

TRAINING ANNOUNCEMENT

USE OF FORCE INCIDENT REPORT ANALYSIS: JUDICIAL REVIEW AND CONSTITUTIONAL LIABILITY CONCERNS



DeMuro Enterprises, LLC

TN P.O.S.T. APPROVED

RESTRICTED TO LAW ENFORCEMENT AND CORRECTIONS

Average student evaluations for a 10 year period: **75% Excellent, 22% Above Average**

As the 21st Century unfolds, Law Enforcement's use of force has attracted so much controversy that neglecting the need for the detailed reporting and review of an incident could be considered a key training liability concern. At least this much is true: The use of force by a law enforcement officer that may last only seconds... *whether permissible or not...* can have such long-range consequences that careers could be ended, multi-million dollar lawsuits may be filed, and the law enforcement agency involved could be vilified to the point that community protests -and even rioting- may occur.

It is recommended in the Department of Justice's report on "*Principles for Promoting Police Integrity*" that agencies develop use of force policies that address a wide variety of related concerns. As those concerns could logically include the need for the effective reporting and review of the use of force, this training is designed to provide reviewing administrators, supervisors, trainers, and field personnel with insight into the process of the judicial review of an officer's use of force to aid when writing and reviewing use of force reports.

The main cases courts have used to review the use of force involve constitutional liability. So with that firmly in mind, this training has been developed to employ focused instruction and in-class case-assessment to provide the student with the knowledge of Judicial Review to understand the following topics:

TOPICS INCLUDE:

- Why one responsibility for reviewing an officer's use of force should involve knowing how a judicial review will be done so that agency policy can be effectively addressed alongside judicial requirements;
- How methods used by a court to evaluate an officer's use of force can result in constitutional ramifications -and community troubles- when an officer's ability to account for -and clearly explain- the need to use force is not properly communicated;
- Why the enhanced use of force reporting requirements that Tennessee Courts and the Sixth Federal Circuit can consider must be understood by all reviewing personnel;
- How the review of every use of force report can -and should- be done with agency policy, judicial review, community need and support, and media scrutiny clearly in mind.

The instructor has been certified to instruct legal topics to Law Enforcement, Corrections and Corrections-Probation personnel. He has instructed legal topics at both the basic and advanced academy levels. Having instructed legal topics to Law Enforcement for over two decades, his instruction and lecture on law and legal guidelines have been employed to train and update line officers, investigators and supervisors from related disciplines on a variety of legal topics ranging from liability to enforcement and investigative concerns.

For more information go to DeMuroTraining.com. Pre-registration required.

LOCATION: **Germantown Police Department**

PRESENTED BY: **DeMuro Enterprises, LLC**

DATES: **April 6 - 7, 2017 (Thursday-Friday)** COST: **\$295**

Student comments on DeMuro classes

- ◆ "Your class was one of the best I've ever taken. It reminded me of things I knew, and some I had forgotten... I am excited for the value that will be added to our agency"...from a Chief of Police.
- ◆ "Very informative and eye opening. Every trainer, FTO & Officer needs this."... from a Sergeant/Trainer.
- ◆ "Rarely do you go to classes that are interesting the whole time, but yours are. Your training is what I've been looking for, for years, legal training that makes sense!"... from an Assist. Chief.
- ◆ "Excellent Class - case law cites really help to explain & use this information. Ability to discuss the application of cases was invaluable."
- ◆ "Great Class! I would recommend it to new and 'old' officers."

2017 Training Schedule – TN

- Use of Force Incident Report Analysis
Germantown Police Dept. April 4 – 5
- Use of Force Incident Report Analysis
Germantown Police Dept. April 6 – 7
- Probable Cause, Arrest, Search & Seizure. Germantown PD August 1 – 4
- Use of Force: Application & Legal Analysis. Collegedale PD August 21 – 24
- De-escalating Force: Principles & Concepts, Cultural Bias, and Legal Concerns
Germantown PD September 12 – 13
- De-escalating Force: Principles & Concepts, Cultural Bias, and Legal Concerns
Germantown PD September 14 – 15
- De-escalating Force: Principles & Concepts, Cultural Bias, and Legal Concerns
Germantown PD October 2 – 3