

AELE Workshop
Investigation, Management, and Use of Lethal and Less Lethal Force
Las Vegas, Nevada

Note: The program begins at 8:00 A.M. on Tuesday, Wednesday, and Thursday. The WiFi in the meeting room is separate from the WiFi in the guest rooms and is charged separately. Please wear your seminar identification.

Attendance at this seminar plus the Discipline and Internal Investigations Seminar, satisfies the formal course requirements for the **Certified Litigation Specialist (CLS)**. For more information see the AELE web site.

Monday

- 8:00 A.M. Registration in the hotel conference center (off the main hotel lobby up the escalator) There will be directional signage.
- 9:00 A.M. Welcome, Announcements, and Program introduction. Use of AELE Resources and Program materials. **Emory A. Plitt, Jr.** Course Director
- 9:20 A.M. **Legal aspects of the use of lethal and less lethal force.** “The Rules of Engagement” Constitutional criteria governing the use of Lethal and non-lethal force; realities of the defense of excessive force allegations. **Emory A. Plitt, Jr**
- 10:00 A.M. Break
- 10:15 A. M. **Legal aspects of the use of lethal and less lethal force** continued
- 11:10 A.M. Break
- 11:20 A.M. **Use of Force Investigations.** Types of investigations, what and when to investigate, officer rights and recommended procedures, review process, investigation strategies, techniques and procedures
Commander Kris Pitcher, L.A.P.D.
- 12:15 P.M. Lunch – complimentary for all registered attendants
- 1:30 P.M. **Use of Force Investigations** continued
- 2:30 P.M. Break
- 2:40 P.M. **Use of Force Investigations** continued
- 3:30 P.M. Break
- 3:40 P.M. **Document Management, Collection, and Access.**
Emory A. Plitt, Jr.
- 4:40 P.M. Conclude for the day

Tuesday

- 8:00 A.M. **Personnel considerations in use of force investigations**
Officer and witness interviews and statements; immediate vs delayed interviews, cooling off periods, representation issues; compelled statements; criminal vs. internal investigations; multiple interviews; officer reassignment; fitness for duty examinations; psychological counseling; access to investigations; public safety statements; group interviews; reviewing videos **Paul Coble, Esquire**
- 9:00 A.M. Break
- 9:15 A.M. **Personnel Considerations in use of force investigations**, continued
- 10:15 A. M. **Personnel Considerations in use of force investigations**, continued
- 11:15 A. M. Break
- 11:25 A.M. **Policy Liability state and federal**
State and federal legal principles and criteria; deliberate indifference, use of prior incidents, official and individual capacities, direct and indirect liability; policy legal requirements, rules and procedures; written and unwritten policies, what is generally accepted; use of experts **Emory A. Plitt, Jr.**
- 12:15 P.M. Lunch – complimentary
- 1:30 P.M. **Policy Liability** continued
- 2:20 P.M. Break
- 2:30 P.M. **Overview, profiles and prevention of in custody deaths**
Tactics, protocols, and techniques impacting in custody deaths, proactive responses to medical, behavioral, and at risk populations; investigative techniques and requirements; risk recognition
John Peters. PhD, Chief Learning Officer, IPICD
- 3:30 P.M Break
- 3:40 P.M. **In Custody deaths** continued
- 4:40 P.M. Conclude for the day

Wednesday

- 8:00 A.M. **Federal pattern and practice investigations and litigation**
Department of Justice authority, DOJ investigative practices; use of best practice recommendations and experts; consent decrees, MOUs; use of monitors; compliance, auditing and reporting **Chief Charles Gruber**
- 9:00 A.M. Break
- 9:15 A.M. **Federal pattern and practice investigations and litigation, continued**
- 10:00 A.M. Break
- 10:15 A.M. **Current Issues and new developments in the use of force**
The continuum controversy; duty to intervene; threat assessment; duty to retreat; chemical agents; physical restraints; beanbag rounds; batons and other impact devices; weapon display; crowd control; containment vs. confrontation; officer created need to use force **Eric Daigle, Esquire**
- 11:10 A.M. Break
- 11:20 A.M. **Current Issues and new developments continued**
- 12:15 P.M. Lunch – complimentary for all attendants
- 1:30 P.M. **Use of Force Review Boards**
Concepts and practices; advantages and disadvantages; officer participation; officer access; effect on litigation; internal and external boards **Eric Daigle, Esquire**
- 2:20 P.M. Break
- 1:40 P.M. **Monitoring and revising Use of Force policies**
Good faith defense for individual officers; importance of periodic review; in-service and roll call training; weapons qualifications; legal review and approval; standards and recommendations **Eric Daigle, Esquire**
- 2:25 P.M. Break
- 2:35 P.M. **Cameras and recording technology**
Advantages and disadvantages; preservation and storage; citizen and witness recording; officer review and access; public access; conflicts with statements **Eric Daigle, Esquire**
- 3:30 P.M. Break
- 3:40 P.M. **Legal Issues and current developments in the use of electronic control devices**
Training standards; qualifications; manufacturer recommendations tactical use, vulnerable populations; drive stun, dart mode; location **Eric Daigle, Esquire**
- 4:40 P.M. Conclude for the day

Thursday

- 8:00 A.M. **Perception and memory distortions in use of force investigations**
Psychology of combat; dynamics of violent encounters; use of force research; auditory, visual, and memory distortions during critical incidents; psychological aspects of investigations
W. Ken Katsaris, trainer, tactics and litigation consultant
- 9:00 A.M. Break
- 9:15 A.M. **Practical considerations in use of force investigations, reviews and litigation**
Continuum controversy; impact of continuums; practical considerations in the use of less lethal devices (batons, handcuffs, chemical agents, restraints and restraint tactics. **W. Ken Katsaris**
- 10:15 A.M. Break
- 10:20 A.M. **Practical considerations in use of force investigations** continued
- 11:15 A.M. **Use of force procedures and tactical and legal issues in use of force involving the mentally ill; emotionally disturbed; and substance abusers**
Policy issues; training; recognizing vulnerable subjects; special precautions, containment and confrontation; availability of alternatives **W. Ken Katsaris**
- 12:15 P.M. Lunch – complimentary for all attendants
- 1:30 P.M. **Post incident electronic control device forensic analysis**
Obtaining reports; device exchange; chain of custody and documentation; downloads; analysis and testing; data accuracy; discharge history; repair, testing and maintenance history; medical information; scene analysis and measurements
John Peters, PhD
- 2:20 P.M. Break
- 2:30 P.M. **Post incident electronic control device forensic analysis** continued
- 3:30 P.M. **Program Conclusion, Concluding remarks**
Emory A. Plitt, Jr