THE ADDICT...AND WHAT THE POLICE OFFICER SEES

A Think About It Presentation

Carlos Cruz
“The root of our failure to deal with violence lies with our refusal to face up to it. “  
- Bruno Bettelheim  
A survivor of the Nazi death camps.
(Total Number of Arrests in the US, 1973 and 2012) In 1973, there were 328,670 arrests reported by the FBI's Uniform Crime Reports (UCR) for drug law violations, out of a total 9,027,700 arrests nationwide for all offenses. Also that year, authorities reported 380,560 arrests for all violent crimes and 1,448,700 arrests for all property offenses.

In 2012, the number of arrests for drug law violations rose to 1,552,432 out of a total 12,196,959 arrests nationwide for all offenses. Also in 2012, authorities reported 521,196 arrests for all violent crimes and 1,646,212 for all property offenses.

Source:
FBI Uniform Crime Reports 1973 (1973 drug arrest data supplied by the National Criminal Justice Reference Service)

-See more at:
http://www.drugwarfacts.org/cms/crime#sthash.PQfxPrxM.DPwMCCBa.dpuf

Website: http://www.drugwarfacts.org/cms/crime#sthash.PQfxPrxM.DPwMCCBa.dpbs
911 CALLS

- Why were the police called? 911 Screeners screen the calls before these go to officers.

Was a crime/offense committed?
VIDEO
Every seizure must be objectively reasonable – meaning reasonable at its inception, in the manner it was effected, and in its duration.

Supreme Court has stated that officers should be judged on the Fourth Amendment’s “objective reasonableness test”.

Objective Test – the reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with 20/20 vision of hindsight.

Objective Test requires the court to envision a reasonable officer and ask this question: based on the totality of the facts and circumstances, could such an officer believe that the force was reasonable?
Supreme Court stated... “the test for reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application.” Allowance must be made 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.

Objective Test – WAS THE FORCE USED REASONABLE?
+ What would a reasonable officer do/say?
- Officers are justified in using
- **Physical Control Methods** –

  - To protect the officer or another from injury or death.
  - To effect the lawful detention or arrest of a non-compliant subject.
  - To stop potentially dangerous and unlawful behavior; or
  - To protect a subject from self-injury.
Linear Use-of-Force Response Continuum

DALLAS POLICE DEPARTMENT

Officer’s Response

Intermediate
Weapons
ECW, Baton, P-Ball

Deadly
Force
Aggravated
Aggression

Hard Empty
Hand Control

Active
Aggression

Soft Empty
Hand Control

Defensive
Resistance

OC & P-Ball

Officer Presence/
Verbal Direction

Passive
Resistance

Psychological
Intimidation &
Resistive Dialogue

Subject’s Behavior
Levels of Resistance: What kind of resistance are we responding to?

- Psychological Intimidation
  - Non-verbal cues indicating attitude, appearance, and physical readiness
Resistive Dialogue

- Verbal responses indicating unwillingness or threats
Passive Resistance

- Physical actions that do not attempt to defeat the officer’s attempt to control
Defensive Resistance

- Physical actions to impede arrest by attempting to prevent officer’s control, but does not include attempts to harm the officer.
Active Aggression

Physical actions of assault toward officer. Includes attempts to attack, grab, punch, kick or wrestle with the officer.
Deadly Force

- Imminent attempts by the subject to cause death or serious bodily injury
“... but the Continuum says!!!”

- Remember that the Linear Response Continuum is just a model and “does not direct a particular officer on how much control to use in a particular situation.” G.O. 901.01 A

- Four variables affect the response continuum –
  - Officer/Subject size, gender, and age.
  - Environmental conditions.
  - Reaction time.
  - Totality of Circumstances.

- The “totality of circumstances” should be broadly read to include time and distance, tactics, reasonable alternatives etc...
CITIZEN EXPECTATION VS. REALITY
In accordance with Commission regulations, the Basic Peace Officer Course shall consist of a minimum of 643 classroom hours and shall include, but not be limited to, the subjects set forth below. This is the recommended sequence for teaching the course. Academies may change the sequence, if necessary.

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<tr>
<th>#</th>
<th>Subject</th>
<th>Hours</th>
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<tbody>
<tr>
<td></td>
<td>Introduction and Orientation</td>
<td>2</td>
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<tr>
<td>1</td>
<td>Fitness and Wellness, and Stress Management</td>
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<td>2</td>
<td>Professional Policing</td>
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<td>3</td>
<td>Professionalism and Ethics</td>
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<tr>
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<td>U.S. &amp; Texas Constitutions, Bill of Rights, and Criminal Justice System</td>
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<td>Multiculturalism and Human Relations</td>
<td>10</td>
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<td>6</td>
<td>Code of Criminal Procedure</td>
<td>20</td>
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<tr>
<td>7</td>
<td>Arrest, Search, and Seizure</td>
<td>28</td>
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<td>8</td>
<td>Penal Code</td>
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<td>9</td>
<td>Traffic</td>
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<td>Intoxicated Driver and SFST</td>
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<td>Civil Process</td>
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<td>Alcoholic Beverage Code</td>
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<td>Health and Safety Code – Controlled Substances Act</td>
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<td>Family Code – Juvenile Issues</td>
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<td>15</td>
<td>Written Communications</td>
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<td>Spanish</td>
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<td>17</td>
<td>Force Options</td>
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<td>18</td>
<td>Mechanics of Arrest</td>
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<td>19</td>
<td>Firearms</td>
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<td>Emergency Medical Assistance</td>
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<tr>
<td>21</td>
<td>Emergency Communications</td>
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### Example Academy Lessons

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<tbody>
<tr>
<td>22</td>
<td>Professional Police Driving</td>
<td>32</td>
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<tr>
<td>23</td>
<td>Communications and Problem Solving</td>
<td>16</td>
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<tr>
<td>24</td>
<td>Patrol/Consular Notification</td>
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<td>Victims of Crime</td>
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<td>26</td>
<td>Family Violence and Related Assaultive Offenses</td>
<td>20</td>
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<td>27</td>
<td>Crisis Intervention Training (CIT) and Mental Health Code</td>
<td>16</td>
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<td>28</td>
<td>Hazardous Materials Awareness</td>
<td>6</td>
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<tr>
<td>29</td>
<td>Criminal Investigation <strong>Including:</strong> Introduction, General, Protection of and Crime Scene Search, Interviewing Techniques, Booking Procedures, Courtroom Demeanor and Testimony, Case Management</td>
<td>44</td>
</tr>
<tr>
<td>30</td>
<td>Racial Profiling</td>
<td>4</td>
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<tr>
<td>31</td>
<td>Asset Forfeiture</td>
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<tr>
<td>32</td>
<td>Identity Crimes</td>
<td>4</td>
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<tr>
<td>33</td>
<td>TCLEOSE Rules Overview</td>
<td>3</td>
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</table>

**Total Hours**: 643

http://www.tcole.texas.gov/training-instructor-resources

Number 1000 Basic Peace Officer
SOCIAL ISSUES

- Teen disrespect
- Couples arguing
- Neighbors
- Animals
- Civil matters

Call priorities are 1, 2, 3, 4 and 5
VIDEO

- Domestic Violence – recording of a 6 year old
Who called? No Comp, no ....
THE OFFICER

- Who is the officer? (Quote Chief Kunckle)
- Process
- Age, race, sex
Paraphernalia
DRE (history)
DRUG COMBINATIONS

+
COMMON COMBINATIONS OF DRUGS

Cocaine & Cannabis

Cocaine & Heroin

PCP (Wet) & Cannabis

Alcohol & practically anything else (pills)
THE EFFECTS OF DRUG COMBINATIONS

✓ Null Effect
✓ Overlapping Effect
✓ Additive Effect
✓ Antagonistic Effect
Traffic accidents
(find case number PCP)
Alcohol/marijuana (wax)
PCP/Cocaine/Heroine
Q & A