escape
- ★ Lethal Force MAY be used
  - ★ If reasonably necessary to prevent escape
- ★ Where feasible, a warning should be given
  - ★ Halt-Police! Stop or I'll shoot!

# REASONABLE FORCE

## Graham v. Conner

- ★ Judged from the *perspective of a reasonable officer*
- ★ Examined through the eyes of the officer on the scene *at the time the force was applied*
- ★ Based on the facts and circumstances confronting the officer *without regard to the officer's underlying intent or motivation*
- ★ Based on the knowledge that the officer *acted properly under the established law at the time*

# REASONABLE FORCE

## Graham v. Conner

The Graham Inquiry of Reasonableness  
(evaluation factors for the use of force)

- The severity of the crime at issue
- The threat of the suspect to officer(s) and citizens
- The active resistance of the suspect to arrest/escape

# REASONABLE FORCE

## Graham v. Conner

- ✦ All determinations of unreasonable force must embody allowance for the fact that police officers are often forced to make split-second judgements
- ✦ In circumstances that are tense, uncertain, and rapidly evolving
- ✦ About the amount of force that is necessary in a particular situation



# AGENCY POLICY

## LBPOA v. Long Beach

### Peterson v. LB

*MUST CONFORM TO POLICY NO MATTER  
WHAT STATE LAW SAYS*

- ★ Common issues policies deal with
  - ✿ Defense of self & others against death or GBI
  - ✿ Use of warning shots
  - ✿ Shooting at
    - Non-violent fleeing felons
    - juveniles
    - moving vehicles
  - ✿ Shooting from moving vehicles

# FORRESTER v. SAN DIEGO

## Level of Force (9<sup>th</sup> Circ. 1994)

- ★ Based on the Graham inquiry of reasonableness
- ★ Not simply whether the force was necessary to accomplish a legitimate police objective
- ★ Was the force used reasonable in light of all the relevant circumstances
- ★ Least-intrusive/minimal v. Reasonable

# AGENCY POLICY

- ✦ **Generic overview of policies - each officer must be familiar with their own policy**
- ✦ **Force Options Defined**
  - ✦ **Choices available to an officer concerning methods of force available as identified in each agency's policy documentation**

# TACTICAL OVERVIEW

## ☀ Awareness

- ☀ Familiar with equipment
- ☀ Accuracy (Target acquisition, center mass)
- ☀ Avenue of escape-familiar with surroundings
- ☀ Movement
- ☀ Cover (generally stops bullets)
- ☀ Concealment (Hides officer's position)
- ☀ Distance to enhance tactical advantage (Distance equals time)

## ☀ Communicate

- ☀ With suspect/subject
- ☀ Fellow officers and dispatch

# FORCE OPTIONS

- ✦ **Uniform Presence**
- ✦ **Verbal**
- ✦ **Chemical Agents**
- ✦ **Hands/Control Holds**
- ✦ **Impact Weapons**
- ✦ **Electronic Weapons**
- ✦ **Less Lethal Force**
- ✦ **Lethal Force**

# MISSION OF THE PISTOL

- ✦ The pistol is a defensive weapon system
- ✦ For use upon sudden surprise of a deadly threat
- ✦ For close range encounters
- ✦ Portable and readily accessible
- ✦ Provides for rapid and immediate use

# Components to Officer Survival

- ✦ Mental
- ✦ Physical
- ✦ Mechanical

# MENTAL

- ✦ Know your department policy
- ✦ Know the legal justifications
- ✦ Understand the moral issues
- ✦ Pre-set your mind to the use of good tactics
- ✦ Train the mind through hypothetical situations



# PHYSICAL

- ✦ Allows you to cope with adrenaline more effectively
- ✦ Affected less by shock
- ✦ Faster recovery from injury
- ✦ Can think more clearly under stress
- ✦ Sustain longer periods of intense physical activity

# MECHANICAL

- ✦ Includes all aspects of weapon manipulation
- ✦ Loading, unloading, presentation
- ✦ Speed and tactical reloads
- ✦ Malfunctions
- ✦ Use of a Flashlight
- ✦ Should be able to employ your tools rapidly and effectively

# COLOR CODE

- ✦ Colonel Jeff Cooper
- ✦ Allows an officer to check their mental state
- ✦ A method to ensure an officer is in the right frame of mind for a given situation
- ✦ Reduces lag time

# WHITE

- ✱ A normal, non-combative state
- ✱ Do not expect trouble
- ✱ Feel perfectly safe
- ✱ If attacked will be completely surprised
- ✱ In your home etc.

# YELLOW

- ✱ A state of relaxed alertness
- ✱ Assumed whenever you carry a firearm
- ✱ Do not expect a specific hostile act but are aware it may happen
- ✱ Can maintain indefinitely

# ORANGE

- ✱ **A fight is likely**
- ✱ **Tactical plan in mind a state of alarm**
- ✱ **Reason to believe something will happen**
- ✱ **Total focus on the situation at hand**
- ✱ **Cannot maintain for long periods**
- ✱ **Cannot be surprised while in this state**

# RED

- ✱ **Is defensive combat**
- ✱ **All systems are go**
- ✱ **If you are faced with a deadly threat you shoot**
- ✱ **An officer enters a tactical situation in orange, then shifts to red when the threat is eliminated, then back to orange**

# COMBAT SHOOTING

## SPEED

- ✦ Developed through muscle memory
- ✦ Shooting skills are highly perishable
- ✦ Skill is attained and then maintained through correct practice
- ✦ No wasted motion, no mistakes



# POWER

- ✦ Caliber
- ✦ The larger the hole the greater the potential for damage
- ✦ Pistol ammunition is inherently weak
- ✦ Multiple hits may be required
- ✦ Shoot the threat, as long as it's a threat until it stops or goes away

# ACCURACY

- ✦ Be sure of your target and background
- ✦ You are responsible for every round fired
- ✦ You can't miss fast enough to catch up
- ✦ Hits count, misses don't
- ✦ Shoot as fast as possible, **carefully**

THE END