## **Overview Class Room Dry Fire Day I:**

For some students this may be there first time ever handling a firearm. Even others who have been working for their sponsored departments and have military experience will still need to understand the foundation of firearms. Students will perform dry fire exercises in the classroom and apply the fundamentals that have been explained. Instructors will ensure all weapons, students, range bags have been thoroughly checked for live ammunition. Posted outside the training area will be signage explaining that dry fire drills are in progress and that no live ammunition or loaded firearms are allowed in the training area. If anyone leaves or re-enters the training area they will be checked again for live ammunition. Instructor will use the policy of "triple check" to ensure the training environment is safe for all personnel.

Students will start with a good foundation and perform the basic firearms manipulations in dry fire mode. By performing dry fire function student will become familiar with the firearms they have been issued by their departments, again for some, this will be the first time they have ever seen this weapon. The instructor will have every student participate in using the range simulator to practice these skill building exercises. Instructor should be able to recognize very quickly which students are having difficulty with the fundamentals.

At the end of the day, the student will begin to build confidence in the manipulation and components of good marksmanship which is the foundation to all firearms programs.

## Student Objectives

At the completion of training, the student will be able to:

- 1. Explain the importance of safety and safe firearms handling;
- 2. Perform safe clearing procedures;
- 3. Explain the basic components of their weapon;
- 4. Field strip and reassemble their weapon;
- 5. Explain sight alignment and sight picture;
- 6. Demonstrate the components of drawing and reholstering their weapon;
- 7. Demonstrate safe loading and unloading procedures.

## **Equipment Required:**

- 1. Personal Safety Equipment
  - a. Full Wrap Around Hearing Protection all personnel on range
  - b. Wrap around eye protection all personnel on range
  - c. Soft body armor all personnel on range
  - d. Ball Cap all personnel on range
  - e. Red Training Firearm
  - f. Orange Dummy Round Correct Caliber
- 2. Student Equipment:
  - a. Duty Firearm with Duty Belt and Holster & Equipment
  - b. Cleaning Supplies
  - c. Baby wipes
  - d. Appropriate Weather Gear for Training

- 3. Classroom (Dry Fire) Equipment
  - a. Targets

  - b. Staples gun & Staples, and Tapec. Gunshot Trauma Kit/First Aid Supplies
  - d. Dry fire Injury Action Plan
  - e. Spray Glue
  - f. Clearing Station
  - g. Signage to be posted

## Dry Fire Classroom Day 1

Instructors will inspect students, classroom, gear bags, and each other for any live ammunition in the training area prior to any firearm removed from their cases or holster. Signage posted outside the training area shall be posted;

### "NO LIVE AMMUNITION ALLOWED IN TRAINING AREA. THIS IS A RESTRICTED AREA. ALL PERSONS SHALL BE CHECKED UPON ENTERING REGARDLESS OF THEIR AUTHORITY. ANY PERSON MAY CHALLENGE ANY ONE WHO ENTERS OR RE -ENTERS THE TRAINING AREA."

Instructors shall make safety a priority to all their firearms training. Instructors will designate a clearing area where students can clear their weapons; they will employ the "triple check" policy

### Safety Rules:

- Safety rules and regulations will be read and signed by everybody in the class. a. Instructors will read Safety Rules & Procedures to students
  - b. Students will sign Safety Rules & Procedures

### **Clearing procedures:**

- a. Instructors will explain and demonstrate the proper clearing procedures
- b. Instructors will perform in a step by step procedure

Proper clearing procedure (Steps);

- 1. Remove magazine
  - a) From case, weapon pointed in clearing area
  - b) Magazine released
- 2. Cycle weapon three times (Run slide back & forth; "Triple Check")
  - a) Observe if ammunition has ejected. If more than one round ejects proceed back to step 1, remove magazine
  - b) Instructor should explain reason for repeating step one
  - c) A clearing area or station shall be used here
- 3. Lock slide to rear
- 4. Visually & physically check the weapon to ensure that it is unloaded
- 5. Show weapon to students left & right of each other, they also need to visually and physically check to ensure the weapon is unloaded.
- 6. Show weapon to Instructor to verify weapon is safe & clear
- 7. Instructors will check all magazines and pockets for live ammunition
- 8. Weapon will be holstered with slide to rear
- 9. Students will report to the classroom area with weapon in holster slide to rear and two empty magazines

### **Classroom Safety Check:**

Instructors will inspect classroom for live ammunition in the training area prior to any firearm removed from the holster. Signage posted outside the classroom area shall be posted;

"NO LIVE AMMUNITION ALLOWED IN TRAINING AREA. THIS IS A RESTRICTED AREA. ALL PERSONS SHALL BE CHECKED UPON ENTERING REGARDLESS OF THEIR AUTHORITY. ANY PERSON MAY CHALLENGE ANY ONE WHO ENTERS OR RE -ENTERS THE TRAINING AREA."

- Students will stand in front of their desks with firearms in their holster, slide locked to the rear.
  - a) Students will draw their weapons out, pointed at the floor
  - b) Students will run slide forward three times (Triple Check)
  - c) Students will visually and physically check the weapon
  - d) Students will show their weapon to each other left & right side
  - e) Students will then place weapon on desk in front of them
  - f) Students will check magazines for live ammunition
  - g) Students will show each other left & right their magazines
  - h) Students will then place three safe and empty all magazines on desk

Instructors will go through generic nomenclature of duty weapon. Students can view their weapon in front of them as the instructor explains the nomenclature of the weapon.

### Nomenclature:



- a. Slide
- b. Slide release
- c. Barrel
- d. Recoil spring
- e. Frame
- f. Magazine release
- g. Magazine
- h. Magazine well
- i. Front sight
- j. Rear sight
- k. Trigger
- l. Trigger guard
- m. Front strap
- n. Rear Strap
- o. Decock lever (not shown)



### **Field Strip and Cleaning:**

Properly maintaining a handgun is an obvious task for any law enforcement officer. Care and cleaning is necessary to ensure that their weapon will work safely and effectively when called upon.

- During the care and cleaning:
  - a) Inspecting for any excessive wear or damage.
  - **b**) An improperly maintained or neglected weapon will become unreliable.
  - c) The firearm is a tool officers rely upon to work properly.
  - **d**) In most all departments, it is the responsibility of the officer to care and clean for their duty weapon under field strip conditions.
  - e) Disassembly beyond the field stripping should only be performed by certified armor.

### Your "Life" and your partner's "Life" depend upon you to make sure your weapon is functioning and working properly

Disassembly may vary depending on the type and manufacture. Refer to your department policy and procedure when disassembling your weapon. There are, however some common issues and we will discuss them here.

## Make Weapons Safe

Proper clearing procedure (Steps);

- 1. Remove magazine
  - a) From case weapon pointed in clearing area
  - b) Magazine released
- 2. Cycle weapon three times (Run slide back & forth "Triple Check")
  - c) Observe if ammunition has ejected if more than one round ejects proceed back to step 1, remove magazine
  - d) Instructor should ask why repeating step one may need to be repeated
  - e) A clearing area or station shall be used here
- 3. Lock slide to rear
- 4. Visually & physically check the weapon to ensure that it is unloaded
- 5. Show weapon to students left & right of each other, they also need to visually and physically check to ensure the weapon is unloaded.
- 6. Remind student no live ammunition in why cleaning firearms

### Field Strip the Weapon;

Explain to student that actual process of field striping may vary greatly depending on the model of the firearms you have.

- Follow the manufacturer's procedure for specific weapons.
- With Glock and some similar designs make you press the trigger before disassembly.
- Remind students this weapon needs to be checked for safety a minimum of three times. (Triple Check)



## Cleaning the Weapon <u>"NO LIVE AMMUNITION IN THE CLEANING</u> AREA"

Equipment you will need

- Lint free cleaning cloths
- Gun cleaning patches in the caliber of your firearm
- Cleaning rod for the specific caliber
- Solvent specifically designed for use with firearms
- Oil specifically designed for use with a firearm
- Barrel brush for the caliber you are cleaning
- Brush with nylon bristles such as an old tooth brush
- Cotton swabs and pipe cleaners

## **Procedure:**

## Have Students;

- 1. Wipe down all components
  - Remove as much as you can of the old oil and all powder buildup, thick and caked-on carbon buildup.
  - Wipe the inside of the magazine well, ejector, guide rails, and area around the chamber. Wipe these areas until the patches are clean
- 2. Apply solvent on all dirty components.
  - Most handgun manufacturer's design components (even the polymer) to be safely used with any solvent. Be sure to check with manufacturer's specification on solvents to be avoided
- 3. Let the solvent soak in for a couple of minutes

- 4. Scrub the whole gun with a nylon brush.
  - This works in the solvent on the weapon and loosens up the build-up areas on the weapon.
  - Pay attention to small areas, rails, corners, etc.
  - The most common area with carbon deposits is in the chamber area.
  - Remember the ejector and breach face
- 5. Wipe down the whole weapon (inside and out) with a solvent soaked lint free cloth.
  - Look for any areas turning the cloth dark.
  - Clean those areas that turn the cloth dark again
- 6. Use a bore brush to break any buildup free from the barrel.
  - Be sure not to reverse direction with the brush in the barrel.
  - Push the brush all the way through the barrel (letting the bristles change direction outside the barrel)
  - then reverse and pull it back all the way through
  - If possible, always work from the chamber end of the barrel to avoid damaging the rifling in the barrel.
- 7. Swab the barrel with a cloth soaked with solvent.
  - Repeat until the cloth comes out clean.
  - Then swab it with a clean dry patch.
  - Finally, swab the barrel with an oiled patch. This coat of oil will protect your barrel from rust.
  - Remember to point out road detail and collection of dust
- 8. Lightly oil all the components requiring lubrication.
  - Refer to manual of weapon for specific areas needing oil.
  - Look at the weapon you will see where the wearing parts,
  - Good indication of where lubricate should be applied.
  - Lubricate area around rotating parts, such as the base of the hammer or trigger assembly.
  - Don't forget to oil the guide rails and grooves in which they ride.
- 9. Re-assemble the weapon and perform a function test.
  - (Are all the parts back where they belong and functioning properly?)
- 10. Wipe down the whole gun and remove any excess oil.
  - A very light coat of oil on the exterior of metal parts will prevent rusting by preventing moisture saturation.

## Warning

- Keep oil away from the openings into the firing pin housing (oil is a collector of dirt and powder buildup. Build up around your firing pin can prevent it from firing)
- Wash your hands after handling the weapon and cleaning supplies
- Always clean your weapon in a well ventilated area. Fumes from solvent or oils can be unhealthy if inhaled
- Keep oil, especially "WD-40", away from your ammunition. The oil can penetrate the primer and cause the ammunition not to fire.
- NO AMMUNITION IN THE CLEANING AREA

## Assembly & Disassembly Drill:

After instructor is satisfied with the Safe Handling and nomenclature process they will move into assembly and disassembly drill. Students will become familiar with there weapon know how to field strip and reassemble their weapons.

Instructor should review the list of firearms associated with the class they are teaching. There are a great number of makes and models that could show up at an academy and not every instructor is familiar with all the different manufacture procedures on field stripping. We have supplied great number for you to refer too in the appendix. Academy Directors will, prior to the class, have students take to the department armors a data sheet to fill out and return to the director with a manufacturer's owners manual.

- 1. Students will field strip their weapons
- 2. Students will reassemble their weapons
- 3. Students will perform a function test
- 4. Students will repeat the process at minimum of 5 times

Student must become familiar with their issued weapons and how to disassemble it to maintain it. Uncared for weapons is one of the major reasons for a weapon to malfunction.

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### **Cycle of Operation**

### FEED, FIRE, EXTRACT & EJECT

Instructor will I break it down further:

- Firing:
  - Firing pin of the weapon hits the primer ignites the powder, the powder burns and fires the bullet out the barrel
- Unlocking:
  - Unsealing the breech end of the barrel and unlocking the barrel from the slide.
- Extracting:
  - Pulling the spent cartridge case from the chamber.
- Ejecting:
  - Pushing the spent cartridge out of the ejection port.
- Cocking:
  - Returning the firing mechanism to the cocked position ready to fire another round.
- Feeding:
  - Placing another round in the path of the slide
- Chambering:
  - Moving the round from the magazine to the chamber
- Locking:
  - Sealing the round in the chamber and locking the breach end of the barrel into the slide

#### **Ammunition Nomenclature**

Instructors will break down and explain the nomenclature of ammunition how it works:

- Bullet:
  - Single projectile fired from a firearm.
  - Some mistakenly consider the entire round of ammunition to be the bullet
  - Only the tip of the round.
- Casing:
  - Uusually made of brass
  - Contains the powder charge, the primer and the bullet. Before development of the metallic cartridge, the term

was used to mean a roll or case of paper containing powder and shot.





- Gun powder:
  - The general term for any chemical compound or mixture used in firearms that burns upon ignition.
  - Gases produced by this rapid combustion propel the bullet down the bore.
  - One major type is black powder, which is a mixture of charcoal, sulfur and saltpeter.
  - Todays type is smokeless powder, which is principally used in modern ammunition. It's a granular nitrated chemical compound.
- Primer:
  - The collective term for the chemical primer compound, cup and anvil.
  - When the primer is struck, it ignites the powder charge.

## **Shooting Fundamentals**

Instructor will demonstrate and explain the importance of the shooting foundation. The shooting foundation is the core to all good fundamentals this will develop the student to become a more instinctive shooter

## Stance

There are many shooting positions commonly referred to as stance, shooting platform, or shooting hold. Rather than argue the semantics we need to attend to the practical factors. The fundamental concern is how the human body is configured as a firing platform. The core foundation of the platform will give the shooter balance with balance comes stability and with stability the shooter will have mobility .

## "Stance" = Balance + Stability + Mobility

Instructor will demonstrate each of the positions to the students in the classroom explaining the advantages and disadvantages of each.

## Grip

Instructors will demonstrate and explain grip to students in the classroom and the importance of hand positioning

The portion of a firearm designed to be grasped by the shooting hand in the normal operation.

- Shooting hand high on the back strap of the firearm.
- Pressure with both hands on the grip must be equal.
- Thumb of the support hand alongside the thumb of the strong thumb.
- This is important, especially with semiautomatics.
- Explain the canter of approximately 30 degrees to the support hand.
  - This allows more of the support hand palm to come in contact with frame of the firearm.
  - $\circ$   $\,$  Allows better wrap of the fingers around the strong hand.

The grip that an officer uses on his/her firearm should make the firearm an extension of his/her arms not a handle or piece of equipment.





#### Municipal Police Training Committee Recruit Firearms Training

- Proper grip begins starts when drawing the firearm.
- Proper grip
  - committed to muscle memory
  - constant drawing and engaging a target.

### Draw

### 1. **<u>GRIP</u>**:

- a. Weapon hand firmly establishes the shooting grip
- b. Trigger finger straight along the side of the holster.
- c. The retention devices (snaps) are undone as the grip is established.

### 2. **DRAW**:

a. Weapon is drawn far enough up so the muzzle is clear of the holster.

### 3. **<u>ROTATE:</u>**

- a. The muzzle is rotated 90 degrees to the horizontal
- b. Points towards the Threat
- c. The threat may be engaged at any time, traditional "hip shooting" position.

### 4. TOGETHER :

- a. The weapon is brought upward to the center of the chest
- b. Support hand comes up and behind the weapon
- c. Two hand hold.

### 5. <u>UP:</u>

- a. The weapon, now supported by both hands,
- b. Brought up to eye level
- c. Sight picture obtained.
- d. Fire if the situation dictates.

### Sight Alignment & Sight Picture

Instructor will explain and demonstrate the proper technique for sight alignment and sight picture. Before student attempt to perform sight alignment and sight picture the instructor must explain to the student how to identify their dominant eye.

### **Dominant Eye Test:**



Placing your hands as shown in the picture to the left. With both eyes open. Focus on an object through the hole in your hands. Continue to focus with both eyes open and pull you hand to directly to your face. Your dominant eye will take over when your hand is close to your face.

## <u>Sight alignment</u>

The sights are properly aligned with one another as viewed by the shooter.

## Sight Picture

Appearance of a firearm's sights to the shooters eye as aligned against the target



Instructor will explain how the 6-O'oclock hold is impractical for Law Enforcement purposes.

- No bullseye inscribed on intended target.
- Shooter can't tell how low to aim in order to hit the intended point.
- Less than 7 Yards shooter should reference sights (Flash Front Sight / Point Shoot)
- More than 7 Yards shooter must place more emphasis on sights

## Sight Picture

- Focus on the front sight only, clean & sharp
- The rear sight should be slightly out of focus,
- The target should be blurry.



## Key to effective sighted fire:

- Ability to consistently reproduce the same sight picture again and again.
- Most officers have bad habits
  - $\circ$  They look to see where they hit the target or where the round goes.
  - Called eye sprinting,
    - This will change your focus and leads to changing your sight picture.

## **Range Simulator Range 3000**

Students will perform skill building drills in the range simulator. Students will build upon skills that have been demonstrated in the classroom. Instructor will take each student one on one to evaluate their abilities of basic firearms marksmanship. A set of skill builder drills will be performed to determine each student's ability. For those students that appear to be having problems, more time can be spent at the simulator prior to live fire. This part of the classroom dry fire drill is important to give insight into the class as a whole.

## **Use of Force**

Student at this point should have a good understanding of the MPTC Use of Force model. Instructors will spend their time on Deadly Force and the relative issues and cases that come with the use of deadly force.

Deadly force as defined:

**DEADLY FORCE:** Is the degree of force likely to result in death or serious bodily injury. The discharge of a firearm toward a person **ALWAYS** constitutes the use of deadly force.

Serious bodily injury defined:

**SERIOUS BODILY INJURY:** A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long term loss or impairment of the functioning of any body part.

**SHOOT TO STOP vs. SHOOT TO KILL:** When using deadly force, a police officer is legally justified in shooting to **STOP** an individual who is using or threatening to use (imminent) deadly force. A police officer is NOT justified in shooting to kill an individual; he is legally justified in shooting to stop the imminent threat.

A police officer does NOT shoot to kill or to wound, he shoots to STOP. A wounded suspect or a dead suspect may be the result, but the police officer is only justified in shooting to stop imminent threat.

### WHEN IS A SUSPECT STOPPED?

A suspect is stopped when he is effectively prevented from using or threatening the use of deadly force. This determination can only be based on the totality of circumstances involved in the incident. A police officer is <u>NOT</u> required to count his/her shots.

**EXAMPLE #1:** A police officer in a self defense situation, at a distance of ten (10) feet from his assailant, fires two (2) shots. The suspect is hit and falls to the ground. The suspect's firearm slides fifteen (15) feet from him/her.

This is an easy example of a suspect being effectively stopped. The officer must stop firing and now has a duty to aid the victim. An officer continuing to shoot after the suspect has been effectively stopped puts the officer in a position using excessive force.

**EXAMPLE # 2:** A police officer in a self defense situation, at a distance of twenty-five (25) feet from his assailant, fires two (2) shots. The suspect falls to one knee with his firearm still in hand.



This is an easy example of a suspect, after being shot, still reasonably being a threat of using deadly force. The officer is justified in shooting until the suspect is no longer in such a position

## **CENTER MASS:**

When an Officer uses their firearm they must be sure of their target and what's beyond. Once (s)he has made the decision to use a firearm, there is no calling the bullet back. But when the officer needs to shoot, (s)he must shoot for the center of most available mass. "*center mass*"

- *Center of mass is* not always going to be the chest area located directly above the sternum.
- Target area most available for the officer to shoot at;
- *Center of mass* is the center of that area. (i.e., if the suspect is shooting from a parked motor vehicle through the driver's window *center mass* may be the throat area or even the head because that is the most available target area).

When a police officer uses his firearm, as allowed by law, three things may occur.....

- The officer will miss
- The suspect will be wounded and will survive.
- The suspect will be killed as a result of being shot.

No matter what the personal feelings of the officer, he/she has no control over what happens to the suspect once his/her weapon has been discharged. Although there is a much greater possibility that a person with a chest wound will die as opposed to a person with a leg wound, the result is definitely beyond the officer's control.

### Case Law:

Instructors will go over the pertinent case law that will pertain to Massachusetts



## Live Fire Day I

## **Overview Range Day I:**

For some students this may be there first time on the firing range. Students have performed dry fire exercises in the classroom at this point and will now apply those fundamentals they have been taught on the range. Instructors will start with fundamental exercises at close distances and gradually move back. This will develop the student's confidence and ability to consistently reproduce quality hits on target. While students are working on fundamentals, instructors will incorporate various reloading procedures and malfunction drills. At the end of the day students should have an understanding and the knowledge to smoothly reload and clear type I & II malfunctions.

At the end of the day student will begin to see the importance of shooting fundamentals by performing the static qualification course. After completion of static qualification, the instructor will demonstrate and explain movements with the firearm to be applied in Range Day II.

## Student Objectives

At the completion of training, the student will be able to:

- 1. Perform safe and efficient live fire drills
- 2. Understand basic marksmanship
- 3. Perform reloads smoothly
- 4. Demonstrate an understanding of and ability to clear type I & II malfunctions
- 5. Consistently place rounds on target
- 6. Shoot from various distances.
- 7. Understand flash front sight picture through repetition
- 8. Understand and demonstrate the ability to move with a firearm

## **Equipment Required:**

- 1. Personal Safety Equipment
  - a. Full Rap Around Hearing Protection all personnel on range
  - b. Wrap around eye protection all personnel on range
  - c. Soft body armor all personnel on range
  - d. Ball Cap all personnel on range
  - e. Red Training Firearm
  - f. Orange Dummy Round Correct Caliber
- 2. Student Equipment:
  - a. Duty Firearm with Duty Belt and Holster & Equipment
  - b. Cleaning Supplies
  - c. Baby wipes
  - d. Appropriate Weather Gear for Training
- 3. Range Equipment
  - a. Targets
  - b. Staples & gun
  - c. Gunshot Trauma Kit/First Aid Supplies
  - d. Range Injury Action Plan
  - e. Spray Glue
  - f. Barricades

## Range Day I

Instructors will read and review with students the range safety rules. After completion students will sign and hand in to instructors the first range day.

## Range Rules

## Safety rules, Procedures and Regulations Are expected to be followed by all shooters

## SAFETY IS EVERYONE'S RESPONSIBILITY!

- 1. Keep weapon pointed in a safe direction at all times.
- 2. Do not handle any weapons while anyone is downrange.
- 3. Never draw the weapon with your finger on the trigger.
- 4. Never bend over on the firing line until the line has been declared "safe".
- 5. Obey all commands from Range Master
- 6. Never holster any weapon with the hammer in the single-action mode or with your finger on the trigger. This applies to double action weapon only
- 7. Dry fire is only performed under the guidance of the firearms instructors. DO NOT dry fire unless instructed to do so.
- 8. **"The finger remains off of the trigger and outside the trigger guard** until the weapon is on target and that the officer has determined the use of deadly force is imminent" (i.e. Trigger Finger Management ).
- 9. Unsafe acts or unsafe behavior on the range will not be tolerated.

## Do not take live ammunition into the cleaning area.

I have and reviewed and understand all of the above Range rules. I will comply with these rules and conduct myself as a professional and responsible police officer. Signature:\_\_\_\_\_\_Date:\_\_\_\_\_

## Range Day I Drill I

### Stance:

There are many shooting positions commonly referred to as stance, shooting platform, or shooting hold. Rather than argue the semantics, we need to attend to the practical factors. The fundamental concern is how the human body is configured as a firing platform. The advantage of one stance, position or hold over another is up to the individual shooter. They all have advantages and disadvantages. When an officer chooses a stance they must use one that will give them;

"Stance" = Balance + Stability + Mobility

## **Establishing the Fundamentals**

### 1. <u>GRIP</u>:

Weapon hand firmly establishes the shooting grip on the weapon with trigger finger straight along the side of the holster. The retention devices (snaps) are undone as the grip is established.

- Demonstrate grip high in back strap
- Show with low grip below recoil point
- Show canter of Support hand for more contact to grip

### 2. <u>DRAW</u>

## 3. Sight Picture:

Remind students the importance of the front sight being clear and sharp and not refocus during the course of fire. A typical problem here is eye sprinting.

## 4. <u>Press the Trigger:</u>

Explain to students the amount of trigger finger on the weapon will directly relate to the left or right movement in the impact. Also anticipation of recoil has a direct response to the rounds impacting on the target.

## 5. Follow Through

Holding the trigger to the rear to let the round leave the barrel

## 6. <u>Reset</u>

Holding the trigger to the rear and releasing until reset of the trigger sears

## *Wall Drill:* With a safe and empty weapon:

- Student will establish
  - Stance
  - o Grip
  - Place the muzzle on the target with the proper grip and stance
  - Remove the muzzle from the target approximately 1" continuing to grip & stance
  - Establish sight picture
  - Press trigger & follow through
  - Partner/Pacer cycle weapon
  - o Student releases trigger to reset then press again
  - Repeat 10 times

Students are looking for front sight movement, (anticipation of recoil)

#### **Repeat 3Yard Drill:**

- Emphasize focusing on front sight
- Continue to remind student of trigger press
- Shoot drill until Lock Back

#### **One Hole Drill:**

Students will develop an understanding of the principles of basic marksmanship skills. These skills are the same for the beginner shooter to the advanced. All principles are based from here: *Stance, Grip, Sight Picture, & Trigger Press*. These fundamentals start with the student's Stance. Stance is the foundation to proper presentation of the firearm to the intended target. This drill will also develop a better understanding of trigger press and reset. Instructors at this beginning stage must re-enforce to the student that both trigger press and sight picture must work together. The student will understand the importance of continuing to focus on the front sight and understand the term "Eye Sprinting" which will change the shooters point of aim.

### 3 Yards:

- From the Low Ready Position
  - 1 round on target to identify the point of impact
  - 2 rounds to point of impact
    - objective is to make the two rounds go through the same hole
  - Repeat 5 times or until the weapon locks back
  - Do Not reload at this point



## Range Day I Drill II

## Combat Reload:

This drill will teach the student how to make a smooth magazine change when the weapon locks back causing the shooter to perform a combat reload. Students must remember to apply the technique "Slow is Smooth & Smooth is Fast" when making the combat reload or tactical reload. Instructors must drill this mantra home to the students "Slow is Smooth, & Smooth is Fast" This is an area that requires a smooth and fast transition.

- Load one magazine with 1 round & administratively load
- Load 2 magazines with 2 rounds each
- Repeat "One Hole Drill" at 3 yards making combat reloads
- o Repeat Drill 6 times with 3 magazines changes for muscle memory
- o Add distance as class progresses

## Range Day I Drill III

### Tactical Reload:

This drill is designed to develop an understanding of "Heavy Magazines & Light Magazines". Under stressful conditions students will not count rounds so developing a feeling for the weight of their weapon with a fully loaded magazine and light magazine is important. When choosing to make a tactical magazine changes the student must make tactical decision to do so. (S)he must take into consideration:

- Cover & Concealment
- Is there obvious pause in the situation
- Is their magazine light or heavy
- Is tactically sound to perform the change

When making a tactical magazine change:

- Student will reach for full magazine and placing it between their thumb and index finger making an OK sign.
- Student will drop the magazine from their pistol into the palm of their hand, assist if necessary
- Student will insert a fully loaded magazine (heavy)
- Student will take the Light Magazine and place it in a pocket or belt "not in their magazine pouch"
- Move to cover if available

Repeat One Hole drill making Tactical Magazine changes Emphasize front sight focus and fundamentals increase distances as class progresses



## Range Day I Drill IV

### Stoppage Drills:

Stoppage is defined as anything which causes the weapon not to fire when an attempt to fire is made. Stoppage is a more general term for malfunction, which ever you call it, it indicates the weapon has ceased to fire. Whether by mechanical failure or operator error, the weapon needs to be brought back to operational status by the officer. To accomplish this, the student needs to go through a process to make their weapon function properly. These drills will enable the students to understand how to clear their weapons quickly and proficiently with out thinking. They are designed to be reflexive so the student can identify their threat and reassess if deadly force is still needed.

## <u> Phase I Stoppage Drill</u>

- Immediate Action Drill
  - Take 4 dummy rounds and place them randomly in a magazine
  - Administratively load the magazine with the dummy rounds.
  - Perform the one hole drill
  - Clear Stoppage by (Tap Roll / Rack, Assess or Ready Bang)
    - 1. Tapping the bottom of the magazine
    - 2. Racking(pulling) slide to the rear while rolling the weapon
    - 3. Assess or Ready the target
    - 4. Bang (fire) if lethal threat is still present
  - Repeat drill minimum 10 times for muscle memory
  - Emphasize front sight and fundamentals
  - Increase yardage as students progress

## <u>Phase II Stoppage Drill</u>

- Phase II clearing procedure
  - Take empty brass casings of the same caliber, approximately 3 to 4
  - Randomly load them into one magazine
  - Perform one hole drill
  - o Try to clear stoppage first by; Tap Roll / Rack Assess/Ready Bang
  - o If unsuccessful, perform Lock, Rip, Run, Tap Rack, Assess/Ready Bang
    - 1. Tapping the bottom of the magazine
    - 2. Rolling / Racking(pulling) slide to the rear
    - 3. Assess/Ready the target
    - 4. Bang (fire) if lethal threat is still present
  - If above fails, clear stoppage from behind cover
    - 1. Lock the slide to the rear
    - 2. Rip the magazine out
      - a. Place in a pocket or discard do not place magazine that is being ripped out into magazine pouch.
    - 3. Run the slide back and forth clearing the chamber,



- a. The weapon can be rolled to assist in the chamber clearing
- b. A quick visual check should be made to ensure the chamber and the magazine well is clear
- After chamber is clear repeat Tap, Rack, Assess/Ready, Bang. This step is done to make the weapon street ready again.
- **Note: Instructors may** <u>expand distances</u> and time spent on each of these basic drills by repeating more then the recommended, under each category. All above drills have the same ending objective, to continue to perform basic marksmanship skills while performing the different clearing and reloading procedures.

MPTC Static	Qualifications	Totals Rds
15 yards		10Rds
10 yards	2Rds From Holster 3Rds From Holster 5RdsFrom Holster	10Rds
7 yards 5 yards	10Rds From Holster   2 Rds From Holster   2 Rds From Holster   2 Rds From Holster	10Rds
	2 Rds From Holster 4 Rds From Holster	10Rds
3 yards	<ul><li>2 Rds From Holster Flash Front Sight</li><li>3 Rds From Holster Flash Front Sight</li><li>2 Rda From Holster Flash Front Sight</li><li>3 Rds From Holster Flash Front Sight</li></ul>	10Rds

## Range Day I Drill V

### **Shoot Course Twice**

100 Rounds

Shooters will work through reloading procedures during this simple qualification course of fire. Instructor will add a tactical reloads during the course of fire. Scanning for additional threat must be emphasized here before they holster. Instructors should be looking to make sure all students secure all the safety devises that are on their department issued holster. At the end of the course make all weapons SAFE & CLEAR. (See MPTC Firearms Training Policy & Procedure)

Instructors should be identifying problem areas with the students and making corrections. If a student appears to be having a specific problem using the form below, document and make corrections. If extra time is needed check the "Yes" box and start remedial on range Day II

<b>Range Day I Problem Shooters:</b>			DATE:	
NAME:			DEPARTMENT:	
Safety			Corrections:	
Stance:			Corrections:	
Grip:			Corrections:	
Draw:			Corrections:	
Sight Picture:			Corrections:	
Trigger Press:			Corrections:	
Combat Reload			Corrections:	
Tactical Reload			Corrections:	
Phase I Malfun.			Corrections:	
Phase II Malfun	.□		Corrections:	
Additional Time Needed Yes No				
Addition Comments and Corrections:				
Lead Firearms Instructor:				

## <u>Range Day II</u> <u>Training Gun Drills</u>

### Students will Secure their Firearms

Students will secure their weapon an approved locking device as set forth under MGL 140 Sec.131L and secure them in their vehicle

#### Handgun Retention Review

- 1. Student will use their Red Training Weapons
- 2. Students will pair off and review
  - a. Pin & Spin
  - b. Shielding Technique
  - c. Forearm Strikes
  - d. Retention from the rear

### Weapons Cleaning:

Students will clean and lubricate their weapon at home and present to Instructors at the next day of training a Safe and clean weapon. Students are reminded to use safety procedures that they have been taught when cleaning their weapons.

### **Debrief Days Events:**

**Lead Safety Review:** Instructor will review the Lead Safety handout

#### Break down range:

End of Day

Range Day I Daily Ir	nstructor Log	DATE <u>:</u>	
2		5	
3. <u> </u>		0	
Academy Class:			
Safety	Comments <u>:</u>		
Stance:	Comments		
Grip:	Comments <u>:</u>		
Draw:	Comments <u>:</u>		
Sight Picture:	Comments		
Trigger Press:	Comments <u>:</u>		
Combat Reload 🛛	Comments <u>:</u>		
Tactical Reload 🛛	Comments		
Phase I Malfun. 🔲	Comments <u>:</u>		
Phase II Malfun. 🗆	Comments <u>:</u>		
Addition Comments			

Lead Firearms Instructor: \_\_\_\_\_

## **Overview Class Room Dry Fire Day II:**

Day two of classroom dry fire is a continuation of day one. Students will assemble in a large open area, example; gym, and perform fundamental drills with a safe and clear departmental duty weapon. The firearms simulator will continue to be used for skill building sessions and students that appear to be having difficulty will spend more time here. Students will run through most drills they encounter on day one of the live fire portion. Dummy rounds that were required will be used to perform cycling drills and loading procedures. At the end of the session all students should be familiar with their duty weapon and it operation.

## Student Objectives

At the completion of training, the student will be able to:

- 1. Explain the importance of safety and safe firearms handling;
- 2. Perform safe clearing procedures;
- 3. Demonstrate proper loading procedure with dummy round
- 4. Understand the importance of trigger manipulation
- 5. Understand site picture and how all the fundamentals work together as one
- 6. Develop muscle memory to the components on drawing and re-holstering
- 7. Perform loading and unloading procedures
- 8. Understand what a stoppage is and how to clear it properly
- 9. Understand administrative loading; tactical loading and combat loading
- 10. Students will develop a good shooting platform and how to move with their firearms out

## Equipment Required:

- 1. Personal Safety Equipment
  - a. Full Wrap Around Hearing Protection all personnel on range
  - b. Wrap around eye protection all personnel on range
  - c. Soft body armor all personnel on range
  - d. Ball Cap all personnel on range
  - e. Red Training Firearm
  - f. Orange Dummy Round Correct Caliber
- 2. Student Equipment:
  - a. Duty Firearm with Duty Belt and Holster & Equipment
  - b. Cleaning Supplies
  - c. Baby wipes
  - d. Appropriate Weather Gear for Training

Instructors will read and review with students the range safety rules. After completion students will sign and hand in to instructors on the first range day.

Range Rules

## Safety rules, Procedures and Regulations Are expected to be followed by all shooters

## SAFETY IS EVERYONE'S RESPONSIBILITY!

- 1. Keep weapon pointed in a safe direction at all times.
- 2. Do not handle any weapons while anyone is down range.
- 3. Never draw the weapon with your finger on the trigger.
- 4. Never bend over on the firing line until the line has been declared "safe".
- 5. Obey all commands from Range Master
- 6. Never holster any weapon with the hammer in the single-action mode or with your finger on the trigger. This applies to double action weapon only.
- 7. Dry fire is only performed under the guidance of the firearms instructors. DO NOT dry fire unless instructed to do so.
- 8. **"The finger remains off of the trigger and outside the trigger guard** until the weapon is on target and the officer has determined the use of deadly force is imminent" ( i.e. Trigger Finger Management ).
- 9. Unsafe acts or unsafe behavior on the range will not be tolerated.

## Do not take live ammunition into the cleaning area.

I have and reviewed and understand all of the above Range rules. I will comply with these rules and conduct myself as a professional and responsible police officer.

Signature:	Date:

#### Municipal Police Training Committee Recruit Firearms Training

Instructors each day will review the Safety Rules prior to the start of any firearms handling.

- Have students read the rules and sign them
- Each student can take one rule

### Safe Training Area:

Instructors will inspect students, classroom, gear bags, and each other for any live ammunition in the training area prior to any firearm removed from their cases or holster. Signage posted outside the training area shall be read;

### "NO LIVE AMMUNITION ALLOWED IN TRAINING AREA. THIS IS A RESTRICTED AREA. ALL PERSONS SHALL BE CHECKED UPON ENTERING REGARDLESS OF THEIR AUTHORITY. ANY PERSON MAY CHALLENGE ANY ONE WHO ENTERS OR RE -ENTERS THE TRAINING AREA."

Instructors shall make safety a priority to all their firearms training. Instructors will designate a clearing area where students can clear their weapons; they will employ the "triple check" policy.

### Instructors Responsibilities:

- Safety officers will be appointed to inspect anyone entering the training area.
- Instructor will have no live ammunition on themselves or in the training area
- Clearing area will be designated
- All personnel will be checked for live ammunition prior to the start of dry fire exercises.
- Manufactured dummy rounds shall be the only dummy round allowed in the training area.

### Dry Fire Drill I Administrative Loading & Unloading

- 1. Students will break off into 2 groups.
- 2. The groups will count off by 2's
- 3. Both groups now are broken into shooter pacer (Group 1 & Group 2)
- 4. Group 1 on the line Group 2 behind them as pacers
- 5. Instructors will demonstrate Admin Load and Unload
- 6. Students will load each magazine with 2 orange Dummy Rounds
- 7. Students will perform the administrative loading and unloading
- 8. Repeat drill 5 times each
- 9. Switch Group 2 on the line and 1 behind them as pacers
- 10. Repeat drill

The shooter/pacer method is a teaching tool to give the students that are standing behind, a learning experience by observing the students actually performing the exercise.

### Dry Fire Drill Core Fundamentals Drill (CFD) *Five Step Draw& Sight Picture*

### **Establishing the Grip:**

The portion of a firearm designed to be grasped by the shooting hand in the normal Operation is the grip. The grip is established with the draw of the weapon from the holster.

### 1. GRIP:

Weapon hand firmly establishes the shooting grip on the weapon with trigger finger straight along the side of the holster. The retention devices (snaps) are undone as the grip is established.

#### 2. **DRAW:**

Weapon is drawn far enough up so the muzzle is clear of the holster.

#### **3. ROTATE**:

The muzzle is rotated 90 degrees to the horizontal and now points towards the threat (The threat may be engaged at any time here on in as this is the traditional "hip shooting" position.)

#### 4. TOGETHER:

The weapon is brought upward to the center of the chest as the support hand comes up and behind the weapon from the other side forming your two hand hold.

#### 5. UP:

The weapon, now supported by both hands, is brought up to eye level and the sight picture obtained. Fire if the situation dictates.

### Instructors will remind student to keep:

- Hand high on the back strap of the firearm.
- Trigger finger should be placed to make the easiest press of the trigger
   First joint.
- Pressure with both hands on the grip
  - Must be equal.
- . Thumb of the support hand alongside the thumb-piece
  - Under the tip of the strong thumb.
- NOTE Important,
  - Support thumb crosses the back strap = an injury
- Canter approximately 30 degrees to the support hand.
  - Allows more of the support hand palm to come in contact with firearm frame.
  - Allows better rap of the fingers around the strong hand.
- 1. Students will draw to low ready
- 2. Command "UP"
- 3. Students will come up on target and with proper sight picture
- 4. Command "Holster"
- 5. Students will "Scan" and return to holster
- 6. Repeat minimum 5 times

Instructor will stress the importance of the Stance and Grip to students remembering "Slow is smooth & Smooth is Fast. Instructors will stress to student when holstering their weapon there is no such thing as "Speed Holstering", making sure that student scan for additional threats an putting their weapon away without looking at their holster.

### **Dry Fire**

## Dry Fire Core Fundamentals Drill: (CFD)

Students will develop an understanding of the principles of basic marksmanship skills. These skills are the same for the beginner shooter to the advanced. All principles are based from here: *Stance, Grip, Sight Picture, & Trigger Press.* These fundamentals start with the student's Stance. Stance is the foundation to proper presentation of the firearm to the intended target. This drill will also develop a better understanding of trigger press and reset. Instructors at this beginning stage must re-enforce to the student that both trigger press and sight picture must work together. The student will understand the importance of continuing to focus on the front sight and understand the term "Eye Sprinting" which will change the shooters point of aim.



Tape Target (example to right), onto wall for students to sight on

- Student will establish
  - o Stance
  - o Grip
  - Place the muzzle on the target with the proper grip and stance
  - Remove the muzzle from the target approximately 1" continuing to grip & stance
  - Establish sight picture
  - Press trigger & follow through
  - Partner/Pacer cycle weapon
  - Student releases trigger to reset then press again
  - Repeat 5 times

Students are looking for front sight movement, (anticipation of recoil)

- Emphasize focusing on front sight
- Continue to remind student of trigger press

## Dry Fire Day II

### Combat Reload:

This drill will teach the student how to make a smooth magazine change when the weapon locks back causing the shooter to perform a combat reload. Students must remember to apply the technique "Slow is Smooth & Smooth is Fast" when making the combat reload or tactical reload. Instructors must drill this mantra home to the students "Slow is Smooth, & Smooth is Fast". This is an area that requires a smooth and fast transition. "**USE DUMMY ROUNDS ONLY**"

- Load one magazine with 1 dummy round & administratively load
- Load 2 magazines with 2 **dummy rounds** each
- Students will Draw on the command "UP" and perform core fundamental drill.
- Students will manually cycle weapon to lock back
- Perform Combat reload.
- Instructors will explain the importance of cover if available
- Repeat Drill 6 times with 3 magazines changes for muscle memory



## Dry Fire Day II

### Tactical Reload:

This drill is designed to develop an understanding of "Heavy Magazines & Light Magazines". Under stressful conditions students will not count rounds so developing a feeling for the weight of their weapon with a fully loaded magazine and light magazine is important.

During the dry fire exercise students will not have the ability to feel the weight of fully loaded magazines during this drill. Instructor must explain this concept during the live fire program.

When choosing to make a tactical magazine changes the student must make tactical decision to do so. (S)he must take into consideration:

- Cover & Concealment
- Is there obvious pause in the situation
- Is their magazine light or heavy
- Is tactically sound to perform the change

When making a tactical magazine change:

- Student will reach for full magazine and placing it between their thumb and index finger making an OK sign.
- Student will drop the magazine from their pistol into the palm of their hand, assist if necessary
- Student will insert magazine of dummy rounds
- Student will take the magazine and place it in a pocket or belt "not in their magazine pouch"
- Move to cover if available

Repeat CFD with Tactical Magazine changes Emphasize front sight focus and fundamentals.

## Dry Fire II

### Stoppage Drills:

Stoppage is defined as anything which causes the weapon not to fire when an attempt to fire is made. Stoppage is a more general term for malfunction, whichever you call it, it indicates the weapon has ceased to fire. Whether by mechanical failure or operator error, the weapon needs to be brought back to operational status by the officer. To accomplish this, the student needs to go through a process to make their weapon function properly. These drills will enable the students to understand how to clear their weapons quickly and proficiently without thinking. They are designed to be reflexive so the student can identify their threat and re-assess if deadly force is still needed.



## Phase I Stoppage Drill

- Immediate Action Drill
  - Take 4 dummy rounds and place them in a magazine
  - Administratively load the magazine with the dummy rounds.
  - Perform the CFD
  - Clear Stoppage by (Tap/ Rack, Assess or Ready Bang)
    - 1. Tapping the bottom of the magazine
    - 2. Racking (pulling) slide to the rear.
    - 3. Assess or Ready the target
    - 4. Bang (fire) if lethal threat is still present
  - Repeat drill minimum 2 times
  - **Don't repeat drill more than 2 times** to prevent training scares.
    - If repeated frequently student may perform immediate action drill every time they fire their weapon.
    - This drill is better performed during live fire exercises.
  - Emphasize front sight and fundamentals

## <u>Phase II Stoppage Drill</u>

Phase II clearing procedure.

- This drill can only be correctly performed outside due to safety concerns, because it involves using brass casings.
- Students will perform this drill by simulating the phase II stoppage.
  - Load dummy rounds into magazines
  - Perform CFD
  - Try to clear stoppage first by; Tap / Rack Assess/Ready Bang
  - If unsuccessful, perform Lock, Rip, Run, Tap / Rack, Assess/Ready Bang
    - 1. Tapping the bottom of the magazine
    - 2. Racking(pulling) slide to the rear
    - 3. Assess/Ready the target
    - 4. Bang (fire) if lethal threat is still present
  - If above fails, clear stoppage from behind cover
    - 1. Lock the slide to the rear
    - 2. Rip the magazine out
      - a. Place in a pocket or discard do not place magazine that is being ripped out into magazine pouch.
    - 3. Run the slide back and forth clearing the chamber,
      - a. The weapon can be rolled to assist in the chamber clearing
      - b. A quick visual check should be made to ensure the chamber and the magazine well is clear
  - After chamber is clear repeat Tap, Rack, Assess/Ready, Bang. This step is done to make the weapon street ready again.

## Live Fire Day II Overview Range Day II:

Day II on the range will be a continuation of safety, marksmanship and proficiency. Students will build on the fundamentals they learned on Range Day I and build on more front flash sight picture and one hand shooting techniques, building on "smooth equals speed". They will be engaging threats at extreme close quarter battle (ECQB) after deploying distraction techniques they have been taught in Defensive Tactics. Force transitioning will also be included at CQB. Students will incorporate movement into their shooting skills engaging multiple targets while moving with a pacer. At the end of the day, students will shoot a MPTC qualification with movement.

## Student Objectives

Upon completion, students shall be able to:

- 1. Perform Safe and efficient live fire drills;
- 2. Draw smoothly and use the flash front sight picture;
- 3. Develop one hand point shooting techniques;
- 4. Apply defensive tactics techniques and engage targets after they transition from an intermediate force continuum to deadly force;
- 5. Demonstrate the ability to move with the firearm out and on target and the ability to shoot while moving;
- 6. Engage multiple targets while moving in different directions;
- 7. Successfully shoot the MPTC Qualification with Movement
- 8. Student will review Handgun Retention

## **Equipment Required:**

- 1. Personal Safety Equipment
  - a. Full Rap Around Hearing Protection all personnel on range
  - b. Wrap around eye protection all personnel on range
  - c. Soft body armor all personnel on range
  - d. Ball Cap all personnel on range
  - e. Red Training Firearm
- 2. Orange Dummy Round Correct Caliber Student Equipment:
  - a. Duty Firearm with Duty Belt and Holster & Equipment
  - b. Cleaning Supplies
  - c. Baby wipes
  - d. Appropriate Weather Gear for Training
- 3. Range Equipment
  - a. Targets
  - b. Staples
  - c. Gunshot Trauma Kit/First Aid Supplies
  - d. Range Injury Action Plan
  - e. Establish Loading Zone

## Range Day II

Instructors will read and review with students the range safety rules. After completion students will sign and hand in to instructors the first range day.

## Range Rules

## Safety rules, Procedures and Regulations Are expected to be followed by all shooters

## SAFETY IS EVERYONE'S RESPONSIBILITY!

- 1. Keep weapon pointed in a safe direction at all times.
- 2. Do not handle any weapons while anyone is downrange.
- 3. Never draw the weapon with your finger on the trigger.
- 4. Never bend over on the firing line until the line has been declared "safe".
- 5. Obey all commands from Range Master
- 6. Never holster any weapon with the hammer in the single-action mode or with your finger on the trigger. This applies to double action weapons only
- 7. Dry fire is only performed under the guidance of the firearms instructors. DO NOT dry fire unless instructed to do so.
- 8. **"The finger remains off of the trigger and outside the trigger guard** until the weapon is on target and that the officer has determined the use of deadly force is imminent" (i.e. Trigger Finger Management ).
- 9. Unsafe acts or unsafe behavior on the range will not be tolerated.

## Do not take live ammunition into the cleaning area.

I have and reviewed and understand all of the above Range rules. I will comply with these rules and conduct myself as a professional and responsible police officer. Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## <u>Range Day II</u> <u>Training Gun Drills</u>

### Students will Secure their Firearms

Students will secure their weapon an approved locking device as set forth under MGL 140 Sec.131L and secure them in their vehicle

### Movement / Dry Fire:

- Forward
- Rear
- Lateral
- Pivots

Instructor will demonstrate each movement to the students and why one movement has advantages over the other. Student will practice these movements with their **Training Firearms** before proceeding to live fire exercises. Instructors will break the groups down into smaller group at this point when practicing the four basic movements.

#### Forward:

Students will start at the 15 yard line with Red Training Weapons up on target On the command "Advance"

Students will perform the forward movement to the 3 yard line

Instructor will cycle the student through 3 times for forward movement

#### **Rearward**:

Students will start at the 3 yard line with Red Training Weapons up on target On the command "Advance"

Students will perform the Rearward movement to the 15 yard line

Instructor will cycle students through 3 times for rearward movement

### Lateral Side Step:

Students line up on the 5 yard l	ine with Red Training Weapons up on Target			
On the Command	"Deadly Threat"			
Students will Lateral Side Step	"Right"			
On the Command	"Deadly Threat"			
Students will Lateral Side Step	"Left"			
Denset Merry and 5 Times Use Left 9 Disht as a more of the laser the sub-she				

Repeat Movements 5 Times, Use Left & Right as command to keep the whole firing line moving in the same direction

#### **Pivots:**

# Pivots will be done from the holster at this time. Later instructors will demonstrate the "Sul" method of the "Safety Circle."

Student line up on the 15 yard line facing "**Right**" Red Training Weapons Holstered On the Command "Gun" Students will "Look Left" & "Pivot Left" Draw their Red Training Weapon and Challenge Students line up on the 15 yard line facing "**Left**" Red Training Weapon Holstered On the Command "Gun

Students will "Look Right" & "Pivot Right"

Municipal Police Training Committee Recruit Firearms Training

Draw their Red Training Weapon and Challenge Student line up on the 15 yard line facing **"Rear"** Red Training Weapons Holstered On the Command "Gun" Students will "Look over their Right shoulder" & "Pivot" Draw their Red Training Weapon and Challenge

**NOTE:** Instructors will repeat each movement 5 times dry or as many times as necessary to be sure all students perform the movements safe and effectively.
## <u>Range Day II Drill I</u>

Warm up

Instructors must remember that all shooting techniques come from the core fundamentals. If extra time on these drills of fundamentals spent here, students will find Instinctive/Flash front sight, point shooting, natural. There ability to make quality hits at close range under timed and stressful condition will increase.

#### Warm up Drill from 3 Yards:

With a clear and safe weapon:

- 1. Establish the stance
- 2. Establish the grip
- 3. Establish site picture

**Note:** Load and make ready with a street ready weapon:

#### Students will Start from Low Ready Position

- 1. From the low ready
- 2. On the command, fire one round to establish point of aim and point of impact
- 3. On the command fire 2 rounds same point of aim
- 4. Repeat with 3 magazines for total of 30 rounds
- 5. Using the target to the right "Practical Shooting Academy, Ron Avery"
- 6. Working on fundamentals, shoot 1 round in each target.
- 7. Break the course of fire down to 1 row at a time
- **Note:** When running the line remind students of the fundamentals, Sight, Press, Follow through, reset. Commands need to show the importance of front sight and the continuous focus on the front sight through the course of fire. We need to remind students when changing focus changes point of aim / point of impact.
- **Note:** This drill is excellent for students that are having fundamental problems and should be used for those who need remedial training





## <u>Range Day II Drill II</u>

## 3 Yards CQB

#### From the Holster

- 1. Repeat above but from holster
- 2. Fire 1 round each target total 5 rounds
- 3. Using Target to the right for "Practical Shooting Academy, Ron Avery"
- 4. Repeat 3 magazines 30 rounds
- 5. Each time after completion of rounds fired, student returns weapon to the holster and snap in.
- **Note:** This is not speed drawing, students will work on smooth transition from the holster to the grip. The mantra we need to keep drilling into students (Slow is Smooth, Smooth is fast). Instructors want students to develop muscle memory from the draw to on target with the proper sight alignment. Students will work their way around the target shooting one round in each circle. As they shoot, students are encouraged to speed up. Instructor should remind student of trigger press and reset with this drill. Instructors want students to speed up only to the point of making quality hit on target. If they start missing rounds out of the gray circle, students need to slow down and find their comfort zone that gives them quality hits.

## <u>Range Day II Drill III</u>

#### 5 Yards

Instructor must have students make weapons Clear and Safe

#### Dry Fire Closing Eyes

- 1. From the 5 yard line with Partner/Pacer
- 2. With a clear and safe weapon
- 3. Students in proper stance
- 4. From the "Low Ready"
- 5. On the command "UP" with "Eyes Closed"
- 6. Drill is performed 3 time with eyes, 4<sup>th</sup> time close eyes
- 7. Open eyes and check sight alignment call the shot
- 8. Cycle weapon manually holster and repeat
- **Note:** The purpose of this drill is to demonstrate that muscle memory will take over. Instructor will go from low ready to up on target three times with their eyes open. The fourth time students will close their eyes come on target and press trigger, open their eyes and call shot. When exercises are repeated the student will naturally point to the area the muscle memory has developed. Muscle memory is an excellent tool but, instructors should be aware of training scars that can be made when the technique is performed incorrectly.







## Range Day II Drill IV

#### 5 Yard

#### Live Fire Closed Eyes

- 1. From the 5 From yard line with Partner /Pacer
- 2. With a street ready weapon
- 3. Students in proper stance at Low Ready
- 4. On the command "UP" with eyes open
- 5. Students will come on target "DO NOT FIRE"
- 6. Repeat 3 times from "Low Ready"
- 7. From "Low Ready CLOSE EYES" 4<sup>th</sup> time
- 8. Student will fire 2 Rds
- 9. Open eyes and check point of impact
- 10. Holster with EYES OPEN!
- 11. Repeat 1 magazines 15 rounds



**Note:** Line should be broken down into shooter partner/pacer. Pacer should be behind the student to ensure safety during this drill. Student's point of aim at this point should be developed threw muscle memory and in the correct general area of impact as if students had their eye open

## <u>Range Day II Drill V</u>

#### 7 Yards Live Fire Step and Move

- 1. From the 7 Yard Line with Pacer
- 2. With a street ready weapon
- 3. On the command "Lethal Threat"
- 4. Step Right Draw fire 2 rounds Using Target to the Right "Practical Shooting Academy, Ron Avery" Trigger Bar Target
- 5. Step Left Draw fire 2 rounds
- 6. Repeat 3 Magazines or 30 rounds 15 rounds left, 15 rounds right
- 7. Replace Trigger Bar target with Q target
- 8. Step Right while drawing fire "**Failure Drill**" 2 rounds center mass one head
- 9. Step Left while drawing fire "Failure Drill" 2 rounds center mass on head
- 10. Repeat 3 magazines 15 right, 15 left





**Note:** Students will move left and right during this exercise before firing and then engage threat. This drill will put the officer at a better advantage by making the assailant react to the officers movements. The drill is designed with a building block approach to the final block draw while moving left or right. Remember here, "SLOW IS SMOOTH, SMOOTH IS FAST". By this time the draw from the holster should be smooth and clean. Be aware students will sometimes get lazy and not secure their weapon in the holster. Instructor will add magazine changes and malfunction to this drill

#### <u>Range Day II Drill VI</u> 0 to5Feet ECQB Live Fire Reactive Shooting Two Hands

- 1. From the 0 to 5 Feet with a Pacer
- 2. With a street ready weapon
- 3. Holding a shingle / clip board
- 4. On the Pro Timer buzzer or whistle
- 5. Draw and fire two rounds
- 6. Repeat at various distances between 0 & 5 Feet for 3 magazine 30 rounds
- 7. Add left and right movements
- 8. Add Tactical Reload
- 9. Optional Malfunction drill
- *Note:* This is drill simulating officer writing a citation and reacting to a Perceived Deadly Force Threat. The objective is to react with a smooth transition from the holster up on target quickly. And added addition to the dropping of the citation book would be to throw the citation book at the threat as a distraction technique. At this point officer's core fundamentals and shooting platform should be consistent enough that they are instinctively/ flash front sight, pressing the trigger and making quality hits. Instructors should incorporate movement here Left & Right and add magazine changes and malfunction to this drill. Instructors will also incorporate defensive tactic here, punches, blocks etc....

## <u>Range Day II Drill VII</u>

#### 0 to 5 Feet ECQB

#### Live Fire Reactive Shooting One Hand Point

- 1. From the 0 to 5 Feet with pacer
- 2. With a street ready weapon
- 3. Holding a shingle/ clip board
- 4. On the Pro Timer buzzer or whistle
- 5. Move Draw and fire 2 rounds one hand point 2 seconds
- 6. After firing have students come up clearing/scanning with two handed grip
- 7. Repeat at various distance between 0 & 5 Feet ECQB and CQB for 3 magazine 30 rounds
- 8. For ECQB tactic 3 feet and in, personal space





**Note:** The above two drills are reactive and instinctive shooting at this point students should be smoothly transitioning from the holster to the threat. At 3 feet and in, ECQB instructor will remind student of keeping the weapon in tight and cantered letting the index finger guide the way. Remind student after shooting to move and create distance coming up on target with two hand natural point on aim. Instructor will incorporate defensive tactic and add magazine changes and malfunctions to this drill.

## <u>Range Day II Drill VIII</u> 7 Yards - Turns & Pivots

#### Live Fire - Turns & Pivots

- 1. From the 7 Yard with a pacer / monitor
- 2. With a street ready weapon
- 3. Firing line will face "Left" with weapons holstered.
- 4. On the command "Gun", students will look right identify the target and turn
- 5. Students will Draw and challenge
- 6. On the command "Lethal Threat" fire three rounds at prescribed bar target.
- 7. Repeat drill from line facing "Right"
- 8. Repeat Drill with line facing "Rearward"
- 9. Repeat 10 rounds each direction 30 rounds
- 10. Add malfunction to drill
- **Note:** Instructors will have pacers/monitors as always to be sure students move and turn in the correct directions. Again these pacers and monitors can be fellow students which works to assist in the learning curve for some students by observing the drill prior to performing it. They will also assist with the student on the firing line to be another set of eyes for them. This drill is designed for the student to show them that all threats are not in front of them. It will re-enforce the scanning portion of that all officers need to perform prior to holstering their weapon. Instructor will add magazine changes and malfunctions



## <u>Range Day II Drill IX</u> 10 Yards Turns, Pivots & Forward Movement

#### Live Fire Turns, Pivots, & Movement

- 1. From the 10 Yard line with a pacer / monitor
- 2. With a street ready weapon
- 3. Firing line will face "Left" with weapons holstered.
- 4. On the command "Gun", students will look right identify the threat and turn
- 5. Students will draw and challenge the threat
- 6. On Command "Advance"
- 7. Students with Pacer will advance with forward movement to 7 yard line
- 8. Students while advancing will challenge the threat
- 9. On the command "Lethal Threat" fire three rounds center mass.
- 10. Repeat drill from line facing "Right"
- 11. Repeat Drill with line facing "Rearward"
- 12. Repeat 10 rounds each direction 30 rounds
- 13. Add malfunction to drill
- 14. Instructors can have student perform Failure Drill (two round center mass one round head)
- 15. Move students back to 15 yards and advance to 10 yards.
- Note: The pacers will keep the firing line straight while it advances making sure no students get out in front of one another for safety. Instructors will make sure students have their weapon up and on target as they advance. Student should be challenging the threat as they advance. At this point students will only engage threat when they hear the commend "Lethal Threat". Instructor will give that command when all students are at the 7 yard line. Instructor will explain to pacer that they will have hold of their duty belt to guide them, speed them up or slow them down.



## <u>Range Day II Drill X</u>

## **10 Yards Movements**

#### Lateral Side Steps

- 1. Students will line up on 10 Yard line with pacer
- 2. With a street ready weapon
- 3. Student will move on the command Left with weapons in the "Low Ready Position"
- 4. On the command "**UP**", fire failure drill at the target in front of them
- 5. Students should only fire on **Shoot Targets.** Students facing a "no shoot" target will cover the target.
- 6. Student will fire two rounds center mass & one round head
- 7. Students will fire on the move working through magazine changes & malfunctions.
- 8. Student should not stop.





**Note:** Instructor should break the firing line down into small groups with pacers. Student should continue to move and shoot and work through magazine changes and malfunctions. Instructors can mix targets any way they wish. The object is to familiarize the student with the lateral side steps and not all target will be shoot that appear in front of them. Instructors are looking for crossing of the feet, make sure student don't cross their feet



## <u>Range Day II Drill XI</u>

#### 10 Yards Movements Rearward Movement / Fall back Drill

- 1. Students will line up on 3 yard line with pacer
- 2. With street ready weapon
- 3. Students will fall back to 10 Yards
- 4. On Command "UP"
- 5. Students will draw fire 2 rounds center mass point shooting and fall back to 10 yards.
- 6. On each whistle while moving student will fire 2 rounds center mass
- 7. Students must continue to move as they fire
- 8. Pacers will guide the line back and keep them moving making sure they don't stop while firing
- 9. Students will work through magazine changes and malfunctions





**Note:** Students will fall back to the 10 yard line with the bent knee walk. On the "UP" command, students will draw and point shoot two rounds to center mass, and fall back to 10 yards. Students will fire two additional rounds on the whistles as they fall back while moving to rear. Students must not stop, they must shoot on the move. Pacers will guide them back an ensure they move while they shoot. Instructor must explain and remind students that they need to look quickly over their shoulder. An example would be retreating to their cruise for cove while covering the threat they have encountered.

## <u>Range Day II Drill XII</u> 5 Yards Force Transitioning

#### Force transition Drill

- 1. Students will line up on 5 yard line with pacer monitor
- 2. With street ready weapon holstered
- 3. Students will have their O/C out two hand grip
- 4. On the command "Lethal **Threat**"
- 5. Student will transition to their firearm
- 6. Student fires 2 rounds center mass flash front sight / instinctive.
- 7. Students will work through magazines changes and malfunctions
- 8. Student will use a different tools each time, O/C, Baton, Handcuffs etc...
- 9. Repeat drill 3magazines 30 rounds with movement



- **Note:** Students will have a force option tool in their hand and their firearms holstered. On the command "**Lethal Threat**" Students will transition to their firearm. Instructor should demonstrate and explain the pros and cons of dropping their tools or holding on to them. Student will try both methods of holding on to them or throwing them down.
- **Note:** Instructor to this point have covered everything that will take place in the MPTC Qualification with Movement.

"COVER"

"READY"

"OKAY"

"COVERING"

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#### 15 Yards

• 2 Magazines each with 5 rounds

Range Day II Drill XIII

• Fire one magazine and perform a magazine change with communication

**MPTC** Qualification with Movement

- Fire second magazine
- Total rounds fired: 10 Shooters will fire the first magazine of 5 rounds and perform a magazine change. When performing that change shooters will communicate;
- Slide locks back /Shooter Shouts
- Malfunction
- Partner Shouts
- Magazine is changed Shooter Shouts
- Partner Shouts

This drill makes the shooter communicate to their partner that they have a problem.

#### 10 Yards

- Facing Left @ 15 yards, turn and move to 10 yards Fire 2 Rounds
- Facing Right @ 15 yards, turn & move to 10 yards
- Facing to the Rear @ 15 yards turn & move to 10 yards

Shooters will start at the 15 yard marker, weapon holstered. <u>3 commands</u> (1) Shooters will turn, draw (2) Advance to the 10 yard mark with weapons drawn up on target.

(3) Shooter will fire when reaching the 10 yard marker the rounds required. This drill will be performed dry first before moving to live firing.

7 Yards

• Move from 15 yards to 7 yards Fire 10 rounds

Shooters will start at the 15 yard marker, weapon holstered.

<u>3 commands</u> (1) Shooters will, draw (2) Advance to the 7 yard mark with weapons drawn up on target. (3) 7 yard marker and fire the required rounds. Shooter will make magazine change if necessary.

Fire 3 Rounds

Fire 5 Rounds





#### MPTC Qualification with Movement (continues) 5 Yards

- Transition to Deadly Force Fire 2 Rounds
- Transition to Deadly Force Fire 2 Rounds
- Transition to Deadly Force Fire 2 Rounds Move Left
- Transition to Deadly Force Fire 4 Rounds Move Right

The Transition can be from O/C, Baton etc..., simulating that the current force level option has escalated to Deadly Force. Shooter will make magazine changes when necessary. On the command, shooter will transition to deadly force (Firearm)



# Score Targets after this section, Remember the 3 yard section shooter are given automatic credit for the rounds, but must be shot.

3 Yards & In	
CQB	Fire 2 Rounds

At this distance from the target there are many defensive tactics that can be deployed. The Firearms instructor will determine what tactic to be deployed at a Close Quarter Battle (CQB) condition. On the Command, Shooter will deploy the CQB tactic as instructed and demonstrated. Movement will be employed at this distance. All rounds will count when scoring the target.

This may be the first time some students have shot this qualification course. The scoring is below what recruits will need to pass the qualification portion of the program on the last day. If Instructor have time it is suggested you shoot it again so students become familiar with the course of fire.

#### **MPTC Qualification Scoring**

- 80% (minimum) overall score.
- MPTC Qualification with Movement
  - Replaces static MPTC Qualification Course
  - State standard
  - Must have at least 1 minimum score of 80% annually

#### Students will Unload and make Weapons SAFE

Instructors should be Identifying problem areas with the students and making correction. If a student appears to be having a specific problem using the form below, document and

make corrections. If extra time is needed check the "Yes" box and start remedial on range Day III

**Range Day II Problem Shooters:** 

|--|

NAME:			DEPARTMENT:
	Acceptable	Unacceptable	
Safety			Corrections:
CQB			Corrections:
ECQB			Corrections:
Forward:			Corrections:
Rearward:			Corrections:
Lateral:			Corrections:
Pivots			Corrections:
Force Trans.			Corrections:
MPTC Qual.			Corrections:
Additional T	ime Needed	Yes No	
Addition Cor	mments and C	orrections:	

#### Lead Firearms Instructor: \_\_\_\_\_

#### Students will Secure their Firearms

Students will secure their weapon an approved locking device as set forth under MGL 140 Sec.131L and secure them in their vehicle.

#### Weapons Cleaning:

Students will clean and lubricate their weapon at home and present to Instructors at the next day of training a Safe and clean weapon. Students are reminded to use safety procedures that they have been taught when cleaning their weapons

#### Handgun Retention Review

- 1. Student will use their Red Training Weapons
- 2. Students will pair off and review
  - a. Pin & Spin
  - b. Shielding Technique
  - c. Forearm Strikes
  - d. Retention from the rear

#### **Disarming Techniques**

- 1. From the front
- 2. From the rear

#### Note: Instructor should refer to Defensive Tactics Manual

#### **Debrief Days Events:**

Lead Safety Review: Instructor will review the Lead Safety handout

Break down range: End of Day

Range Day II Daily Instructor Log		nstructor Log	DATE:					
Instructors:	2		5					
Academy Cla	ass:							
Safety		Comments <u>:</u>						
CQB		Comments		_				
ECQB		Comments <u>:</u>		_				
Forward		Comments <u>:</u>		_				
Rearward		Comments						
Lateral		Comments <u>:</u>						
Pivots		Comments <u>:</u>						
Force Tran.		Comments						
MPTC Qual	·	Comments <u>:</u>						
Additional C	comments							

Lead Firearms Instructor: \_\_\_\_\_

## Live Fire Day III Overview Range Day III:

Day III on the range will build upon the movement that has been taught so far. Students will engage targets from their support side and know how to transition from strong side to support side. Students will incorporate the techniques of movement and now use them to move to cover and how to utilized cover to their advantage. They will be engaging threats at extreme close quarter battle (ECQB) after deploying distraction techniques and move to a position of cover. The technique of "Slicing the Pie" will be demonstrated and students will perform the slicing the pie in a practical exercises and understand its position of advantage that it has when engaging single or multiple targets. Students will take the technique and demonstrate how to clear both sides of the doorway.

## Student Objectives

Upon completion, students shall be able to:

- 1. Perform Safe and efficient live fire drills;
- 2. Draw smoothly and use the flash front sight picture;
- 3. Transition to support side shooting techniques
- 4. Use cover properly
- 5. Demonstrate the ability to move to a position of cover.
- 6. Shoot while falling back to cover
- 7. Slice the Pie
- 8. Clear a doorway
- 9. Engage multiple targets from a position of cover
- 10. Successfully shoot the MPTC Qualification with Movement Course
- 11. Student will review Handgun Retention Techniques

## **Equipment Required:**

- 1. Personal Safety Equipment
  - a. Full Rap Around Hearing Protection all personnel on range
  - b. Wrap around eye protection all personnel on range
  - c. Soft body armor all personnel on range
  - d. Ball Cap all personnel on range
  - e. Red Training Firearm
  - f. Orange Dummy Round Correct Caliber
- 2. Student Equipment:
  - a. Duty Firearm with Duty Belt and Holster & Equipment
  - b. Cleaning Supplies
  - c. Baby wipes
  - d. Appropriate Weather Gear for Training
- 3. Range Equipment:
  - a. Targets
  - b. Staples
  - c. Gunshot Trauma Kit/First Aid Supplies
  - d. Range Injury Action Plan
  - e. Establish Loading Zone
  - f. Barricades

## Range Day III

# Instructors will read and review with students the range safety rules. After completion students will sign and hand in to instructors the first range day.

Range Rules

## Safety rules, Procedures and Regulations Are expected to be followed by all shooters

## SAFETY IS EVERYONE'S RESPONSIBILITY!

- 1. Keep weapon pointed in a safe direction at all times.
- 2. Do not handle any weapons while anyone is downrange.
- 3. Never draw the weapon with your finger on the trigger.
- 4. Never bend over on the firing line until the line has been declared "safe".
- 5. Obey all commands from Range Master
- 6. Never holster any weapon with the hammer in the single-action mode or with your finger on the trigger. This applies to double action weapons only
- 7. Dry fire is only performed under the guidance of the firearms instructors. DO NOT dry fire unless instructed to do so.
- 8. **"The finger remains off of the trigger and outside the trigger guard** until the weapon is on target and that the officer has determined the use of deadly force is imminent" (i.e. Trigger Finger Management ).
- 9. Unsafe acts or unsafe behavior on the range will not be tolerated.

#### Do not take live ammunition into the cleaning area.

I have and reviewed and understand all of the above Range rules. I will comply with these rules and conduct myself as a professional and responsible police officer. Signature:\_\_\_\_\_\_Date:\_\_\_\_\_

## <u>Range Day III</u> <u>Training Gun Drills</u>

#### Students will Secure their Firearms

Students will secure their weapon an approved locking device as set forth under MGL 140 Sec.131L and secure them in their vehicle.

#### Handgun Retention Review

- 1. Student will use their Red Training Weapons
- 2. Students will pair off and review
  - a. Pin & Spin
  - b. Shielding Technique
  - c. Forearm Strikes
  - d. Retention from the rear

#### **Disarming Techniques**

- 1. From the front
- 2. From the rear

#### Note: Instructor should refer to Defensive Tactics Manual

#### **Positional Shooting Techniques**

- 1. Braced Kneeling
- 2. Speed Kneeling
- 3. California Kneeling
- 4. Prone
- 5. Role Over Prone
- 6. Inverted Prone

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## Range Day III Drill I Qualification with Movement:

#### **MPTC** Qualification with Movement 15 Yards

- 2 Magazines each with 5 rounds
- Fire one magazine and perform • a magazine change with communication
- Fire second magazine •
- Total rounds fired: 10

Shooters will fire the first magazine of 5 rounds and perform a magazine change. When performing that change shooters will communicate;

- Slide locks back /Shooter Shouts
- Malfunction
- Partner Shouts
- Magazine is changed - Shooter Shouts
- Partner Shouts "OKAY"

This drill makes the shooter communicate to their partner that they have a problem.

#### **10 Yards**

•	Facing Left @ 15 yards,	
	turn and move to 10 yards	Fire 2 Rounds
•	Facing Right @ 15 yards,	
	turn & move to 10 yards	Fire 3 Rounds
•	Facing to the Rear @ 15 yards	
	turn & move to 10 yards	Fire 5 Rounds

Shooters will start at the 15 yard marker, weapon holstered.

3 commands (1) Shooters will turn, draw (2) Advance to the 10 yard mark with weapons drawn up on target.

"COVER"

"READY"

"COVERING"

(3) Shooter will fire when reaching the 10 yard marker the rounds required. This drill will be performed dry first before moving to live firing.

#### 7 Yards

Move from 15 yards to 7 yards Fire 10 rounds •

Shooters will start at the 15 yard marker, weapon holstered.

3 commands (1) Shooters will, draw (2) Advance to the 7 yard mark with weapons drawn up on target. (3) 7 yard marker and fire the required rounds.

Shooter will make magazine change if necessary.



50 Rds



## MPTC Qualification with Movement (continues) 5 Yards

- Transition to Deadly Force Fire 2 Rounds
- Transition to Deadly Force Fire 2 Rounds
- Transition to Deadly Force Fire 2 Rounds Move Left
- Transition to Deadly Force Fire 4 Rounds Move Right

The Transition can be from O/C, Baton etc..., simulating that the current force level option has escalated to Deadly Force. Shooter will make magazine changes when necessary. On the command, shooter will transition to deadly force (Firearm)



# Score Targets after this section, Remember the 3 yard section shooter are given automatic credit for the rounds, but must be shot.

3 Yards & In	
CQB	Fire 2 Rounds

At this distance from the target there are many defensive tactics that can be deployed. The Firearms instructor will determine what tactic to be deployed at a Close Quarter Battle (CQB) condition. On the Command, Shooter will deploy the CQB tactic as instructed and demonstrated. Movement will be employed at this distance. All rounds will count when scoring the target.

#### **MPTC Qualification Scoring**

- 80% (minimum) overall score.
- MPTC Qualification with Movement

**Note:** Students that require extra help should work with another instructor, preferably one on one while the rest of class shoots the qualification course

## Range Day III Drill II Positional Shooting

#### 25 to 15 Yards Kneeling

- Braced Kneeling
- Speed Kneeling
- California Kneeling
- 1. Students will line up on 25 yard line with pacer
- 2. With a Street Ready Weapon Holstered
- 3. On the Command "Gun"
- 4. Students will Drop to brace kneeling
- 5. On the Command "Lethal Threat"
- 6. Students will fire 3 rounds on called target number
- 7. 9 rounds each kneeling position
- 8. Break the target up into three areas concentrating on good sound fundamentals along with shooting from the position
- 9. Move firing line up to 15 Yards and repeat drill

#### 15 Yards

#### Prone

- Prone
- Roll Over Prone
- Inverted Prone
- 1. Students will line up on 25 yard line with pacer
- 2. With a Street Ready Weapon Holstered
- 3. On the Command "Gun"
- 4. Students will Drop to prone position
- 5. On the Command "Lethal Threat"
- 6. Students will fire 3 rounds on called target number
- 7. 9 rounds each prone position
- 8. Break down the target into area and have students work on sound fundamentals.
- 9. Move firing line to 15 Yards
- 10. Repeat Drills
- **Note:** Move students back to 25 yards on clean target and have them concentrate on a small areas. In the words of the; "Patriot" "Think Small, Miss Small". Students must understand that a 25 Yard shot is a possibility when perceived identifiable lethal threat is present. Concentrated on work done here will have a psychological effect at 15 Yards when shooting qualification. Students perceive the target area much bigger even though it the same target area dimensions.



Instructors # Target As Shown



## Range Day III Drill II Support Side Shooting

5 Yard Support Side Shooting;

#### Dry Fire Exercise:

Instructors will have student perform the transition to the support hand with a **CLEAR & SAFE WEAPON.** 

- Students will draw from the holster with their strong hand
- Students will come to Low Ready with two hand grip
- Students will change, "Make the Pass" grip to Support Side while in two hand hold
- Students will change, "Make the Pass Back", back to strong side grip
- Students will holster strong handed

All support side shooting will start from the strong grip and then make the pass. Instructors will demonstrate this technique to the students prior to starting dry fire drill. It's important to remind and show students that their thumb position needs to change, and their stance need to adjust.

#### Live Fire Drill:

- 1. Students will line up on the 5 Yard Line with a Pacer
- 2. With Street Ready Weapon holstered
- 3. Students will Draw to the "Low Ready Position"
- 4. On the Command "Make the Pass"
- 5. Students will pass the weapon to their support side
  - i. Remind students of thumb positioning
  - ii. Remind students of stance
- 6. On the Command "**UP**"
- 7. Students fire 2 rounds center mass then come down to Low Ready
- 8. On the Command "Make the Pass Back"
- 9. Student will pass weapon pack to their strong side and holster
- 10. Repeat Drill 10 time's 20 rounds.
- 11. "Pass Back" when making magazine changes
- **Note:** Instructors will use a building block approach to support side shooting. Students will start in close and move back as the class progresses. Instructor will still need to remind students of fundamentals during this transition drill because they will be focused on the transition and how awkward it is in the beginning.



#### Range Day III Drill III Support Side Shooting With Movement 0 to5Feet ECQB Live Fire Reactive Shooting Two Hands Support Side

- 1. From the 0 to 5 Feet with a Pacer
- 2. With a Street Ready Weapon Holstered
- 3. Holding a shingle / clip board
- 4. On the Pro Timer buzzer or Whistle
- 5. Draw and "Make the Pass" fire 2 rounds
- 6. Repeat at various distances between 0 & 5 Feet for 3 magazine 30 rounds
- 7. Add left and right movements
- 8. Add Tactical Reload
- 9. Optional Malfunction drill
- **Note:** Instructors are to remind students to pass back to strong side when making Magazine Changes or clearing Malfunctions during this drill. We will talk about drawing and magazine changes during the disabled officer drills. At this point the students should have developed muscle memory when transitioning.



30 Rds

## Range Day III Drill V Shooting from Cover, Strong and Support sides

20 rds



## <u>7 Yards</u>

7 to 5 Yards from Behind Cover making the pass to support side:

Instructors will explain the difference between "Cover vs. Concealment" and the importance of passing to the support side when dealing with support side cover or concealment.

- 1. Students will line up on the 7 yard line in front of a barricade with a Pacer
- 2. With a Street Ready Weapon Holstered
- 3. On the Command "Call #s 1-3"
- 4. Fire 2 Rounds in appropriate #
- 5. Repeat 5 times from this distance total of 10 rounds
- 6. On Command "Advance"
- 7. Students will Advance with pacer to 5 Yard Barricade Weapons up on target
- 8. On Command "Call #s 4-6"
- 9. Fire 2 Rounds in appropriate #
- 10. Repeat 5 times from this distance
- **Note:** Instructors will remind students that they will need to pass to the support side when shooting from their support side of the barricade and when advancing they are to advance with the weapon in their strong hand.
- Note: Instructor will call the numbers for student to hit.
- **Note:** The illustration is only an example of three students moving on the range. Instructors can have as many as they can safely move at once depending on range size and number of instructors present. It is always better to break large groups down into smaller when movement is incorporated.

## Range Day III Drill VI

50 Rds

0'-5' Side Step Fall Back to Cover:



- 1. Students will line up at ECQB Distance with Pacer
- 2. With Street Ready Weapon Holstered
- 3. On the Command "Lethal Threat"
- 4. Students will Draw, "Point Shoot" at the "Trigger Bar Target" 2 rounds
- 5. Student will Side Step and Fall Back with two hand grip
- 6. Student will engage number 2 target (Natural Point Shooting) 5 rounds (Trigger Bar) as they fall back behind cover
- 7. Students will re-engage number 1 Target with "Failure Drill" from behind cover, (2 rounds Trigger Barr 1 round Head)
- 8. Repeat Drill 5 times 50 Rounds
- **Note:** This drill will have student engaging targets at ECQB distances and moving to a position of cover with an additional target to shoot at while falling back to cover . Instructor will remind pacers to guide their partner back, and to keep moving as they shoot. When behind cover students will then engaging the first target with a failure drill from behind cover.

Note: Instructors will determine the amount of student on the firing line at once.

#### Weapons Cleaning:

Students will clean and lubricate their weapon at home and present to Instructors at the next day of training a Safe and clean weapon. Students are reminded to use safety procedures that they have been taught when cleaning their weapons

#### **Debrief Days Events:**

Lead Safety Review: Instructor will select a student to review the Lead Safety handout

Break down range:

End of Day

## **Range Day III Problem Shooters:**

|--|

NAME:	 	DEPARTMENT:
Acce Safety MPTC Qual.	cceptable	Corrections <u>:</u>
Positional Shootin Brace Kneel: Speed Kneel: California: Prone: Roll Over: Support Side Shoo		Corrections: Corrections: Corrections: Corrections: Corrections:
Pass: Pass Back:		Corrections <u>:</u> Corrections
<i>Cover Exercises</i> Strong Side: Support Side: Movement:		Corrections: Corrections: Corrections:

#### Additional Time Needed Yes No

Addition Comments and Corrections:

Lead Firearms Instructor:

Range Day III I	Daily Instructor Log	DATE <u>:</u>	_
2		5	
Academy Class:			
Safety	Comments <u>:</u>		
MPTC Qual. Positional Shooting	Comments:		
Brace Kneel:	Comments:		
Speed Kneel:	Comments:		
California:	Comments <u>:</u>		
Prone:	Comments:		
Roll Over:	Comments:		
Invert Prone	Comments:		
Support Side Shooting Pass:	Comments <u>:</u>		
Pass Back:	Comments:		
Cover Exercises Strong Side:	Comments:		
Support Side: $\Box$	Comments:		
− Movement: □	Comments:		
Additional Comme	ents		

Lead Firearms Instructor: \_\_\_\_\_

## Live Fire Day V Overview Range Day V:

Day V on the range is the final day for students to complete and pass all requirements. Students will shoot the MPTC Qualification with Movement and are required to pass with a minimum score of 80%. They demonstrate their ability to work through a wide variety of tactics and will need to show proficiency in them. Student will be given three attempts to complete all requirements or return on an alternate day for retesting after remedial training. All remedial training will be documented and become part of the student's permanent record. At the end of the day students will compete for the top gun award through a wide variety of scored and timed events.

#### **Student Objectives**

Upon completion, students shall be able to:

- 1. Recite the 4 Cardinal Rules of firearms safety
- 2. Perform safe and efficient live fire drills;
- 3. Perform MPTC Qualification with Movement
- 4. Perform support side shooting correctly.
- 5. Perform magazine changes smoothly
- 6. Perform type I & II malfunction clearance procedures
- 7. Demonstrate the various shooting positions.
- 8. Demonstrate the correct use of cover.
- 9. Demonstrate the proper moving techniques
- 10. Compete for the Top Gun award

## Equipment Required:

- 1. Personal Safety Equipment
  - a. Hearing protection all personnel on range
  - b. Wrap around eye protection all personnel on range
  - c. Soft body armor all personnel on range
  - d. Ball Cap all personnel on range
  - e. Red Training Firearm
  - f. Orange Dummy Round of the Correct Caliber
- 2. Student Equipment:
  - a. Duty Firearm with Duty Belt and Holster & Equipment
  - b. Cleaning Supplies
  - c. Baby wipes
  - d. Appropriate Weather Gear for Training
- 3. Range Equipment
  - a. Targets
  - b. Staples
  - c. Gunshot Trauma Kit/First Aid Supplies
  - d. Range Injury Action Plan
  - e. Establish Loading Zone
  - f. Barricades
  - g. Cruiser

## Range Day V

# Instructors will read and review with students the range safety rules. After completion students will sign and hand in to instructors the first range day.

Range Rules

## Safety rules, Procedures and Regulations Are expected to be followed by all shooters

## SAFETY IS EVERYONE'S RESPONSIBILITY!

- 1. Keep weapon pointed in a safe direction at all times.
- 2. Do not handle any weapons while anyone is downrange.
- 3. Never draw the weapon with your finger on the trigger.
- 4. Never bend over on the firing line until the line has been declared "safe".
- 5. Obey all commands from Range Master
- 6. Never holster any weapon with the hammer in the single-action mode or with your finger on the trigger. This applies to double action weapons only
- 7. Dry fire is only performed under the guidance of the firearms instructors. DO NOT dry fire unless instructed to do so.
- 8. **"The finger remains off of the trigger and outside the trigger guard** until the weapon is on target and that the officer has determined the use of deadly force is imminent" (i.e. Trigger Finger Management ).
- 9. Unsafe acts or unsafe behavior on the range will not be tolerated.

#### Do not take live ammunition into the cleaning area.

I have and reviewed and understand all of the above Range rules. I will comply with these rules and conduct myself as a professional and responsible police officer. Signature:\_\_\_\_\_Date:\_\_\_\_\_

3

## Live Fire Day V

**Qualification with Movement** 

- 1. Student are required to have one minimum score of 80%
- 2. Student must demonstrate proper techniques during the course of fire
- 3. Student must demonstrate safe and proper weapons handling

#### **Course of Fire:**

#### MPTC Qualification with Movement 15 Yards

- 2 Magazines each with 5 rounds
- Fire one magazine and perform a magazine change with communication
- Fire second magazine
- Total rounds fired: 10

Shooters will fire the first magazine of 5 rounds and perform a magazine change. When performing that change shooters will communicate;

- Slide locks back /Shooter Shouts
- Malfunction
- Partner Shouts
- Magazine is changed Shooter Shouts
- Partner Shouts

This drill makes the shooter communicate to their partner that they have a problem.

#### 10 Yards

7 Yards

- Facing Left @ 15 yards, turn and move to 10 yards Fire 2 Rounds
- Facing Right @ 15 yards, turn & move to 10 yards Fire 3 Rounds
- Facing to the Rear @ 15 yards turn & move to 10 yards Fire 5 Rounds

Shooters will start at the 15 yard marker, weapon holstered.

On the command, **Shooters will turn**, **draw** and move to the 10 yard mark with weapons drawn up on target. Shooter will fire when reaching the 10 yard marker the rounds required. This drill will be performed dry first before moving to live firing.

"COVER"

"READY"

"OKAY"

"COVERING"





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• Move from 15 yards to 7 yards Fire 10 rounds

On the command, Shooter will start from the 15 yard marker. Move, with weapons drawn up on target, forward to the 7 yard marker and fire. Shooter will make magazine change if necessary.

#### 5 Yards

- Transition to Deadly Force Fire 2 Rounds
- Transition to Deadly Force Fire 2 Rounds
- Transition to Deadly Force Fire 2 Rounds Move Left
- Transition to Deadly Force Fire 4 Rounds Move Right

The Transition can be from O/C, Baton etc..., simulating that the current force level option has escalated to Deadly Force. Shooter will make magazine changes when necessary. On the command, shooter will transition to deadly force (Firearm)



3 Yards & In	
CQB	Fire 2 Rounds

At this distance from the target there are many defensive tactics that can be deployed. The Firearms instructor will determine what tactic to be deployed at a Close Quarter Battle (CQB) condition. On the Command, Shooter will deploy the CQB tactic as instructed and demonstrated. Movement will be employed at this distance. All rounds will count when scoring the target.

## Range Day V Testing Magazine Changes

- 1. Students will demonstrated the below drill smooth and proficient.
- 2. Instructors will observe and mark acceptable or unacceptable
- **3.** Instructors will be looking for smooth and safe weapons handling when determining acceptable or unacceptable
- 4. Students will have three attempts to perform drill acceptably

## Drills:

#### Administrative Loading:

1. Instructor will have student perform an administrative reload Acceptable / Unacceptable

#### Combat Reload:

- 1. Students will line up at the 5 yard line with pacer
- 2. Student will make Street Ready Holstered Weapon with "3 Rounds"
- 3. Students will administratively load one magazine with 3 Rounds
- 4. On the command "UP"
- 5. Student fire magazine with three rounds to lock back
- 6. Students will combat load and fire 2rounds Acceptable / Unacceptable

#### Tactical Reload:

- 1. Students will line up at 5 yard line with Pacer
- 2. Student will make "Street Ready Holstered Weapon"
- 3. On the command "UP"
- 4. Student fire three rounds
- 5. Students will make a tactical re-load and fire 2rounds Acceptable / Unacceptable

#### Clear Type I Malfunction:

- 1. Students will line up at 5 yard line with Pacer
- 2. Students will load randomly 3 dummy orange rounds in 1 magazine
- 3. Students will administratively load the above magazine
- 4. Student will make "Street Ready Holstered Weapon"
- 5. On the command "UP"
- 6. Student fire three rounds
- 7. Repeat 5 times, 1 full magazine
- 8. Students will perform type I malfunction clearing drill when they occur

Acceptable / Unacceptable





#### Clear Type II Malfunction:

- 1. Students will line up at 5 yard line with Pacer
- 2. Students will load randomly 1 empty piece of brass in 1 magazine
- 3. Students will administratively load the above magazine
- 4. Student will make "Street Ready Holstered Weapon"
- 5. On the command "UP"
- 6. Student fire three rounds
- 7. Repeat until line has experienced the malfunction.
- 8. Students will perform a type II malfunction clearing drill when it occurs Acceptable / Unacceptable

## Movement:

#### Forward Movement Cover:



## 7 Yards

7 to 5 Yards from Behind Cover making the pass to support side:

Instructors will explain the difference between "Cover vs. Concealment" and the importance of passing to the support side when dealing with support side cover or concealment.

- 1. Students will start from behind cover at 7yards with pacer.
- 2. With a "Street Ready Holstered Weapon"
- 3. On the command "UP"
- 4. Students will Fire "Failure Drill"
- 5. On the command "Advance"
- 6. Students will move with pacer to cover at 5 yards
- 7. On the command "UP"
- 8. Student will Fire "Failure Drill

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#### Instructors will observe

Proper safe Firearm Handling and Trigger finger discipline Proper use of Cover Proper Pass of weapon to support side Proper Forward Movement with weapon out and on target

#### Lateral Side Step & Rearward Movement to Cover:



- 1. Students will start at ECQB distance with pacer
- 2. With a Street Ready Holstered Weapon
- 3. On the Command "UP"
- 4. Student will draw and point shoot 2 rounds on Bar Target #1
- 5. Students will side step right then to the rear
- 6. Student will fire 4 rounds at #2 Bar Target as they move to cover
- 7. Student will then cut the pie around right side of the Barricade and perform a failure drill on Target #1

#### Instructors will observe:

Proper Safe Handling of Firearms, Muzzle Discipline Proper Point Shooting Technique Proper Side Step Proper Rearward Movement Proper Use of Cover Proper Technique of Cutting the Pie

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Date:	lith um	Recruit Firearms Proficiency Exam							Lead Instructor Sign.					
Recruit Name:	MPTC Qualification With Movement 80%Minimum	Admin. Loading	Combat Reload	Tactical Reload	Type I Mal. Clear	Type II Mal. Clear	Forward Move.	Lateral Move.	Rearward Move.	Use of Cover	Cutting the Pie	Support Side Pass	ECQB Tech.	Comments:
	S c o	pt. <b>U</b> = Un Accept	:pt. U = Un Accept	:pt. U = Un Accept	:pt. U = Un Accept	:pt. U = Un Accept	:pt. U = Un Accept	:pt. U = Un Accept	:pt. U = Un Accept	:pt. U = Un Accept	:pt. U = Un Accept	:pt. U = Un Accept	:pt. U = Un Accept	Instructors Comments for Unacceptable performance during the testing procedures
	r e s	<b>A</b> = Accept.	<b>A</b> = Accept.	<b>A</b> = Accept.	<b>A</b> = Accept.	<b>A</b> = Accept.	<b>A</b> = Accept.	<b>A</b> = Accept.	<b>A</b> = Accept.	<b>A</b> = Accept.	<b>A</b> = Accept.	<b>A</b> = Accept.	<b>A</b> = Accept.	Instructors C performance procedures

- Note: The above performance and evaluation testing sheet is an example. Instructors will use this sheet when determining the student's performance by marking the column (A) for Acceptable or (U) for Unacceptable for the drill performed.
- Note: See Excel Spread Sheet in Recruit Doc. File.



This Drill is a reactionary drill where two students stand back to back, 1 shooter 1 runner. When the runner slaps the shooter on the leg, the shooter will react and draw and fire center mass. The runner will sprint through the 21 foot marker. The drill is example of an attacker charging an officer with an edged weapon and the shooter reacting to it. The average student will not clear their holster and deliver rounds on target with in that 21 ft area with out creating additional distance.
#### Marksmanship and Tactics Competition

Top 10 scores from qualification will move on. Ties in top 10 will advance.

#### Phase I:

- 1. Students will line up on the 7 yard line
- 2. With a Street Ready Holstered Weapon
- 3. Students will administratively load with a Magazine filled with 2 rounds.
- 4. Students will have there hand together palm to palm chest high
- 5. On the Buzzer or Whistle
- 6. Students will draw fire **1 round** in each target **total of 6 rounds 8 Seconds**
- 7. Student will perform a combat reload

#### Scoring:

- 1. Each shape has a number and is worth that value Max score is
- 2. Misses outside the shape minus 2 point each miss.
- 3. Off paper completely minus 6 points each miss.
- 4. More than 6 rounds on paper minus 6 points each.
- 5. Does not complete in time requirements.
- 6. Dees not perform Reload

#### Top 8 scores move on. Ties in top 8 will advance

#### Phase II

#### **25 Yards Reaction Steel or Balloons**

- 1. Students will line up on 25 yard line with a counter
- 2. With a street ready weapon and 2 additional magazines
- 3. Students will be on line 2 at a time
- 4. On the command "UP"
- 5. Students will Engage Steel or Balloons from 25 yards no time limit

#### Scoring:

- 1. Counters count the amount of rounds required to impact on Steel or break balloons.
- 2. Student expending all there rounds DQ
- 3. Students that impact with the least amount of rounds move on.

#### Top 6 scores move on. Ties in top 6 advances



21 points -2pts Ea Miss -6pts Ea Miss -6pts Ea Add.Rd - 3pts DQ

#### Phase III



- 6. Students will make the pass back perform a tactical magazine change
- 7. Students will make the pass pack and fire 5 rounds
- 8. Students will make the pass back and cover the target in 30 seconds

#### Scoring:

- 1. Q Target is folded in half
- 2. Small Circle 4 points
- 3. Large Circle 3 points
- 4. In Bottle outside circles 2 points
- 5. In Gray 1 Point
- 6. Misses 0 point
- 7. Doesn't Pass DQ
- 8. Misses Time 10 pts

#### Top 4 move on ties in top 4 advances

#### Phase IV Reassembly Positional Shooting with Cover

- 1. With a clear and Safe Weapon
- 2. Students will Field Strip their Weapons and place on mat in front of cover at 15 yards
- 3. On the Command "UP"
- 4. Students will Reassemble their weapon & make Street Ready
- 5. Students will fire 45 Seconds
  - a. 2 Rounds Roll Over Prone from Side of Cover (Step Wall)
  - b. 2 Rounds Prone from Cover (Step Wall Hole)
  - c. 2 Rounds Kneeling from Cover (Step Wall)

#### Scoring:

- 1. Center Mass Circle 5 point
- 2. Small Head Circle 10 points
- 3. Pelvic Girdle 3point
- 4. All other white 1 point
- 5. Misses 5
- 6. Miss time DQ

Top 2 moves on to semifinal round Ties in Top 2, Ties advance



#### Final Round Shoot Off: 10 Yard Dueling Plastic Exploding Bottles



- 1. Both Students line up at 7 yards from their 4 plastic bottles
- 2. With Street Ready Holstered Weapon
- 3. Hands above head
- 4. On the Whistle
- 5. Students knock their respective 4 bottle over first
- 6. First to complete their bottle and hit the Final bottle at 10 Yards "WINNER"
- 7. If move than 2 students have advance because of ties
- 8. Shoot off Top score receives a pass round until ties are broken
- 9. If all Students are ties then names in a hat Instructor will pull two name to shot first. Winners move on.

Date:	Competition Drills										
Recruit Names:	MPTC Qualification With Movement 80% Minimum	10 Names:	Phase I Score	8 Names:	Phase II Score	6 Names:	Phase III Scores	4 Names:	Phase IV Scores	2 Names:	Winner
S1	100	S1	23	S1	40						
S2	100	S2	2								
S3	100	S3	18	S3	6	S3	20	S3	60	S3	S3
S4	98	S4	6								
S5	88										
S6	84										
S7	100	S7	20	S7	10	S7	DQ				
S8	96	S8	14	S8	8	S8	18	S8	48	S7	
S9	90										
S10	100	S10	22	S10	30						
S11	98	S11	24	S11	12	S11	16	S11	DQ		
S12	96	S12	18	S12	24	S12	16	S12	46		
S13	94	S13	16	S13	28	S13	16	S13	DQ		
S14	92										

Above Is an Example of the break down of the competition how students move to the finals

#### Students will Secure their Firearms

Students will secure their weapon an approved locking device as set forth under MGL 140 Sec.131L and secure them in their vehicle.

#### Weapons Cleaning:

Students will clean and lubricate their weapon at home and present to Instructors at the next day of training a Safe and clean weapon. Students are reminded to use safety procedures that they have been taught when cleaning their weapons

After cleaning, students will secure weapons with an approved locking device as set forth under MGL 140 Sec.131L

#### **Debrief Weeks Events**

#### Lead Safety Review:

Instructor will pick a student to review the Lead Safety handout

#### Break down range:

**End of Firearms Training** 

## Live Fire Day IV Overview Range Day IV:

Day VI on the range will under dim light and no light conditions where student will use all the techniques they have been taught so far. Student will understand the importance of having a flashlight and how to utilize it properly. Student will experience shooting condition under backlight, no light, and cruiser light and illuminated lighted conditions Students will engage targets in all conditions of light and understand that colors may change with different lighting conditions. They will be given various flash light techniques to use and engage multiple targets with proper techniques. Student will shoot a low light qualification course and understand that darkness can be a condition of advantage for the officer. Student

#### Student Objectives

Upon completion, students shall be able to:

- 1. Perform Safe and efficient live fire drills;
- 2. Perform various flash light techniques
- 3. Use cover properly
- 4. Demonstrate the ability to move to a position of cover under darkness.
- 5. Shoot while falling back to cover
- 6. Shoot under different lighted conditions
- 7. Engage multiple targets from a position of cover
- 8. Successfully shoot the Low Light MPTC Qualification with Movement
- 9. Student will review Handgun Retention

#### Equipment Required:

- 1. Personal Safety Equipment
  - a. Full Rap Around Hearing Protection all personnel on range
  - b. Wrap around eye protection all personnel on range
  - c. Soft body armor all personnel on range
  - d. Ball Cap all personnel on range
  - e. Red Training Firearm
  - f. Orange Dummy Round Correct Caliber
- 2. Student Equipment:
  - a. Duty Firearm with Duty Belt and Holster & Equipment
  - b. Cleaning Supplies
  - c. Baby wipes
  - d. Appropriate Weather Gear for Training
- 3. Range Equipment
  - a. Targets
  - b. Staples
  - c. Gunshot Trauma Kit/First Aid Supplies
  - d. Range Injury Action Plan
  - e. Establish Loading Zone
  - f. Barricades
  - g. Flares
  - h. Cruiser

#### Range Day IV

# Instructors will read and review with students the range safety rules. After completion students will sign and hand in to instructors the first range day.

Range Rules

### Safety rules, Procedures and Regulations Are expected to be followed by all shooters

## SAFETY IS EVERYONE'S RESPONSIBILITY!

- 1. Keep weapon pointed in a safe direction at all times.
- 2. Do not handle any weapons while anyone is downrange.
- 3. Never draw the weapon with your finger on the trigger.
- 4. Never bend over on the firing line until the line has been declared "safe".
- 5. Obey all commands from Range Master
- 6. Never holster any weapon with the hammer in the single-action mode or with your finger on the trigger. This applies to double action weapons only
- 7. Dry fire is only performed under the guidance of the firearms instructors. DO NOT dry fire unless instructed to do so.
- 8. **"The finger remains off of the trigger and outside the trigger guard** until the weapon is on target and that the officer has determined the use of deadly force is imminent" (i.e. Trigger Finger Management ).
- 9. Unsafe acts or unsafe behavior on the range will not be tolerated.

#### Do not take live ammunition into the cleaning area.

I have and reviewed and understand all of the above Range rules. I will comply with these rules and conduct myself as a professional and responsible police officer. Signature:\_\_\_\_\_\_Date:\_\_\_\_\_

#### <u>Range Day IV</u> <u>Training Gun Drills</u>

#### Students will Secure their Firearms

Students will secure their weapon an approved locking device as set forth under MGL 140 Sec.131L and secure them in their vehicle.

#### Slicing the Pie Dry Fire Red Training Weapons:



#### **Demonstration**

Instructor will demonstrate "slicing the pie" and the proper use of cover paying particular attention to minimizing how much of their body can be seen from the threat axis. Instructor will emphasize keeping back from cover. *Show how remaining further back from the corner will allow the student to greatly minimize their exposure.* 

#### Students will perform this drill dry first:

- 1. Students will line up on 10 Yard line with pacer
- 2. With **Red Training Weapons** Low Ready
- 3. Student next to barricade
- 4. On The command "Advance"
- 5. Student will begin to "Slice the Pie"
- 6. When Student comes into view
- 7. Student acknowledges
- 8. Students switch rolls
- **Note:** This drill will be performed with **training weapons** when demonstrating the importance of angles off the corner when slicing the pie. Student will switch positions when performing this dry drill so they can benefit from the technique by visually observing from the threat prospective. Student performing the technique will call out when they see the threat. Threat prospective student will call out when they see the shooter.

#### Support Hand Drawing Technique

#### Support Hand Drawing of the Firearm:

Support Hand drawing of the firearm is utilized when the strong side or dominant shooting hand is disabled and cannot be utilized. Officers starting at the recruit level and during their careers should periodically be re-acquainted with this skill set.

#### Holster(s):

To attempt to provide a step by step guide that would encompass every style, security level, or name brand would be virtually impossible to detail, in a generic training syllabus such as this. Many manufactures of equipment offer and will provide upon request either direct training or reference material to assist with the understanding of the operation of their equipment. This is an excellent resource and a good basis for any department training.

#### **Holster Operation:**

Almost all holsters employed by Law Enforcement fall into the following security levels; **Level 1,** The requirement that the user to remove the firearm from the holster disengage one (1) restraining device.

**Level 2.** The requirement that the user, to remove the firearm from the holster to disengage or intiate two (2) restraining devices and or manipulate the firearm in a certain direction to remove it from the holster.

**Level 3.** The requirement that the user to remove the firearm from the holster disengage or initiate three (3) separate actions or restraining devices to remove the firearms from the holster.

As we can see, knowledge of particular holster and level of its security level has to be understood and mastered for the normal strong or dominant hand draw. This is a paramount requirement before instruction in Support Hand Drawing can be begun.

#### Support Hand Drawing of the Firearm

#### Initial Training:

Initial training should be conducted utilizing a "Training Gun" and in all future non-firing training such as field or roll call training. Once all live firearms and ammunition has been removed from the training area, the Red Guns should be distributed and placed into the holster and secured. Before actual demonstration by the instructor is begun, an equipment inspection should be made with following attention in the following areas:

- Condition of the holster
- Is the holster in the correct location
- Is the duty belt properly secured (keepers to hold the belt in place)

The instructor should explain that this is a technique that an officer may have to employ to save his/her life or that of another, that in the advent of their primary shooting hand becoming disabled that the fight is not over.

This is a perishable skill set that needs to be practiced. When practicing on their own, only a Red Gun or a completely unloaded firearm should be used with no ammunition present.

Only in the presence of an instructor or department training should this be coupled with live fire training. SAFETY is still the number one (#1) rule.

Due to the nature of this training, and the utilization on the range with live firearms and ammunition, it is suggested that this be a one instructor to one Officer drill. It is also suggested that the Officer be "dry run" a number of times before live fire is attempted.

Support Hand Draw:









- Have the Officer place their strong side hand on their head.
- On command the Officer will reach across their body with the support hand and disengage the safety features on their particular holster.

#### Instructor note:

Should an officer have difficulty in reaching the holster or the safety devices demonstrate that even though the duty belt is secured by keepers that some "give" will be present that an Officer should be able to pull the holster closer to make it accessible.



• Once the Officer releases the safety devices and effected and movement to remove the firearm, Pull the firearm up and out of the holster.



• Carefully, smoothly, and deliberately rotate the firearm safely across the body and obtain a full shooting grip and address the threat.

#### Instructor note:

When rotating the firearm the muzzle should be pointed at the ground not to the Officer's body. Re-holster with the support hand only.

#### Positions:

•

The support hand draw should be demonstrated by the instructor then demonstrated by the Officer in the various shooting positions; *standing*, *sitting*, *kneeling*, *and prone*.

#### Cover / Concealment:

If practicable the Officer should be advised that the use of *Cover and or Concealment* especially if the Officer has been wounded.

#### Flash Light Techniques:

- 1. Harris Technique & Modified:
- 2. FBI Technique & Modified:
- 3. Rogers / Syringe & Neck Hold Techniques:
- 4. Chapman Technique:
- 5. Ayoob Technique:

#### Handgun Retention Review

- 1. Student will use their Red Training Weapons
- 2. Students will pair off and review
  - a. Pin & Spin
  - b. Shielding Technique
  - c. Forearm Strikes
  - d. Retention from the rear

#### Disarming Techniques

- 1. From the front
- 2. From the rear

#### Note: Instructor should refer to Defensive Tactics Manual

#### <u>Range Day VI Drill I</u> Slicing the Pie (continues)

*Slicing the Pie (continues) Live Fire* 





#### Live Fire Drill from 10 yards

- 1. Students will line up on 10 Yard line with pacer
- 2. With Street Ready Weapon Low Ready
- 3. Student next to barricade
- 4. On The command "Advance"
- 5. Student will begin to "Slice the Pie"
- 6. When Trigger Bar comes into view
- 7. Student engage target with 3 rounds
- 8. Repeat 5 times from right side
- 9. Repeat 5 time from left side
- 10. Total 30 rounds
- **Note:** Reverse barricades and reposition target when shooting from left side. Instructor will remind students when strong side is against wall and "Pass" to support side is required to take advantage of the technique. Instructor will incorporate magazine changes here.



#### Range Day IV Drill II Slicing the Pie with Multiple Targets

30 Rds



- 1. Students will line up on 10 Yard line with pacer
- 2. With Street Ready Weapon Low Ready
- 3. Student next to barricade
- 4. On The command "Advance"
- 5. Student will begin to "Slice the Pie"
- Slice the pie until 1<sup>st</sup> target is visible Q Target, engage.
   Continue slicing pie until 2<sup>nd</sup> target visible Trigger Bar, engage
- 8. Repeat 5 times from right side
- 9. Repeat 5 time from left side
- 10. Total 30 rounds
- Note: Reverse barricades and reposition target when shooting from left side. Instructor will remind students when strong side is against wall and "Pass" to support side is required to take advantage of the technique. Instructor will incorporate magazine changes here.



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#### <u>Range Day IV Drill III</u> Slicing the Pie Doorway Multiple Targets





- 1. Students will line up on 10 Yard line with pacer
- 2. With Street Ready Weapon Low Ready
- 3. Student in a simulated doorway
- 4. On the command "Advance"
- 5. Student will begin to "Slice the Pie" Right to Left in limited area
- 6. Repeat drill Left to Right
- 7. Repeat 5 times
- Note: Instructor will set up a "doorway" using two barricades and demonstrate how to clear a room from outside the door way by slicing the pie. Demo clearing from right to left and left to right.

#### Equipment Check

Recruits will produce a working flashlight and insure that it is in good working order. It is understood that the recruits will have a variety of lights. The instructor will demonstrate the various flashlight techniques and explain the advantages and disadvantages of each technique.

#### Range Day IV – Dim Light Shooting Drill IV Flash Light Techniques

#### FBI Technique & Modified:

- 1. Students will Line up on 7 Yard Line with pacer
- 2. Street Ready Weapon Holstered
- 3. On the Command "Lethal Threat"
- 4. Student will Draw with one Hand Grip and deploy FBI Technique
- 5. Students will Fire 3 rounds
- 6. Repeat 5 Times each technique



FBI Technique & Modified:

#### Harris Technique & Modified:

- 1. Students will Line up on 7 Yard Line with pacer
- 2. Street Ready Weapon Holstered
- 3. On the Command "Lethal Threat"
- 4. Student will Draw with one Hand Grip and deploy Harris Technique
- 5. Students will Fire 3 rounds
- 6. Repeat 5 Times each technique











#### Harris Technique & Modified:

#### Drill I Flash Light Techniques (continues)

- These techniques are to be used with rear switch flash lights.
- These are optional

#### Rogers / Syringe & Neck Hold Techniques:

- 1. Students will Line up on 7 Yard Line with pacer
- 2. Street Ready Weapon Holstered
- 3. On the Command "Lethal Threat"
- 4. Student will Draw with one Hand Grip and deploy **Harris Technique**
- 5. Students will Fire 3 rounds
- 6. Repeat 5 Times each technique







Rogers / Syringe & Neck Hold Techniques

#### Chapman Technique:

- 1. Students will Line up on 7 Yard Line with pacer
- 2. Street Ready Weapon Holstered
- 3. On the Command "Lethal Threat"
- 4. Student will Draw with one Hand Grip and deploy Chapman Technique
- 5. Students will Fire 3 rounds
- 6. Repeat 5 Times



Chapman Technique

#### **Ayoob Technique:**

- 1. Students will Line up on 7 Yard Line with pacer
- 2. Street Ready Weapon Holstered
- 3. On the Command "Lethal Threat"
- 4. Student will Draw with one Hand Grip and deploy **Technique**
- 5. Students will Fire 3 rounds
- 6. Repeat 5 Times



Ayoob Technique

#### <u>Notes</u>

- 1. Because this training is done in the darkness, additional range officers are recommended.
- 2. It is understood that the students will have a variety of lights. The instructor will demonstrate the various flashlight techniques and explain the advantages and disadvantages of each technique.
- 3. Methods marked with an asterisk (\*) are specific to one type of light such as side switch or tail cap switch. Students should be urged to exchange lights so everyone gets an opportunity to try each technique. This session can also be used to demonstrate to the students the differences in quality and performance between lights.
- 4. The instructor will demonstrate the technique then have the recruits perform it with a Red or Blue Gun before live fire.
- 5. It should be expected that at least one light will break when dropped or suffer a failure due to dead batteries. Instructors should use this opportunity to emphasize the importance of a back up light and/or spare batteries.
- 6. It is likely that one or more students may attend with a weapon mounted light as these become more accepted by departments for patrol use. Instructors will acknowledge the benefit of this system pointing out how it allows the officer to illuminate the threat while maintaining a conventional two handed shooting grip.
- 7. Instructors will require the recruit to use their hand held light with the range drills stressing that no piece of equipment is 100% reliable and it is possible they may need to use a hand held light technique if the weapon light fails.

## Range Day IV – Dim Light Shooting Drill V Cruiser Lights "Only" Qualification

#### Note: Students will have pacer with LIGHTS for SAFETY Note: Instructors can break students down into smaller groups

# MPTC Qualification with Movement with Cruiser LIGHT: 15 Yards

- 2 Magazines each with 5 rounds
- Fire one magazine and perform a magazine change with communication
- Fire second magazine
- Total rounds fired: 10

Shooters will fire the first magazine of

5 rounds and perform a magazine change.

When performing that change shooters will communicate;

- Slide locks back /Shooter Shouts
- Malfunction
- Partner Shouts
- Magazine is changed Shooter Shouts
- Partner Shouts

This drill makes the shooter communicate to their partner that they have a problem.

#### 10 Yards

- Facing Left @ 15 yards, turn and move to 10 yards Fire 2 Rounds
- Facing Right @ 15 yards, turn & move to 10 yards
  Facing to the Rear @ 15 yards
- turn & move to 10 yards Fire 5 Rounds

Shooters will start at the 15 yard marker, weapon holstered.

On the command, **Shooters will turn**, **draw** and move to the 10 yard mark with weapons drawn up on target. Shooter will fire when reaching the 10 yard marker the rounds required. This drill will be performed dry first before moving to live firing.

#### 7 Yards

• Move from 15 yards to 7 yards Fire 10 rounds

On the command, Shooter will start from the 15 yard marker. Move, with weapons drawn up on target, forward to the 7 yard marker and fire. Shooter will make magazine change if necessary.





50 Rds

"COVERING"

"COVER"

"READY"

"OKAY"

## MPTC Qualification with Movement (continues)

5 Yards

- Transition to Deadly Force Fire 2 Rounds
- Transition to Deadly Force Fire 2 Rounds
- Transition to Deadly Force Fire 2 Rounds Move Left
- Transition to Deadly Force Fire 4 Rounds Move Right

The Transition can be from O/C, Baton etc..., simulating that the current force level option has escalated to Deadly Force. Shooter will make magazine changes when necessary. On the command, shooter will transition to deadly force (Firearm)

3 Yards & In	
CQB	Fire 2 Rounds



At this distance from the target there are many defensive tactics that can be deployed. The Firearms instructor will determine what tactic to be deployed at a Close Quarter Battle (CQB) condition. On the Command, Shooter will deploy the CQB tactic as instructed and demonstrated. Movement will be employed at this distance. All rounds will count when scoring the target.

#### Range Day IV – Dim Light Shooting Drill VI No Light Qualification

#### 50 Rds

#### Note: Students will have pacer with LIGHTS for SAFETY Note: Instructors can break students down into smaller groups

MPTC Stat	Totals Rds	
15 yards	10 Rounds	10Rds
10 yards	2Rds From Holster 3Rds From Holster 5RdsFrom Holster	10Rds
7 yards	10Rds From Holster	10Rds
5 yards	<ul> <li>2 Rds From Holster</li> <li>2 Rds From Holster</li> <li>2 Rds From Holster</li> <li>4 Rds From Holster</li> </ul>	10Rds
3 yards	<ul><li>2 Rds From Holster Flash Front Sight</li><li>3 Rds From Holster Flash Front Sight</li><li>2 Rda From Holster Flash Front Sight</li><li>3 Rds From Holster Flash Front Sight</li></ul>	10Rds

Shooters will work through reloading procedures during this simple qualification course of fire. At the end of the course make all weapons SAFE & CLEAR.

#### Range Day IV – Dim Light Shooting Drill IV Back Light Qualification

50 Rds

- Note: Students will have pacer with LIGHTS for SAFETY
- Note: Instructors can break students down into smaller groups
- Note: Instructor will place flares behind the targets on the ground if possible, if range restrictions prohibit the use of flares back light should be skipped

<u>MPTC Static</u>	Totals Rds	
15 yards	10 Rounds	10Rds
10 yards	2Rds From Holster3Rds From Holster5RdsFrom Holster	10Rds
7 yards	10Rds From Holster	10Rds
5 yards	2 Rds From Holster 2 Rds From Holster 2 Rds From Holster	
	4 Rds From Holster	10Rds
3 yards	<ul> <li>2 Rds From Holster Flash Front Sight</li> <li>3 Rds From Holster Flash Front Sight</li> <li>2 Rda From Holster Flash Front Sight</li> <li>3 Rds From Holster Flash Front Sight</li> </ul>	10 <b>D</b> do
	3 Rds From Holster Flash Front Sight	10Rds

Shooters will work through reloading procedures during this simple qualification course of fire. At the end of the course make all weapons SAFE & CLEAR.

#### Range Day IV – Dim Light Shooting Drill VII Qualification w/ Movement

#### **Qualification w/ Movement**

The standard qualification course is run in the darkness. Recruit fires course using their preferred flashlight method. Instructor may delete the 3 yard line stage if desired. If this is done, repeat the 5 or 7 yard line stage a second time.

"COVER"

"READY"

"OKAY"

Fire 2 Rounds

"COVERING"

#### Note: Students will have pacer with LIGHTS for SAFETY Note: Instructors can break students down into smaller groups

# *MPTC Qualification with Movement with Flash Light Technique:* 15 Yards

- 2 Magazines each with 5 rounds
- Fire one magazine and perform a magazine change with communication
- Fire second magazine
- Total rounds fired: 10

Shooters will fire the first magazine of 5 rounds and perform a magazine change. When performing that change shooters will communicate;

- Slide locks back /Shooter Shouts
- Malfunction
- Partner Shouts
- Magazine is changed Shooter Shouts
- Partner Shouts

This drill makes the shooter communicate to their partner that they have a problem.

#### 10 Yards

- Facing Left @ 15 yards, turn and move to 10 yards
- Facing Right @ 15 yards, turn & move to 10 yards
   Fire 3 Rounds
- Facing to the Rear @ 15 yards turn & move to 10 yards
   Fire 5 Rounds

Shooters will start at the 15 yard marker, weapon holstered.

On the command, **Shooters will turn**, **draw** and move to the 10 yard mark with weapons drawn up on target. Shooter will fire when reaching the 10 yard marker the rounds required. This drill will be performed dry first before moving to live firing.





50 Rds

#### 7 Yards

• Move from 15 yards to 7 yards Fire 10 rounds

On the command, Shooter will start from the 15 yard marker. Move, with weapons drawn up on target, forward to the 7 yard marker and fire. Shooter will make magazine change if necessary.

# MPTC Qualification with Movement (continues) 5 Yards

- Transition to Deadly Force Fire 2 Rounds
- Transition to Deadly Force Fire 2 Rounds
- Transition to Deadly Force Fire 2 Rounds Move Left
- Transition to Deadly Force Fire 4 Rounds Move Right

The Transition can be from O/C, Baton etc..., simulating that the current force level option has escalated to Deadly Force. Shooter will make magazine changes when necessary. On the command, shooter will transition to deadly force (Firearm)



# **3 Yards & In**CQBFire 2 RoundsCQBFire 2 RoundsCQBFire 2 RoundsCQBFire 2 RoundsCQBFire 2 RoundsFire 2 RoundsFire 2 Rounds

At this distance from the target there are many defensive tactics that can be deployed. The Firearms instructor will determine what tactic to be deployed at a Close Quarter Battle (CQB) condition. On the Command, Shooter will deploy the CQB tactic as instructed and demonstrated. Movement will be employed at this distance. All rounds will count when scoring the target.

## Range Day IV – Dim Light Shooting Drill VI Color Discretion with Cruiser Lights

#### Note: Students will have pacer with LIGHTS for SAFETY Note: Instructors can break students down into smaller groups

- 1. Students will line up on the 10 Yard line with pacer
- 2. With a Street Ready Holstered Weapon
- 3. On the Command "Instructor with call Shapes, Colors or Numbers"
- 4. Fire 2 rounds
- 5. Repeat 5 time calling different shapes, colors, or numbers
- Note: Instructor will call out shapes, numbers, colors or a combination. Cruiser lights will back light students and illuminate targets. Targets will give the appearance of different colors under the blue strobe lights. Instructor will call out target colors that don't appear on them. Keep targets out of view from students until end of drills. Keep track of student that shoot at a color that isn't there.. Blacks, Greens & Orange will appear under cruiser blue lights
  - 10 Yards



10Rds



## Range Day IV – Dim Light Shooting Drill VII Around the World in Lights



- 1. Students will start behind cruiser with pacer
- 2. With a Street Ready Holstered Weapon
- 3. On the Command "Whistle"
- 4. Students Draw and move to cover Position 1
- 5. Shoot Reactive Steel

- 6. Students Move to Position 2
- 7. Shoot Q Target Center Mass
- 8. Students Move to Position 3
- 9. Shoot Reactive Steel
- 10. Students Move Position 4
- 11. Failure Drill
- 12. Student fall back to finish while engaging Lethal Threat
- **Note:** There will be an instructor with each student along with the pacer who has a flash light. This drill depending on range size can be performed independent of each other or can be broken down into blocks on the whistle. If Reactive steel is available it should be used at every station. Instructor can modify this drill but the important point is to let the student experience the effects of the cruiser strobe light from all directions.
- **Note:** Instructors should add malfunction and magazine changes to this drill under induced stressful conditions

Range Day IV Problem Shooters:			DATE:		
NAME:			DEPARTMENT:		
	Acceptable	Unacceptable			
Safety			Corrections:		
<i>Slice the Pie</i> Left Right Door Way			Corrections: Corrections: Corrections:		
Flash Light T	ech.		Corrections:		
<i>Night Qualific</i> Cruiser Lgts. Back Lgts No Lghts			Corrections: Corrections: Corrections:		
MPTC Qual			Corrections:		
Color Dis.			Corrections:		
Around Worl	d 🗌		Corrections:		
Additional Ti					
Addition Com	ments and Cor	rections:			

Lead Firearms Instructor: \_\_\_\_\_

#### Students will Secure their Firearms

Students will secure their weapon an approved locking device as set forth under MGL 140 Sec.131L and secure them in their vehicle.

#### Weapons Cleaning:

Students will clean and lubricate their weapon at home and present to Instructors at the next day of training a Safe and clean weapon. Students are reminded to use safety procedures that they have been taught when cleaning their weapons

After cleaning, students will secure weapons with an approved locking device as set forth under MGL 140 Sec.131L

#### **Debrief Nights Events:**

#### Lead Safety Review:

Instructor will pick a student to review the Lead Safety handout

#### Break down range:

End of Day

Range Day IV Daily Ir	structor Log	DATE <u>:</u>	
Instructors:1 2 3		_ 5	
Academy Class:			
Safety 🗌	Comments <u>:</u>		
Slice the PieLeft□Right□Door Way□	Comments:		
Flash Light Tech $\square$	Comments <u>:</u>		
Night QualificationCruiser Lgts.Back LgtsNo LghtsMPTC Qual	Comments: Comments:		
Color Dis.	Comments <u>:</u>		
Around World	Comments <u>:</u>		
Additional Comments			

Lead Firearms Instructor: \_\_\_\_\_



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# The Practical Shooting Academy, Inc.





#### Agenda

**Recruit Firearms Curriculum** 

- What's Wrong with it?
- Why a New Curriculum ?
- Who is it designed for?
- How did we fix it?
- The Game Plan

#### Recruit Firearms Training Curriculum What's Wrong with it now?

- No Continuity of Recruit Firearms Training
  No Instructor Continuity with Recruits
  No Lesson / Different Lesson Plans
  No Common Testing Procedures
  No Remedial Procedures
  No Standard Safety Protocols

#### Comments by Department Instructors during recerts

"What are they teaching at the Police Academy" "I give them 1200 rounds what do they do with it" "The shotgun and Patrol Rifle portion is a joke"

#### Vocabulary

- Safety Checks
   Clearing Procedures
   Dedicated Clearing Area
   Triple Checks
   Safet Training Area
   Safety Officers
   Duty Weapon
   Long arms
   Qualification
   Trainine

- Training
  Academy I
  Observers
  Pacers Training Academy Firearms Teams

#### **Academy Firearms Short Falls**

- What's wrong with the current program?
  - No safety sign off
  - No continuity of programs from academy to academy
  - No testing and remedial process
  - No instructor testing & evaluation
  - No updates for instructors
  - Not enough time for long arms

#### How did we Fix It

Recruit Firearms Manual Safety Protocols Detailed Manual with illustrations Daily Organizational Chart Instructors Manual with Drills that coincides with Daily Organizational Chart Testing & Remedial Procedures Removed the Shotgun and Rifle Familiarization Added dry fire portions





#### Recruit Firearms Training Curriculum

#### Requirements:

- This manual is designed to;
- Guide the recruit through seven sessions 56 hrs of training
- All Recruits shall be required to;
  - Complete their training
  - Qualify with their duty fire with a minimum score of 80%
  - Pass all tactical requirements



#### Recruit Firearms Training Curriculum

- During the 56 hours of training recruits will be exposed to;
  - Safe weapons handlingFundamentals of marksmanship,

  - Tactical training,
  - Low light training,
  - Close quarter battle tactics. (ECQB)
  - Each area is described in detail in this manual for students to refer to;

#### Recruit Firearms Training Curriculum

• Additional Help Recruits can

Receive assistance from their departmental firearms instructor

Manual can be used as

a guide No misunderstanding of what's required by: • department instructor or

Recruit



#### **Recruit Firearms Training** Curriculum Class Room Safety Protocols

- Equipment
- No ammunition
- Clearing area
- Three tear check
- Leaving designated area
- Sign off sheet
- 7. Staff instructors
- Signs posted
- Safety officer
- 10. Locked area
- 11. Everybody
- 12. No acceptations
- 13. Red guns
## Recruit Firearms Training Curriculum Safety Handouts

- Cardinal Rules #1 Rule
- Lead Safety M.D.O.S
- Home Safely
- Transporting Firearms
- Family Safety
- Safe Weapons Handling





### **Recruit Firearms Training** Curriculum Dry Fire Classroom Day 1 Safety Signature Sheets

Range Rules Safety rules, Procedures and Regulations Are expected to be followed by all shooters SAFETY IS EVERYONE'S RESPONSIBILITY!

- SAFETY IS EVERYONE'S RESPONSIBILITY! Keep weapon pointed in a safe direction at all times. Do not handle any vecapons while anyone is downrange. Never draw the weapon with your finger on the trigger. Never bend over on the firing line until the lne has been declared "safe". Obey all commands from Range Master Never holster any weapon with the hammer in the single-action mode or with your finger on the trigger. This applies to double action weapon only Dry fire is only performed under the guidance of the firearms instructors. DO NOT dry fire unless instructed to do so. "The finger remains off of the trigger and outside the trigger guard until the weapon is o target and that the officer has determined the use of deally force is imminent" ( i.e. Trigger Finger Management ). target and that the officer of an entropy of the second se

## **Recruit Firearms Training** Curriculum Dry Fire Classroom Day 1 Training Area Posting

- "<u>NO LIVE AMMUNITION ALLOWED</u> "NO LIVE AMMUNITION ALLOWED IN TRAINING AREA. THIS IS A RESTRICTED AREA. ALL PERSONS SHALL BE CHECKED UPON ENTERING REGARDLESS OF THEIR AUTHORITY. ANY PERSON MAY CHALLENGE ANY ONE WHO ENTERS OR RE -ENTERS THE TRAINING AREA."
- This includes all Instructors

### **Recruit Firearms Training** Curriculum Dry Fire Classroom Day 1 Safe Classroom & Designated Area

- Safety
- Designated Area
  - Storage of locked firearms
  - Area is designated for training
  - Safety officer appointed
- Designated Clearing Area
  - Area requires choke points, natural or man made

## Recruit Firearms Training Curriculum Dry Fire Classroom Day 1 Safe Weapon & Equipment Checks Choke PointsFirearms Three Tear Safety Check Student Checks Left & Right Checks Instructors Check Instructors Shall Physically Check for Live Ammunition Equipment Bags Students Failow Instructors 2

- Fellow Instructors



### Recruit Firearms Training Curriculum Dry Fire Classroom Day 1 **Clearing Procedures**

- Instructors will Demonstrate first
- Must be the first physical exercise recruits perform
- BECAUSE



## Recruit Firearms Training Curriculum Dry Fire Classroom Day 1

- Field Stripping & Nomenclature
- Be sure to know the weapons in the class room (ÎNN -
- Can be done at desks
- Repeat clearing Procedures





## Recruit Firearms Training Curriculum Dry Fire Classroom Day 1 Core Fundamentals (CFD) • Administrative Loading & Unloading

- Safe & Empty Weapon
- Using Orange or Orange Tip Dummy



## Recruit Firearms Training Curriculum Dry Fire Classroom Day 1 CFD'S Administrative Reload & Unload:

- An administrative reload is performed while the firearm is in the holster.
- Safest way to load / top off magazines from the weapon with out removing the firearm from the holster.
- This procedure shall be used when unloading to make the weapon safe.







Recruit Firearms Training Curriculum Dry Fire Classroom Day 1 Shooting Fundamentals Sight Picture

• Range 3000

- Identify the problem shooters
- Skill building drills only!





### Recruit Firearms Training Curriculum Dry Fire Classroom Day 2 Shooting CFD'S

- Safety Check
- Safety Rules
- Safe Training Area
- Clearing Area
- Safety Officers



### Recruit Firearms Training Curriculum Dry Fire Classroom Day 2 Shooting CFD'S

## • BECAUCE

• We don't want to point the weapon at anything we don't want destroy



## Recruit Firearms Training Curriculum Dry Fire Classroom Day 2

- Administrative Reload & Unload:
- An administrative reload is performed while the firearm is in the holster.
- Safest way to load / top off magazines from the weapon with out removing the firearm from the holster.
- This procedure shall be used when unloading to make the weapon safe.









## Recruit Firearms Training Curriculum Dry Fire Classroom Day 2 CFD'S

- Tactical Reload
- Behind Cover
- Distinctive Pause
- Heavy Vs Light



### Recruit Firearms Training Curriculum Dry Fire Classroom Day 2 CFD'S

- Stoppage Drills – Phase I

  - Phase II



## Recruit Firearms Training Curriculum Dry Fire Classroom Day 2 CFD'S

## Phase I Stoppage:

- The Phase I Stoppage:
  The Phase I Stoppage is most commonly identified

  the click of the fring pin striking an empty chamber when the shooter presses the trigger.

  The protocol for clearing this malfunction is Tap –Rack Evaluate, Don't repeat drill more than 2 times

  prevent training scares.
- Frequently student may perform immediate action drill every time they fire their weapon.
  This drill is better performed during live fire exercises.

## **Recruit Firearms Training** Curriculum Dry Fire Classroom Day 2 CFD'S

- Phase II Stoppages

  Lock Lock the slide to the rear

- Lock Lock the side to the rear
  Rip Rip the magazine out
  Shake- Shake to clear any fold brass or rounds
  Run-Run the slide back and forth to clear any seated rounds in the chamber
- Tap- insert a different magazine and Tap & Tug
   Rack pull the slide to rear and release to chamber a round
- Access- Access the situation to be sure deadly force is still justified

**Recruit Firearms Training** Curriculum Live Fire on the Range

## LIVE FIRE ON THE **RANGE DAY I**

## Recruit Firearms Training Curriculum Live Fire on the Range Day I

SAFETY Safety rules, Procedures and Regulations Are expected to be followed by all shooters Salety Fulls, Frocedure's and Regulations Are expected to be followed by an shootes:
SAFETY IS EVERYONE'S RESPONSIBILITY:
I. Keep weapon pointed in a safe direction at all times.
2. Do not handle any weapons while anyone is downrange.
3. Never draw the weapon with your finger on the trigger.
4. Never bend over on the firing line until the line has been declared "safe".
5. Obey all commands from Range Master
6. Never holster any weapon with the hanmer in the single-action mode or with your finger on the trigger. This applies to double action weapon only
7. Dry fire is only performed under the guidance of the firearms instructors. DO
NOT dry fire unless instructed to do so.
8. "The finger remains off of the trigger and until the trigger and until the trigger and until the trigger and until the single-action with the single-action with the single action weapon only
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## **Recruit Firearms Training** Curriculum Live Fire on the Range Day Range commands and common terms.

- Make Weapons Safe
- Cease Fire...Cease Fire!
  Low Ready Pistol Position
- Prepare Magazines
- Administrative Loading
  Make Street Ready
- Administrative Unload
- Press Check /Pressure Check
- **NOTE:** Press checks are **ONLY** performed upon initial loading of the weapon, **NEVER IN CONJUNCTION WITH ANY OF THE** RELOADS.

## Recruit Firearms Training Curriculum Live Fire on the Range Day *Required Range Equipment* The following explanation of equipment is required for Recruit Academy Firearms Training week. All personnel shall become familiar with it prior to the start of live fire exercises.

- •
- Gunshot Trauma / First Aid Kit Automatic Electronic Defibrillators Range Injury Action Plan Is intended for use in emergencies (i.e., accidental shooting, heart attack, personal injury). Communications to be used for injury action plan. Whether a radio or phone Weapons Clearing Area Designated; Eye Protection (Mandatory) <u>EYE PROTECTION MANDATORY</u> <u>Everyhody</u> Hearing Protection (Mandatory) Everybody Soft Body Armor (Mandatory) Everybody
- •

### **Recruit Firearms Training** Curriculum Live Fire on the Range Day

The class is broken down into two groups when they arrive for firearms training.

- Shooters & Pacers

- This allows the instructor to break the group into more manageable live fire lines.
- The pacer group is behind the live fire group every shooter has a pacer.
- The pacing group will receive a learning experience by visually observing the shooters, they also there guide the line when moving as a group. THEY ARE NOT INSTRUCTORS

## Recruit Firearms Training Curriculum Live Fire on the Range Day I

## CFD'S

## After 2 day of dry fire CFD'S

- Live Fire CFD'S
- Stance "Stance" = Balance + Stability + Mobility
   Platform they shoot from
  - Grip
  - Presentation
  - Sight Picture

## Recruit Firearms Training Curriculum Live Fire on the Range Day I

## CFD'S Drills

Stance - Platform Grip & Presentation Sight Picture Verbalization Scanning Re-holster & Snap In



As Students Progress Increase Distance

## Recruit Firearms Training Curriculum Live Fire on the Range Day I

CFD'S Drills Administrative Loading Combat Reloading (Lock Back) Tactical Reloading (C&C)



As students progress with CFD'S Instructors will increase distance in small increments Recruit Firearms Training Curriculum Live Fire on the Range Day I

CFD'S

Stoppages



Phase I

Phase II

Continue CFD with Stoppages increase distance as student progress

Recruit Firearms Training Curriculum Live Fire on the Range Day I

## **STATIC QUALIFICATION**

Recruit will fire the static qualification to experience the distances they will be required to shoot from during the week of training



Recruit Firearms Training Curriculum Live Fire on the Range Day I

Documentation

Problem Shooter Log

Students that need additional help

Dailey Log

The daily log that will documents each days events . Comments here concerning weather , logistics of the days events, did we accomplish the days lesson plan







Recruit Firearms Training Curriculum Live Fire on the Range

## LIVE FIRE ON THE RANGE DAY II

## **Recruit Firearms Training** Curriculum

Live Fire on the Range Day I

## SAFETY Safety rules, Procedures and Regulations Are expected to be followed by all shooters

Safety rules, Procedures and Regulations Are expected to be followed by all shooters
SAFETY IS EVERYONE'S RESPONSIBILITY!
1. Keep weapon pointed in a safe direction at all times.
2. Do not handle any weapons while anyone is downrange.
3. Never draw the weapon with your finger on the trigger.
4. Never bend over on the firing line until the line has been declared "safe".
5. Ohey all commands from Range Master
6. Never holster any weapon with the hammer in the single-action mode or with your finger on the trigger. This applies to double action weapon only
7. Dry fire is only performed under the guidance of the firearms instructors. DO NOT dry fire unless instructed to do so.
8. "The finger remains off of the trigger and outside the trigger guard until the weapon is on target and that the officer has determined the use of deadly force is imminent" (i.e. trigger Finger Management).
9. Unsafe acts or unsafe behavior on the range will not be tolerated.
Do to take live ammunition into the cleaning area.
I have and reviewed and understand all of the above Range rules. I will comply withese rules and conduct myself as a professional and responsible police officer. Signature:





Recruit Firearms Training Curriculum Live Fire on the Range

Training Weapon Drills Each day starts will recruits are broken down into shooter pacer and the day starts with the use of their training weapons. Training weapons are used do become familiar with the days drills



- Forward

- Rearward

– Lateral



....

 $\bullet \bullet \bullet \bullet \bullet$ 

.... ....

....



## Warm Ups • CDF'S from 3 Yards

– One hole drills

- Students
  - Familiar with equipment
  - Drawing
  - Good sound fundamentals

Recruit Firearms Training Curriculum Live Fire on the Range Day II

## 3 Yards CQB From the Holster

CDF – slow is smooth, smooth is fast Working from the holster Not speed drawing Natural point shooting Working around the target Working on press and reset Increase speed



**MUSCLE MEMORY** 

## Recruit Firearms Training Curriculum Live Fire on the Range Day II

## ECQB

- Extreme Close Quarter Battle
- Adding Movement Adding Movement

   Stepping left
   Stepping Right
   Stepping Back

   Incorporating DT

   Punches, Palm Heel
- High Blocks, Knee Strikes • Incorporate one hand point shooting



### **Recruit Firearms Training** Curriculum Live Fire on the Range Day II

## Movements

Turns & Pivots Forward Movements Rearward movements Lateral Movements Don't Cross Feet Pacers Guide the Line



## Recruit Firearms Training Curriculum Live Fire on the Range Day II

## Force Transitioning





## Recruit Firearms Training Curriculum Live Fire on the Range Day II

## MPTC Qualification Course

- For most recruits this will be the first time shooting the qualification course
- Min Score 80%
- 100 % Round Account Ability



## Recruit Firearms Training Curriculum Live Fire on the Range Day II

100% round accountability
Minimum Score 80%



Hits within the "milk bottle" score points. This includes the pelvic scoring area.





## Recruit Firearms Training Curriculum Live Fire on the Range Day II

End of Day Remember: Lead safety Care and cleaning

- Problem Shooter Report
- Dailey Range Log

Recruit Firearms Training Curriculum Live Fire on the Range Day III

### Recruit Firearms Training Curriculum Live Fire on the Range Day III

SAFETY Safety rules, Procedures and Regulations Are expected to be followed by all shooters

Recruit Firearms Training Curriculum Live Fire on the Range III

## Start the day with Training Weapons



## Recruit Firearms Training Curriculum Live Fire on the Range III

- Hand Gun Retention
- Positional Shooting
- Barricaded Shooting
- Support Side Shooting
- Moving to Cover



## Recruit Firearms Training Curriculum Live Fire on the Range Day III

Warm Up MPTC Qualification Course

- For most recruits this will be the first time shooting the qualification course
- Min Score 80%
- 100 % Round Account Ability





Recruit Firearms Training Curriculum Live Fire on the Range Day III

Support Side Shooting

- Draw & Make the Pass
  - Passing from strong to support





Recruit Firearms Training Curriculum Live Fire on the Range Day III

Shooting & Moving

- Moving to cover
- Falling back to cover
- Lateral side step fall back to cover







Recruit Firearms Training Curriculum Live Fire on the Range Day III

## End of Day

Remember:

- Lead Safety
- Care and Cleaning
- Problem Shooter Log
- Dailey Log



## **Recruit Firearms Training** Curriculum

Live Fire on the Range Day IV

## SAFETY Safety rules, Procedures and Regulations Are expected to be followed by all shooters

- SAFETY IS EVERYONE'S RESPONSIBILITY!



# Recruit Firearms Training Curriculum Live Fire on the Range IV Handgun Retention Cutting the Pie Flash Light Drills



## Recruit Firearms Training Curriculum Live Fire on the Range IV

## Flash Light Techniques

- FBI
- Harris
- Chapmen
- Ayoob
- Syringe
- Puckett



## Recruit Firearms Training Curriculum Live Fire on the Range IV

## Dim Light Shooting

- Cruiser Lights
- No Light
- Back Light
- Flash Light



The student will shoot under each condition



End of Night

- Remember:
- Problem Shooter Log

• Instructor Log





### Recruit Firearms Training Curriculum

Live Fire on the Range Day IV

## SAFETY Safety rules, Procedures and Regulations Are expected to be followed by all shooters

Safety rules, Procedures and Regulations Are expected to be followed by all shooters
SAFETY IS EVERYONE'S RESPONSIBILITY:
1. Keep weapon pointed in a safe direction at all times.
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4. Never bend over on the fring line until the line has been declared "safe".
5. Ohey all commands from Range Master
6. Never holster any weapon with the hammer in the single-action mode or with your finger on the trigger. This applies to double action weapon only.
7. Dry fire is only performed under the guidance of the firearms instructors. DO NOT dry fire unless instructed to do so.
8. "The finger remains off of the trigger and outside the trigger guard until the weapon is on target and that the officer has determined the use of deadly force is imminent" (i.e. Trigger Finger Management).
9. Unsafe acts or unsafe behavior on the range will not be tolerated.
Don take live ammunition into the cleaning area.
I have and reviewed and understand all of the above Range rules. I will comply we these rules and conduct myself as a professional and responsible police officer.

### **Recruit Firearms Training** Curriculum Live Fire on the Range Day II

### MPTC Qualification Course

- For most recruits this will be the first time shooting the qualification course
- Min Score 80%
- 100 % Round Account Ability



### Recruit Firearms Training Curriculum Live Fire on the Range Day IV

## Testing Proficiency Exam

- Admin Reload
- Combat Reload
- Tactical Reload
- Type I Malfunction
- Type II Malfunction
- ECQB Technique

## Testing

- Proficiency Exam Forward Movement
- Rearward Movement
- Lateral Movement
- Support Side Pass
- Slice the Pie
- Use of Cover

Recruit Firearms Training Curriculum Live Fire on the Range Day IV

Marksmanship & Tactics Competition

Instructors may develop their own competition.

Instructors will use the outline that is lay out in the manual for the elimination process.

> Recruit Firearms Training Curriculum Live Fire on the Range Day IV

THE END Onto Remedial for Some

> Recruit Firearms Training Curriculum Remedial

Remedial Policy Policies and Procedures Regarding Dismissal for Failing Recruit Officer Training in Firearms.

The goal of 56-hour Firearms Training Course within the Basic Course for Police is to instruct, test, and qualify Student Officers in the safe, proficient, legal, and judicious use of the police duty handgun. The course is designed for the beginner and assumes that Student Officers have no prior experience with firearms. All activities within the 56 hours are considered *training* to include instruction, practice, review, and testing. In order to complete the Basic Course for Police, all Student Officers must complete the Firearms Training, pass all practical and written tests, and qualify to carry the duty weapon by shooting a minimum score of 80% on the MPTC Qualification Course. The following policies and procedures give direction to Academy Directors in cases when Student Officers hall to do so.

### **Recruit Firearms Training** Curriculum Remedial

## Remedial Policy Policies and Procedures Regarding Dismissal for Failing Recruit Officer Training in Firearms.

- •
- Notwithstanding safety violations, Student Officers must be afforded the full 56 hours of training to complete the course before a determination is made as to the student's success or failure. Remedial training is defined as additional instruction not included within the 56 hours, whether given by academy staff or other trainers. Remedial training may take place before or after hours during the course, or at any time after the last day of the course up to the day before graduation. •

### **Recruit Firearms Training** Curriculum Remedial

## **Remedial Policy**

## Policies and Procedures Regarding Dismissal for Failing Recruit Officer Training in Firearms.

Student Officers are allowed a **maximum of three attempts** each to pass the Qualification Course and the practical testing on the last day of range training. It is possible to pass one and not the other. In cases of failure, retesting will be conducted only on the failed segment.

### **Recruit Firearms Training** Curriculum Remedial

## Remedial Policy

Student Officers who fail to qualify or pass the practical testing will be allowed remedial training on their own time and at their or their Department's expense. Retesting will be conducted at a time mutually agreed upon by the Academy Director, the Student Officer, and the Department's laiston. The facility and staffing costs associated with the retesting will be the responsibility of the MPTC. The retest will be conducted by a certified MPTC' instructor under the supervision of the MPTC Statewide Coordinator for Firearms. The last possible day for the retest is the day before graduation and will include a maximum of two attempts. Failure to qualify or pass the practical on the second attempt shall result in dismissal from the Academy.

## Recruit Firearms Training Curriculum Remedial

## Remedial Policy

- When scheduling academy sessions, Academy Directors should ensure that the final day of firearms training is completed at least 30 days prior to graduation.
- Written examinations given as a component of the Firearms Training Course is not governed by this policy. Any written testing, retesting, and failures shall be governed by the MPTC written testing guidelines and protocols.

## Summary

- New program with continuity
- Core fundamentals program
- Recruits will have a solid foundation
- Testing Procedures
- Remedial Procedures

## Municipal Police Training Committee Recruit Firearm Manual

Version 1.1



Sgt. William Leanos

This manual is intended for use with the MPTC recruits who will be attending firearms during their training at the regional Academies. Recruits will be expected by the end of this program to qualify with their duty weapon qualifying with a minimum score of 80%. During the session of training recruits will under go tactical training, low light training, close quarter battle training, and fundamental marksmanship. Each area is described in this manual for students to refer to during the firearms training.

During the 6 session course recruit that appear to have troubles in certain areas of the curriculum, will be assisted in that specific area. The assistance will be documented by the instructor and be part of the recruit permanent record.

Recruit will be required to sign off on the *Safety Procedures and Rules* each day after review by the instructors and recruits.

## **References:**

- Municipal Police Training Committee 8 Day Basic Firearms Instructor Guide
- Massachusetts State Police Basic Firearms Training program for Municipal Recruits
- FLETC Firearms Instructor Program
- International Association of Law Enforcement Firearms Instructors, Firearms Training Standards for Law Enforcement
- MPTC Defensive Tactics, Use of Force Model
- MPTC Jim Ring Firearms Instructor Program
- US Department of Justice FBI, FBI Officer Safety Resources
- The OSHA Lead Standard (29 CFR 1910.1025)
- Copied from:
   http://www.ballistics-experts.com/Law%20Enforcement/Ammunition/Caliber%20Selection.htm

Session I	Session II	Session III	Session IV	Session V	Session VI
Classroom	Range	Range	Range	Range	Range
				Low Light	
Use of Force	Safety Review Sign Off Sheet Basic	Safety Review By Recruits Sign Off Sheet	Safety Review By Recruits Sign Off Sheet	Safety Review By Recruits Sign Off Sheet	Safety Review By Recruits Sign Off Sheet
Safety	Marksmanship Skill From Iow Ready	Warm up Drill	Remedial With Student that are having trouble	Remedial With Student that are having trouble	Remedial With Student that are having trouble
Nomenclature	Basic Marksmanship Skill From Holster	Remedial With Student that are having trouble	MPTC Qualification with Movement	MPTC Qualification with Movement	MPTC Qualification with Movement
	MPTC Static Qualification	Movement Drills	Cover vs. Concealment	Multiple Targets/Moving Targets	Top Gun Tournament Elimination
		Transition Drills CQB Drill	Cutting the Pie Shooting Positions	Flash Light Techniques	
		MPTC	Support Side Shooting MPTC Qualification with Movement Both		
Understanding Marksmanship	Movement Explanation	Qualification with Movement	Strong and Support Sides	Color Perception Drills	
Dry Fire Skills	ID Trouble Areas Clean Break &	ID Trouble Areas Clean Break &	ID Trouble Areas Clean Break &	ID Trouble Areas Clean Break &	ID Trouble Areas Clean Break &
Clean Break & Dow Range	Dow Range	Dow Range	Dow Range	Dow Range	Dow Range
Review Lead Safety After Shooting	Review Lead Safety After Shooting	Review Lead Safety After Shooting	Review Lead Safety After Shooting	Review Lead Safety After Shooting	Review Lead Safety After Shooting

## Session I

Classroom Safety Protocols

Before any training will take place;

- Trainees will bring their bags with them to the training area along with their firearm in a "locked container" for transport.
- A bag check will be mad of all equipment by all staff instructors of every trainee to be sure there is no "Live Ammunition" in the training area
- A clearing area will be designated and established at every academy where all weapons will be taken to be sure they are safe and unloaded
- Staff instructors shall check every weapon in the class room to be sure they are "Safe and Unloaded".
- If any trainee leaves the designated training area, upon return, the trainee will be checked for "Live Ammunition" by a Staff Instructors
- Staff instructors Shall Not Carry Live Ammunition in the Training Area
- A sign will be posted outside the training area "No Live Ammunition in the Training Area"

The first area that must be covered before any firearms handling is the Use of Force as it pertains to firearms. There are only a few cases that must be reviewed concerning "**Deadly Force**" and "**Fleeing Felons**". In this section of the manual we will look at the following cases that relate to:

- Use of Force
- Fleeing Felon
- Deadly Force

The pertinent cases that will be looked at that cover the above categories are;

- Commonwealth vs. Klein
- Julian vs. Randazzo
- Tennessee vs. Garner
- Graham vs. Connor

We must review the definitions of the *MPTC Use of Force Model Reference Guide* and the totality triangle when we look at Deadly Force as it pertains to Law Enforcement. Unfortunately there are no black and white answers to some situation that could occur so we must rely on case laws and department policy and procedures as guide lines when law enforcement officers decision to use deadly force.

The *totality triangle* is a tool used by law enforcement officers who must make split second decisions under high stress conditions when determining to use deadly force. Remembering that this is a use of force and that it can flow up as well as down we are only looking here at the upper most limits. In the *Use of Force Model Reference Guide* there are three definitions we must look at in relation to Deadly Force in the *totality triangle*. At the corners of the triangle are perceived circumstances, perceived subjects actions, and reasonable officer response.

These three elements make up the triangle and definitions of each are below;

- **Perceived Circumstances** the officer's perspective of the severity of any crime, the existence of an immediate safety threat to the officer or others, and the degree of compliance / non-compliance from the subject; culminating in its identification on the Use of Force Model.
- **Perceived Subject Action (s)** the subject action (s) as perceived by the reasonable officer that designate the subject at one or more of the Use of Force Model's compliant / non-compliant categories.
- **Reasonable Officer Response (s)** the "balanced" response (s) appropriate for the reasonable officer's selection from the Use of Force Model's identified response categories, in order to maintain or gain subject compliance and control.

These are the three elements that which must be considered in determining whether an application of force was *objectively reasonable* as determine under Graham vs. Connor.



**Perceived Subject Action (s)** 

**Reasonable Officer Response (s)** 

We must look at some other definition here in the model as it related to use deadly force under the *perceived subject action* falls:

## Assaultive (Serious Bodily Harm / Death)

The officer's attempt to gain lawful compliance has culminated in the perception of an attack or the potential for such an attack on the officer or others. The officer makes the *reasonable assessment* that such actions by the subject could result in serious bodily harm or death to the officer or others.

If a law enforcement officer perceives the subject actions as to be *assaultive (serious bodily harm)* then a reasonable officer response maybe *deadly force*.

## **Deadly Force** –

Includes assaultive countermeasures designed to cease an assault which is lethal or could cause great bodily harm on the officer or others. These tactics could include the use of a firearm, lethal strikes, etc.

## *Deadly force as defined:*

**DEADLY FORCE:** Is the degree of force likely to result in death or serious physical injury. The discharge of a firearm toward a person constitutes the use of deadly force.

## Serious bodily injury defined:

**SERIOUS BODILY INJURY:** A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long term loss or impairment of the functioning of any body part.

And finally the threat perception categories are color coded for tactically applied and color adapted correlation of the Threat Perception Categories on the Use of Force Model. The category that we are looking at is Lethal the most upper limits.

Lethal –

**Highest level on the Use of Force Model** correlates to the most intense color in the Threat Perception Color Code ©, red. Although this potentially lethal degree of threat is most infrequent, it remains most crucial for the continuation of officer safety and security.



When an officer applies deadly force he/she must keep in mind the reasons of the offence that determine the use of such force. With the above definition and Use of Force model and a little help form case law we will try and give you guide line when Deadly force maybe used. You will also have to see where your *Department Policy and Procedure* fits with in the guide line of the MPTC use of force model. We must first look at a Supreme Court case of Tennessee v. Gardner with regards to fleeing felons.
## **Tennessee v. Garner** 471 U.S. 1 U.S. Supreme Court 1694

March 27, 1985

In Tennessee v. Garner, 105 U.S. Supreme Court 1694 (1985), decided on March 27, 1985, The United States Supreme Court addressed the subject, The use of *deadly force* by police. In that case the court decided that:

- 1. <u>Apprehension by use of deadly force</u> is a seizure subject to the Fourth Amendment's reasonableness requirement.
- 2. Deadly force may not be used unless it is necessary to prevent escape and the officer *has probable cause to believe that the suspect poses a significant threat of death of serious physical injury to the officer or others.*
- 3. The Tennessee statute, under authority of which a police officer fired a fatal shot, was unconstitutional insofar as it authorized use of deadly force against an apparently unarmed, non-dangerous, fleeing suspect.

#### Facts of the Case:

At about 10:45PM, on October 3, 1974, the Memphis police were dispatched to answer a "Prowler Inside "call. Upon arriving at the scene, they saw a woman standing on her porch and gesturing toward the adjacent house. She told the police that she had heard glass breaking and that "they" or "someone" was breaking in next door. One police officer, Leslie Wright, radioed the dispatcher to say that they were on the scene, while his partner, Elton Hymon, went behind the House. He (Hymon) heard a door slam and saw someone run across the back yard. The fleeing suspect, Edward Garner, stopped at a 6 foot high chain link fence at the edge of the yard. With the aid of a flashlight, Hymon was able to see Garner's face and hands. He saw no sign of a weapon and, though not certain, was "*reasonably sure*" and "*figured*" that Garner was unarmed. He thought Garner was 17 or 18 years old and about 5'5" or 5'7" tall. While Garner was crouched at the base of the fence, Hymon called out, "Police! Halt!" and took a few steps toward him. Garner began to climb over the fence. Convinced that if Garner made it over the fence he would elude capture, Hymon shot him. The bullet hit Garner in the back of the head. Garner was taken by ambulance to a hospital, where he died on the operating table. Ten dollars and a purse taken from the house were found on his body.

#### Issue:

Was the use of deadly force justified to capture a *fleeing felon* where the subject *poses no immediate threat* to the officer and *no threat to others*, notwithstanding a Tennessee statute and departmental policy allowing such action.

#### **Decision:**

"The Tennessee statute is UNCONSTITUTIONAL....."

Where a police officer has probable cause to believe that a criminal suspect <u>poses a threat of serious</u> <u>physical harm</u> either to the <u>officer</u> or to <u>others</u>, it is not unconstitutionally unreasonable to prevent escape by using deadly force: thus, if the suspect threatens the officer with a weapon, or there is probable cause to believe that he has committed a crime involving the infliction or threatened infliction of serious physical harm, deadly force may be used, if necessary, to prevent escape, and if, where feasible, some warning has been given.

A police officer responding to a nighttime burglary call could not reasonably have believed that the fleeing suspect, who was young, slight of build and unarmed, posed any threat. The fact that the suspect, who was fatally shot, was a suspected burglar could not, of itself, automatically justify the use of deadly force to affect his apprehension.

Although an *armed burglar* would present a different situation, the fact that an unarmed suspect has broken into a dwelling at night does not automatically mean that he is physically dangerous, do as to justify the use of deadly force in effectuating his apprehension.

#### **Summary:**

In this decision the Court is saying that the use of deadly force to prevent the escape of *all felony suspects, whatever the circumstances,* is constitutionally unreasonable. The justices state, "<u>It is not</u> <u>better that all felony suspects die than that they escape.</u>" Where the suspect *poses no immediate threat* to the *officer and no threat to others,* the harm resulting from failing to apprehend him does not justify the use of deadly force to do so.

The Supreme Court takes into account, with the rendering of this decision, the realistic possibility of felony suspects alluding arrest and thereby escaping trial, punishment, etc. However, they have applied a *"balancing test"* between the *"government's interest in effective law enforcement"* and that of the *"reasonableness"* of the intrusion upon the suspect's rights; in this case, the apprehension by the use of deadly force (Fourth Amendment).

The justices opine that it is unfortunate when a suspect, who is in sight, escapes. However, "the fact that the police arrive a little late, or *are a little slow afoot*, does not always justify the killing of the suspect". A police officer may not seize an unarmed, non-dangerous suspect, by shooting him dead.

This case is extremely important in that it has found the so-called *"fleeing felon rule* "to be unconstitutional; notwithstanding the fact that the culprit may make good his/her escape. However, the Court has not turned its back upon officer safety, or that of the public. It states "Where the officer has probable cause to believe that the suspect poses a threat or serious physical harm, either to the officer or to others, it is not unconstitutionally unreasonable for said officer to use deadly force."

Thus, if the suspect threatens a police officer with a weapon or there is probable cause to believe that he has committed a crime involving the infliction or threatened infliction of serious physical harm, *deadly force may be used if necessary*, to prevent escape: and if, *where feasible*, some warning has been given. (Full unedited case in appendix)

If we apply the Totality Triangle of *reasonableness* in this case we fine that when the officer arrives on scene it was not reasonable to use deadly force to stop a fleeing felon although departmental policy stated to the contrary. If we were to change the facts of the case a little;

If an Officer were to arrive on scene and be threaten with a weapon and believes that there is probable cause to believe that the suspect poses a threat or serious bodily harm either to the officer or others, then the officer can reasonable believe his/her life or others were in immanent fear they could use deadly force under the *MPTC Use of Force Model*.

Next we need to look at the Massachusetts Case Commonwealth vs. Klein and rights of private citizens to use deadly force arresting a fleeing felon and the *Model Penal Code for citizens 3.07* which explains the right of the average citizen to apprehend *a fleeing felon*.

> **Commonwealth v. Klein** 372 Mass. 823 Supreme Judicial Court June 22, 1977

#### **Main Point of Case:**

The rights of a private citizen to use deadly force in arresting a felon are enumerated in s 3.07 of the Model Penal Code.

#### Facts and Procedural History:

On August 1, 1973, the defendant, a local dentist, shot and wounded two men who had broken into a drug store across the street from his home. Under the cover of night, two individuals, Napoleon LaDue and John Savageau, went to Sims Drug Store on Allen Street on Springfield to steal money and cigarettes. After hearing the smash of a window, the defendant called the police and went outside with a pistol to confront the two burglars. LaDue then heard shot coming into the store and ran to the back of the room; after the shots ceases, the two individuals emerged from the drug store. As Savageau exited through the broken front door, LaDue once again heard shots being fired from across the street. Not knowing who was shooting at them, the two individuals ran alongside the building to a set of railroad tracks running behind the drug store. According to LaDue, he was struck by one bullet in the elbow and another in the side as he retreated down the alleyway to the railroad tracks.

Two pairs of officers rushed to the scene. One set found Savageau and LaDue, both wounded, at the railroad tracks while the other pair investigated the scene around the drug store. The investigating officers noticed the front door of the drug store broken, a bullet hole in the lower corner thereof, cigarettes strewn about the sidewalk, a tire iron beside the broken door, a stone inside the door, and a pool of blood inside the store. As these officers were making their observations, the defendant appeared and informed then that he had reported the break-in after he has seen the two individuals break the door to the drugstore. Klein then informed the officers that he came from his house armed with a Luger and told them to stop or he would shoot. According to Klein, one of the two individuals then threw cigarettes at him and he fired two shots, hitting one of the two men. As Klein was returning to his house, he heard a loud noise from the drug store and turned to see the two men emerging; Klein then steadied himself against a tree and fired seven additional shots at the individuals as they ran alongside the building.

At trial, not only did the testimonies of the two individuals conflict sharply with that of Klein, but Klein's own testimony also significantly diverged from the statements he made to the police officers immediately following the incident. On the witness stand, Klein claimed that he had fired the warning shots and shouted to the two individuals to put their hands up and stay where they were. Klein was found guilty of assault and battery with a dangerous weapon at a jury trial conducted at the Superior Court level. Although review was sought in the Appeals Court, the Supreme Judicial Court, acting under its own initiative, ordered direct appellate review to address the issue of *whether or not the defendant was justified in using deadly force to make a citizen's arrest*.

### Holding:

Establishing the *Model Penal Code s 3.07* as the law of Massachusetts with respect to the *right of a citizen to use deadly force in arresting a felon*, the Supreme Judicial Court applied this ruling progressively so as to exempt the defendant from retroactive application of this law.

**Reasoning:** Finding that the trial judge properly charged the jury by informing then that an Defining "deadly force" as force intended or likely to cause death or great bodily harm, the Court established that Klein used such force when he fired his pistol at LaDue and Savageau. In light of this initial conclusion, the Court proceeded to address the defendant's claim that he was entitled to a direct verdict at the lower court level on grounds of self-defense individual is entitle acquittal on a self-defense with a dangerous weapon claim only "when the person using the weapon had a reasonable apprehension (gear) of great bodily harm and a reasonable belief that no other means would suffice to prevent such a harm". Based on this jury charge, the Court reasoned that the jury then acted reasonably in assessing the evidence presented before them in concluding that the defendant was not entitled to a self-defense claim in light of the disclosed fact that Klein shot the two individuals as they were running away from him.

The Court then addressed the issue of the defendant's right to use deadly force in making a citizen's arrest of two individuals attempting to flee from the commission of a felony. Accepting the defendant's contention that the Commonwealth had never clearly set the limit of an arresting citizen' right to use deadly force, the Court evaluated such a limitation in light of **Section 3.07 of the Model Penal Code** which states the following:

### (1). <u>Use of Force Justifiable to Affect an Arrest:</u>

Subject to the provisions of this Section and Section 3.09, the use of force upon or toward the person of another is justifiable when the actor is making or assisting in making an arrest and the actor **believes** that such force is **immediately necessary** to affect a lawful arrest. (Emphasis added)

- (2). <u>Limitations on the Use of Force</u>...
  - (a). The use of **Deadly Force** is <u>not justifiable</u> under this Section unless:
    - 1. the arrest is for a **felony**;
    - 2. The person affecting the arrest is authorized to;
      - a. act as a peace officer or is assisting a person
      - b. whom he believes to be authorized to act as a peace
      - c. officer;
    - 3. The actor believes that the force employed creates;
      - a. no substantial risk of injury to innocent persons;

- 4. The actor believes that:
  - 1. The crime for which the arrest is made involved conduct including the use or threatened use of deadly force; or
  - 2. There is substantial risk that the person to be arrested will cause death or serious bodily harm if this apprehension is delayed.

Viewing the facts at hand in light of this Model Code provision, this Court upheld the lower court judge's jury charge and subsequent ruling which essentially found that the shootings were not justified since the defendant used deadly force to prevent the flight of persons who has committed crimes concerning only property rights.

However, the Court then proceeded to address the issue of whether or not the defendant should have known the potential if his behavior being "criminal" in light of the circumstances surrounding him. Since applying the standards of the Model Penal Code to a private citizen who was making an arrest was a matter of first impression in the Commonwealth, the Supreme Judicial Court decided that this defendant's assertion of "justification" beyond reasonable doubt was not met by the Commonwealth and the defendant was therefore found not guilty on both indictments. Setting aside the prior verdicts, the Supreme Judicial Court reversed the lower court's ruling.

#### **Comment:**

The question of whether the same limitations apply to arrests by peace officers was left open by the Supreme Judicial Court. (Full unedited case in appendix)

Julian v. Randazzo, and Another 380 Mass. 391 Supreme Judicial Court April 15, 1980

#### Main Point of Case:

In a tort action by the plaintiff who was mistakenly shot by a police officer as the officer was pursuing an individual suspected of committing a felony, there was no error in the judge's instructions with respect to the question whether the officer was justified in using deadly force to effect an arrest where the judge referred to s 120.7 of the Model Code of Pre-Arraignment Procedure (1975)

#### Facts and Procedural History:

On July 5, 1976, two Medford police officers received a radio report of a hold-up in Malden. Shortly thereafter, these officers began a pursuit of three suspects in a Chevrolet Corvette. Over the course of a high-speed chase several shot were fired by the suspects at the officers' patrol car. At an intersection in Cambridge, the suspects' vehicle spun-out and stopped; the suspects then exited the vehicle and fled on foot. The patrol car ran into the Corvette and the officers similarly took to a foot pursuit of the suspects. Officer Randazzo, the defendant, fired his gun twice. The plaintiff, an innocent bystander, was struck in the elbow by a bullet. A little later, both officers approached the plaintiff, pointed their guns at the plaintiff, and told him not to move; after a neighbor convinced the officers that the plaintiff was a bystander and not a suspect, the officers continued their pursuit.

The plaintiff brought an action in tort against both officers as defendants for assault, assault and battery, false imprisonment, and "negligent denial of medical care". In the District Court, a jury returned verdicts in favor of the defendants and the plaintiff appealed to the Appeals Court on a challenge to the admission into evidence of a police investigation report as well as the instructions given by the District Court judge to the jury on the use of deadly force by a police officer. The Supreme Judicial Court, on its own initiative, ordered direct appellate review.

### Holding:

Although the Supreme Judicial Court upheld the plaintiff's evidentiary argument and reversed the judgments, it did not find the lower court judge's jury charge on the matter of an officer's use of deadly force to be improper.

## **Reasoning:**

The case was reversed because the jury was allowed to consider a police report which the court ruled was improperly admitted as evidence at the District Court level. However, the matter of present interest is how the Supreme Court looked upon the trial judge's charge to the jury concerning the <u>use of deadly</u> *force by a police officer*.

Adopting the same standard as the Court had articulated in Commonwealth v. Klein, 372 Mass. 823 (1977), the Randazzo Court adopteds 120.7 of the Model Code of Pre-Arraignment Procedure (1975) which is essentially the same as s 3.07 of the Model Penal Code which was applied to a private citizen's use of deadly force in Klein. Those provisions of s 120.7 espoused by the Court are the following:

A law enforcement officer authorized to make an arrest....may use such force as is reasonably necessary to effect the arrest....The officer may use deadly force for these purposes <u>only if:</u>

- 1) The arrest is for a felony; and
- 2) The officer reasonably believes that the force employed creates no substantial risk to innocent persons; and
- 3) the officer reasonably believes that:
  - the crime for which the arrest is made involved conduct including the use or threatened use of

### Deadly Force; or

• there is a substantial risk that the person to be arrested will cause death or serious bodily harm if his apprehension is delayed. (emphasis added).

The Court found this charge by the trial judge to be an accurate and legal assessment of an officer's right to use deadly force. Under such a charge, Officer Randazzo's use of deadly force in light of the given circumstances was therefore lawful

The three above cases demonstrate the use of deadly force and under what conditions are necessary when applied to a fleeing felon;

- the felony involved the use or threatened use of deadly force; and
- the felon's escape would result in imminent death or serious bodily injury to the officer or another if apprehension was delayed.

Again there are no hard and fast rules or black and white answers to the decisions to use deadly force under stressful conditions, every scenario is different. Law enforcement must rely on proper training by their departments and guide lines of that of a reasonable officer's perception when confronted with such challenges. With proper recruit training and continuing in-service training from department's law enforcement officer who are confronted with difficult situations will become better adapted when they must use their firearms.

# Center Mass

When an Officer uses his/her firearms they must be sure of their target and what's beyond. Once he/she has made the decision to use their firearms there is no calling the bullet back. But when the officer needs to shoot he/she must shoot for the most available "*center mass*"

When a police officer uses his/her weapon, he should aim for an area commonly referred to as *center mass*. Contrary to popular belief, *center of mass is* not always going to be the chest area located directly above the sternum. The mass is the target area available for the officer to shoot at; *center of mass* is the center of that area. (i.e., if the suspect is shooting from a parked motor vehicle through the driver's window *center mass* may be the throat area or even the head because that is the most available target area).



## Shoot to Stop the Threat that the Officer Perceives

### SHOOT TO STOP vs. SHOOT TO KILL

When using deadly force, a police officer is legally justified in shooting to <u>STOP</u> an individual who is using or threatening to use (imminent) deadly force. A police officer is NOT justified in shooting to kill an individual; he is legally justified in shooting to stop the imminent threat.

A police officer does NOT shoot to kill or to wound, he shoots to STOP. A wounded suspect or a dead suspect may be the result, but the police officer is only justified in shooting to stop imminent threat.

When a police officer uses his firearm, as allowed by law, three things may occur.....

- 1. The officer will miss, hopefully this will not happen, but there is a definite possibility of this occurrence.
- 2. The suspect will be wounded and will survive.
- 3. The suspect will be killed as a result of being shot.

No matter what the personal feelings of the officer, he/she has no control over what happens to the suspect once his/her weapon has been discharged. Although there is a much greater possibility that a person with a chest wound will die as opposed to a person with a leg wound, the result is definitely beyond the officer's control

A combination of factors will result in the final determination as to whether a person who has been shot will live or die. These factors include, but are not limited to.....

- specific shot placement
- age of suspect
- health of suspect
- will to survive
- availability of medical care

#### WHEN IS A SUSPECT STOPPED?

A suspect is stopped when he is effectively prevented from using or threatening the use of deadly force. This determination can only be based on the totality of circumstances involved in the incident. A police officer is <u>NOT</u> required to count his/her shots.

**EXAMPLE #1:** A police officer in a self defense situation, at a distance of ten (10) feet from his assailant, fires two (2) shots. The suspect is hit and falls to the ground. The suspect's firearm slides fifteen (15) feet from him/her.

This is an easy example of a suspect being effectively stopped. The officer must stop firing and now has a duty to aid the victim. An officer continuing to shoot after the suspect has been effectively stopped puts the officer in a position of attempting to kill the suspect.

**EXAMPLE # 2:** A police officer in a self defense situation, at a distance of twenty-five (25) feet from his assailant, fires two (2) shots. The suspect falls to one knee with his firearm still in hand.

This is an easy example of a suspect, after being shot, still reasonably being a threat of using deadly force. The officer is justified in shooting until the suspect is no longer in such a position.



Safety

Cardinal Rules of Firearms Safety

No matter what range you are on or what environment you are in the cardinal rule of firearms safety are always the same. The number one rule IS; *TREAT ALL WEAPONS AS LOADED WEAPONS*.

Four Cardinal Safety Rules

The rules below apply to all firearms in all situations. These four rules are the building blocks of firearms safety.

## 1. **Treat all weapons as loaded weapons.**

Everyday an innocent person is seriously hurt by a reportedly "unloaded weapon".

# 2. Never point any weapon at anything you are not intending to shoot.

Firearms are lethal tools that destroy people and things.

## 3. Keep your finger off the trigger until you are ready to shoot.

### 4. Know your target and what is beyond it.

Be aware of those areas and individuals beyond the target area. Target Identification is especially important in reduced light situations.

# Safe Weapons Handling

#### Indexing Finger;

When handling any weapon the trigger finger should always be index along the frame until you have made the decision to fire at your target. It will take minimal time away to transition from the frame of the weapon to the trigger. By keeping the finger indexed officers can avoid the startle effect which



could cause a sympathetic reaction of pressing the trigger when not intending to.



## Muzzle Discipline;

Although the picture to the right shows a patrol rifle, take note of the finger indexing on the frame and the muzzle / barrel of the weapon is point to the low reading position. We need to think of that barrel / muzzle like a laser. Where ever it points it will cut right through anything. So in the low ready or neutral position, weapon pointed at the ground in front of you, finger indexed along the frame, you must be always aware of your surrounding and be cognizant of where your muzzle of the weapon is at all times. This must become second nature to you, "muzzle discipline". Whether you're on the range, on the street, or in your home, muzzle discipline along with proper finger indexing is importance to firearms safety.

#### Home Safety;

Home safety is just as important, because for students this maybe their first experience with firearms. Student's department's policies and procedures will dictate when they can and can't take duty weapons home. And in some cases students may all ready have there own personal firearms. Massachusetts is very clear on the safe keeping of firearms in the home. MGL 140 -131L states;

# Chapter 140: Section 131L. Weapons stored or kept by owner; inoperable by any person other than owner or lawfully authorized user; punishment

Section 131L. (a) It shall be unlawful to store or keep any firearm, rifle or shotgun including, but not limited to, large capacity weapons, or machine gun in any place unless such weapon is secured in a locked container or equipped with a tamper-resistant mechanical lock or other safety device, properly engaged so as to render such weapon inoperable by any person other than the owner or other lawfully authorized user. For purposes of this section, such weapon shall not be deemed stored or kept if carried by or under the control of the owner or other lawfully authorized user.

(b) A violation of this section shall be punished, in the case of a firearm, rifle or shotgun that is not a large capacity weapon, by a fine of not less than \$500 nor more than \$5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment, and in the case of a large capacity weapon or machine gun, by a fine of not less than \$1,000 nor more than \$10,000 or by imprisonment for not less than one year nor more than ten years, or by both such fine and imprisonment.

(c) A violation of this section shall be punished, in the case of a rifle or shotgun that is not a large capacity weapon and such weapon was stored or kept in a place where a person under the age of 18 who does not possess a valid firearm identification card issued under section 129B may have access without committing an unforeseeable trespass, by a fine of not less than \$1,000 nor more than \$10,000 or by imprisonment for not less than one year nor more than ten years, or by both such fine and imprisonment.

(d) A violation of this section shall be punished, in the case of a rifle or shotgun that is a large capacity weapon, firearm or machine gun was stored or kept in a place where a person under the age of 18 may have access, without committing an unforeseeable trespass, by a fine of not less than \$5,000 nor more than \$10,000 or by imprisonment for not less than two and one-half years, nor more than ten years, or by both such fine and imprisonment.

(e) A violation of the provisions of this section shall be evidence of wanton or reckless conduct in any criminal or civil proceeding if a person under the age of 18 who was not a trespasser or was a foreseeable trespasser acquired access to a weapon, unless such person possessed a valid firearm identification card issued under section 129B and was permitted by law to possess such weapon, and such access results in the personal injury to or the death of any person.

(f) This section shall not apply to the storage or keeping of any firearm, rifle or shotgun with matchlock, flintlock, percussion cap or similar type of ignition system manufactured in or prior to the year 1899, or

to any replica of any such firearm, rifle or shotgun if such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition.

While you are a recruit and will be attending the academy you must have a permit to carry a firearm to attend the MPTC recruit academy. When recruits attend the firearms week you must be aware of MGL 140 - 131C.

Most weapons that Law Enforcement carry are large capacity weapons which require a class A permit issued by their department. When transporting a weapon to the range for firearms week the student must keep that weapon under their direct control. Student can not leave a large capacity weapon in their motor vehicle for the purpose of securing it.

## Chapter 140: Section 131C. Carrying of firearms in a vehicle

Section 131C. (a) No person carrying a loaded firearm under a Class A license issued under section 131 or 131F shall carry the same in a vehicle unless such firearm while carried therein is under the direct control of such person. Whoever violates the provisions of this subsection shall be punished by a fine of \$500.

(b) No person carrying a firearm under a Class B license issued under section 131 or 131F shall possess the same in a vehicle unless such weapon is unloaded and contained within the locked trunk of such vehicle or in a locked case or other secure container. Whoever violates the provisions of this subsection shall be punished by a fine of \$500.

(c) No person possessing a large capacity rifle or shotgun under a Class A or Class B license issued under section 131 or 131F shall possess the same in a vehicle unless such weapon is unloaded and contained within the locked trunk of such vehicle or in a locked case or other secure container. Whoever violates the provisions of this subsection shall be punished by a fine of not less than \$500 nor more than \$5,000.

(d) The provisions of this section shall not apply to (i) any officer, agent or employee of the commonwealth or any state or the United States; (ii) any member of the military or other service of any state or of the United States; (iii) any duly authorized law enforcement officer, agent or employee of any municipality of the commonwealth; provided, however, that any such person described in clauses (i) to (iii), inclusive, is authorized by a competent authority to carry or possess the weapon so carried or possessed and is acting within the scope of his duties.

(e) A conviction of a violation of this section shall be reported forthwith by the court or magistrate to the licensing authority who shall immediately revoke the card or license of the person so convicted. No new such card or license may be issued to any such person until one year after the date of revocation.

When students take their firearms home for the first time and for the rest of their careers they should not turn their duty weapon into a conversation piece to be shown to their spouse, friends or especially children--not only theirs, but neighborhood children as well. There are some suggested guideline that should be looked at;

Most children have toy guns, and when they play "Soldier", no one gets hurt. They are used to seeing their favorite TV show person get up and be back on the show next week. And most today have interactive games they either play on the computer or some type of play station.

- 1. First, educate them
  - Safe handling Do the same as we have done in this manual for you
  - Not to touch guns unless supervised. Remember that children are curious, and must be supervised ant taught the correct way to look at a firearm and should never be allowed unless supervised.
- 2. Second, take precautions
  - Put guns in an inaccessible place With proper gun locks or security devises and only you and your spouse should know the combination or where the key is kept.
  - Lock up all guns This must be done to stay in compliance with MGL 140 Sec. 131L
  - Lock guns and ammunition in separate places This is a good practice and added security with respect to children
- 3. You must establish priorities if you intend to keep your firearm at home
  - Home Defense
  - Protection of child
  - Are you required to take your firearms home
  - For sporting use
- 4. Irresponsible adults
  - Those who are incapacitated (due to mental illness, alcohol, medicine, etc.) should not have access to firearms.
- 5. Develop your priorities based upon your situation.
  - (A single officer who lives alone and only has a service revolver is different from a married officer with three children, a shotgun, a service revolver, and an off-duty gun.)

## Lead Safety:

Lead safety is just as important as safe firearms handling. With handling firearms comes residue of lead that is fired from it and there are precaution that must be taken. The following document comes directly from **Mass. Division of Occupational Safety** 



## Introduction

Potentially dangerous exposures to lead can occur in both indoor and outdoor police firing ranges. Range instructors and range cleaners are at greatest risk. This alert provides guidance for those who work in, use and maintain indoor firing ranges, to protect them from the hazards of lead.

## How does lead affect the body?

Adults can be exposed to lead by breathing in lead dust or fumes or by ingesting lead dust. There are many symptoms or signs that suggest a problem with lead, but they can also be symptoms of other illnesses. It is also possible to have lead poisoning without noticing any symptoms. Therefore, if you work around lead, you should regularly see a doctor for blood testing, whether or not you are experiencing the following symptoms:

## Early Signs and Symptoms of Lead Poisoning

- Fatigue Headache
- Uneasy Stomach
- Poor Appetite
- Sleeplessness
- Metallic Taste
- Irritability
- Nervousness
- Reproductive Problems

## Later Signs and Symptoms

- Memory Problems
- Nausea
- Weight Loss
- Weak Wrists/Ankles
- Constipation
- Kidney Problems
- Aches/Pain in Stomach Muscle
- Joint Pains

## What are the sources of lead exposure at a firing range?

- In conventional ammunition,
  - Both the primer and the core of the bullet contain lead.
- Exposure to lead dust occurs
  - During loading of ammunition,
  - Target shooting, gun cleaning
  - Firing range maintenance.
- Inadequate or poorly designed ventilation,
- Improper range cleaning procedures,
- Eating drinking and smoking in an area where lead is used
- Lack of proper hygiene

All of the above can contribute to high lead exposures. Lead exposure can occur in both indoor and out door ranges. If an outdoor range is used the exposures are reduced.

## You can take it home with you!

High levels of lead dust in ranges that are not properly designed, ventilated, or maintained can settle on:

- Bodies, Clothes, Shoes of shooters and other range occupants.
- The dust can then be carried to their cars and homes, where it can be a hazard to their families.
- Young children are more sensitive to the effects of

## Do law enforcement personnel become lead-poisoned?

The following are examples of the many cases of over-exposure to lead at law

enforcement firing ranges that have been documented in Massachusetts and elsewhere.

- 1. The ventilation in a new firing range was blowing contaminated air toward the shooters. The maximum air lead levels exceeded twice the limit set by the U.S. Occupational Safety and Health Administration (OSHA).
- 2. Air lead concentrations of police firearm instructors at an <u>outdoor</u> range were measured. When copperjacketed ammunition was used, the lead levels were well below the OSHA limit; when non-jacketed bullets were used, the lead exposure was 4 times the OSHA limit.
- 3. Blood lead levels and air lead concentrations were measured at an outdoor police firing range. When non-jacketed bullets were used, air concentrations were 9-10 times the OSHA limit. Range instructors had blood lead levels up to more than twice the recommended limit. After jacketed ammunition was introduced, both air and blood lead levels came down to safe levels.
- 4. The blood leads of police trainees using an indoor range were measured before and after a4-week period. Blood leads increased from an average of 7 mcg/dl (micrograms per deciliter) to over 40 mcg/dl. The National Institute of Occupational Safety and Health (NIOSH) recommends that blood lead levels remain below 25mcg/dl. Air lead exposures were up to 60times the OSHA limit.
- 5. Three firearms instructors of a state corrections department had blood lead levels over 40 mcg/dl. Investigation revealed that shooting over an approximately 2-hour period resulted in air lead concentrations of 2–4 times the OSHA limit. Significant amounts of lead-contaminated dust were found in several range locations.

## How can I minimize lead contamination at a firing range?

The best way to prevent lead exposures at firing ranges is to use ammunition that is free of lead components.

- Some ammunition is made with copper or nylon jackets that eliminate the hazard from the lead core of the bullet by enclosing the lead.
- However, to fully eliminate the lead hazard, the primer must also be lead-free.
- There is now ammunition on the market that is completely "lead-free" and has a non-lead core and a non-lead primer.

## When <u>conventional ammunition is used</u>, the following precautions must be taken:

## **1. Ventilation/Engineering Controls:**

- Provide an effective exhaust ventilation system:
- Airflow pattern that takes contaminated air from the breathing zone of the shooter and moves it down the firing range where it is effectively removed.
- Poorly-designed ventilation systems and ranges with too many obstructions can be ineffective and cause re-circulation of contaminated air to the area behind the firing line.
- Periodically measure the airflow to be sure that the ventilation system is operating as designed.
- Range instructors usually have the highest exposures to lead.

## 2. Backstops / Indoor Ranges

- Install escalator backstops, granulated rubber traps and their variations, which minimize dust levels and are easy to clean.
- Avoid the use of angled backstops with sand traps, which can generate a large amount of airborne lead dust and require frequent cleaning.

## 3. Housekeeping

- Ranges should be cleaned daily or after each use to minimize the buildup of lead.
- To clean the range, use an industrial grade vacuum cleaner equipped with a highefficiency (HEPA) filter. HEPA filters trap fine particles of lead. Lead dust is not trapped effectively by other types of vacuum filters .NEVER DRY SWEEP RANGES.
- Wet methods, using any household detergent, can also be used to minimize lead dust.
- Even countertops, gun cleaning trays and target rails can be contaminated with lead.
- Proper cleaning or disposal of contaminated mops and cloths must be considered.
- Proper personal protective equipment such as respirators and protective clothing is needed for range cleaners.

## <u>4. Training</u>

- Shooters, instructors and maintenance staff must all be trained in the hazards of lead and the precautions needed to protect themselves.
- Training should be given before employees are exposed to lead, and then annually. Information that may be useful in training is available in the appendixes of the OSHA Lead Standard

## 5. Personal Protective Equipment

- During range cleaning, a HEPA (N100)-filtered respirator, disposable protective clothing and shoe coverings are recommended.
- There respirator must be properly fitted and a medical screening for respirator uses should be done

## 6. Personal Hygiene

- Showers, washing facilities and changing rooms should be provided and used.
- Hands and faces must be washed after shooting.
- Range instructors and range cleaners should shower and wash their hair at the end of their shift.
- The changing room should have separate lockers for contaminated protective clothing and street clothes.
- Contaminated clothing and shoes should be properly disposed of or cleaned.
- Any lead-contaminated clothing should be washed separate from other laundry items.
- Eating, drinking and smoking must be prohibited in any area that could be contaminated with lead.

## How can I tell how much lead I am exposed to?

## **Blood Lead and Medical Monitoring**

- Police officers and others who are frequently exposed to lead must have periodic medical exams and blood lead and other medical testing.
- At a minimum, range instructors and range cleaners should have their blood tested once every 6months or after qualification periods or periods of high exposures.
- One National Institute of Occupational Safety and Health (NIOSH) document recommends that blood testing be done on every person who works in or uses the range more than 3 hours per month.
- NIOSH recommends that blood lead levels be kept below 25 micrograms per deciliter (mcg/dl).

The Division of Occupational Safety is currently making blood lead testing available free of charge to range instructors and range cleaners.

## Who regulates lead exposure in police department firing ranges in

## Massachusetts?

While private sector employees are covered by OSHA Standards, public sector employees in Massachusetts are not. The Division of Occupational Safety, in accordance with MGL Chapter 149 section 6, is charged with inspecting workplaces in Massachusetts and determining what procedures and practices are required to protect workers. As a matter of policy, our office references OSHA regulations, as well as other consensus standards, when we determine whether proper procedures are being followed to protect workers. **Our office recommends that the OSHA Lead Standard for general industry (29 CFR 1910.1025) be followed as a minimum**. By following the OSHA standard you will be considered to be in compliance with Chapter 149, section 6.

## **Blood Lead Testing Available through Division of Occupational Safety**

As part of its initiative to reduce lead exposure at Massachusetts police Departments, the Division of Occupational Safety is offering blood lead tests

## FREE of Charge to <u>firing range instructors</u> and firing range maintenance

personnel.

## Who & Where

- 1. A licensed physician or other healthcare provider acting under the direct supervision of a licensed physician must order the blood lead test.
- 2. The order must include the employee's name as well as the employer's name and address on the physician's letterhead.
- 3. Once the order is obtained, you may set up an appointment and bring this order to the DOS laboratory to have your blood drawn and tested for lead.
- 4. Alternatively, you may send drawn blood in a green-top tube along with the physician's order directly to the DOS lab for free analysis.
- 5. Lead results are sent to both the physician and to you.
- 6. To obtain more details and or to set up an appointment for this service, contact the DOS laboratory at 617-969-7177.

Some individuals may wish to have their blood tested through their primary care physician or through an occupational health service. For a list of health care facilities that have physicians that are board-certified in occupational medicine, contact the DOS lead registry at the same phone number.

## Where can I get more information and assistance?

- The OSHA Lead Standard (29 CFR 1910.1025)www.osha.gov
- The National Institute for Occupational Safety and Health (NIOSH) www.cdc.gov/niosh.
- The Division of Occupational Safety <u>www.mass.gov/dos</u>

The Division of Occupational Safety (DOS) offers free on-site consultations. The DOS consultant will provide you with written materials, review the procedures that you will need to implement, provide ventilation testing and air monitoring as needed, and issue a detailed written report. There are no fees for this service, nor are there fines or penalties associated with the initial discovery of non-compliance. However, you will be required to comply with the more critical recommendations made by the consultant.

For information on environmental lead management for outdoor firing ranges, call or write to: National Shooting Sports Foundation, 11 Mile Hill Rd., Newtown, CT 06470; tel.(203) 426-1320 http://www.rangeinfo.org/; or contact the Massachusetts Department of Environmental Protection's Lead Shot Initiative at (617) 348-4056 or <a href="http://www.mass.gov/dep/files/pbshot/pb\_shot.htm">http://www.mass.gov/dep/files/pbshot/pb\_shot.htm</a>

Mass. Division of Occupational Safety Occupational Hygiene/Indoor Air Quality Program 1001 Watertown St., West Newton, MA 02465 Tel: 617-969-7177; Fax: 617-727-4581 Required Range Equipment

The following explanation of equipment is required for Recruit Academy Firearms Training week. All personnel shall become familiar with it prior to the start of live fire exercises.

#### 1. Gunshot Trauma / First Aid Kit

In a location that can be found easily by all and identified prior to the start of all firearms training. EMT's or paramedics should be identified prior to start of training.

#### 2. Automatic Electronic Defibrillators

(i.e., AED's If available, also found easily)

#### 3. Range Injury Action Plan

Is intended for use in emergencies (i.e., accidental shooting, heart attack, personal injury). Communications to be used for injury action plan. Whether a radio or phone

#### 4. Weapons Clearing Area Designated;

An area, weather a clearing station or area on somewhere on the range. They are intended for the proper loading and unloading of weapons while on the range.

#### 5. Eye Protection

Plastic eye protectors - personal corrective glass, side panels, <u>EYE PROTECTION MANDATORY</u>. Eye protection worn while on the range and cleaning all weapons.

#### 6. Hearing Protection

Noise Levels Produced by Firearms Discharges Effect Hearing.

#### 7. Soft Body Armor

Soft body armor is required to be worn while on the firing whether you are participating or not. Soft body armor is required to be worn by all personnel

## Range Rules

## These safety rules, procedures and regulations that Are expected to be followed by all shooters throughout firearms training. SAFETY IS EVERYONE'S RESPONSIBILITY!

- 1. Keep weapon pointed in a safe direction at all times.
- 2. Do not handle any weapons while anyone is downrange.
- 3. Never draw the weapon with your finger on the trigger.
- 4. Never bend over on the firing line until the line has been declared "safe".
- 5. Obey all commands from Range Master
- 6. Never holster any weapon cocked in the single-action mode or with your finger on the trigger.
- 7. Dry fire is only performed under the guidance of the firearms instructors. DO NOT dry fire unless instructed to do so.
- 8. **"The finger remains off of the trigger and outside the trigger guard** until the weapon is on target and that the officer has determined the use of deadly force is imminent" (i.e., Trigger Finger Management ).
- 9. Unsafe acts or unsafe behavior on the range will not be tolerated.

#### Do not take live ammunition into the cleaning area.

I have and reviewed and understand all of the above Range rules. I will comply with these rules and conduct myself as a professional and responsible police officer.

Signature:\_\_\_\_\_Date:\_\_\_\_\_

## Range Training Safety Rules

#### Range commands and common terms.

- 1. Low Ready Pistol Position a relaxed controlled position. The shooter will be facing the target area with the weapon held firmly with a two-handed grip; the barrel is pointed downrange from a hip level position.
- 2. Cease Fire...Cease Fire! Command to immediately stop shooting. Relay the "cease fire" command, come to "ready pistol" and await further instructions.
- 3. Prepare Magazines Place ammunition into your MAGAZINE according to instructions.
- 4. Load your Weapon! Insert a prepared magazine into the weapon magazine well, tap on the magazine bottom and tug on the magazine floor plate.
- 5. Make Street Ready- Work the action of your weapon, causing a cartridge to be fed into the chamber. Decock (if appropriate).
- **6.** Administrative Unload Release the magazine into your non-shooting hand. Place this magazine in your pocket. Perform a Clearing Procedure.
- 7. **Press Check /Pressure Check -** Carefully retract the slide of the weapon rearward, visually inspecting to ensure that a live round has been chambered.
  - a. NOTE: Press checks are ONLY performed upon initial loading of the weapon, NEVER IN CONJUNCTION WITH ANY OF THE RELOADS.
- 8. Make Weapon Safe Perform administrative unload , lock slide to the rear, look at chamber and feel chamber, look at chamber feel chamber and wait for instructions

## Range Safety Guidelines

- 1. No firearm will be removed from its holster unless given permission by the range officer
- 2. All holsters will remain secured at all times during training unless told to remove the firearm by the range instructor. This includes during any qualification or tactical training course
- 3. All firearms will be inspected by the range instructor before participation in any firearms training.
- 4. All firearms will be cleaned at the conclusion of any live-fire firearms training and once a week at a minimum
- 5. Firearms will be pointed only in the direction of the students intended target unless they are in the "low ready" position with the firearm pointed slightly below the target, under the student's field of vision.
- 6. The trainee will not place their finger on the firearms trigger unless they intend to fire the firearm. If the student is in the "low ready" position the trigger finger will be held along the trigger guard.
- 7. The trainee will never draw or re-holster with their finger on the trigger.
- 8. All participants in a training event are eligible to call a "cease fire" command if they observe a safety hazard.
- 9. Shooting will stop immediately upon a "cease fire" command
- 10. All reasonable commands of the range instructor will be followed immediately.

I have and reviewed and understand all of the above Range Safety Guidelines. I will comply with these guidelines and conduct myself as a professional and responsible police officer.

	Signature:	:Date:
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## Semi-automatic / Autoloader/ Self loader/ Nomenclature:

A firearm in which the gas pressure and / or the blow back recoil force from a fired round in used to unlock the mechanism, to extract and eject the empty shell casing, and to reload by stripping (or releasing) and feeding another cartridge from the magazine into to the chamber. The trigger must be released and pressed again for each successive shot.



For the purpose of this manual we will talk in generic terms when describing the major components of the firearm. We understand there are many manufactures of firearms. Manufactures will sometime use their own descriptions when identifying the different components of their weapon. Please refer to the manufactures information if you would like the correct terminology of your weapon.

## **Major Components**

## Frame:

This is the major body that usually houses the trigger assembly, and the magazine well is located inside of the pistol grip.



### **Slide Assembly:**

The component on top of the frame some time called the upper half. It usually houses the barrel, recoil spring & guide, firing pin, & extractor.



## **Barrel:**



The barrel guide the bullet and stabilities its trajectory. Inside the barrel are lands and groves called rifling. Care should be taken not to damage the barrel or used as a cruch. **Rifling** 

#### **Recoil Spring & Guide:**

The guide rod, will guide the slide assembly as the weapon recoils. The spring returns the weapon back into battery after the slide has move to it furthest point when the round has been fired.

#### Magazine:

The magazine holds the ammunition supply

# Disassembly of Weapon for Care and Cleaning

Properly maintaining a handgun is an obvious step for any law enforcement officer. Care and cleaning is necessary to ensure that his/her weapon will work safely and effectively when called upon. During the care and cleaning process officers should be inspecting for any excessive wear or damage. An improperly maintained or un-maintained weapon will be come unreliable to the officer. The firearm is a tool an officer relies upon as well as fellow officers rely upon to work properly when necessary. Most all departments, it is the responsibility of the officer to care and clean for their duty weapon under field strip conditions, (major component broken down). To go beyond the field strip components will usually take a certified armoror to insect and care for. Your "Life" and your partners "Life" depend upon you to make sure your weapon is functioning and working properly

Disassembly may vary depending on the type and manufacture. Refer to your department policy and procedure when disassembling your weapon. There are however some come issues and we will discuss them here.

# **Safety Clearing Procedures**

When disassembling any weapon **SAFETY** is the first priority.

- Administratively remove the magazine from the weapon
  - While weapon is still in the holster depress the magazine release and remove the magazine
  - **IMPORTANT** There will still be a round in the chamber at this point
- Pointing the muzzle in a **SAFE DIRECTION.** 
  - Safe direction shall mean; An area that is ballistically secure. In most academy's there will be a bullet trap to point the weapon into. If there is no bullet trap then you can use your bullet proof vest or a bucket of sand to point the muzzle into. Remember that most modern homes are not made out of ballistic materials.
- Clearing the chamber of your weapon
  - Pointing the muzzle in a SAFE DIRECTION and your FINGER OFF THE TRIGGER INDEXED ON THE FRAME pull the slide to the rear three times.
  - **IMPORTAINT NOTE**: if the rounds keep extracting from the weapon as you pull the slide to the rear **TAKE THE MAGAZINE OUT and start over!**
  - After pulling the slide to the three times there should be only one round extracted. After pulling the slide to rear several times lock the slide back and visually (look into the chamber) and physically check (stick your finger in the chamber) the weapon to be sure it is safe and unloaded.

We are now ready to field strip the weapon

#### **Field Strip the Weapon**

The actual process of field striping may vary greatly depending on the model of the firearms you have. Follow the manufactures procedure for specific weapons. The Glock Manufacture make you press the trigger before disassemble. This weapon needs to be check for safety a minimum of three times.



#### **Cleaning the Weapon**

Equipment you will need

- Lint free cleaning cloths
- Gun cleaning patches in the caliber of your firearm
- Cleaning rod for the specific caliber
- Solvent specifically designed for use with firearms
- Oil specifically designed for use with a firearm
- Barrel brush for the caliber you are cleaning
- Brush with nylon bristles
- Cotton swabs and pipe cleaners

### **Procedure:**

- 1. Wipe down all components
  - Remove as much as you can of the old oil and all powder buildup, thick and caked-on carbon buildup.
  - Wipe the inside of the magazine well, ejector, guide rails, and area around the chamber. Wipe these areas until the patches are clean
- 2. Apply solvent on all dirty components.
  - Most handgun manufactures design components ( even the polymer) to be safely used with any solvent. Be sure to check with manufactures specification on solvent to be avoided
- 3. Let the solvent soak in for a couple of minutes
- 4. Scrub the whole gun with a nylon brush. This works in the solvent on the weapon and loosens up the build-up areas on the weapon. Pay attention to small areas, rails, Connors, etc. The most common area with carbon deposits is in the chamber area.
- 5. Wipe down the whole weapon (inside and out) with a solvent soaked lint free cloth. Look for any areas turning the cloth dark. Clean those areas that turn the cloth dark again
- 6. Use a bore brush to break any buildup free from the barrel. Br sure not to reverse direction with the brush in the barrel. Push the brush all the way through the

barrel (letting the bristles change direction outside the barrel) then reverse and pull it back all the way through

- 7. Swab the barrel with a cloth soaked with solvent. Repeat until the cloth comes out clean. Then swab it with a clean dry patch. Finally, swab the barrel with an oiled patch. This coat of oil will protect your barrel from rust
- 8. Oil all the components requiring lubrication. Often the manual for the weapon will have specific areas needing oil. If you look at the weapon you will see where the wearing parts, this is a good indication of where lubricate should be applied.
  - Be sure to lubricate area around rotating parts, such as the base of the hammer or trigger assembly.
  - Don't forget to oil the guide rails and grooves in which they ride.
- 9. Re-assemble the weapon and perform a function test. (Are all the part back where they belong?)
- 10. Wipe down the whole gun and remove any excess oil. A very light coat of oil on the exterior of metal parts will prevent rusting by preventing moisture saturation.

## Warning

- Keep oil away from the openings into the firing pin housing (oil is a collector of dirt and powder buildup. Build up around your firing pin can prevent it from firing)
- Wash your hands after handling the weapon and cleaning supplies
- Always clean your weapon in a well ventilated area. Fumes from solvent or oils can be unhealthy if inhaled
- Keep oil away from your ammunition. The oil can penetrate the primer and cause the ammunition not to fire.
- NO AMMUNITION IN THE CLEANING AREA


### Bullet :

A single projectile fired from a firearm. Some mistakenly consider the entire round of ammunition to be the bullet, in actuallity it is only the tip of the round.

# Casing :

Uusually made of brass and contains the powder charge, the primer and the bullet. Before development of the metallic cartridge, the term was used to mean a roll or case of paper containing powder and shot. Centerfire metallics include all pistol and rifle cartridges that have primers in the center of the base.

### Gun powder :

The general term for any chemical compound or mixture used in firearms that burns upon ignition. The gases produced by this rapid combustion propel the bullet down the bore. One major type is black powder, which is a mixture of charcoal, sulfur and saltpeter. It's used in older cartridges. Another major type is smokeless powder, which is principally used in modern ammunition. It's a granular nitrated chemical compound.

### Primer :

The collective term for the chemical primer compound, cup and anvil. When the primer is struck, it ignites the powder charge.

# Pistol Cycle of Operation



The cycle of operation of the semiautomatic pistol is described **FEED, FIRE, EXTRACT & EJECT** 

We will break it down further:

• Firing:

as

Firing pin of the weapon hits the primer ignites the powder, the powder burns and fires the bullet out the barrel

• Unlocking:

Unsealing the breech end of the barrel and unlocking the barrel from the slide.

• Extracting:

Pulling the spent cartridge case from the chamber.

- Ejecting: Pushing the spent cartridge out of the ejection port.
- Cocking:

Returning the firing mechanism to the cocked position ready to fire another round.

- Feeding: Placing another round in the path of the slide
- **Chambering:** Moving the round from the magazine to the chamber
- Locking:

Sealing the round in the chamber and locking the breach end of the barrel into the slide

# Understanding Marksmanship Fundamentals

#### **Suggested Equipment Setup (Review):**

Before we start to understand marksmanship fundamentals we must take a look at the way your duty belt is set up with regards to holster and magazines. If you department has a specific way they want you to wear your issued equipment, then instructors will not criticize or comment. Instructors will suggest to those who have no requirements or who are wearing it for the first time or those who seem to be having trouble, proper ways to set your equipment.

#### Stance:

There are many shooting positions commonly referred to as stance, shooting platform, or shooting hold. Rather than argue the semantics we need to attend to the practical factors. The fundamental concern is how the human body is configured as a firing platform. The advantage of one stance, position or hold over another is up to the individual shooter. They all have advantages and disadvantages.

### *"Stance" = Balance + Stability + Mobility*

#### • The ISOSCELES :

Body is squared off stance facing the target, feet shoulder width apart, arms straight out in front of the shooter with the elbows locked, resembling and *ISOSCELES TRIANGLE*. This position will allow the shooter more stability and balance and maximum use of soft body armor. A disadvantage to the isosceles is that mobility may be a problem while shooting on the move, and also a good defensive stance / interview stance.



# • The WEAVER:

A bladed body stance with commonality of training the firearm held in a locked arm position with the off arm bent up supporting the shooting hand. With the deep strong side back the shooter has good balance and good defensive stance for reaction time. A disadvantage to weaver is mobility, and exposing your side to the threat, which has least amount of soft body armor.

### • The *Modified Isosceles (H&K):*

Here we have the best of both worlds when it comes to shooting platforms. Similar to the isosceles, but support side is a half step back. This allows the shooter to shoot on the move and still have a good defensive stance / interview stance. This will still allow maximum amount of soft body armor exposed to the threat. Here we have good balance, mobility and satiability





By taking that half step back on the strong side we allow the hands to be equal distance from the shoulders. By now having equal hand lengths to the target the position become more adept for point shooting or flash front site picture.



## **Establishing the Grip:**

The portion of a firearm designed to be grasped by the shooting hand in the normal operation. The grip is established with the draw of the weapon from the holster. *This called the five step draw.* 

### 1. **GRIP**:

Weapon hand firmly establishes the shooting grip on the weapon with trigger finger straight along the side of the holster. The retention devices (snaps) are undone as the grip is established.

### 2. **DRAW**:

Weapon is drawn far enough up so the muzzle is clear of the holster.

### 3. **<u>ROTATE:</u>**

The muzzle is rotated 90 degrees to the horizontal and now points towards the threat (The threat may be engaged at any time here on in as this is the traditional "hip shooting" position.)

# 4. TOGETHER :

The weapon is brought upward to the center of the chest as the support hand comes up and behind the weapon from the other side forming your two hand hold.

5. <u>UP:</u>

The weapon, now supported by both hands, is brought up to eye level and the sight picture obtained. Fire if the situation dictates.

- Shooting hand high on the back strap of the firearm.
- The trigger finger should be placed to make the easiest press of the trigger, usually about the first joint.
- Pressure with both hands on the grip must be equal.
- Thumb of the support hand alongside the thumb-piece, over the tip of the strong thumb.
- This is important, if the support thumb crosses the back strap an injury will occur when the slide recoils back.
- Notice that there is a canter approximately 30 degrees to the support hand. This allows more of the support hand palm to come in contact with firearm frame. And will allow a better rap of the fingers around the strong hand.

The grip that an officer uses on his/her firearm should make





the firearm an extension of his/her arms not a handle or piece of equipment. Proper grip begins with drawing the firearm. The grip the officer uses to draw the firearm will be the same that they use when shooting. Therefore, the grip must be firm, with the trigger finger along the frame, and the firearm's barrel aimed in a direct line from the shooter's arm without any hand, wrist, arm, or elbow adjustments.

Once the officer has accomplished the proper grip, it should be committed to muscle memory through constant drawing and engaging a target. This will become reflexive to the student and will lead to natural point shooting / point shooting.

Point shooting is importance to the officer when Close Quarter Battle (CQB). If we look at the Uniform Crime Report statistics;

### Law Enforcement Officers Feloniously Killed (Uniform Crime Report 2005)

- 55 L.E. Officers killed separate incidents
- Average age of officers 37 years
- Averaged years served 10 years
- 15 of 55 were handling traffic pursuits
- 8 handling arrest situations
- 8 ambushed
- 7 answering disturbance calls
- 7 answering suspicious person calls
- 4 during invocative activities
- 3 tactical situations ( high risk entry)
- 2 handling mentally deranged
- 1 will they had custody of prisoner for transport

### 50 of the 55 victim officer Offenders used firearms

- 42 were slain with handgun
- 5 with shotgun
- 3 rifle
- 5 used a vehicle as a weapon

### NYPD Analysis of Police Combat Released 1981

From Sept 1854 to Dec 1979

- 254 officer died from wound received in an armed encounter
- 90 percent of the cases were less than 15 feet

### Sight Alignment:

Before we can talk about point shooting we need to understand the importance of sight alignment. There are the fundamental of proper sight picture. Once you understand them point shooting and flash front site picture will be come natural.

# Sight Picture / Sight Alignment



<u>Sight alignment</u> is one component of proper sight picture or proper use of the firearm's sight. The front sights are properly aligned with one another as viewed by the shooter.

<u>Sight Picture</u> is the appearance of a firearm's sights to the shooters eye as aligned against the target with standard open sight configuration consisting of a post front and a notch rear sight

- 1. The sights themselves will be aligned so that the top of the front sight is level with the top of the rear sight notch.
- 2. The sides of the front sight are equidistant
- 3. The top of the front sight will rest just under the point on the target which the shooter intends to hit.
- 4. The shooting eye will focused on the front sight.



6 - O'Clock Holds

The 6-O'oclock hold is impractical for Law Enforcement purposes or self defense shooting, where the subject has no bullseye inscribed on them by which the shooter can tell how low to aim in order to hit the intended point.

- Less than 7 Yards shooter should reference sights (Flash Front Sight / Point Shoot)
- More than 7 yards shooter must place more emphasis on sights

#### **Sight Picture**

- Focus on the front sight only, clean & sharp
- The rear sight should be slightly out of focus,
- The target should be blurry.



The key to effective sighted fire is the

ability to consistently reproduce the same sight picture again and again. Most officers have bad habits of looking to see where they hit the target. We call this eye sprinting to the target which changes you focus and lead to changing your sight picture.

### **Trigger Control**

Strong hand usually the index finger should be placed on the trigger no furthering than the first knuckle about a <sup>1</sup>/<sub>4</sub> of an inch. Too much finger will cant the firearm to left for a right handed shooter and left for a left handed shooter.

#### **Trigger Manipulation:**

#### **Step One, Trigger Press:**

Trigger manipulation must work in conjunction with sight picture. This is where most new shooters have trouble. When shooter is manipulating the trigger, the first pad of the trigger finger must press smoothly straight to the rear. The shooter must keep their attention focused on the front sight during the trigger press, they must work together.

#### **Step Two, Follow Through:**

Trigger Manipulation includes follow through. When pressing the trigger straight to the rear the firearms will discharge. Continue to press straight back and hold pressure back for a moment. The shooter must think of this as letting the bullet exit the barrel. We know it happens instantly but to understand *follow through* the shooter must think that it takes



time for the bullet to exit the barrel and we want to give it that time. Trigger Press



**Follow Through** 

#### **Step Three, Trigger Reset:**

When shooting multiple rounds the shooter should not disengage their finger from the trigger. After follow through, (holding the trigger to the rear), release the trigger, keeping your finger on it. Let it travel forward to *reset*. The trigger does not need to travel all the way forward and back you will (You hear and feel the click), remember to keep focus on the front sight.



Reset

### Verbalization:

Verbalization is the key component of officer survival and situational control. It is also an important part the 5 step draw process. Officer may say nothing during high-stress engagements. If more than one officer is present, multiple officers may give commands/directions at the same time, creating confusion. The key to verbalization is simplicity. If feasible, give simple commands in a clear load voice. Repeat these commands slowly until compliance is achieved or other means of control are required. If there is more than one officer present, the contact officer (initiating officer) should be the only one to issue commands. As in defensive tactic contact cover may change depending on the situation.

#### Scan & Holster:

Prior to recovering to the holster a scan for additional threats should be done. FBI statistics show that in nearly half of all deadly force engagements, there is more than one opponent. **Remember; Quick on the draw, but slow to holster.** Before you holster you need to look left and behind and right and behind. We want to look 360 degrees scanning for additional threats. After you feel the area is clear then you can re-holster in reverse order of the draw.

When re-holstering, support hand should be in the high guard position to fend off attacker. Re-holstering should be done with one hand, all security devises engaged.



### Extreme Close Quarter Battle

Up to now we have been talking about two handed shooting. It would be impractical and to use two hands in some tactical situations. ECQB deadly force encounter will dictate some type of defensive tactic. If a firearm is being used at the close distance it will be with one hand techniques. Notice in the picture to the right that the officer is performing a block of some type and drawing to engage the deadly force threat. The weapon is cantered to eliminate the slide from being hug up on piece clothing. Punching out is not realistic at these distances with two hands; firearm is kept close to the body. You could end up in a struggle for your firearms.

#### **Dominant Eye Test:**



Placing your hands placed as shown in the picture to the right. With both eye open. Focus on an object through the hole in your hands. Continue to focus with both eyes open and pull you hand to directly to your face. Your dominate eye will take over when your hands close to your face.

This will be your dominate eye to shoot from when target shooting.

When point shooting, both eyes will be open focusing on your target. Both eyes will obtain a flash front sight picture when the weapon comes up to your eyes. This will become natural point shoulder shooting over time. This is more realistic when conditions of high stress occur at distances less than 15 feet. We will discuss more of the natural point shooting later in this the manual.

# Dry Fire Skills

### **Dry Fire Skills:**

One of the best ways students can do to improve their proficiency with their firearms is to practice. Dry firing is an economical way to become familiar e with your firearms. Dry fire practice is done with an **unloaded and safe firearm**. Dry fire practice allows you to concentrate on sight alignment and your trigger control without having to be at the range. This and economical way to practice your shooting fundamentals with out going to the range. World class shooters will dry fire their weapon 10 times to the 1 live round. The saying of "perfect practice make practice perfect" and dry firing can assist with that perfect target.

The objectives of dry firing are to improve shooting skills. Those skills include;

- Stance
- Grip & Draw
- Sight alignment
- Sight picture
- Trigger Press
- Trigger follow through
- Trigger reset
- Scan and re-holster

The first and foremost concern with dry firing exercises is **SAFETY**. <u>*The following drill should*</u> <u>not be performed until the student has made his/her weapon safe</u>. Students should double and triple check their weapons to make absolutely certain they are safe and clear.

- There must not be any live ammunition in the area that students intend on performing dry fire exercises.
  - The area used to perform dry fire exercises will required some type of back stop
    - Back stop in the class room should be a wall that bullets will not penetrate
    - A ballistic vest should be used to point the weapon at, student can hang their vest on a wall
    - $\circ$  If a range is being used , we pointed be pointed at the back stop

## **Reset Drill (Dry Fire)**

# Safety First- Be sure the weapon is unloaded, clear and safe, triple check. Be sure of your back stop, Use your body armor if necessary



Achieve good stance, grip, sight alignment, sight picture. The front sight must be clean and sharp and in focus. Continue to focus on the front sight and press the trigger to the rear. You will hear the hammer drop, *CONTINUE TO HOLD* the trigger to the rear. (FOLLOW THROUGH)



You will need to manually cycle the weapon to reset the hammer. Notice that the trigger is still pressed to rear while the weapon is being manually cycled. A second student can cycle the weapon for you so your grip won't change; you are continuing to focus only on the front sight while the manual cycle of the weapon. If you are by your self the support hand can cycle the weapon.



Slowly allow trigger to move forward keeping trigger finger inn contact. Trigger will move forward to a point where you will hear and feel it "click". That "Click" is reset of the trigger. You do not have to let the trigger travel any further forward. The trigger can be pressed again. And the process can be repeated.

# **CAUSTION:**

For those weapons that have a magazine safety, use orange dummy rounds. Do not have live ammunition in the area that you will use to do this drill.

#### Range 3000 / MILO:

If the Student has availability of a Range 3000 or Milo system or any other firearms simulator system, this is an excellent way to perform basis firearms skills drills. They are usually called *Skill Builder Drills*.

#### Loading & Unloading Magazines:

Recruits will use dummy rounds and load magazines.

#### Magazine Reload Drills / Changing Magazines

There are three types of magazine reload procedures (change magazine) we will talk about these separately.

- Administrative reload
- Tactical reload
- Combat load

#### Administrative Reload & Unload:

An administrative reload is performed while the firearm is in the holster. Students will push the magazine release and remove the magazine from the weapon while it is secured in the holster. This reload can be used when on the firing line, when students need to top off their magazines, the magazine can be safely removed and topped off or a fresh magazine. This is the safest way to load / top off magazines from the weapon with out removing the firearm from the holster.

This procedure should be used when unloading to make the weapon safe. Removing the magazine is the first step when preparing to make safe and clear weapon.









### **Tactical Reload:**

The tactical load is used when it is tactically safe. The preferred method is from behind cover. The tactical reload is one to be done when there is a lull in the situation. Under stressful condition counting rounds is not practical. We must start to thing of the idea of heavy or light. When training repeatedly with your weapon you will begin to feel the difference between a fully loaded weapon, half loaded, and almost empty weapon.

The concept of not throwing those rounds away is one of tactical advantage. When the weapon is light you will remove a fully loaded magazine from your pouch, drop the light magazine in your hand with full magazine. Place the full magazine in the weapon and the light magazine on your person, pocket, waist band, some place other then your magazine pouches. Magazine pouches are for fully loaded magazines.



#### **Combat Reload:**

The combat reload is a fast reloads usually done when the weapon is run dry of ammunition. The weapon goes to lock back, release the empty magazine let it drop to the ground and reload with a fully loaded magazine.



All the above drills should be practice dry with orange dummy rounds.

### **IMPORTANT:**

This performed with a SAFE AND CLEAR WEAPON. Triple check the weapon to be sure that the weapon is safe and clear. NO LIVE AMMUNITION IN THE TRAINING AREA!

## Session II on Range

# Safety Brief: Cardinal Rules of Firearms Safety

- 1. Treat all weapons as loaded weapons.
- 2. Never point any weapon at anything you are not intending to shoot.
- 3. Keep your finger off the trigger until you are ready to shoot.
- 4. Know your target and what is beyond it.

You will see and hear these rules through out your life not just as a Law Enforcement Officer but during any time you may have to handle a firearm. They are the basic for all firearms training and handing and should be engrained into your mind as well as your families. You will be required to recite these and write them out during your firearms training week.

#### Loading & Unlading Area

This will be an area designated by the range master where the student can go and safely make or check that their weapon is "Street Ready". This also an area the student can go to safely unload their weapon. The area will be designated prior to the start of training and students will advise the range master of his/her intentions.

#### **Designated EMS Equipment & Related Equipment Brief**

This area will have the necessary equipment to deal with emergency conditions in the unlikely event of a mishap. The highest level of emergency personnel should be identified to the range master who will take charge of emergency situations and direct personnel to specific details. At the designated area there should be communication equipment for notification of emergency care to respond. At this area there should be a copy of the incident action plan for all to follow in case of emergencies. Equipment should include;

• Gunshot Trauma / First Aid Kit

In a location that can be found easily by all and identified prior to the start of all firearms training. EMT's or paramedics should be identified prior to start of training.

• Automatic Electronic Defibrillators (i.e., AED's If available, also found easily)

#### • Range Injury Action Plan

Is intended for use in emergencies (i.e., accidental shooting, heart attack, personal injury). Communications to be used for injury action plan. Whether a radio or phone

### Personal Range Safety Equipment Brief

All personnel are required to have the proper range safety equipment;

- Hearing protection
- Wrap around eye protection
- Ball cap
- Soft body armor (Required to be worn by all)

#### -Range Commands

Range commands and common terms.

- 1. Low Ready Pistol Position
- 2. Cease Fire...Cease Fire
- 3. Prepare Magazines
- 4. Load your Weapon
- 5. Make Street Ready
- 6. Administrative Unload
- 7. Press Check /Pressure NOTE: Press checks are ONLY performed upon initial loading of the weapon, NEVER IN CONJUNCTION WITH ANY OF THE RELOADS.
- 8. Make Weapon Safe

## Live Fire Basic Marksmanship Skill;

Loading Procedures

Student will load their magazines with required rounds as instructed by the range master.

- 1. Draw weapon from holster
- 2. Insert loaded magazine
- 3. Holster weapon snap and secure
- 4. Administratively remove magazine
- 5. Add the round back to the magazine (Top Off) that was chambered
- 6. Administratively load the topped off magazine
- 7. Tap and tug on magazine to be sure its seated

### **One Hole Drill**:

Students will start at the 3 yard line with the weapon out of the holster at the "Low Ready Position" On the command "UP" Students will have;

- Proper Stance
- o Grip
- Sight Picture

When the students come up on target from the low ready position, they need to establish the perfect sight picture, clean and sharp is the front site, they **press** the trigger to the rear and hold to the rear for follow through. When pressing the trigger to the rear continue to focus solely on the front site. The common mistake

shooters make are thinking sight picture and trigger press are separate functions not realizing they need to work together as one. A typical response from the average shooter is, after firing the



weapon they lift the eye to see where the round impacted. This is

called "eye sprinting", the students want to see where their rounds go, and they should resist this response. If you eye sprint, focus changes and sight picture changes. By keep focus solely on the front site the shooter will be able to make the rounds touch on the paper. The object is to place two rounds threw the same hole.

This drill allows the students to become familiar with basic marksmanship skills and fundamentals. Through repetitive motion the students will develop mussel memory which is key to instinctive point shooting at close distances.

This drill starts close and moves back as the student become confident with their skills and understands where sight picture is necessary and at what distances. The key to point shooting and flash front site is repetition and mussel memory. Establishing;

- Stance
- o Grip
- o Sight alignment
- o Trigger press follow through
- o Reset.

#### **Tactical Reloading Drills:**

After practicing the above drill the instructors will add tactical reloads with communication to the drill. A tactical reload, as described in session I, is done when tactically available and the officer has a light magazine, remember we don't count rounds we use the concept heavy and light. After many repetition and time on the range, an officer will know by the weight of their weapon. When performing the tactical reload, use of cover & concealment should be used when available. The tactical reload can be done when a lull in the situation has occurred. In the picture you will see that the officer does not discard the magazine that is light. We always will keep rounds and only discard empty magazines. Notice that the light magazine is placed in the pocket or belt; some where other than the magazine pouch so as not mix up full magazines.







#### **Combat Reload:**

The other reload that will be added to the one hole drill will be the combat reload. The combat reload is performed when the weapon locks back or in some malfunction that the magazine needs to be discarded. The empty magazine is dropped to the ground and full magazine is inserted into the weapon. This is the fastest and easiest reload to perform and can be performed from any shooting position.



The sequence of pictures show lock back after the last round is fired, magazine being released from the weapon, new magazine with index finger pointing the way to the magazine well, new magazine being inserted into the weapon and seated, and shooter coming back up on target.



With any reload either tactical or combat there needs to

be communication when working with a partners. Communication will inform your partner you are about change you magazine or may be experiencing a problem with your weapon; this communication does not have to be complex but relatively simple. An example of one type of communication is;

- Calling for "Cover"
- Your partner will call "Covering"
- o After you have completed the magazine change you will call "Ready"
- Your partner will call "OK"

#### Malfunction Drill / Stoppage Drills:

A malfunction/stoppage in your pistol means your weapon has failed to do one of the following four things;

- o Feed
- o Fire
- o Extract
- o Eject

If your weapon has failed to do one of the above in a stressful environment/gunfight you will need to clear and put the weapon back into working condition as quick, efficiently, and effetely as possible.

There are four basic types of malfunctions or stoppages that the shooter must be familiar with.

- Failure to feed:
  - $\circ$  The cartridge has not transitioned from the magazine to the chamber.
- Failure to fire:
  - The cartridge did not fire either due to faulty ammunition or because the firing mechanism failed to operate correctly.
- Failure to extract:
  - The cartridge remains in the chamber after the action has cycled.
- Failure to eject:
  - The cartridge remains in the receiver after being extracted from the chamber.

Stoppages are classified as Phase I, II or III stoppages. You may also hear them referred to as Type I, II or III stoppages.

When a stoppage occurs, the shooter will address it with an "**Immediate Action Procedure**". This is a standard drill taught to shooters which will quickly clear the problem and bring the weapon back into action. The fundamentals are the same for the rifle as we use for the semi-auto pistol.

#### Phase I Stoppage:

The Phase I Stoppage is most commonly identified with the click of the firing pin striking an empty chamber when the shooter presses the trigger. The protocol for clearing this malfunction is Tap – Rack – Evaluate,

• **TAP** – hit the bottom of the magazine to insure it is properly seated. This may be the result of the shooter failing to properly insert it to begin with. If the magazine is not properly seated, the slide will not strip the top round out and you will get a click instead of a bang. To prevent this,



the shooter must always check the magazine after inserting it. Whether you call it TAP/TUG or PUSH/PULL, the concept is the same. Insert the magazine firmly and check to insure it is seated by trying to pull it out.

#### • RACK/INVERT-

cycle the action to rear and let it return forward under the tension of the recoil spring. Once the magazine is correctly seated, cycling the



action should bring a round up into the chamber and put the rifle back in service. By inverting the weapon this allow any rounds, material, or empty casings to fall to the out instead of into the weapon. Caution! Students need to be aware and careful when gripping the slide on a weapon with a decocking / safety lever not grip the lever, this will cause the decocking / safety lever to go into the "on" position disengaging the trigger bar and trigger mechanism on some models make the weapon inoperable until the safety / decocking lever in placed in the "Off" position. When performing the inverted rack with a weapon that has the

external lever students must grip forward of the lever to prevent the accidental engaging of the lever.

• **EVALUATE** – reassess the situation to determine if the need for deadly force still exists. Fire if necessary or continue to cover the threat.

#### Phase II Stoppage:

The Phase II Stoppage is generally more complex. If the immediate action drill fails to clear the problem then a double feed is a typically the problem, double feed meaning more than one cartridge is trying to be chambered at the same time. This is easily identified by looking at the action. The



bolt will be partially open and you will see the two rounds jammed there.

If the immediate action drill fails to solve the problem, the shooter must go directly to the;

- Lock Lock the slide to the rear
- $\circ$  Rip Rip the magazine out
- Shake- Shake to clear any fold brass or rounds
- Run-Run the slide back and forth to clear any seated rounds in the chamber
- Tap- insert a different magazine and Tap & Tug
- Rack pull the slide to rear and release to chamber a round
- Access- Access the situation to be sure deadly force is still justified

#### (INSERT PICTURES)

#### **Phase III Stoppage:**

The Phase III Stoppage is typically identified by a broken part in the firing mechanism which prevents the weapon from operating properly. This is not a problem that is going to be quickly solved by the user .. A strategic withdrawal may be the best course of action at this point.

# Session III on Range

Safety Brief:

# **Cardinal Rules of Firearms Safety**

- 1. Treat all weapons as loaded weapons.
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- 3. Keep your finger off the trigger until you are ready to shoot.
- 4. Know your target and what is beyond it.

## Loading & Unlading Area

This will be an area designated by the range master where the student can go and safely make or check that their weapon is "Street Ready". This also an area the student can go to safely unload their weapon. The area will be designated prior to the start of training and students will advise the range master of his/her intentions.

# Designated EMS Equipment & Related Equipment Brief

This area will have the necessary equipment to deal with emergency conditions in the unlikely event of a mishap. The highest level of emergency personnel should be identified to the range master who will take charge of emergency situations and direct personnel to specific details. At the designated area there should be communication equipment for notification of emergency care to respond. At this area there should be a copy of the incident action plan for all to follow in case of emergencies. Equipment should include;

• Gunshot Trauma / First Aid Kit

In a location that can be found easily by all and identified prior to the start of all firearms training. EMT's or paramedics should be identified prior to start of training.

- Automatic Electronic Defibrillators
  - (i.e., AED's If available, also found easily)
- **Range Injury Action Plan** Is intended for use in emergencies (i.e., accidental shooting, heart attack, personal injury). Communications to be used for injury action plan. Whether a radio or phone

### Personal Range Safety Equipment Brief

All personnel are required to have the proper range safety equipment;

- Hearing protection
- Wrap around eye protection
- o Ball cap
- Soft body armor (Required to be worn by all)

#### Movement:

Students must understand that not all situations will be static and will require them to move with weapon out and in some cases shooting. There are three basic movements;

- Forward movement
- Rearward movement
- Lateral movement

#### Forward

There are two basic forward movements the forward slide/ step and drag and the groucho/duck walk with the knees bent and used as shock exhorbers to reduce the front sight from bouncing as you walk.

The slide step or step and drag forward movement is also used in defensive tactic to keep your plat form well balanced keeping your strong foot

connected to the ground. This will help when moving on uneven terrain. The down side is this is slow when trying to move quickly from one position to another.





### Rearward

Rearward is opposite of the forward movement and are the same techniques. The step and drag /reverse shuffle step has the advantage of keeping your perceived threat in view and your feet feel your way back to a position of cover. The bent knee is quicker but you will need to look behind you more often to see where you are going. Both forward and rearward shuffle movements have commonality to defensive tactics.

#### Lateral

Lateral movement meaning left and right, can be difficult if you cross your feet as in the picture below. This technique of crossing feet can be dangerous and avoided because you may trip over your own feet. In the picture below although it shows patrol rifles with the movement the officer's feet are not crossing they are moving laterally one step at a time with out crossing their feet.



RIGHT



WRONG

#### **Force Transitioning**

Transitioning from one force option to another needs to be fluid and smooth when the officer perceives a threat in front of him/her. That transition we will be talking about will be from one force option to deadly force. You may have handcuffs, baton, OC spray, etc. in your hand when the subject action escalates to deadly force and now need to draw your firearm. You will learn to transition smoothly with that force option in your hand and draw your firearm. The force option in your hand can be dropped, or cupped in you hands and you will still be able to draw and fire your firearm.





### **Close Quarter Combat / CQB**

CQB is used when dealing with threats from 15 feet or less where the officer is reacting to the perceived deadly force threat. Extreme CQB is with in that interview area where a defensive tactic may be deployed and followed up with the firearm when it's a deadly force encounter. The firearm does not want to be pushed out away from the body where it could be disabled if pushed against the subjects body and at the extreme close quarter you could be fighting to keep control of the weapon with the subject. When deploying at the Extreme CQB the weapon needs to be shot from the hip and will need to be cantered to eliminate the slide catching on clothing when it's fired.



# Session IV on Range

Safety Brief:

# **Cardinal Rules of Firearms Safety**

- 1. Treat all weapons as loaded weapons.
- 2. Never point any weapon at anything you are not intending to shoot.
- 3. Keep your finger off the trigger until you are ready to shoot.
- 4. Know your target and what is beyond it.

## Loading & Unlading Area

This will be an area designated by the range master where the student can go and safely make or check that their weapon is "Street Ready". This also an area the student can go to safely unload their weapon. The area will be designated prior to the start of training and students will advise the range master of his/her intentions.

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In a location that can be found easily by all and identified prior to the start of all firearms training. EMT's or paramedics should be identified prior to start of training.

• Automatic Electronic Defibrillators

(i.e., AED's If available, also found easily)

 $\circ \quad \textbf{Range Injury Action Plan}$ 

Is intended for use in emergencies (i.e., accidental shooting, heart attack, personal injury). Communications to be used for injury action plan. Whether a radio or phone

#### Personal Range Safety Equipment Brief

All personnel are required to have the proper range safety equipment;

- Hearing protection
- Wrap around eye protection
- o Ball cap
- Soft body armor (Required to be worn by all)

While statistically gunfights happen close in, we can not ignore the benefit of good cover. In the early 1970's, the New York City Police Department began documenting gun fight statistics and came to the conclusion that "the single most important factor in the officer's survival during an armed confrontation was cover." "In a stress situation an officer is likely to react as he was trained to react. There is almost always some type of cover available, but it may not be recognized as such without training."<sup>1</sup>

#### **Cover vs. Concealment**

The difference between cover and concealment is very simple – cover will stop an incoming bullet where concealment will not.

The type of firearm you are up against will have a large impact on what will be adequate cover. For instance, a high power hunting rifle round can penetrate a medium sized tree trunk, concrete blocks, automobiles and your average house front to back however, these same items may be adequate cover against a typical handgun. Since we may not know the exact type of weapon facing us, we need to presume the worst case scenario and use the best cover available.

Keep in mind that newer vehicles generally are more concealment than cover. Better paint and corrosion resistance means manufacturers now use thinner sheet metal. Engines are smaller and plastic is used everywhere. There is always that big gap between the bottom of the vehicle and the ground leaving your lower legs and feet exposed. Inside a typical house, sheetrock walls are merely concealment. Disregard what you see in the movies – interior walls do not stop bullets!

<sup>&</sup>lt;sup>1</sup> Firearms Discharge Assault Report (NYPD SOP-9), NYPD Firearms & Tactics Section. 1970.

Be aware of potential hazards with may be present with your "cover". Positioning yourself at the rear of a vehicle next to the fuel tank or behind a propane tank is <u>not</u> recommended.

It is critical that you make good use of cover part of your tactical mindset. Use cover proactively. Always be aware of where your nearest and best cover is. Habitually position yourself behind or adjacent to cover so if the situation goes bad, the distance you need to move to cover is reduced.

#### **Proper Use of Cover**

Many officers fail to use cover correctly or efficiently. It is common sense that you keep as much of your body behind the protection of cover as possible. If your cover is low – stay low. Avoid crowding the cover; in other words keep back from it. Understand that you can be 15 feet behind cover and still use it effectively. Incoming rounds striking the stone wall or concrete building you are behind will create harmful "spall". This is the shrapnel like stone chips and bits of concrete which fly back at



you and can cause injury. The further back you are, the lower the velocity of the spall.

If possible, avoid using the same side of your cover each time. If the threat can predict what you will do next, you lose your advantage. Be unpredictable, change up which side you will shoot from and above all – avoid a set pattern.

Avoid using the corner of a wall or building to support your weapon. This will position the muzzle beyond the corner which may be in reach of a threat hiding around that corner. Using the corner as a fulcrum, it is relatively easy for the threat to disarm the officer. Position yourself so the muzzle does <u>not</u> extend past the cover. There is one exception to this rule. There may be a situation where you are sure no threat exists on the other side of cover and you need to support the weapon for a longer range shot.

#### M&M Rule

When using cover, remember to expose the Minimum amount of your body for the Minimum amount of time. Expose only what is necessary to acquire and engage the threat then get back behind the protection of your cover. Be in your shooting position (weapon up and ready) when you scan out from behind cover. Even if you don't see a threat, the threat may see you so minimize your exposure time. If you spot your threat and are justified to shoot, fire 2 or 3 rounds maximum then return back to cover. There may be a second or multiple threats which can target you while you are engaged with the initial threat.

#### Slicing the Pie

Slicing the pie is a technique which is particularly effective when searching for threats around corners. Keeping back as far from the corner as possible with your weapon up, you will gradually scan around the corner with quick peeks, clearing a couple of degrees of arc at a time. Shift your position slightly and repeat.

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Using this tactic, an officer can safely and effectively clear about 95% of a room without having to actually enter it. The key here is not to try to clear to much of the area at one time. Be patient and only clear  $5^{\circ}$  to  $10^{\circ}$  at a time.

#### **Shooting Positions Using Cover**

Target and recreational shooters can take their time to get into a proper shooting position for maximum support and accuracy. Even action pistol shooters who claim to be "realistic" can legally cheat by using their cover as a support. In law enforcement we rarely have the luxury of time to assume

a perfect shooting position. Lethal force often happen in a matter of seconds with little or



encounters

warning. We will be forced to use whatever cover is available and probably will have to assume some non-standard shooting positions. If cover is not available, we need to do something to make us harder to hit. When cover is available but very low to the ground, we must use some untypical handgun shooting positions.

**Prone** – This position is effective when the available cover is very low, small or non-existent. It also provides a very stable shooting platform in the event we need to engage at a distant target. The prone position is ideal when using a cruiser for cover. Get in behind the tire and wheel assembly which provides some of the heaviest metal mass in a vehicle. In the event no cover is available, the prone position minimizes the amount of you that the threat can see thus target.

**Rollover Prone** – Like the standard prone position, rollover prone gets us down low and minimizes the target area presented to the threat. This position allows us to shoot under an object or

through low openings.



Kneeling – If you are presented with low cover, don't stand over it. You are only protecting your ankles. This mistake provides the

threat with a clear shot at your head and upper torso – the parts of your body which contain the



most vital organs. Get down and take advantage of whatever height the cover offers. You can take the traditional kneeling stance which offers more support or go to both knees. Shoot around the side of the cover if possible. You will expose much less of your body.



Sup ine – The supine position is basically

Correc

shooting on your back. This is an unconventional position and if you are engaging a threat like this, it generally means you have been knocked to the ground. Depending on where the threat is, you may be shooting between your knees, back up over your head or anywhere between.



**Engaging Multiple Targets from Cover** 

If you are up against multiple threats the most effective way to deal with them is one at a time. Your greatest advantage is good solid cover. Hopefully you have selected cover which will effectively stop incoming rounds and protect you. From the protection of cover, slice the pie to clear one small section of the space at a time. If you sight a threat and lethal force is warranted, engage it. When that threat is neutralized, continue scanning as before. The key is to remain calm, use your cover and training to maximize your advantage then deal with any threats one by one.
## **Support Side Shooting**

Unfortunately our cover may not always be what is most comfortable for us. Right handed shooters will always prefer to shoot around the right side of a barricade or cover and vice versa. Typically we find ourselves having to shoot around the "other" side. There are two ways to deal with this.

**Body Cant** – This technique allows us to keep the pistol in our dominant shooting hand and we angle the upper half of our body to the side to allow us to engage around the side of cover. You need to use care not to expose anymore of your body than necessary. The major advantage to this technique is you retain the comfort of shooting with the dominant hand. Disadvantages include you will be slightly off balance and must expose more of your body and head.

Do not make the mistake of stepping out from behind cover to engage. This will expose all of your body and you give up any advantage the cover provided.



**Support Hand** – An alternative to the Body Cant is

to shift the weapon to your non-dominant or support hand and shoot as if you were left (right) handed. The advantage to this method is you are going to expose less of yourself to the threat and keep better balance. The obvious disadvantage is most people are not comfortable shooting with their support hand even if they use a two hand shooting stance. We can overcome this disadvantage by practice. The theory is the same and the technique merely requires you mirror image what you do with your dominant hand.

You will also need to practice how to safely pass the pistol from one hand to the other. This can be easily done by ensuring your finger is off the trigger and remains off the trigger until the exchange has been made and you have made the decision to shoot. Maintaining control of the weapon with your dominant thumb and index finger, open the middle, ring and pinkie fingers to expose the grip area. Now wrap the middle, ring and pinkie finger of the non-dominant hand around the lower grip. As you take control with those three fingers, relax the dominant thumb and index finger. You can now bring the

non-dominant index finger and thumb in. Keep the muzzle pointed in a safe direction and engage the manual safety if so equipped on your pistol.

While this may feel awkward at first, you will gain proficiency and dexterity with practice.

# Session V Low Light Shooting Techniques on Range

"This is the law: The purpose of fighting is to win! There is no possible victory in defense. The sword is more important than the shield, and skill is more important than either. The final weapon is the BRAIN. All else is supplemental." John Steinbeck

## **Cardinal Rules of Firearms Safety**

- Treat all weapons as if they are loaded.
- Never point your weapon at anything you do not intend to shoot.
- Keep your finger off the trigger until your weapon is on target and you have made the decision to shoot.
- Know your target and what is beyond it.

When you began the firearms training portion of your training you were given a set of Range Rules. Working in the dark means everyone needs to pay even more attention to safety.

## **Range Commands**

- "Ready" Light off, draw weapon to ready position
- "Threat" Light illuminates threat, weapon up, verbal commands
- "Deadly Threat" Engage the threat, light off, move laterally
- "Recover" Reholster weapon

## Why Carry A Light?

Everyone who works in law enforcement needs a light. Even if working the day shift, we can not assume we will always be in a well lit area. In the dark, humans are legally blind. While we rarely (if ever) have to use our duty weapon, police officers use their flashlights on a daily basis. It can be argued that next to your portable radio, your flashlight may be the most important piece of equipment you carry. The FBI's Uniform Crime Report documents that most deadly force encounters will happen in low light or dark conditions. We must be able to identify our target (i.e. the threat). Legal precedent and common sense requires this. We must also be able to see what is beyond the threat since we are responsible for every round we fire. It is a statistical fact that in a gun fight, less than half of our rounds actually hit home. 2006 figures for NYPD showed only 34% of the rounds fired were actual hits.<sup>2</sup>

Many officers carry a large rechargeable light that mounts in their cruiser. When they foresee the possibility of entering a dark area, they bring the light along. As any cop who has been on the job for any length of time can tell you - that does not always happen. Veteran officers will tell you that they have bailed out of their cruiser to chase a suspect only realize they forgot to grab their light when they found themselves in that unlit basement or other area with no light.

# Flashlight Rule #1 – Have a light when you need a light. Flashlight Rule #2 – Carry the brightest and most reliable light you can afford.

#### **Mastering the Dark**

We carry a light to perform five basic functions: Navigate, Identify, Locate, Evaluate and Sight. We have abbreviated this as N-I-L-E-S to remember it easily. NAVIGATE – We must be able to safely find our way around obstacles and obstructions.

<sup>&</sup>lt;sup>2</sup> 2006 Firearms Discharge Report, Firearms & Tactics Section, NY City Police Academy, pg. 10. In the same year, LAPD showed 40% hit rate. These are representative of the nationwide statistics.

IDENTIFY - To ascertain what we have located is what we were looking for.

LOCATE – We use the light to locate people and objects in the dark.

ENGAGE – If we identify a threat, we need to see the threat to engage it.

SIGHT – Even with "night sights" we can use our light to better see our sights. We can take this one step further by adding Distract and Disorient but more on this later.

Most importantly, we carry a light because without it, we are legally blind in the dark. If a situation required the use of force, imagine the field day a defense attorney would have with an officer when it can be proven the officer was legally blind when they engaged the subject. The chart below illustrates how close we come to the definition of being legally blind in conditions we might not consider particularly disabling.

#### **Vision Comparison Chart**

Normal Vision	<b>Moonlight Vision</b>	Legally Blind	Sunlight into Dark Room
20/20	20/180	20/200*	20/800

\*20/200 in sunlight is legally blind in some states for the purposes of issuance of a drivers license

Roughly eighty percent of a human's sensory input processed by our brain is from vision. We are creatures of the light. Most humans do not operate well in the dark thanks to our mastery of fire and subsequent invention of mechanical light producing devices. This may be expressed as simple apprehension of bumping into something to an uncontrolled fear of what lurks in the shadows. To put it another way, we rely very heavily on our sight for life saving decisions.

#### **Night Vision Facts**

As anyone who has gone into a dark movie theater on a sunny day knows, it takes up to 30 minutes for our eyes to adapt to darkness. In darkness we only perceive shades of grey. We loose all color perception as well as depth of field. When we do not have 100% of our visual acuity, our minds augment what it can not see with assumptions. This can be dangerous when we are in a deadly force situation and need to make a decision whether to fire our weapon – or not to. Because of the physiology of the eye, we have a blind spot directly in front of our eye. When both eyes are working properly, one

eye will compensate for and see what the other eye misses. If you don't believe this, see the attached test which will prove it. It is clear that in dark conditions we must have a light to function at an acceptable level.

## **Light Facts**

If you have not done so already, you will be purchasing a light as part of your duty gear. The following is provided as a general guide to help you select the right light for you. There are many models available but we can condense them down into a handful of categories.

## Hand Held Lights

The major advantage of the hand held light is that it can work with or without a weapon. If working with a weapon, it can work independently of the weapon's muzzle. This allows you to keep your weapon pointed in a safe direction such as in the muzzle depressed mode while actively searching with the light. This is compatible with situations which have not escalated to a deadly force or other condition where having your weapon out is justified.



Photo courtesy of Brite-Strike Technologies, Inc.

The primary disadvantage of the hand held light is that when used in conjunction with a firearm, it compromises your two handed grip. While there are several techniques to minimize this effect, most people shoot better without having to hold the light. As will be explained shortly, most light techniques require your support hand to hold the light and provide some degree of control on the weapon. The end result is a compromise at best.

#### Size

Lights range in from tiny models which easily fit into your pocket to models which would make a baseball bat envious. Referring back to Flashlight Rule #1, look for a light that you will carry with you all the time. That big light in your duty bag or in the charger does you no good when you find yourself in that dark basement with no electricity. Modern tactical lights are small, light and very bright.

#### **Light Source**

Older designs are generally based on an incandescent lamp (bulb). This may be either Halogen or Xenon. In either case, the weakness of this design is the lamp is fragile and tends to break when dropped. Keep in mind that a police officer's light frequently gets banged around. Newer designs have gravitated towards the Light Emitting Diode (LED) as a light source. This is a solid state chip which has a life span about 1000 times longer than an incandescent lamp and is much more rugged. High quality LED lights can be thrown against a concrete wall and still work. Today's palm sized LED lights can deliver more light than a traditional five cell duty light.

#### Weapon Mounted Lights

Contrary to popular belief, weapon mounted lights are not just for SWAT officers. The weapon mounted light offers you several advantages. The light beam lines up with the bore and line of sight creating a visual indexing technique. It allows you to shoot more accurately while using a light because it keeps both your hands on the weapon in the manner you have been taught at the range. You can reholster without fumbling with a light and can reload or clear malfunctions without having to juggle your light. It is ideal for K-9 officers or any officer needing one hand to handle equipment such as a body bunker or move an injured officer.



Photo courtesy of Insight Tech Gear

The primary disadvantage of a weapon mounted light is the muzzle always points where the light points. This can be unacceptable when you are searching in a non-deadly force situation. Obviously directing traffic with your weapon mounted light would not be condoned. Your department may not authorize weapon mounted lights or their duty holster requirements may not accommodate a pistol and light combination.



So, which is better? If possible, have both! The ideal situation is to have both. Your modern tactical light will be used for all situations except those involving a deadly force scenario. If and when we find ourselves in a lethal force situation, our weapon mounted light will come out with the weapon. If you are not permitted to use a weapon mounted light, carry the smallest and brightest light you can afford.

## Remember Flashlight Rules 1 & 2.

- Have a light when you need a light.
- Carry the brightest and most reliable light you can afford

## Hand Held Flashlight Techniques

**FBI** – The FBI technique is probably the oldest flashlight technique we use. The weapon stays in your dominant hand while the light is held in the non-dominant hand in the sword grip fashion at arms length. The theory behind this technique is the bad guy will shoot at the light which is held away from your



body. The FBI technique does not work well with rear or tail cap switches.

**Modified FBI** – A modification of the technique is to hold the light with an grip and bring it in closer to the body. can vary the location of the light which fatigue found with the traditional FBI This technique is more adaptable to button lights than the traditional FBI



FBI

"ice pick" The shooter reduces the technique. tail cap technique.

Photo courtesy of Brite-Strike Technologies, Inc.

**Harries** – Developed by Michael Harries in the late 1950's, the light is held in an ice pick grip and the light hand is brought up under the weapon. The back of the light hand makes contact with the back of the gun hand. Cranking down on the light elbow will permit your dominant (weapon hand) arm to extend out.



Photos courtesy of Tony Gregory, Anthony Anderson & Indiana Law Enforcement Academy



Modified Harries - Similar to the traditional Harries, in this

case the light hand comes over the top of the dominant side with wrist to wrist contact. Pistol shooters must remember to keep the light hand back from the weapon to prevent the slide from striking the light

hand when it recoils to the rear.







Photos courtesy of Brite-Strike Technologies, Inc.

**Neck Hold** (Neck Index) – This technique works best with smaller tactical lights. The light is held in the ice pick grip and the hand is brought up into contact with the jawbone. Your knuckles will touch the bottom of your ear. The head is lowered and the upper body is "locked in" to provide a more rigid shooting stance. The positioning of the light will light up your sights however this technique requires you to shoot one handed.



Photos courtesy of Tony Gregory, Anthony Anderson & Indiana Law Enforcement Academy

Close up shots of the Rogers or Syringe technique showing proper finger positioning and alignment.

**Rogers / Syringe** – This technique only works with small rear or tail cap button lights. Place the light between your non-dominant index and middle finger with the button back against the base of your thumb. The middle, ring and pinky finger wrap around your gun hand while the index finger and thumb support the light and provide pressure to activate it.





Photos courtesy of Tony Gregory, Anthony Anderson & Indiana Law Enforcement Academy

# Ayoob

The Ayoob technique was designed to use with a side button light such as the older Maglight, Streamlight or Stinger models. Holding the light in a sword grip with your thumb on the button, bring the light in against your gun hand as shown in the photographs. Properly executed, the light will angle up slightly. At the typical engagement distance of 7 yards with your muzzle pointed at the center mass of the threat, the light will shine in their face blinding them.



#### Chapman

This technique was also created for side button lights as described in the Ayoob technique. It takes some getting used to and may not be the first technique you will feel comfortable with. It also may not produce the most support for your shooting hand. Form the OK sign with your non-dominant hand. Now rotate your hand so the palm is up. Hold the light with your thumb and index finger using the thumb to operate the light. Wrap the middle, ring and pinky fingers around your gun hand to provide support.

#### **Tactical Use of the Light**

Because we are so dependent on light for sensory input, police officers have a tendency to forget their light has an OFF button. When searching for a possible threat in the dark, leaving the light on can be a big disadvantage to us. As long as the light is on, it tells the bad guys exactly where we are and makes us a brightly lit target. Where ever possible, use your light judiciously. Do not compromise your night vision by excessive use of your light. Use the ambient light to your advantage. Our military forces own the night because of their ability to see in the dark with night vision gear. We don't have night vision goggles but the more comfortable we are working in the dark, the less we will give our presence away.

When using your light (regardless of type) with your service weapon, the light is on to identify the threat and illuminate the target if necessary to take the shot. Once you have taken the shot(s), switch the light off and move laterally (to the side). Illuminating the target will have degraded their night vision. If your shot(s) do not yield the anticipated results and the threat is still in the fight, their ability to see you will be lessened. By moving laterally, you move away from the line of fire if the threat returns fire along that axis. Light On – Evaluate (shoot if required) – Light Off – Move. It is very important to move laterally. If you move away from the threat, as most people do because of human nature, you are still in line with your previous location and in the line of fire.

Shooting with your light from behind cover will create issues you need to be aware of. If you are using any of the techniques where the support hand is holding the light and supporting the shooting hand, you are going to have to expose more of yourself to get the light out from behind the cover. Be aware that if you are close to cover, the light may splash back effectively illuminating you. You can

reduce this effect by pushing the light out beyond cover however this can provide a lurking threat with an opportunity to grab your light or weapon.

#### **Blind Spot Demonstration**

The reason we normally do not notice our blind spots is because, when both eyes are open, the blind spot of one eye corresponds to retina that is seeing properly in the other eye. Here is a way for you to see just how absolutely blind your blind spot is. Below, you will observe a <u>dot</u> and a <u>plus</u>.

Follow these viewing instructions. Completely cover your left eye with an opaque flat object. Do not close your eye or press on it. Hold this page at arm's length from your eyes.

With your right eye, stare directly at the  $\bullet$  above. In your periphery, you will notice the  $\bullet$  to the right. <u>Slowly</u> bring the page closer to your face while *continuing to stare at the*  $\bullet$ .

At about 16-18 inches from your eyes, the should *disappear completely*, because it has been imaged onto the blind spot of your right eye. (Resist the temptation to move your right eye while the signe, or else it will reappear. Keep staring at the .)

As you continue to look at the  $\square$ , keep moving forward a few more inches, and the  $\blacksquare$  will come back into view.

Julian v. Randazzo, and Another 380 Mass. 391 Supreme Judicial Court April 15, 1980

Main Point of Case:

In a tort action by the plaintiff who was mistakenly shot by a police officer as the officer was pursuing an individual suspected of committing a felony, there was no error in the judge's instructions with respect to the question whether the officer was justified in using deadly force to effect an arrest where the judge referred to s 120.7 of the Model Code of Pre-Arraignment Procedure (1975)

Facts and Procedural History:

On July 5, 1976, two Medford police officers received a radio report of a hold-up in Malden. Shortly thereafter, these officers began a pursuit of three suspects in a Chevrolet Corvette. Over the course of a high-speed chase several shot were fired by the suspects at the officers' patrol car. At an intersection in Cambridge, the suspects' vehicle spun-out and stopped; the suspects then exited the vehicle and fled on foot. The patrol car ran into the Corvette and the officers similarly took to a foot pursuit of the suspects. Officer Randazzo, the defendant, fired his gun twice. The plaintiff, an innocent bystander, was struck in the elbow by a bullet. A little later, both officers approached the plaintiff, pointed their guns at the plaintiff, and told him not to move; after a neighbor convinced the officers that the plaintiff was a bystander and not a suspect, the officers continued their pursuit.

The plaintiff brought an action in tort against both officers as defendants for assault, assault and battery, false imprisonment, and "negligent denial of medical care". In the District Court, a jury returned verdicts in favor of the defendants and the plaintiff appealed to the Appeals Court on a challenge to the admission into evidence of a police investigation report as well as the instructions given by the District Court judge to the jury on the use of deadly force by a police officer. The Supreme Judicial Court, on its own initiative, ordered direct appellate review.

## Holding:

Although the Supreme Judicial Court upheld the plaintiff's evidentiary argument and reversed the judgments, it did not find the lower court judge's jury charge on the matter of an officer's use of deadly force to be improper.

## Reasoning:

The case was reversed because the jury was allowed to consider a police report which the court ruled was improperly admitted as evidence at the District Court level. However, the matter of present interest

is how the Supreme Court looked upon the trial judge's charge to the jury concerning the use of deadly force by a police officer.

Adopting the same standard as the Court had articulated in Commonwealth v. Klein, 372 Mass. 823 (1977), the Randazzo Court adopted s 120.7 of the Model Code of Pre-Arraignment Procedure (1975) which is essentially the same as s 3.07 of the Model Penal Code which was applied to a private citizen's use of deadly force in Klein. Those provisions of s 120.7 espoused by the Court are the following:

A law enforcement officer authorized to make an arrest....may use such force as is reasonably necessary to effect the arrest....The officer may use deadly force for these purposes only if:

(a) the arrest is for a felony; and

•

- (b) the officer reasonably believes that the force employed creates no substantial risk to innocent persons; and
- (c) the officer reasonably believes that:
  - (i) the crime for which the arrest is made involved conduct including the use or threatened use of

deadly force; or

(ii) there is a substantial risk that the person to be arrested will cause death or serious bodily harm if his

apprehension is delayed. (emphasis added).

The Court found this charge by the trial judge to be an accurate and legal assessment of an offier's right to use deadly force. Under such a charge, Officer Randazzo's use of deadly force in light of the given circumstances was therefore lawful

> Tennessee v. Garner 471 U.S. 1 U.S. Supreme Court 1694 March 27, 1985

In Tennessee v. Garner, 105 U.S. Supreme Court 1694 (1985), decided on March 27, 1985, The United States Supreme Court addressed the subject, The use of deadly force by police. In that case the court decided that:

- 1. Apprehension by use of deadly force is a seizure subject to the Fourth Amendment's reasonableness requirement.
- 2. Deadly force may not be used unless it is necessary to prevent escape and the officer has probable cause to believe that the suspect poses a significant threat of death of serious physical injury to the officer or others.
- 3. The Tennessee statute, under authority of which a police officer fired a fatal shot, was unconstitutional insofar as it authorized use of deadly force against an apparently unarmed, non-dangerous, fleeing suspect.

Facts of the Case:

At about 10:45PM, on October 3, 1974, the Memphis police were dispatched to answer a "Prowler Inside "call. Upon arriving at the scene, they saw a woman standing on her porch and gesturing toward the adjacent house. She told the police that she had heard glass breaking and that "they" or "someone" was breaking in next door. One police officer, Leslie Wright, radioed the dispatcher to say that they were on the scene, while his partner, Elton Hymon, went behind the douse. He (Hymon) heard a door slam and saw someone run across the back yard. The fleeing suspect, Edward Garner, stopped at a 6 foot high chain link fence at the edge of the yard. With the aid of a flashlight, Hymon was able to see Garner's faxe and hands. He saw no sign of a weapon and, though not certain, was "reasonably sure" and "figured" that Garner was unarmed. He thought Garner was 17 or 18 years old and about 5'5" or 5'7" tall. While Garner was crouched at the base of the fence, Hymon called out, "Police! Halt!" and

took a few steps toward him. Garner began to climb over the fence. Convinced that if Garner made it over the fence he would elude capture, Hymon shot him. The bullet hit Garner in the back of the head. Garner was taken by ambulance to a hospital, where he died on the operating table. Ten dollars and a purse taken from the house were found on his body.

Issue:

Was the use of deadly force justified to capture a fleeing felon where the subject poses no immediate threat to the officer and no threat to others, notwithstanding a Tennessee statute and departmental policy allowing such action.

Decision:

"The Tennessee statute is UNCONSTITUTIONAL....."

Where a police officer has probable cause to believe that a criminal suspect poses a threat of serious physical harm either to the officer or to others, it is not unconstitutionally unreasonable to prevent escape by using deadly force: thus, if the suspect threatens the officer with a weapon, or there is probable cause to believe that he has committed a crime involving the infliction or threatened infliction of serious physical harm, deadly force may be used, if necessary, to prevent escape, and if, where feasible, some warning has been given.

A police officer responding to a nighttime burglary call could not reasonably have believed that the fleeing suspect, who was young, slight of build and unarmed, posed any threat. The fact that the suspect, who was fatally shot, was a suspected burglar could not, of itself, automatically justify the use of deadly force to effect his apprehension.

Although the armed burglar would present a different situation, the fact that an unarmed suspect has broken into a dwelling at night does not automatically mean that he is physically dangerous, do as to justify the use of deadly force in effectuating his apprehension.

# Summary:

In this decision the Court is saying that the use of deadly force to prevent the escape of all felony suspects, whatever the circumstances, is constitutionally unreasonable. The justices state, "It is not better that all felony suspects die than that they escape." Where the suspect poses no immediate threat to the officer and no threat to others, the harm resulting from failing to apprehend him does not justify the use of deadly force to do so.

The Supreme Court takes into account, with the rendering of this decision, the realistic possibility of felony suspects alluding arrest and thereby escaping trial, punishment, etc. However, they have applied a "balancing test" between the "government's interest in effective law enforcement" and that of the "reasonableness" of the intrusion upon the suspect's rights; in this case, the apprehension by the use of deadly force (Fourth Amendment).

The justices opine that it is unfortunate when a suspect, who is in sight, escapes. However, "the fact that the police arrive a little late, or are a little slow afoot, does not always justify the killing of the suspect". A police officer may not seize an unarmed, non-dangerous suspect, by shooting him dead.

This case is extremely important in that it has found the so-called "fleeing felon" rule to be unconstitutional; notwithstanding the fact that the culprit may make good his/her escape. However, the Court has not turned its back upon officer safety, or that of the public. It states "Where the officer has probable cause to believe that the suspect poses a threat or serious physical harm, either to the officer or to others, it is not unconstitutionally unreasonable for said officer to use deadly force."

Thus, if the suspect threatens a police officer with a weapon or there is probable cause to believe that he has committed a crime involving the infliction or threatened infliction of serious physical harm, deadly force may be used if necessary, to prevent escape: and if, where feasible, some warning has been given.

# **U.S. Supreme Court**

## GRAHAM v. CONNOR, 490 U.S. 386 (1989)

#### 490 U.S. 386

## GRAHAM v. CONNOR ET AL. CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

#### No. 87-6571.

## Argued February 21, 1989 Decided May 15, 1989

Petitioner Graham, a diabetic, asked his friend, Berry, to drive him to a convenience store to purchase orange juice to counteract the onset of an insulin reaction. Upon entering the store and seeing the number of people ahead of him, Graham hurried out and asked Berry to drive him to a friend's house instead. Respondent Connor, a city police officer, became suspicious after seeing Graham hastily enter and leave the store, followed Berry's car, and made an investigative stop, ordering the pair to wait while he found out what had happened in the store. Respondent backup police officers arrived on the scene, handcuffed Graham, and ignored or rebuffed attempts to explain and treat Graham's condition. During the encounter, Graham sustained multiple injuries. He was released when Connor learned that nothing had happened in the store. Graham filed suit in the District Court under 42 U.S.C. 1983 against respondents, alleging that they had used excessive force in making the stop, in violation of "rights secured to him under the Fourteenth Amendment to the United States Constitution and 42 U.S.C. 1983." The District Court granted respondents' motion for a directed verdict at the close of Graham's evidence, applying a four-factor test for determining when excessive use of force gives rise to a 1983 cause of action, which inquires, inter alia, whether the force was applied in a good-faith effort to maintain and restore discipline or maliciously and sadistically for the very purpose of causing harm. Johnson v. Glick, 481 F.2d 1028. The Court of Appeals affirmed, endorsing this test as generally applicable to all claims of constitutionally excessive force brought against government officials, rejecting Graham's argument that it was error to require him to prove that the allegedly excessive force was applied maliciously and sadistically to cause harm, and holding that a reasonable jury applying the Johnson v. Glick test to his evidence could not find that the force applied was constitutionally excessive.

#### Held:

All claims that law enforcement officials have used excessive force - deadly or not - in the course of an arrest, investigatory stop, or other "seizure" of a free citizen are properly analyzed under the Fourth Amendment's "objective reasonableness" standard, rather than under a substantive due process standard. Pp. 392-399. [490 U.S. 386, 387]

(a) The notion that all excessive force claims brought under 1983 are governed by a single generic standard is rejected. Instead, courts must identify the specific constitutional right

allegedly infringed by the challenged application of force and then judge the claim by reference to the specific constitutional standard which governs that right. Pp. 393-394.

(b) Claims that law enforcement officials have used excessive force in the course of an arrest, investigatory stop, or other "seizure" of a free citizen are most properly characterized as invoking the protections of the Fourth Amendment, which guarantees citizens the right "to be secure in their persons . . . against unreasonable seizures," and must be judged by reference to the Fourth Amendment's "reasonableness" standard. Pp. 394-395.

(c) The Fourth Amendment "reasonableness" inquiry is whether the officers' actions are "objectively reasonable" in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation. Pp. 396-397.

(d) The Johnson v. Glick test applied by the courts below is incompatible with a proper Fourth Amendment analysis. The suggestion that the test's "malicious and sadistic" inquiry is merely another way of describing conduct that is objectively unreasonable under the circumstances is rejected. Also rejected is the conclusion that because individual officers' subjective motivations are of central importance in deciding whether force used against a convicted prisoner violates the Eighth Amendment, it cannot be reversible error to inquire into them in deciding whether force used against a suspect or arrestee violates the Fourth Amendment. The Eighth Amendment terms "cruel" and "punishments" clearly suggest some inquiry into subjective state of mind, whereas the Fourth Amendment term "unreasonable" does not. Moreover, the less protective Eighth Amendment standard applies only after the State has complied with the constitutional guarantees traditionally associated with criminal prosecutions. Pp. 397-399.

827 F.2d 945, vacated and remanded.

REHNQUIST, C. J., delivered the opinion of the Court, in which WHITE, STEVENS, O'CONNOR, SCALIA, and KENNEDY, JJ., joined. BLACKMUN, J., filed an opinion concurring in part and concurring in the judgment, in which BRENNAN and MARSHALL, JJ., joined, post, p. 399. [490 U.S. 386, 388]

H. Gerald Beaver argued the cause for petitioner. On the briefs was Richard B. Glazier.

Mark I. Levy argued the cause for respondents. On the brief was Frank B. Aycock III. \*

[<u>Footnote</u>\*] Briefs of amici curiae urging reversal were filed for the United States by Solicitor General Fried, Assistant Attorney General Reynolds, Deputy Assistant Attorney General Clegg, David L. Shapiro, Brian J. Martin, and David K. Flynn; and for the American Civil Liberties Union et al. by Steven R. Shapiro. Lacy H. Thornburg, Attorney General of North Carolina, Isaac T. Avery III, Special Deputy Attorney General, and Linda Anne Morris, Assistant Attorney General, filed a brief for the State of North Carolina as amicus curiae urging affirmance.

CHIEF JUSTICE REHNQUIST delivered the opinion of the Court.

This case requires us to decide what constitutional standard governs a free citizen's claim that law enforcement officials used excessive force in the course of making an arrest, investigatory stop, or other

"seizure" of his person. We hold that such claims are properly analyzed under the Fourth Amendment's "objective reasonableness" standard, rather than under a substantive due process standard.

In this action under 42 U.S.C. 1983, petitioner Dethorne Graham seeks to recover damages for injuries allegedly sustained when law enforcement officers used physical force against him during the course of an investigatory stop. Because the case comes to us from a decision of the Court of Appeals affirming the entry of a directed verdict for respondents, we take the evidence hereafter noted in the light most favorable to petitioner. On November 12, 1984, Graham, a diabetic, felt the onset of an insulin reaction. He asked a friend, William Berry, to drive him to a nearby convenience store so he could purchase some orange juice to counteract the reaction. Berry agreed, but when Graham entered the store, he saw a number of people ahead of him in the checkout [490 U.S. 386, 389] line. Concerned about the delay, he hurried out of the store and asked Berry to drive him to a friend's house instead.

Respondent Connor, an officer of the Charlotte, North Carolina, Police Department, saw Graham hastily enter and leave the store. The officer became suspicious that something was amiss and followed Berry's car. About one-half mile from the store, he made an investigative stop. Although Berry told Connor that Graham was simply suffering from a "sugar reaction," the officer ordered Berry and Graham to wait while he found out what, if anything, had happened at the convenience store. When Officer Connor returned to his patrol car to call for backup assistance, Graham got out of the car, ran around it twice, and finally sat down on the curb, where he passed out briefly.

In the ensuing confusion, a number of other Charlotte police officers arrived on the scene in response to Officer Connor's request for backup. One of the officers rolled Graham over on the sidewalk and cuffed his hands tightly behind his back, ignoring Berry's pleas to get him some sugar. Another officer said: "I've seen a lot of people with sugar diabetes that never acted like this. Ain't nothing wrong with the M. F. but drunk. Lock the S. B. up." App. 42. Several officers then lifted Graham up from behind, carried him over to Berry's car, and placed him face down on its hood. Regaining consciousness, Graham asked the officers to check in his wallet for a diabetic decal that he carried. In response, one of the officers told him to "shut up" and shoved his face down against the hood of the car. Four officers grabbed Graham and threw him headfirst into the police car. A friend of Graham's brought some orange juice to the car, but the officers refused to let him have it. Finally, Officer Connor received a report that Graham had done nothing wrong at the convenience store, and the officers drove him home and released him. [490 U.S. 386, 390]

At some point during his encounter with the police, Graham sustained a broken foot, cuts on his wrists, a bruised forehead, and an injured shoulder; he also claims to have developed a loud ringing in his right ear that continues to this day. He commenced this action under 42 U.S.C. 1983 against the individual officers involved in the incident, all of whom are respondents here, <u>1</u> alleging that they had used excessive force in making the investigatory stop, in violation of "rights secured to him under the Fourteenth Amendment to the United States Constitution and 42 U.S.C. 1983." Complaint 10, App. 5. <u>2</u> The case was tried before a jury. At the close of petitioner's evidence, respondents moved for a directed verdict. In ruling on that motion, the District Court considered the following four factors, which it identified as "[t]he factors to be considered in determining when the excessive use of force gives rise to a cause of action under 1983": (1) the need for the application of force; (2) the relationship between that need and the amount of force that was used; (3) the extent of the injury inflicted; and (4) "[w]hether the force was applied in a good faith effort to maintain and restore discipline or maliciously and sadistically

for the very purpose of causing harm." 644 F. Supp. 246, 248 (WDNC 1986). Finding that the amount of force used by the officers was "appropriate under the circumstances," that "[t]here was no discernable injury inflicted," and that the force used "was not applied maliciously or sadistically for the very purpose of causing harm," but in "a good faith effort to maintain or restore order in the face of a potentially explosive [490 U.S. 386, 391] situation." id., at 248-249, the District Court granted respondents' motion for a directed verdict.

A divided panel of the Court of Appeals for the Fourth Circuit affirmed. 827 F.2d 945 (1987). The majority ruled first that the District Court had applied the correct legal standard in assessing petitioner's excessive force claim. Id., at 948-949. Without attempting to identify the specific constitutional provision under which that claim arose, <u>3</u> the majority endorsed the four-factor test applied by the District Court as generally applicable to all claims of "constitutionally excessive force" brought against governmental officials. Id., at 948. The majority rejected petitioner's argument, based on Circuit precedent, <u>4</u> that it was error to require him to prove that the allegedly excessive force used against him was applied "maliciously and sadistically for the very purpose of causing harm." <u>5</u> Ibid. Finally, the majority held that a reasonable jury applying the four-part test it had just endorsed [490 U.S. 386, 392] to petitioner's evidence "could not find that the force applied was constitutionally excessive." Id., at 949-950. The dissenting judge argued that this Court's decisions in Terry v. Ohio, <u>392 U.S. 1</u> (1968), and Tennessee v. Garner, <u>471 U.S. 1</u> (1985), required that excessive force claims arising out of investigatory stops be analyzed under the Fourth Amendment's "objective reasonableness" standard. 827 F.2d, at 950-952. We granted certiorari, <u>488 U.S. 816</u> (1988), and now reverse.

Fifteen years ago, in Johnson v. Glick, 481 F.2d 1028, cert. denied, <u>414 U.S. 1033</u> (1973), the Court of Appeals for the Second Circuit addressed a 1983 damages claim filed by a pretrial detainee who claimed that a guard had assaulted him without justification. In evaluating the detainee's claim, Judge Friendly applied neither the Fourth Amendment nor the Eighth, the two most textually obvious sources of constitutional protection against physically abusive governmental conduct. <u>6</u> Instead, he looked to "substantive due process," holding that "quite apart from any `specific' of the Bill of Rights, application of undue force by [490 U.S. 386, 393] law enforcement officers deprives a suspect of liberty without due process of law." 481 F.2d, at 1032. As support for this proposition, he relied upon our decision in Rochin v. California, <u>342 U.S. 165</u> (1952), which used the Due Process Clause to void a state criminal conviction based on evidence obtained by pumping the defendant's stomach. 481 F.2d, at 1032-1033. If a police officer's use of force which "shocks the conscience" could justify setting aside a criminal conviction, Judge Friendly reasoned, a correctional officer's use of similarly excessive force must give rise to a due process violation actionable under 1983. Ibid. Judge Friendly went on to set forth four factors to guide courts in determining "whether the constitutional line has been crossed" by a particular use of force - the same four factors relied upon by the courts below in this case. Id., at 1033.

In the years following Johnson v. Glick, the vast majority of lower federal courts have applied its fourpart "substantive due process" test indiscriminately to all excessive force claims lodged against law enforcement and prison officials under 1983, without considering whether the particular application of force might implicate a more specific constitutional right governed by a different standard. <u>7</u> Indeed, many courts have seemed to assume, as did the courts below in this case, that there is a generic "right" to be free from excessive force, grounded not in any particular constitutional provision but rather in "basic principles of 1983 jurisprudence." <u>8</u>

We reject this notion that all excessive force claims brought under 1983 are governed by a single generic standard. As we have said many times, 1983 "is not itself a [490 U.S. 386, 394] source of substantive rights," but merely provides "a method for vindicating federal rights elsewhere conferred." Baker v. McCollan, <u>443 U.S. 137, 144</u>, n. 3 (1979). In addressing an excessive force claim brought under 1983, analysis begins by identifying the specific constitutional right allegedly infringed by the challenged application of force. See id., at 140 ("The first inquiry in any 1983 suit" is "to isolate the precise constitutional violation with which [the defendant] is charged"). <u>9</u> In most instances, that will be either the Fourth Amendment's prohibition against unreasonable seizures of the person, or the Eighth Amendment's ban on cruel and unusual punishments, which are the two primary sources of constitutional protection against physically abusive governmental conduct. The validity of the claim must then be judged by reference to the specific constitutional standard which governs that right, rather than to some generalized "excessive force" standard. See Tennessee v. Garner, supra, at 7-22 (claim of excessive force to effect arrest analyzed under a Fourth Amendment standard); Whitley v. Albers, <u>475</u> U.S. 312, 318 -326 (1986) (claim of excessive force to subdue convicted prisoner analyzed under an Eighth Amendment standard).

Where, as here, the excessive force claim arises in the context of an arrest or investigatory stop of a free citizen, it is most properly characterized as one invoking the protections of the Fourth Amendment, which guarantees citizens the right "to be secure in their persons ... against unreasonable ... seizures" of the person. This much is clear from our decision in Tennessee v. Garner, supra. In Garner, we addressed a claim that the use of deadly force to apprehend a fleeing suspect who did not appear to be armed or otherwise dangerous violated the suspect's constitutional rights, notwithstanding the existence of probable cause to arrest. [490 U.S. 386, 395] Though the complaint alleged violations of both the Fourth Amendment and the Due Process Clause, see 471 U.S., at 5, we analyzed the constitutionality of the challenged application of force solely by reference to the Fourth Amendment's prohibition against unreasonable seizures of the person, holding that the "reasonableness" of a particular seizure depends not only on when it is made, but also on how it is carried out. Id., at 7-8. Today we make explicit what was implicit in Garner's analysis, and hold that all claims that law enforcement officers have used excessive force - deadly or not - in the course of an arrest, investigatory stop, or other "seizure" of a free citizen should be analyzed under the Fourth Amendment and its "reasonableness" standard, rather than under a "substantive due process" approach. Because the Fourth Amendment provides an explicit textual source of constitutional protection against this sort of physically intrusive governmental conduct, that Amendment, not the more generalized notion of "substantive due process," must be the guide for analyzing these claims. 10 [490 U.S. 386, 396]

Determining whether the force used to effect a particular seizure is "reasonable" under the Fourth Amendment requires a careful balancing of "`the nature and quality of the intrusion on the individual's Fourth Amendment interests'" against the countervailing governmental interests at stake. Id., at 8, quoting United States v. Place, <u>462 U.S. 696, 703 (1983)</u>. Our Fourth Amendment jurisprudence has long recognized that the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it. See Terry v. Ohio, <u>392 U.S., at 22</u> -27. Because "[t]he test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application," Bell v. Wolfish, <u>441 U.S. 520, 559 (1979)</u>, however, its proper application requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight. See

Tennessee v. Garner,  $\frac{471 \text{ U.S.}}{471 \text{ cm}}$  (the question is "whether the totality of the circumstances justifie[s] a particular sort of . . . seizure").

The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. See Terry v. Ohio, supra, at 20-22. The Fourth Amendment is not violated by an arrest based on probable cause, even though the wrong person is arrested, Hill v. California, <u>401 U.S. 797 (1971)</u>, nor by the mistaken execution of a valid search warrant on the wrong premises, Maryland v. Garrison, <u>480 U.S. 79 (1987)</u>. With respect to a claim of excessive force, the same standard of reasonableness at the moment applies: "Not every push or shove, even if it may later seem unnecessary in the peace of a judge's chambers," Johnson v. Glick, 481 F.2d, at 1033, violates the Fourth Amendment. The calculus of reasonableness must embody [490 U.S. 386, 397] allowance for the fact that police officers are often forced to make split-second judgments - in circumstances that are tense, uncertain, and rapidly evolving - about the amount of force that is necessary in a particular situation.

As in other Fourth Amendment contexts, however, the "reasonableness" inquiry in an excessive force case is an objective one: the question is whether the officers' actions are "objectively reasonable" in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. See Scott v. United States, <u>436 U.S. 128, 137</u>-139 (1978); see also Terry v. Ohio, supra, at 21 (in analyzing the reasonableness of a particular search or seizure, "it is imperative that the facts be judged against an objective standard"). An officer's evil intentions will not make a Fourth Amendment violation out of an objectively reasonable use of force; nor will an officer's good intentions make an objectively unreasonable use of force constitutional. See Scott v. United States, supra, at 138, citing United States v. Robinson, <u>414 U.S. 218 (1973)</u>.

Because petitioner's excessive force claim is one arising under the Fourth Amendment, the Court of Appeals erred in analyzing it under the four-part Johnson v. Glick test. That test, which requires consideration of whether the individual officers acted in "good faith" or "maliciously and sadistically for the very purpose of causing harm," is incompatible with a proper Fourth Amendment analysis. We do not agree with the Court of Appeals' suggestion, see 827 F.2d, at 948, that the "malicious and sadistic" inquiry is merely another way of describing conduct that is objectively unreasonable under the circumstances. Whatever the empirical correlations between "malicious and sadistic" behavior and objective unreasonableness may be, the fact remains that the "malicious and sadistic" factor puts in issue the subjective motivations of the individual officers, which our prior cases make clear has no bearing on whether a particular seizure is "unreasonable" under the Fourth Amendment. Nor do we agree with the [490 U.S. 386, 398] Court of Appeals' conclusion, see id., at 948, n. 3, that because the subjective motivations of the individual officers are of central importance in deciding whether force used against a convicted prisoner violates the Eighth Amendment, see Whitley v. Albers, 475 U.S., at 320 -321, 11 it cannot be reversible error to inquire into them in deciding whether force used against a suspect or arrestee violates the Fourth Amendment. Differing standards under the Fourth and Eighth Amendments are hardly surprising: the terms "cruel" and "punishments" clearly suggest some inquiry into subjective state of mind, whereas the term "unreasonable" does not. Moreover, the less protective Eighth Amendment standard applies "only after the State has complied with the constitutional guarantees traditionally associated with criminal prosecutions." Ingraham v. Wright, <u>430 U.S. 651, 671</u>, [490 U.S. 386, 399] n. 40 (1977). The Fourth Amendment inquiry is one of "objective reasonableness" under the

circumstances, and subjective concepts like "malice" and "sadism" have no proper place in that inquiry. <u>12</u>

Because the Court of Appeals reviewed the District Court's ruling on the motion for directed verdict under an erroneous view of the governing substantive law, its judgment must be vacated and the case remanded to that court for reconsideration of that issue under the proper Fourth Amendment standard.

It is so ordered.

# Footnotes

[Footnote 1] Also named as a defendant was the city of Charlotte, which employed the individual respondents. The District Court granted a directed verdict for the city, and petitioner did not challenge that ruling before the Court of Appeals. Accordingly, the city is not a party to the proceedings before this Court.

[<u>Footnote 2</u>] Petitioner also asserted pendent state-law claims of assault, false imprisonment, and intentional infliction of emotional distress. Those claims have been dismissed from the case and are not before this Court.

[<u>Footnote 3</u>] The majority did note that because Graham was not an incarcerated prisoner, "his complaint of excessive force did not, therefore, arise under the eighth amendment." 827 F.2d, at 948, n. 3. However, it made no further effort to identify the constitutional basis for his claim.

[<u>Footnote 4</u>] Petitioner's argument was based primarily on Kidd v. O'Neil, 774 F.2d 1252 (CA4 1985), which read this Court's decision in Tennessee v. Garner, <u>471 U.S. 1</u> (1985), as mandating application of a Fourth Amendment "objective reasonableness" standard to claims of excessive force during arrest. See 774 F.2d, at 1254-1257. The reasoning of Kidd was subsequently rejected by the en banc Fourth Circuit in Justice v. Dennis, 834 F.2d 380, 383 (1987), cert. pending, No. 87-1422.

[<u>Footnote 5</u>] The majority noted that in Whitley v. Albers, <u>475 U.S. 312 (1986)</u>, we held that the question whether physical force used against convicted prisoners in the course of quelling a prison riot violates the Eighth Amendment "ultimately turns on `whether force was applied in a good faith effort to maintain or restore discipline or maliciously and sadistically for the very purpose of causing harm." 827 F.2d, at 948, n. 3, quoting Whitley v. Albers, supra, at 320-321. Though the Court of Appeals acknowledged that petitioner was not a convicted prisoner, it thought it "unreasonable . . . to suggest that a conceptual factor could be central to one type of excessive force claim but reversible error when merely considered by the court in another context." 827 F.2d, at 948, n. 3.

[Footnote 6] Judge Friendly did not apply the Eighth Amendment's Cruel and Unusual Punishments Clause to the detainee's claim for two reasons. First, he thought that the Eighth Amendment's protections did not attach until after conviction and sentence. 481 F.2d, at 1032. This view was confirmed by Ingraham v. Wright, <u>430 U.S. 651, 671</u>, n. 40 (1977) ("Eighth Amendment scrutiny is appropriate only after the State has complied with the constitutional guarantees traditionally associated with criminal prosecutions"). Second, he expressed doubt whether a "spontaneous attack" by a prison guard, done without the authorization of prison officials, fell within the traditional Eighth Amendment definition of

"punishments." 481 F.2d, at 1032. Although Judge Friendly gave no reason for not analyzing the detainee's claim under the Fourth Amendment's prohibition against "unreasonable . . . seizures" of the person, his refusal to do so was apparently based on a belief that the protections of the Fourth Amendment did not extend to pretrial detainees. See id., at 1033 (noting that "most of the courts faced with challenges to the conditions of pretrial detention have primarily based their analysis directly on the due process clause"). See n. 10, infra.

[<u>Footnote 7</u>] See Freyermuth, Rethinking Excessive Force, 1987 Duke L. J. 692, 694-696, and nn. 16-23 (1987) (collecting cases).

[<u>Footnote 8</u>] See Justice v. Dennis, supra, at 382 ("There are . . . certain basic principles in section 1983 jurisprudence as it relates to claims of excessive force that are beyond question [,] [w]hether the factual circumstances involve an arrestee, a pretrial detainee or a prisoner").

[<u>Footnote 9</u>] The same analysis applies to excessive force claims brought against federal law enforcement and correctional officials under Bivens v. Six Unknown Fed. Narcotics Agents, <u>403 U.S.</u> <u>388 (1971)</u>.

[<u>Footnote 10</u>] A "seizure" triggering the Fourth Amendment's protections occurs only when government actors have, "by means of physical force or show of authority, . . . in some way restrained the liberty of a citizen," Terry v. Ohio, <u>392 U.S. 1, 19</u>, n. 16 (1968); see Brower v. County of Inyo, <u>489</u> <u>U.S. 593, 596</u> (1989). Our cases have not resolved the question whether the Fourth Amendment continues to provide individuals with protection against the deliberate use of excessive physical force beyond the point at which arrest ends and pretrial detention begins, and we do not attempt to answer that question today. It is clear, however, that the Due Process Clause protects a pretrial detainee from the use of excessive force that amounts to punishment. See Bell v. Wolfish, <u>441 U.S. 520, 535</u>-539 (1979). After conviction, the Eighth Amendment "serves as the primary source of substantive protection . . . in cases . . . where the deliberate use of force is challenged as excessive and unjustified." Whitley v. Albers, <u>475 U.S.</u>, at <u>327</u>. Any protection that "substantive due process" affords convicted prisoners against excessive force is, we have held, at best redundant of that provided by the Eighth Amendment. Ibid.

[Footnote 11] In Whitley, we addressed a 1983 claim brought by a convicted prisoner, who claimed that prison officials had violated his Eighth Amendment rights by shooting him in the knee during a prison riot. We began our Eighth Amendment analysis by reiterating the long-established maxim that an Eighth Amendment violation requires proof of the "`"unnecessary and wanton infliction of pain."''' <u>475</u> U.S., at 319, quoting Ingraham v. Wright, <u>430</u> U.S., at 670, in turn quoting Estelle v. Gamble, <u>429</u> U.S. <u>97, 103</u> (1976). We went on to say that when prison officials use physical force against an inmate "to restore order in the face of a prison disturbance, . . . the question whether the measure taken inflicted unnecessary and wanton pain . . . ultimately turns on `whether the force was applied in a good faith effort to maintain or restore discipline or maliciously and sadistically for the very purpose of causing harm.''' <u>475</u> U.S., at 320-321 (emphasis added), quoting Johnson v. Glick, 481 F.2d, at 1033. We also suggested that the other prongs of the Johnson v. Glick test might be useful in analyzing excessive force claims brought under the Eighth Amendment. <u>475</u> U.S., at 321. But we made clear that this was so not because Judge Friendly's four-part test is some talismanic formula generally applicable to all excessive force claims, but because its four factors help to focus the central inquiry in the Eighth Amendment

context, which is whether the particular use of force amounts to the "unnecessary and wanton infliction of pain." See id., at 320-321. Our endorsement of the Johnson v. Glick test in Whitley thus had no implications beyond the Eighth Amendment context.

[ Footnote 12 ] Of course, in assessing the credibility of an officer's account of the circumstances that prompted the use of force, a factfinder may consider, along with other factors, evidence that the officer may have harbored ill-will toward the citizen. See Scott v. United States, <u>436 U.S. 128, 139</u>, n. 13 (1978). Similarly, the officer's objective "good faith" - that is, whether he could reasonably have believed that the force used did not violate the Fourth Amendment - may be relevant to the availability of the qualified immunity defense to monetary liability under 1983. See Anderson v. Creighton, <u>483</u> U.S. 635 (1987). Since no claim of qualified immunity has been raised in this case, however, we express no view on its proper application in excessive force cases that arise under the Fourth Amendment.

JUSTICE BLACKMUN, with whom JUSTICE BRENNAN and JUSTICE MARSHALL join, concurring in part and concurring in the judgment.

I join the Court's opinion insofar as it rules that the Fourth Amendment is the primary tool for analyzing claims of excessive force in the prearrest context, and I concur in the judgment remanding the case to the Court of Appeals for reconsideration of the evidence under a reasonableness standard. In light of respondents' concession, however, that the pleadings in this case properly may be construed as raising a Fourth Amendment claim, see Brief for Respondents 3, I see no reason for the Court to find it necessary further to reach out to decide that prearrest excessive force claims are to be analyzed under the Fourth Amendment rather than under a [490 U.S. 386, 400] substantive due process standard. I also see no basis for the Court's suggestion, ante, at 395, that our decision in Tennessee v. Garner, <u>471 U.S. 1</u> (1985), implicitly so held. Nowhere in Garner is a substantive due process standard for evaluating the use of excessive force in a particular case discussed; there is no suggestion that such a standard was offered as an alternative and rejected.

In this case, petitioner apparently decided that it was in his best interest to disavow the continued applicability of substantive due process analysis as an alternative basis for recovery in prearrest excessive force cases. See Brief for Petitioner 20. His choice was certainly wise as a matter of litigation strategy in his own case, but does not (indeed, cannot be expected to) serve other potential plaintiffs equally well. It is for that reason that the Court would have done better to leave that question for another day. I expect that the use of force that is not demonstrably unreasonable under the Fourth Amendment only rarely will raise substantive due process concerns. But until I am faced with a case in which that question is squarely raised, and its merits are subjected to adversary presentation, I do not join in foreclosing the use of substantive due process analysis in prearrest cases. [490 U.S. 386, 401]

# **U.S. Supreme Court**

## **TENNESSEE v. GARNER, 471 U.S. 1 (1985)**

#### 471 U.S. 1

## TENNESSEE v. GARNER ET AL. APPEAL FROM THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

#### No. 83-1035.

#### Argued October 30, 1984 Decided March 27, 1985 \*

A Tennessee statute provides that if, after a police officer has given notice of an intent to arrest a criminal suspect, the suspect flees or forcibly resists, "the officer may use all the necessary means to effect the arrest." Acting under the authority of this statute, a Memphis police officer shot and killed appellee-respondent Garner's son as, after being told to halt, the son fled over a fence at night in the backyard of a house he was suspected of burglarizing. The officer used deadly force despite being "reasonably sure" the suspect was unarmed and thinking that he was 17 or 18 years old and of slight build. The father subsequently brought an action in Federal District Court, seeking damages under 42 U.S.C. 1983 for asserted violations of his son's constitutional rights. The District Court held that the statute and the officer's actions were constitutional. The Court of Appeals reversed.

#### Held:

The Tennessee statute is unconstitutional insofar as it authorizes the use of deadly force against, as in this case, an apparently unarmed, nondangerous fleeing suspect; such force may not be used unless necessary to prevent the escape and the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others. Pp. 7-22. [471 U.S. 1, 2]

(a) Apprehension by the use of deadly force is a seizure subject to the Fourth Amendment's reasonableness requirement. To determine whether such a seizure is reasonable, the extent of the intrusion on the suspect's rights under that Amendment must be balanced against the governmental interests in effective law enforcement. This balancing process demonstrates that, notwithstanding probable cause to seize a suspect, an officer may not always do so by killing him. The use of deadly force to prevent the escape of all felony suspects, whatever the circumstances, is constitutionally unreasonable. Pp. 7-12.

(b) The Fourth Amendment, for purposes of this case, should not be construed in light of the common-law rule allowing the use of whatever force is necessary to effect the arrest of a fleeing felon. Changes in the legal and technological context mean that that rule is distorted almost beyond recognition when literally applied. Whereas felonies were formerly capital crimes, few are now, or can be, and many crimes classified as misdemeanors, or nonexistent, at common law are now felonies. Also, the common-law rule developed at a time when weapons were rudimentary. And, in light of the varied rules adopted in the States indicating a long-term movement away from the common-law rule, particularly in the police departments themselves,

that rule is a dubious indicium of the constitutionality of the Tennessee statute. There is no indication that holding a police practice such as that authorized by the statute unreasonable will severely hamper effective law enforcement. Pp. 12-20.

(c) While burglary is a serious crime, the officer in this case could not reasonably have believed that the suspect - young, slight, and unarmed - posed any threat. Nor does the fact that an unarmed suspect has broken into a dwelling at night automatically mean he is dangerous. Pp. 20-22.

710 F.2d 240, affirmed and remanded.

WHITE, J., delivered the opinion of the Court, in which BRENNAN, MARSHALL, BLACKMUN, POWELL, and STEVENS, JJ., joined. O'CONNOR, J., filed a dissenting opinion, in which BURGER, C. J., and REHNQUIST, J., joined, post, p. 22.

[<u>Footnote</u>\*] Together with No. 83-1070, Memphis Police Department et al. v. Garner et al., on certiorari to the same court.

Henry L. Klein argued the cause for petitioners in No. 83-1070. With him on the briefs were Clifford D. Pierce, Jr., Charles V. Holmes, and Paul F. Goodman. W. J. Michael Cody, Attorney General of Tennessee, argued the cause for appellant in No. 83-1035. With him on the briefs were William M. Leech, Jr., former Attorney General, and Jerry L. Smith, Assistant Attorney General. [471 U.S. 1, 3]

Steven L. Winter argued the cause for appellee-respondent Garner. With him on the brief was Walter L. Bailey, Jr.Fn

Fn [471 U.S. 1, 3] Briefs of amici curiae urging affirmance were filed for the Florida Chapter of the National Bar Association by Deitra Micks; and for the Police Foundation et al. by William Josephson, Robert Kasanof, Philip Lacovara, and Margaret Bush Wilson.

JUSTICE WHITE delivered the opinion of the Court.

This case requires us to determine the constitutionality of the use of deadly force to prevent the escape of an apparently unarmed suspected felon. We conclude that such force may not be used unless it is necessary to prevent the escape and the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others.

# Ι

At about 10:45 p. m. on October 3, 1974, Memphis Police Officers Elton Hymon and Leslie Wright were dispatched to answer a "prowler inside call." Upon arriving at the scene they saw a woman standing on her porch and gesturing toward the adjacent house. <u>1</u>She told them she had heard glass breaking and that "they" or "someone" was breaking in next door. While Wright radioed the dispatcher to say that they were on the scene, Hymon went behind the house. He heard a door slam and saw someone run across the backyard. The fleeing suspect, who was appellee-respondent's decedent, Edward Garner, stopped at a 6-feet-high chain link fence at the edge of the yard. With the aid of a flashlight, Hymon was able to see Garner's face and hands. He saw no sign of a weapon, and, though not certain, was "reasonably sure" and "figured" that Garner was unarmed. App. 41, 56; Record 219. He thought

Garner was 17 or 18 years old and [471 U.S. 1, 4] about 5' 5" or 5' 7" tall. <u>2</u> While Garner was crouched at the base of the fence, Hymon called out "police, halt" and took a few steps toward him. Garner then began to climb over the fence. Convinced that if Garner made it over the fence he would elude capture, <u>3</u> Hymon shot him. The bullet hit Garner in the back of the head. Garner was taken by ambulance to a hospital, where he died on the operating table. Ten dollars and a purse taken from the house were found on his body. <u>4</u>

In using deadly force to prevent the escape, Hymon was acting under the authority of a Tennessee statute and pursuant to Police Department policy. The statute provides that "[i]f, after notice of the intention to arrest the defendant, he either flee or forcibly resist, the officer may use all the necessary means to effect the arrest." Tenn. Code Ann. [471 U.S. 1, 5] 40-7-108 (1982). <u>5</u> The Department policy was slightly more restrictive than the statute, but still allowed the use of deadly force in cases of burglary. App. 140-144. The incident was reviewed by the Memphis Police Firearm's Review Board and presented to a grand jury. Neither took any action. Id., at 57.

Garner's father then brought this action in the Federal District Court for the Western District of Tennessee, seeking damages under 42 U.S.C. 1983 for asserted violations of Garner's constitutional rights. The complaint alleged that the shooting violated the Fourth, Fifth, Sixth, Eighth, and Fourteenth Amendments of the United States Constitution. It named as defendants Officer Hymon, the Police Department, its Director, and the Mayor and city of Memphis. After a 3-day bench trial, the District Court entered judgment for all defendants. It dismissed the claims against the Mayor and the Director for lack of evidence. It then concluded that Hymon's actions were authorized by the Tennessee statute, which in turn was constitutional. Hymon had employed the only reasonable and practicable means of preventing Garner's escape. Garner had "recklessly and heedlessly attempted to vault over the fence to escape, thereby assuming the risk of being fired upon." App. to Pet. for Cert. A10.

The Court of Appeals for the Sixth Circuit affirmed with regard to Hymon, finding that he had acted in good-faith reliance on the Tennessee statute and was therefore within the scope of his qualified immunity. 600 F.2d 52 (1979). It remanded for reconsideration of the possible liability of the city, however, in light of Monell v. New York City Dept. of Social Services, <u>436 U.S. 658 (1978)</u>, which had come down after the District Court's decision. The District Court was [471 U.S. 1, 6] directed to consider whether a city enjoyed a qualified immunity, whether the use of deadly force and hollow point bullets in these circumstances was constitutional, and whether any unconstitutional municipal conduct flowed from a "policy or custom" as required for liability under Monell. 600 F.2d, at 54-55.

The District Court concluded that Monell did not affect its decision. While acknowledging some doubt as to the possible immunity of the city, it found that the statute, and Hymon's actions, were constitutional. Given this conclusion, it declined to consider the "policy or custom" question. App. to Pet. for Cert. A37-A39.

The Court of Appeals reversed and remanded. 710 F.2d 240 (1983). It reasoned that the killing of a fleeing suspect is a "seizure" under the Fourth Amendment, <u>6</u> and is therefore constitutional only if "reasonable." The Tennessee statute failed as applied to this case because it did not adequately limit the use of deadly force by distinguishing between felonies of different magnitudes - "the facts, as found, did not justify the use of deadly force under the Fourth Amendment." Id., at 246. Officers cannot resort to deadly force unless they "have probable cause . . . to believe that the suspect [has committed a felony

and] poses a threat to the safety of the officers or a danger to the community if left at large." Ibid. 7 [471 U.S. 1, 7]

The State of Tennessee, which had intervened to defend the statute, see 28 U.S.C. 2403(b), appealed to this Court. The city filed a petition for certiorari. We noted probable jurisdiction in the appeal and granted the petition. <u>465 U.S. 1098</u> (1984).

## Π

Whenever an officer restrains the freedom of a person to walk away, he has seized that person. United States v. Brignoni-Ponce, <u>422 U.S. 873, 878 (1975)</u>. While it is not always clear just when minimal police interference becomes a seizure, see United States v. Mendenhall, <u>446 U.S. 544 (1980)</u>, there can be no question that apprehension by the use of deadly force is a seizure subject to the reasonableness requirement of the Fourth Amendment.

## A

A police officer may arrest a person if he has probable cause to believe that person committed a crime. E. g., United States v. Watson, <u>423 U.S. 411</u> (1976). Petitioners and appellant argue that if this requirement is satisfied the Fourth Amendment has nothing to say about how that seizure is made. This submission ignores the many cases in which this Court, by balancing the extent of the intrusion against the need for it, has examined the reasonableness of [471 U.S. 1, 8] the manner in which a search or seizure is conducted. To determine the constitutionality of a seizure "[w]e must balance the nature and quality of the intrusion on the individual's Fourth Amendment interests against the importance of the governmental interests alleged to justify the intrusion." United States v. Place, <u>462 U.S. 696, 703</u> (1983); see Delaware v. Prouse, <u>440 U.S. 648, 654</u> (1979); United States v. Martinez-Fuerte, <u>428 U.S. 543, 555</u> (1976). We have described "the balancing of competing interests" as "the key principle of the Fourth Amendment." Michigan v. Summers, <u>452 U.S. 692, 700</u>, n. 12 (1981). See also Camara v. Municipal Court, <u>387 U.S. 523, 536</u> -537 (1967). Because one of the factors is the extent of the intrusion, it is plain that reasonableness depends on not only when a seizure is made, but also how it is carried out. United States v. Ortiz, <u>422 U.S. 891, 895</u> (1975); Terry v. Ohio, <u>392 U.S. 1, 28</u> -29 (1968).

Applying these principles to particular facts, the Court has held that governmental interests did not support a lengthy detention of luggage, United States v. Place, supra, an airport seizure not "carefully tailored to its underlying justification," Florida v. Royer, <u>460 U.S. 491, 500 (1983)</u> (plurality opinion), surgery under general anesthesia to obtain evidence, Winston v. Lee, <u>470 U.S. 753 (1985)</u>, or detention for fingerprinting without probable cause, Davis v. Mississippi, <u>394 U.S. 721 (1969)</u>; Hayes v. Florida, <u>470 U.S. 811 (1985)</u>. On the other hand, under the same approach it has upheld the taking of fingernail scrapings from a suspect, Cupp v. Murphy, <u>412 U.S. 291 (1973)</u>, an unannounced entry into a home to prevent the destruction of evidence, Ker v. California, <u>374 U.S. 23 (1963)</u>, administrative housing inspections without probable cause to believe that a code violation will be found, Camara v. Municipal Court, supra, and a blood test of a drunken-driving suspect, Schmerber v. California, <u>384 U.S. 757</u> (1966). In each of these cases, the question was whether [471 U.S. 1, 9] the totality of the circumstances justified a particular sort of search or seizure.

The same balancing process applied in the cases cited above demonstrates that, notwithstanding probable cause to seize a suspect, an officer may not always do so by killing him. The intrusiveness of a seizure by means of deadly force is unmatched. The suspect's fundamental interest in his own life need not be elaborated upon. The use of deadly force also frustrates the interest of the individual, and of society, in judicial determination of guilt and punishment. Against these interests are ranged governmental interests in effective law enforcement. <u>8</u> It is argued that overall violence will be reduced by encouraging the peaceful submission of suspects who know that they may be shot if they flee. Effectiveness in making arrests requires the resort to deadly [471 U.S. 1, 10] force, or at least the meaningful threat thereof. "Being able to arrest such individuals is a condition precedent to the state's entire system of law enforcement." Brief for Petitioners 14.

Without in any way disparaging the importance of these goals, we are not convinced that the use of deadly force is a sufficiently productive means of accomplishing them to justify the killing of nonviolent suspects. Cf. Delaware v. Prouse, supra, at 659. The use of deadly force is a self-defeating way of apprehending a suspect and so setting the criminal justice mechanism in motion. If successful, it guarantees that that mechanism will not be set in motion. And while the meaningful threat of deadly force might be thought to lead to the arrest of more live suspects by discouraging escape attempts, <u>9</u> the presently available evidence does not support this thesis. <u>10</u> The fact is that a majority of police departments [471 U.S. 1, 11] in this country have forbidden the use of deadly force against nonviolent suspects. See infra, at 18-19. If those charged with the enforcement of the criminal law have abjured the use of such force is an essential attribute of the arrest power in all felony cases. See Schumann v. McGinn, 307 Minn. 446, 472, 240 N. W. 2d 525, 540 (1976) (Rogosheske, J., dissenting in part). Petitioners and appellant have not persuaded us that shooting nondangerous fleeing suspects is so vital as to outweigh the suspect's interest in his own life.

The use of deadly force to prevent the escape of all felony suspects, whatever the circumstances, is constitutionally unreasonable. It is not better that all felony suspects die than that they escape. Where the suspect poses no immediate threat to the officer and no threat to others, the harm resulting from failing to apprehend him does not justify the use of deadly force to do so. It is no doubt unfortunate when a suspect who is in sight escapes, but the fact that the police arrive a little late or are a little slower afoot does not always justify killing the suspect. A police officer may not seize an unarmed, nondangerous suspect by shooting him dead. The Tennessee statute is unconstitutional insofar as it authorizes the use of deadly force against such fleeing suspects.

It is not, however, unconstitutional on its face. Where the officer has probable cause to believe that the suspect poses a threat of serious physical harm, either to the officer or to others, it is not constitutionally unreasonable to prevent escape by using deadly force. Thus, if the suspect threatens the officer with a weapon or there is probable cause to believe that he has committed a crime involving the infliction or threatened infliction of serious physical harm, deadly force may be used if necessary to prevent escape, and if, where [471 U.S. 1, 12] feasible, some warning has been given. As applied in such circumstances, the Tennessee statute would pass constitutional muster.

#### III

## A

It is insisted that the Fourth Amendment must be construed in light of the common-law rule, which allowed the use of whatever force was necessary to effect the arrest of a fleeing felon, though not a misdemeanant. As stated in Hale's posthumously published Pleas of the Crown:

"[I]f persons that are pursued by these officers for felony or the just suspicion thereof . . . shall not yield themselves to these officers, but shall either resist or fly before they are apprehended or being apprehended shall rescue themselves and resist or fly, so that they cannot be otherwise apprehended, and are upon necessity slain therein, because they cannot be otherwise taken, it is no felony." 2 M. Hale, Historia Placitorum Coronae 85 (1736).

See also 4 W. Blackstone, Commentaries \*289. Most American jurisdictions also imposed a flat prohibition against the use of deadly force to stop a fleeing misdemeanant, coupled with a general privilege to use such force to stop a fleeing felon. E. g., Holloway v. Moser, 193 N.C. 185, 136 S. E. 375 (1927); State v. Smith, 127 Iowa 534, 535, 103 N. W. 944, 945 (1905); Reneau v. State, 70 Tenn. 720 (1879); Brooks v. Commonwealth, 61 Pa. 352 (1869); Roberts v. State, 14 Mo. 138 (1851); see generally R. Perkins & R. Boyce, Criminal Law 1098-1102 (3d ed. 1982); Day, Shooting the Fleeing Felon: State of the Law, 14 Crim. L. Bull. 285, 286-287 (1978); Wilgus, Arrest Without a Warrant, 22 Mich. L. Rev. 798, 807-816 (1924). But see Storey v. State, 71 Ala. 329 (1882); State v. Bryant, 65 N.C. 327, 328 (1871); Caldwell v. State, 41 Tex. 86 (1874). [471 U.S. 1, 13]

The State and city argue that because this was the prevailing rule at the time of the adoption of the Fourth Amendment and for some time thereafter, and is still in force in some States, use of deadly force against a fleeing felon must be "reasonable." It is true that this Court has often looked to the common law in evaluating the reasonableness, for Fourth Amendment purposes, of police activity. See, e. g., United States v. Watson, <u>423 U.S. 411, 418</u> -419 (1976); Gerstein v. Pugh, <u>420 U.S. 103, 111</u>, 114 (1975); Carroll v. United States, <u>267 U.S. 132, 149</u> -153 (1925). On the other hand, it "has not simply frozen into constitutional law those law enforcement practices that existed at the time of the Fourth Amendment's passage." Payton v. New York, <u>445 U.S. 573, 591</u>, n. 33 (1980). Because of sweeping change in the legal and technological context, reliance on the common-law rule in this case would be a mistaken literalism that ignores the purposes of a historical inquiry.

# B

It has been pointed out many times that the common-law rule is best understood in light of the fact that it arose at a time when virtually all felonies were punishable by death. <u>11</u> "Though effected without the protections and formalities of an orderly trial and conviction, the killing of a resisting or [471 U.S. 1, 14] fleeing felon resulted in no greater consequences than those authorized for punishment of the felony of which the individual was charged or suspected." American Law Institute, Model Penal Code 3.07, Comment 3, p. 56 (Tentative Draft No. 8, 1958) (hereinafter Model Penal Code Comment). Courts have also justified the common-law rule by emphasizing the relative dangerousness of felons. See, e. g., Schumann v. McGinn, 307 Minn., at 458, 240 N. W. 2d, at 533; Holloway v. Moser, supra, at 187, 136 S. E., at 376 (1927).

Neither of these justifications makes sense today. Almost all crimes formerly punishable by death no longer are or can be. See, e. g., Enmund v. Florida, <u>458 U.S. 782 (1982)</u>; Coker v. Georgia, <u>433 U.S. 584 (1977)</u>. And while in earlier times "the gulf between the felonies and the minor offences was broad and deep," 2 Pollock & Maitland 467, n. 3; Carroll v. United States, supra, at 158, today the distinction
is minor and often arbitrary. Many crimes classified as misdemeanors, or nonexistent, at common law are now felonies. Wilgus, 22 Mich. L. Rev., at 572-573. These changes have undermined the concept, which was questionable to begin with, that use of deadly force against a fleeing felon is merely a speedier execution of someone who has already forfeited his life. They have also made the assumption that a "felon" is more dangerous than a misdemeanant untenable. Indeed, numerous misdemeanors involve conduct more dangerous than many felonies. <u>12</u>

There is an additional reason why the common-law rule cannot be directly translated to the present day. The common-law rule developed at a time when weapons were rudimentary. Deadly force could be inflicted almost solely in a hand-to-hand struggle during which, necessarily, the safety [471 U.S. 1, 15] of the arresting officer was at risk. Handguns were not carried by police officers until the latter half of the last century. L. Kennett & J. Anderson, The Gun in America 150-151 (1975). Only then did it become possible to use deadly force from a distance as a means of apprehension. As a practical matter, the use of deadly force under the standard articulation of the common-law rule has an altogether different meaning - and harsher consequences - now than in past centuries. See Wechsler & Michael, A Rationale for the Law of Homicide: I, 37 Colum. L. Rev. 701, 741 (1937). <u>13</u>

One other aspect of the common-law rule bears emphasis. It forbids the use of deadly force to apprehend a misdemeanant, condemning such action as disproportionately severe. See Holloway v. Moser, 193 N.C., at 187, 136 S. E., at 376; State v. Smith, 127 Iowa, at 535, 103 N. W., at 945. See generally Annot., 83 A. L. R. 3d 238 (1978).

In short, though the common-law pedigree of Tennessee's rule is pure on its face, changes in the legal and technological context mean the rule is distorted almost beyond recognition when literally applied.

# С

In evaluating the reasonableness of police procedures under the Fourth Amendment, we have also looked to prevailing [471 U.S. 1, 16] rules in individual jurisdictions. See, e. g., United States v. Watson, 423 U.S., at 421 -422. The rules in the States are varied. See generally Comment, 18 Ga. L. Rev. 137, 140-144 (1983). Some 19 States have codified the common-law rule, 14 though in two of these the courts have significantly limited the statute. 15 Four States, though without a relevant statute, apparently retain the common-law rule. 16 Two States have adopted the Model Penal Code's [471 U.S. 1, 17] provision verbatim. 17 Eighteen others allow, in slightly varying language, the use of deadly force only if the suspect has committed a felony involving the use or threat of physical or deadly force, or is escaping with a deadly weapon, or is likely to endanger life or inflict serious physical injury if not arrested. 18 Louisiana and Vermont, though without statutes or case law on point, do forbid the use of deadly force to prevent any but violent felonies. 19 The remaining States either have no relevant statute or case law, or have positions that are unclear. 20 [471 U.S. 1, 18]

It cannot be said that there is a constant or overwhelming trend away from the common-law rule. In recent years, some States have reviewed their laws and expressly rejected abandonment of the common-law rule. <u>21</u>Nonetheless, the long-term movement has been away from the rule that deadly force may be used against any fleeing felon, and that remains the rule in less than half the States.

This trend is more evident and impressive when viewed in light of the policies adopted by the police departments themselves. Overwhelmingly, these are more restrictive than the common-law rule. C. Milton, J. Halleck, J. Lardner, & G. Abrecht, Police Use of Deadly Force 45-46 (1977). The Federal Bureau of Investigation and the New York City Police Department, for example, both forbid the use of firearms except when necessary to prevent death or grievous bodily harm. Id., at 40-41; App. 83. For accreditation by the Commission on Accreditation for Law Enforcement Agencies, a department must restrict the use of deadly force to situations where "the officer reasonably believes that the action is in defense of human life . . . or in defense of any person in immediate danger of serious physical injury." Commission on Accreditation for Law Enforcement Agencies, Inc., Standards for Law Enforcement Agencies 1-2 (1983) (italics deleted). A 1974 study reported that the police department regulations in a majority of the large cities of the United States allowed the firing of a weapon only when a [471 U.S. 1, 19] felon presented a threat of death or serious bodily harm. Boston Police Department, Planning & Research Division, The Use of Deadly Force by Boston Police Personnel (1974), cited in Mattis v. Schnarr, 547 F.2d 1007, 1016, n. 19 (CA8 1976), vacated as moot sub nom. Ashcroft v. Mattis, 431 U.S. 171 (1977). Overall, only 7.5% of departmental and municipal policies explicitly permit the use of deadly force against any felon; 86.8% explicitly do not. K. Matulia, A Balance of Forces: A Report of the International Association of Chiefs of Police 161 (1982) (table). See also Record 1108-1368 (written policies of 44 departments). See generally W. Geller & K. Karales, Split-Second Decisions 33-42 (1981); Brief for Police Foundation et al. as Amici Curiae. In light of the rules adopted by those who must actually administer them, the older and fading common-law view is a dubious indicium of the constitutionality of the Tennessee statute now before us.

## D

Actual departmental policies are important for an additional reason. We would hesitate to declare a police practice of long standing "unreasonable" if doing so would severely hamper effective law enforcement. But the indications are to the contrary. There has been no suggestion that crime has worsened in any way in jurisdictions that have adopted, by legislation or departmental policy, rules similar to that announced today. Amici note that "[a]fter extensive research and consideration, [they] have concluded that laws permitting police officers to use deadly force to apprehend unarmed, non-violent fleeing felony suspects actually do not protect citizens or law enforcement officers, do not deter crime or alleviate problems caused by crime, and do not improve the crime-fighting ability of law enforcement agencies." Id., at 11. The submission is that the obvious state interests in apprehension are not sufficiently served to warrant the use of lethal weapons against all fleeing felons. See supra, at 10-11, and n. 10. [471 U.S. 1, 20]

Nor do we agree with petitioners and appellant that the rule we have adopted requires the police to make impossible, split-second evaluations of unknowable facts. See Brief for Petitioners 25; Brief for Appellant 11. We do not deny the practical difficulties of attempting to assess the suspect's dangerousness. However, similarly difficult judgments must be made by the police in equally uncertain circumstances. See, e. g., Terry v. Ohio, <u>392 U.S., at 20</u>, 27. Nor is there any indication that in States that allow the use of deadly force only against dangerous suspects, see nn. 15, 17-19, supra, the standard has been difficult to apply or has led to a rash of litigation involving inappropriate second-guessing of police officers' split-second decisions. Moreover, the highly technical felony/misdemeanor distinction is equally, if not more, difficult to apply in the field. An officer is in no position to know, for example, the precise value of property stolen, or whether the crime was a first or second offense. Finally, as noted

above, this claim must be viewed with suspicion in light of the similar self-imposed limitations of so many police departments.

## IV

The District Court concluded that Hymon was justified in shooting Garner because state law allows, and the Federal Constitution does not forbid, the use of deadly force to prevent the escape of a fleeing felony suspect if no alternative means of apprehension is available. See App. to Pet. for Cert. A9-A11, A38. This conclusion made a determination of Garner's apparent dangerousness unnecessary. The court did find, however, that Garner appeared to be unarmed, though Hymon could not be certain that was the case. Id., at A4, A23. See also App. 41, 56; Record 219. Restated in Fourth Amendment terms, this means Hymon had no articulable basis to think Garner was armed.

In reversing, the Court of Appeals accepted the District Court's factual conclusions and held that "the facts, as found, did not justify the use of deadly force." 710 F.2d, at 246. [471 U.S. 1, 21] We agree. Officer Hymon could not reasonably have believed that Garner - young, slight, and unarmed - posed any threat. Indeed, Hymon never attempted to justify his actions on any basis other than the need to prevent an escape. The District Court stated in passing that "[t]he facts of this case did not indicate to Officer Hymon that Garner was `nondangerous.'" App. to Pet. for Cert. A34. This conclusion is not explained, and seems to be based solely on the fact that Garner had broken into a house at night. However, the fact that Garner was a suspected burglar could not, without regard to the other circumstances, automatically justify the use of deadly force. Hymon did not have probable cause to believe that Garner, whom he correctly believed to be unarmed, posed any physical danger to himself or others.

The dissent argues that the shooting was justified by the fact that Officer Hymon had probable cause to believe that Garner had committed a nighttime burglary. Post, at 29, 32. While we agree that burglary is a serious crime, we cannot agree that it is so dangerous as automatically to justify the use of deadly force. The FBI classifies burglary as a "property" rather than a "violent" crime. See Federal Bureau of Investigation, Uniform Crime Reports, Crime in the United States 1 (1984). <u>22</u> Although the armed burglar would present a different situation, the fact that an unarmed suspect has broken into a dwelling at night does not automatically mean he is physically dangerous. This case demonstrates as much. See also Solem v. Helm, <u>463 U.S. 277, 296</u> -297, and nn. 22-23 (1983). In fact, the available statistics demonstrate that burglaries only rarely involve physical violence. During the 10-year period from 1973-1982, only 3.8% of all burglaries involved violent crime. Bureau of Justice Statistics, Household [471 U.S. 1, 22] Burglary 4 (1985). <u>23</u> See also T. Reppetto, Residential Crime 17, 105 (1974); Conklin & Bittner, Burglary in a Suburb, 11 Criminology 208, 214 (1973).

## V

We wish to make clear what our holding means in the context of this case. The complaint has been dismissed as to all the individual defendants. The State is a party only by virtue of 28 U.S.C. 2403(b) and is not subject to liability. The possible liability of the remaining defendants - the Police Department and the city of Memphis - hinges on Monell v. New York City Dept. of Social Services, <u>436 U.S. 658</u> (1978), and is left for remand. We hold that the statute is invalid insofar as it purported to give Hymon the authority to act as he did. As for the policy of the Police Department, the absence of any discussion

of this issue by the courts below, and the uncertain state of the record, preclude any consideration of its validity.

The judgment of the Court of Appeals is affirmed, and the case is remanded for further proceedings consistent with this opinion.

So ordered.

# Footnotes

[<u>Footnote 1</u>] The owner of the house testified that no lights were on in the house, but that a back door light was on. Record 160. Officer Hymon, though uncertain, stated in his deposition that there were lights on in the house. Id., at 209.

[Footnote 2] In fact, Garner, an eighth-grader, was 15. He was 5' 4" tall and weighed somewhere around 100 or 110 pounds. App. to Pet. for Cert. A5.

[Footnote 3] When asked at trial why he fired, Hymon stated:

"Well, first of all it was apparent to me from the little bit that I knew about the area at the time that he was going to get away because, number 1, I couldn't get to him. My partner then couldn't find where he was because, you know, he was late coming around. He didn't know where I was talking about. I couldn't get to him because of the fence here, I couldn't have jumped this fence and come up, consequently jumped this fence and caught him before he got away because he was already up on the fence, just one leap and he was already over the fence, and so there is no way that I could have caught him." App. 52.

He also stated that the area beyond the fence was dark, that he could not have gotten over the fence easily because he was carrying a lot of equipment and wearing heavy boots, and that Garner, being younger and more energetic, could have outrun him. Id., at 53-54.

[<u>Footnote 4</u>] Garner had rummaged through one room in the house, in which, in the words of the owner, "[a]ll the stuff was out on the floors, all the drawers was pulled out, and stuff was scattered all over." Id., at 34. The owner testified that his valuables were untouched but that, in addition to the purse and the 10 dollars, one of his wife's rings was missing. The ring was not recovered. Id., at 34-35.

[<u>Footnote 5</u>] Although the statute does not say so explicitly, Tennessee law forbids the use of deadly force in the arrest of a misdemeanant. See Johnson v. State, 173 Tenn. 134, 114 S. W. 2d 819 (1938).

[Footnote 6] "The right of the people to be secure in their persons . . . against unreasonable searches and seizures, shall not be violated . . . ." U.S. Const., Amdt. 4.

[<u>Footnote 7</u>] The Court of Appeals concluded that the rule set out in the Model Penal Code "accurately states Fourth Amendment limitations on the use of deadly force against fleeing felons." 710 F.2d, at 247. The relevant portion of the Model Penal Code provides:

"The use of deadly force is not justifiable . . . unless (i) the arrest is for a felony; and (ii) the person effecting the arrest is authorized to act as a peace officer or is assisting a person whom he believes to be authorized to act as a peace officer; and (iii) the actor believes that the force employed creates no substantial risk of injury to innocent persons; and (iv) the actor believes [471 U.S. 1, 7] that (1) the crime for which the arrest is made involved conduct including the use or threatened use of deadly force; or (2) there is a substantial risk that the person to be arrested will cause death or serious bodily harm if his apprehension is delayed." American Law Institute, Model Penal Coded 3.07(2)(b) (Proposed Official Draft 1962).

The court also found that "[a]n analysis of the facts of this case under the Due Process Clause" required the same result, because the statute was not narrowly drawn to further a compelling state interest. 710 F.2d, at 246-247. The court considered the generalized interest in effective law enforcement sufficiently compelling only when the the suspect is dangerous. Finally, the court held, relying on Owen v. City of Independence, <u>445 U.S. 622</u> (1980), that the city was not immune.

[<u>Footnote 8</u>] The dissent emphasizes that subsequent investigation cannot replace immediate apprehension. We recognize that this is so, see n. 13, infra; indeed, that is the reason why there is any dispute. If subsequent arrest were assured, no one would argue that use of deadly force was justified. Thus, we proceed on the assumption that subsequent arrest is not likely. Nonetheless, it should be remembered that failure to apprehend at the scene does not necessarily mean that the suspect will never be caught.

In lamenting the inadequacy of later investigation, the dissent relies on the report of the President's Commission on Law Enforcement and Administration of Justice. It is worth noting that, notwithstanding its awareness of this problem, the Commission itself proposed a policy for use of deadly force arguably even more stringent than the formulation we adopt today. See President's Commission on Law Enforcement and Administration of Justice, Task Force Report: The Police 189 (1967). The Commission proposed that deadly force be used only to apprehend "perpetrators who, in the course of their crime threatened the use of deadly force, or if the officer believes there is a substantial risk that the person whose arrest is sought will cause death or serious bodily harm if his apprehension is delayed." In addition, the officer would have "to know, as a virtual certainty, that the suspect committed an offense for which the use of deadly force is permissible." Ibid.

[Footnote 9] We note that the usual manner of deterring illegal conduct - through punishment - has been largely ignored in connection with flight from arrest. Arkansas, for example, specifically excepts flight from arrest from the offense of "obstruction of governmental operations." The commentary notes that this "reflects the basic policy judgment that, absent the use of force or violence, a mere attempt to avoid apprehension by a law enforcement officer does not give rise to an independent offense." Ark. Stat. Ann. 41-2802(3)(a) (1977) and commentary. In the few States that do outlaw flight from an arresting officer, the crime is only a misdemeanor. See, e. g., Ind. Code 35-44-3-3 (1982). Even forceful resistance, though generally a separate offense, is classified as a misdemeanor. E. g., Ill. Rev. Stat., ch. 38, 31-1 (1984); Mont. Code Ann. 45-7-301 (1984); N. H. Rev. Stat. Ann. 642:2 (Supp. 1983); Ore. Rev. Stat. 162.315 (1983).

This lenient approach does avoid the anomaly of automatically transforming every fleeing misdemeanant into a fleeing felon - subject, under the common-law rule, to apprehension by deadly force - solely by virtue of his flight. However, it is in real tension with the harsh consequences of flight

in cases where deadly force is employed. For example, Tennessee does not outlaw fleeing from arrest. The Memphis City Code does, 22-34.1 (Supp. 17, 1971), subjecting the offender to a maximum fine of \$50, 1-8 (1967). Thus, Garner's attempted escape subjected him to (a) a \$50 fine, and (b) being shot.

[<u>Footnote 10</u>] See Sherman, Reducing Police Gun use, in Control in the Police Organization 98, 120-123 (M. Punch ed. 1983); Fyfe, Observations on Police [471 U.S. 1, 11] Deadly Force, 27 Crime & Delinquency 376, 378-381 (1981); W. Geller & K. Karales, Split-Second Decisions 67 (1981); App. 84 (affidavit of William Bracey, Chief of Patrol, New York City Police Department). See generally Brief for Police Foundation et al. as Amici Curiae.

[<u>Footnote 11</u>] The roots of the concept of a "felony" lie not in capital punishment but in forfeiture. 2 F. Pollock & F. Maitland, The History of English Law 465 (2d ed. 1909) (hereinafter Pollock & Maitland). Not all felonies were always punishable by death. See id., at 466-467, n. 3. Nonetheless, the link was profound. Blackstone was able to write: "The idea of felony is indeed so generally connected with that of capital punishment, that we find it hard to separate them; and to this usage the interpretations of the law do now conform. And therefore if a statute makes any new offence felony, the law implies that is shall be punished with death, viz. by hanging, as well as with forfeiture . . . ." 4 W. Blackstone, Commentaries \*98. See also R. Perkins & R. Boyce, Criminal Law 14-15 (3d ed. 1982); 2 Pollock & Maitland 511.

[<u>Footnote 12</u>] White-collar crime, for example, poses a less significant physical threat than, say, drunken driving. See Welsh v. Wisconsin, <u>466 U.S. 740 (1984)</u>; id., at 755 (BLACKMUN, J., concurring). See Model Penal Code Comment, at 57.

[Footnote 13] It has been argued that sophisticated techniques of apprehension and increased communication between the police in different jurisdictions have made it more likely that an escapee will be caught than was once the case, and that this change has also reduced the "reasonableness" of the use of deadly force to prevent escape. E. g., Sherman, Execution Without Trial: Police Homicide and the Constitution, 33 Vand. L. Rev. 71, 76 (1980). We are unaware of any data that would permit sensible evaluation of this claim. Current arrest rates are sufficiently low, however, that we have some doubt whether in past centuries the failure to arrest at the scene meant that the police had missed their only chance in a way that is not presently the case. In 1983, 21% of the offenses in the Federal Bureau of Investigation crime index were cleared by arrest. Federal Bureau of Investigation, Uniform Crime Reports, Crime in the United States 159 (1984). The clearance rate for burglary was 15%. Ibid.

[ <u>Footnote 14</u>] Ala. Code 13A-3-27 (1982); Ark. Stat. Ann. 41-510 (1977); Cal. Penal Code Ann. 196 (West 1970); Conn. Gen. Stat. 53a-22 (1972); Fla. Stat. 776.05 (1983); Idaho Code 19-610 (1979); Ind. Code 35-41-3-3 (1982); Kan. Stat. Ann. 21-3215 (1981); Miss. Code Ann. 97-3-15(d) (Supp. 1984); Mo. Rev. Stat. 563.046 (1979); Nev. Rev. Stat. 200.140 (1983); N. M. Stat. Ann. 30-2-6 (1984); Okla. Stat., Tit. 21, 732 (1981); R. I. Gen. Laws 12-7-9 (1981); S. D. Codified Laws 22-16-32, 22-16-33 (1979); Tenn. Code Ann. 40-7-108 (1982); Wash. Rev. Code 9A.16.040(3) (1977). Oregon limits use of deadly force to violent felons, but also allows its use against any felon if "necessary." Ore. Rev. Stat. 161.239 (1983). Wisconsin's statute is ambiguous, but should probably be added to this list. Wis. Stat. 939.45(4) (1981-1982) (officer may use force necessary for "a reasonable accomplishment of a lawful arrest"). But see Clark v. Ziedonis, 368 F. Supp. 544 (ED Wis. 1973), aff'd on other grounds, 513 F.2d 79 (CA7 1975).

[<u>Footnote 15</u>] In California, the police may use deadly force to arrest only if the crime for which the arrest is sought was "a forcible and atrocious one which threatens death or serious bodily harm," or there is a substantial risk that the person whose arrest is sought will cause death or serious bodily harm if apprehension is delayed. Kortum v. Alkire, 69 Cal. App. 3d 325, 333, 138 Cal. Rptr. 26, 30-31 (1977). See also People v. Ceballos, 12 Cal. 3d 470, 476-484, 526 P.2d 241, 245-250 (1974); Long Beach Police Officers Assn. v. Long Beach, 61 Cal. App. 3d 364, 373-374, 132 Cal. Rptr. 348, 353-354 (1976). In Indiana, deadly force may be used only to prevent injury, the imminent danger of injury or force, or the threat of force. It is not permitted simply to prevent escape. Rose v. State, 431 N. E. 2d 521 (Ind. App. 1982).

[ Footnote 16 ] These are Michigan, Ohio, Virginia, and West Virginia. Werner v. Hartfelder, 113 Mich. App. 747, 318 N. W. 2d 825 (1982); State v. Foster, 60 Ohio Misc. 46, 59-66, 396 N. E. 2d 246, 255-258 (Com. Pl. 1979) (citing cases); Berry v. Hamman, 203 Va. 596, 125 S. E. 2d 851 (1962); Thompson v. Norfolk & W. R. Co., 116 W. Va. 705, 711-712, 182 S. E. 880, 883-884 (1935).

[<u>Footnote 17</u>] Haw. Rev. Stat. 703-307 (1976); Neb. Rev. Stat. 28-1412 (1979). Massachusetts probably belongs in this category. Though it once rejected distinctions between felonies, Uraneck v. Lima, 359 Mass. 749, 750, 269 N. E. 2d 670, 671 (1971), it has since adopted the Model Penal Code limitations with regard to private citizens, Commonwealth v. Klein, 372 Mass. 823, 363 N. E. 2d 1313 (1977), and seems to have extended that decision to police officers, Julian v. Randazzo, 380 Mass. 391, 403 N. E. 2d 931 (1980).

[ Footnote 18 ] Alaska Stat. Ann. 11.81.370(a) (1983); Ariz. Rev. Stat. Ann. 13-410 (1978); Colo. Rev. Stat. 18-1-707 (1978); Del. Code Ann., Tit. 11, 467 (1979) (felony involving physical force and a substantial risk that the suspect will cause death or serious bodily injury or will never be recaptured); Ga. Code 16-3-21(a) (1984); Ill. Rev. Stat., ch. 38, 7-5 (1984); Iowa Code 804.8 (1983) (suspect has used or threatened deadly force in commission of a felony, or would use deadly force if not caught); Ky. Rev. Stat. 503.090 (1984) (suspect committed felony involving use or threat of physical force likely to cause death or serious injury, and is likely to endanger life unless apprehended without delay); Me. Rev. Stat. Ann., Tit. 17-A, 107 (1983) (commentary notes that deadly force may be used only "where the person to be arrested poses a threat to human life"); Minn. Stat. 609.066 (1984); N. H. Rev. Stat. Ann. 627:5(II) (Supp. 1983); N. J. Stat. Ann. 2C-3-7 (West 1982); N. Y. Penal Law 35.30 (McKinney Supp. 1984-1985); N.C. Gen. Stat. 15A-401 (1983); N. D. Cent. Code 12.1-05-07.2.d (1976); 18 Pa. Cons. Stat. 508 (1982); Tex. Penal Code Ann. 9.51(c) (1974); Utah Code Ann. 76-2-404 (1978).

[<u>Footnote 19</u>] See La. Rev. Stat. Ann. 14:20(2) (West 1974); Vt. Stat. Ann., Tit. 13, 2305 (1974 and Supp. 1984). A Federal District Court has interpreted the Louisiana statute to limit the use of deadly force against fleeing suspects to situations where "life itself is endangered or great bodily harm is threatened." Sauls v. Hutto, 304 F. Supp. 124, 132 (ED La. 1969).

[Footnote 20] These are Maryland, Montana, South Carolina, and Wyoming. A Maryland appellate court has indicated, however, that deadly force may not be used against a felon who "was in the process of fleeing and, at the [471 U.S. 1, 18] time, presented no immediate danger to . . . anyone . . . ." Giant Food, Inc. v. Scherry, 51 Md. App. 586, 589, 596, 444 A. 2d 483, 486, 489 (1982).

[<u>Footnote 21</u>] In adopting its current statute in 1979, for example, Alabama expressly chose the common-law rule over more restrictive provisions. Ala. Code 13A-3-27, Commentary, pp. 67-63 (1982). Missouri likewise considered but rejected a proposal akin to the Model Penal Code rule. See Mattis v. Schnarr, 547 F.2d 1007, 1022 (CA8 1976) (Gibson, C. J., dissenting), vacated as moot sub nom. Ashcroft v. Mattis, <u>431 U.S. 171 (1977)</u>. Idaho, whose current statute codifies the common-law rule, adopted the Model Penal Code in 1971, but abandoned it in 1972.

[<u>Footnote 22</u>] In a recent report, the Department of Corrections of the District of Columbia also noted that "there is nothing inherently dangerous or violent about the offense," which is a crime against property. D.C. Department of Corrections, Prisoner Screening Project 2 (1985).

[Footnote 23] The dissent points out that three-fifths of all rapes in the home, three-fifths of all home robberies, and about a third of home assaults are committed by burglars. Post, at 26-27. These figures mean only that if one knows that a suspect committed a rape in the home, there is a good chance that the suspect is also a burglar. That has nothing to do with the question here, which is whether the fact that someone has committed a burglary indicates that he has committed, or might commit, a violent crime.

The dissent also points out that this 3.8% adds up to 2.8 million violent crimes over a 10-year period, as if to imply that today's holding will let loose 2.8 million violent burglars. The relevant universe is, of course, far smaller. At issue is only that tiny fraction of cases where violence has [471 U.S. 1, 23] taken place and an officer who has no other means of apprehending the suspect is unaware of its occurrence.

# JUSTICE O'CONNOR, with whom THE CHIEF JUSTICE and JUSTICE REHNQUIST join, dissenting.

The Court today holds that the Fourth Amendment prohibits a police officer from using deadly force as a last resort to [471 U.S. 1, 23] apprehend a criminal suspect who refuses to halt when fleeing the scene of a nighttime burglary. This conclusion rests on the majority's balancing of the interests of the suspect and the public interest in effective law enforcement. Ante, at 8. Notwithstanding the venerable common-law rule authorizing the use of deadly force if necessary to apprehend a fleeing felon, and continued acceptance of this rule by nearly half the States, ante, at 14, 16-17, the majority concludes that Tennessee's statute is unconstitutional inasmuch as it allows the use of such force to apprehend a burglary suspect who is not obviously armed or otherwise dangerous. Although the circumstances of this case are unquestionably tragic and unfortunate, our constitutional holdings must be sensitive both to the history of the Fourth Amendment and to the general implications of the Court's reasoning. By disregarding the serious and dangerous nature of residential burglaries and the longstanding practice of many States, the Court effectively creates a Fourth Amendment right allowing a burglary suspect to flee unimpeded from a police officer who has probable cause to arrest, who has ordered the suspect to halt, and who has no means short of firing his weapon to prevent escape. I do not believe that the Fourth Amendment supports such a right, and I accordingly dissent.

I

The facts below warrant brief review because they highlight the difficult, split-second decisions police officers must make in these circumstances. Memphis Police Officers Elton Hymon and Leslie Wright responded to a late-night call that a burglary was in progress at a private residence. When the officers

arrived at the scene, the caller said that "they" were breaking into the house next door. App. in No. 81-5605 (CA6), p. 207. The officers found the residence had been forcibly entered through a window and saw lights [471 U.S. 1, 24] on inside the house. Officer Hymon testified that when he saw the broken window he realized "that something was wrong inside," id., at 656, but that he could not determine whether anyone - either a burglar or a member of the household - was within the residence. Id., at 209. As Officer Hymon walked behind the house, he heard a door slam. He saw Edward Eugene Garner run away from the house through the dark and cluttered backyard. Garner crouched next to a 6-foot-high fence. Officer Hymon thought Garner was an adult and was unsure whether Garner was armed because Hymon "had no idea what was in the hand [that he could not see] or what he might have had on his person." Id., at 658-659. In fact, Garner was 15 years old and unarmed. Hymon also did not know whether accomplices remained inside the house. Id., at 657. The officer identified himself as a police officer and ordered Garner to halt. Garner paused briefly and then sprang to the top of the fence. Believing that Garner would escape if he climbed over the fence, Hymon fired his revolver and mortally wounded the suspected burglar.

Appellee-respondent, the deceased's father, filed a 42 U.S.C. 1983 action in federal court against Hymon, the city of Memphis, and other defendants, for asserted violations of Garner's constitutional rights. The District Court for the Western District of Tennessee held that Officer Hymon's actions were justified by a Tennessee statute that authorizes a police officer to "use all the necessary means to effect the arrest," if "after notice of the intention to arrest the defendant, he either flee or forcibly resist." Tenn. Code Ann. 40-7-108 (1982). As construed by the Tennessee courts, this statute allows the use of deadly force only if a police officer has probable cause to believe that a person has committed a felony, the officer warns the person that he intends to arrest him, and the officer reasonably believes that no means less than such force will prevent the escape. See, e. g., Johnson v. State, 173 Tenn. 134, 114 S. W. 2d 819 [471 U.S. 1, 25] (1938). The District Court held that the Tennessee statute is constitutional and that Hymon's actions as authorized by that statute did not violate Garner's constitutional rights. The Court of Appeals for the Sixth Circuit reversed on the grounds that the Tennessee statute "authorizing the killing of an unarmed, nonviolent fleeing felon by police in order to prevent escape" violates the Fourth Amendment and the Due Process Clause of the Fourteenth Amendment. 710 F.2d 240, 244 (1983).

The Court affirms on the ground that application of the Tennessee statute to authorize Officer Hymon's use of deadly force constituted an unreasonable seizure in violation of the Fourth Amendment. The precise issue before the Court deserves emphasis, because both the decision below and the majority obscure what must be decided in this case. The issue is not the constitutional validity of the Tennessee statute on its face or as applied to some hypothetical set of facts. Instead, the issue is whether the use of deadly force by Officer Hymon under the circumstances of this case violated Garner's constitutional rights. Thus, the majority's assertion that a police officer who has probable cause to seize a suspect "may not always do so by killing him," ante, at 9, is unexceptionable but also of little relevance to the question presented here. The same is true of the rhetorically stirring statement that "[t]he use of deadly force to prevent the escape of all felony suspects, whatever the circumstances, is constitutionally unreasonable." ante, at 11. The question we must address is whether the Constitution allows the use of such force to apprehend a suspect who resists arrest by attempting to flee the scene of a nighttime burglary of a residence.

Π

For purposes of Fourth Amendment analysis, I agree with the Court that Officer Hymon "seized" Garner by shooting him. Whether that seizure was reasonable and therefore permitted by the Fourth Amendment requires a careful balancing [471 U.S. 1, 26] of the important public interest in crime prevention and detection and the nature and quality of the intrusion upon legitimate interests of the individual. United States v. Place, <u>462 U.S. 696</u>, <u>703</u> (1983). In striking this balance here, it is crucial to acknowledge that police use of deadly force to apprehend a fleeing criminal suspect falls within the "rubric of police conduct . . . necessarily [involving] swift action predicated upon the on-the-spot observations of the officer on the beat." Terry v. Ohio, 392 U.S. 1, 20 (1968). The clarity of hindsight cannot provide the standard for judging the reasonableness of police decisions made in uncertain and often dangerous circumstances. Moreover, I am far more reluctant than is the Court to conclude that the Fourth Amendment proscribes a police practice that was accepted at the time of the adoption of the Bill of Rights and has continued to receive the support of many state legislatures. Although the Court has recognized that the requirements of the Fourth Amendment must respond to the reality of social and technological change, fidelity to the notion of constitutional - as opposed to purely judicial - limits on governmental action requires us to impose a heavy burden on those who claim that practices accepted when the Fourth Amendment was adopted are now constitutionally impermissible. See, e. g., United States v. Watson, 423 U.S. 411, 416 -421 (1976); Carroll v. United States, 267 U.S. 132, 149 -153 (1925). Cf. United States v. Villamonte-Marquez, 462 U.S. 579, 585 (1983) (noting "impressive historical pedigree" of statute challenged under Fourth Amendment).

The public interest involved in the use of deadly force as a last resort to apprehend a fleeing burglary suspect relates primarily to the serious nature of the crime. Household burglaries not only represent the illegal entry into a person's home, but also "pos[e] real risk of serious harm to others." Solem v. Helm, 463 U.S. 277, 315 -316 (1983) (BURGER, C. J., dissenting). According to recent Department of Justice statistics, "[t]hree-fifths of all rapes in the home, [471 U.S. 1, 27] three-fifths of all home robberies, and about a third of home aggravated and simple assaults are committed by burglars." Bureau of Justice Statistics Bulletin, Household Burglary 1 (January 1985). During the period 1973-1982, 2.8 million such violent crimes were committed in the course of burglaries. Ibid. Victims of a forcible intrusion into their home by a nighttime prowler will find little consolation in the majority's confident assertion that "burglaries only rarely involve physical violence." Ante, at 21. Moreover, even if a particular burglary, when viewed in retrospect, does not involve physical harm to others, the "harsh potentialities for violence" inherent in the forced entry into a home preclude characterization of the crime as "innocuous, inconsequential, minor, or `nonviolent.'" Solem v. Helm, supra, at 316 (BURGER, C. J., dissenting). See also Restatement of Torts 131, Comment g (1934) (burglary is among felonies that normally cause or threaten death or serious bodily harm); R. Perkins & R. Boyce, Criminal Law 1110 (3d ed. 1982) (burglary is dangerous felony that creates unreasonable risk of great personal harm).

Because burglary is a serious and dangerous felony, the public interest in the prevention and detection of the crime is of compelling importance. Where a police officer has probable cause to arrest a suspected burglar, the use of deadly force as a last resort might well be the only means of apprehending the suspect. With respect to a particular burglary, subsequent investigation simply cannot represent a substitute for immediate apprehension of the criminal suspect at the scene. See President's Commission on Law Enforcement and Administration of Justice, Task Force Report: The Challenge of Crime in a Free Society 97 (1967). Indeed, the Captain of the Memphis Police Department testified that in his city, if apprehension is not immediate, it is likely that the suspect will not be caught. App. in No. 81-5605 (CA6), p. 334. Although some law enforcement agencies may choose to assume the risk that a criminal

will remain at large, the [471 U.S. 1, 28] Tennessee statute reflects a legislative determination that the use of deadly force in prescribed circumstances will serve generally to protect the public. Such statutes assist the police in apprehending suspected perpetrators of serious crimes and provide notice that a lawful police order to stop and submit to arrest may not be ignored with impunity. See, e. g., Wiley v. Memphis Police Department, 548 F.2d 1247, 1252-1253 (CA6), cert. denied, <u>434 U.S. 822 (1977)</u>; Jones v. Marshall, 528 F.2d 132, 142 (CA2 1975).

The Court unconvincingly dismisses the general deterrence effects by stating that "the presently available evidence does not support [the] thesis" that the threat of force discourages escape and that "there is a substantial basis for doubting that the use of such force is an essential attribute to the arrest power in all felony cases." Ante, at 10, 11. There is no question that the effectiveness of police use of deadly force is arguable and that many States or individual police departments have decided not to authorize it in circumstances similar to those presented here. But it should go without saying that the effectiveness or popularity of a particular police practice does not determine its constitutionality. Cf. Spaziano v. Florida, <u>468 U.S. 447, 464</u> (1984) ("The Eighth Amendment is not violated every time a State reaches a conclusion different from a majority of its sisters over how best to administer its criminal laws"). Moreover, the fact that police conduct pursuant to a state statute is challenged on constitutional grounds does not impose a burden on the State to produce social science statistics or to dispel any possible doubts about the necessity of the conduct. This observation, I believe, has particular force where the challenged practice both predates enactment of the Bill of Rights and continues to be accepted by a substantial number of the States.

Against the strong public interests justifying the conduct at issue here must be weighed the individual interests implicated in the use of deadly force by police officers. The [471 U.S. 1, 29] majority declares that "[t]he suspect's fundamental interest in his own life need not be elaborated upon." Ante, at 9. This blithe assertion hardly provides an adequate substitute for the majority's failure to acknowledge the distinctive manner in which the suspect's interest in his life is even exposed to risk. For purposes of this case, we must recall that the police officer, in the course of investigating a nighttime burglary, had reasonable cause to arrest the suspect and ordered him to halt. The officer's use of force resulted because the suspected burglar refused to heed this command and the officer reasonably believed that there was no means short of firing his weapon to apprehend the suspect. Without questioning the importance of a person's interest in his life, I do not think this interest encompasses a right to flee unimpeded from the scene of a burglary. Cf. Payton v. New York, <u>445 U.S. 573, 617</u>, n. 14 (1980) (WHITE, J., dissenting) ("[T]he policeman's hands should not be tied merely because of the possibility that the suspect will fail to cooperate with legitimate actions by law enforcement personnel"). The legitimate interests of the suspect in these circumstances are adequately accommodated by the Tennessee statute: to avoid the use of deadly force and the consequent risk to his life, the suspect need merely obey the valid order to halt.

A proper balancing of the interests involved suggests that use of deadly force as a last resort to apprehend a criminal suspect fleeing from the scene of a nighttime burglary is not unreasonable within the meaning of the Fourth Amendment. Admittedly, the events giving rise to this case are in retrospect deeply regrettable. No one can view the death of an unarmed and apparently nonviolent 15-year-old without sorrow, much less disapproval. Nonetheless, the reasonableness of Officer Hymon's conduct for purposes of the Fourth Amendment cannot be evaluated by what later appears to have been a preferable course of police action. The officer pursued a suspect in the darkened backyard of a house that from all indications had just been burglarized. The [471 U.S. 1, 30] police officer was not certain whether the

suspect was alone or unarmed; nor did he know what had transpired inside the house. He ordered the suspect to halt, and when the suspect refused to obey and attempted to flee into the night, the officer fired his weapon to prevent escape. The reasonableness of this action for purposes of the Fourth Amendment is not determined by the unfortunate nature of this particular case; instead, the question is whether it is constitutionally impermissible for police officers, as a last resort, to shoot a burglary suspect fleeing the scene of the crime.

Because I reject the Fourth Amendment reasoning of the majority and the Court of Appeals, I briefly note that no other constitutional provision supports the decision below. In addition to his Fourth Amendment claim, appellee-respondent also alleged violations of due process, the Sixth Amendment right to trial by jury, and the Eighth Amendment proscription of cruel and unusual punishment. These arguments were rejected by the District Court and, except for the due process claim, not addressed by the Court of Appeals. With respect to due process, the Court of Appeals reasoned that statutes affecting the fundamental interest in life must be "narrowly drawn to express only the legitimate state interests at stake." 710 F.2d, at 245. The Court of Appeals concluded that a statute allowing police use of deadly force is narrowly drawn and therefore constitutional only if the use of such force is limited to situations in which the suspect poses an immediate threat to others. Id., at 246-247. Whatever the validity of Tennessee's statute in other contexts, I cannot agree that its application in this case resulted in a deprivation "without due process of law." Cf. Baker v. McCollan, 443 U.S. 137, 144 -145 (1979). Nor do I believe that a criminal suspect who is shot while trying to avoid apprehension has a cognizable claim of a deprivation of his Sixth Amendment right to trial by jury. See Cunningham v. Ellington, 323 F. Supp. 1072, 1075-1076 (WD Tenn. 1971) (three-judge court). Finally, because there is no indication that the use [471 U.S. 1, 31] of deadly force was intended to punish rather than to capture the suspect, there is no valid claim under the Eighth Amendment. See Bell v. Wolfish, 441 U.S. 520, 538 -539 (1979). Accordingly, I conclude that the District Court properly entered judgment against appelleerespondent, and I would reverse the decision of the Court of Appeals.

## III

Even if I agreed that the Fourth Amendment was violated under the circumstances of this case, I would be unable to join the Court's opinion. The Court holds that deadly force may be used only if the suspect "threatens the officer with a weapon or there is probable cause to believe that he has committed a crime involving the infliction or threatened infliction of serious physical harm." Ante, at 11. The Court ignores the more general implications of its reasoning. Relying on the Fourth Amendment, the majority asserts that it is constitutionally unreasonable to use deadly force against fleeing criminal suspects who do not appear to pose a threat of serious physical harm to others. Ibid. By declining to limit its holding to the use of firearms, the Court unnecessarily implies that the Fourth Amendment constrains the use of any police practice that is potentially lethal, no matter how remote the risk. Cf. Los Angeles v. Lyons, <u>461</u> U.S. 95 (1983).

Although it is unclear from the language of the opinion, I assume that the majority intends the word "use" to include only those circumstances in which the suspect is actually apprehended. Absent apprehension of the suspect, there is no "seizure" for Fourth Amendment purposes. I doubt that the Court intends to allow criminal suspects who successfully escape to return later with 1983 claims against officers who used, albeit unsuccessfully, deadly force in their futile attempt to capture the fleeing suspect. The Court's opinion, despite its broad language, actually decides only that the [471 U.S. 1, 32]

shooting of a fleeing burglary suspect who was in fact neither armed nor dangerous can support a 1983 action.

The Court's silence on critical factors in the decision to use deadly force simply invites second-guessing of difficult police decisions that must be made quickly in the most trying of circumstances. Cf. Payton v. New York, <u>445 U.S.</u>, at <u>619</u> (WHITE, J., dissenting). Police are given no guidance for determining which objects, among an array of potentially lethal weapons ranging from guns to knives to baseball bats to rope, will justify the use of deadly force. The Court also declines to outline the additional factors necessary to provide "probable cause" for believing that a suspect "poses a significant threat of death or serious physical injury," ante, at 3, when the officer has probable cause to arrest and the suspect refuses to obey an order to halt. But even if it were appropriate in this case to limit the use of deadly force to that ambiguous class of suspects, I believe the class should include nighttime residential burglars who resist arrest by attempting to flee the scene of the crime. We can expect an escalating volume of litigation as the lower courts struggle to determine if a police officer's split-second decision to shoot was justified by the danger posed by a particular object and other facts related to the crime. Thus, the majority opinion portends a burgeoning area of Fourth Amendment doctrine concerning the circumstances in which police officers can reasonably employ deadly force.

## IV

The Court's opinion sweeps broadly to adopt an entirely new standard for the constitutionality of the use of deadly force to apprehend fleeing felons. Thus, the Court "lightly brushe[s] aside," Payton v. New York, supra, at 600, a longstanding police practice that predates the Fourth Amendment and continues to receive the approval of nearly half of the state legislatures. I cannot accept the majority's creation of a constitutional right to flight for burglary suspects [471 U.S. 1, 33] seeking to avoid capture at the scene of the crime. Whatever the constitutional limits on police use of deadly force in order to apprehend a fleeing felon, I do not believe they are exceeded in a case in which a police officer has probable cause to arrest a suspect at the scene of a residential burglary, orders the suspect to halt, and then fires his weapon as a last resort to prevent the suspect's escape into the night. I respectfully dissent. [471 U.S. 1, 34]

# MPTC USE OF FORCE REFERENCE GUIDE



**Perceived Subject Action (s)** 

**Reasonable Officer Response (s)** 

The **Totality Triangle** © depicts the three elements which must be considered in determining whether an application of force was objectively reasonable.

**Perceived Circumstances** - the officer's perspective of the severity of any crime, the existence of an immediate safety threat to the officer or others, and the degree of compliance / non-compliance from the subject; culminating in its identification on the Use of Force Model.

**Perceived Subject Action (s)** - the subject action (s) as perceived by the reasonable officer that designate the subject at one or more of the Use of Force Model's compliant / non-compliant categories.

**Reasonable Officer Response (s)** - the "balanced" response (s) appropriate for the reasonable officer's selection from the Use of Force Model's identified response categories, in order to maintain or gain subject compliance and control.



The Use of Force Model was developed in 1991 by Dr. Franklin Graves, Federal Law Enforcement Training Center and Professor Gregory J. Connor, University of Illinois Police Training Institute. ™ 1998, G. Connor. All rights reserved.

**Threat Perception Color Code** - the tactically applied and color adapted correlation of the Threat Perception Categories on the Use of Force Model.

**Control Superiority Principle (**) - the understanding and visualization method utilized to reinforce the inherent principle of officer force superiority over the subject's degree of compliance / non-compliance.

**Assessment / Selection Arrows** - the mechanism utilized to indicate the dynamic nature of an officer's decision-making process of Tactical Transition © during the enforcement encounter.

#### **Threat Perception Categories**

**Strategic** - the broad "mind set" of the officer, represented by the blue baseline on the Threat Perception Color Code ©. The contemporary officer must maintain this functional foundation, centered upon strategies designed to enhance the status of safety.

**Tactical** - the second level on the Use of Force Model, depicted by the color green. Here the officer perceives an increase in threat potential within the confrontational environment and tactical procedures are designated and deployed.

**Volatile** - the third level on the Use of Force Model utilizing the color yellow to indicate an activated level of alertness and threat potential. Here the officer is confronted with the presence or potential of critical dynamics, including threat intensity and severity within the enforcement encounter.

**Harmful** - at this level on the Use of Force Model the color orange denotes an accelerated perception of threat directed upon the officer or others. In this regard the officer must deploy initial defensive force in the effort toward eventual subject compliance and control.

**Lethal** - the highest level on the Use of Force Model correlates to the most intense color in the Threat Perception Color Code ©, red. Although this potentially lethal degree of threat is most infrequent, it remains most crucial for the continuation of officer safety and security.

#### Perceived Subject Action (s) Categories

**Compliant** - represents the vast majority of officer / citizen confrontations in the form of cooperation and control. Such cooperation is generally established and maintained via cultural acceptance, verbalization skills, etc.

**Resistant** (*Passive*) - the preliminary level of citizen non-compliance. Here, the citizen, although non-compliant, offers no physical or mechanical energy enhancement toward the resistant effort.

**Resistant (***Active***)** - the subject's non-compliance is increased in scope and / or intensity. The subject's non-compliance now includes energy enhanced physical or mechanical defiance.

**Assaultive (Bodily Harm)** - the officer's attempt to gain lawful compliance has culminated in a perceived or actual attack on the officer or others. The officer makes the reasonable assessment that such actions by the subject would <u>not</u> result in the officer's or other's death or serious bodily harm.

**Assaultive (Serious Bodily Harm / Death)** - the officer's attempt to gain lawful compliance has culminated in the perception of an attack or the potential for such an attack on the officer or others. The officer makes the reasonable assessment that such actions by the subject <u>could</u> result in serious bodily harm or death to the officer or others.

#### **Officer Response (s) Categories**

**Cooperative Controls** - include contemporary controls developed to preserve officer safety and security, including: communication skills, restraint applications, etc.

**Contact Controls** - includes resistant countermeasures designed to guide or direct the non-compliant subject. These "hands on" tactics would include the elbow / wrist grasp, Hand Rotation Position ©, etc.

**Compliance Techniques** - includes resistant countermeasures designed to counter the subject's enhanced degree of resistance. These tactics could include the Hand Rotation Technique ©, chemical irritants, etc.