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| **TEXAS CTE LESSON PLAN**  [www.txcte.org](http://www.txcte.org) | |
| **Lesson Identification and TEKS Addressed** | |
| **Career Cluster** | Law, Public Safety, Corrections & Security |
| **Course Name** | Law Enforcement II |
| **Lesson/Unit Title** | Use of Force |
| **TEKS Student Expectations** | **130.337. (c) Knowledge and Skills**  (5) The student recognizes the importance of using interpersonal communication techniques to resolve conflicts and reduce anger. The student is expected to:  (A) examine interpersonal communication techniques used in law enforcement;  (B) distinguish between passive, passive-aggressive, aggressive, and assertive behavior;  (C) discuss strategies for dealing with difficult people; and  (D) examine factors that contribute to a person's hostility.  (13) The student evaluates situations requiring the use of force. The student is expected to:  (A) demonstrate the use of the force continuum in simulated situations requiring varied degrees of force; and  (B) explain the guidelines and restrictions imposed by state and federal governments related to the use of deadly force. |
| **Basic Direct Teach Lesson**  (Includes Special Education Modifications/Accommodations and  one English Language Proficiency Standards (ELPS) Strategy) | |
| **Instructional Objectives** | **Objectives**  The student will be able to:   * Define terms associated with force * Analyze when citizens and police officers can use force and deadly force * Role play an officer in a “use of force” situation * Document a “use of force” situation * Evaluate how effectively other students respond and write about the “use of force” situations |
| **Rationale** | Police work is a profession where the use of force, sometimes deadly force, can be an everyday element of the job. An officer needs to understand his or her limits in order to effectively make arrests and do the job without getting into legal trouble. This lesson will help students understand when to use force and how much. |
| **Duration of Lesson** | None specified |
| **Word Wall/Key Vocabulary**  *(ELPS c1a,c,f; c2b; c3a,b,d; c4c; c5b) PDAS II(5)* | **Definitions**   * **Force** – an aggressive act committed by any person which does not amount to assault, and is necessary to accomplish an objective * **Deadly Force** – force that is intended or known by the actor to cause death or serious bodily injury * **Reasonable or Necessary Force** – the minimum amount of lawful aggression sufficient to achieve a legitimate law enforcement objective * **Control** – the degree of influence the officer must exert over the violator to take him or her safely into custody |
| **Materials/Specialized Equipment Needed** | **Materials Needed:**   * Discussion Rubric * Research Rubric * Role Play Rubric * Writing Rubric |
| **Anticipatory Set**  (May include pre-assessment for prior knowledge) | Use the following questions for discussion:   * What are some examples of stories you have heard in the news of officers using force? * What are the bad examples? * What do you think are the good examples? * What do you think about electroshock weapons, and when do you think an officer should be able to use them? What about pepper spray or a baton? * When would you feel justified killing someone as a citizen? As a police officer?   On a piece of paper, write a short policy about when you think a citizen should be allowed to use force and deadly force. Then write a policy about when you think an officer should be able to use force and deadly force. Use the Discussion Rubric and Writing Rubric for assessment as needed. |
| **Direct Instruction \*** | 1. When Citizens are Authorized to Use Force    1. Self Defense       1. When is self-defense justified?          1. When a person reasonably believes it is immediately necessary to protect him or herself against another's use of unlawful force       2. Use of force is not justified          1. In response to verbal provocation alone          2. To resist the arrest or search being made by a police officer          3. If the person consented to the exact force used       3. Use of force to resist an arrest or search is justified when          1. The person believes the police officer is using greater force than necessary and          2. The person believes it is immediately necessary to protect him or herself       4. When is someone justified in using deadly force in self-defense?          1. When force is justified and          2. A reasonable person would not have retreated and          3. He or she reasonably believes deadly force is immediately necessary to             1. Protect him or herself against another's use or attempted use of deadly force or             2. Prevent another's imminent commission of   Aggravated kidnapping  Murder  Sexual assault  Aggravated sexual assault  Robbery  Aggravated robbery   * + - 1. Deadly force can be used to protect a third person from unlawful use of deadly force   1. Protection of Life      1. A person is justified in using force to prevent another from committing suicide or inflicting serious bodily injury on him or herself      2. A person is justified in using force and deadly force when it is immediately necessary to preserve another's life in an emergency   2. Protection of Property      1. A person can use force to move someone who is trespassing or disturbing his or her property, or to recover his or her property during a fresh pursuit      2. Deadly force be used to protect property when         1. Using force is justified         2. It is immediately necessary to            1. Prevent another's imminent commission of   Arson  Burglary  Robbery  Theft during the night time  Criminal mischief during the night time or   * + - * 1. To prevent the suspect from fleeing immediately after committing any of the above except criminal mischief at night time and he or she believes   The land or property cannot be recovered by any other means or  The use of force to protect or recover the property would expose the person to risk of death or serious bodily injury   * + - 1. A person can use force or deadly force to protect a third person's property if he or she is already justified in using it and          1. Has been asked to          2. Has a legal duty to or          3. The property belongs to his spouse, parent, child, or roommate     1. Devices that can be used to protect a person's property        1. Any device that is not designed to cause risk of death or serious bodily injury   1. Special Relationships      1. Parent to child         1. Force is allowed against a child under 18 and is reasonable for discipline or safety         2. The person using force must be acting in loco parentis – parental consent or be court-ordered      2. Educator to student         1. Force is justified if            1. Used by an administrator and            2. It is necessary to maintain discipline      3. Guardian to incompetent         1. Force is allowed when            1. Used by the caretaker or guardian and            2. It is necessary for their welfare or            3. The person is in an institution and force is necessary to maintain discipline  1. When Police Officers are Allowed to Use Force    1. A Police Officer's Role       1. The police role is defensive, officers are defending the community when confronting an offender       2. A police officer does not have the duty to retreat    2. Police Officers Can Use Force       1. When citizens can    3. When making an arrest       1. All reasonable means are permitted       2. No greater force than necessary    4. When conducting a legal search    5. To prevent an escape after arrest    6. To maintain security or prevent escape from a correctional facility 2. A Police Officer and Deadly Force    1. A police officer is justified in using deadly force when the officer reasonably believes it is immediately necessary to       1. Make an arrest       2. Prevent escape after arrest    2. Why would the police officer believe deadly force is immediately necessary?       1. The conduct for which the arrest is authorized includes the use or attempted use of deadly force, or       2. There is a substantial risk that the suspect will cause death or serious bodily injury if the arrest is delayed    3. A police officer pointing his weapon at someone is not considered deadly force       1. When he or she is making an arrest and will use deadly force if necessary or       2. When he or she can articulate an officer safety issue    4. Tennessee v. Garner (1985)       1. Fleeing felon rule       2. Deadly force was allowed on someone who committed a felony and was fleeing       3. It is no longer allowed unless deadly force is justified 3. The Use of Force Continuum    1. Officer presence    2. Verbal commands    3. Weaponless strategies    4. Weapon strategies    5. Deadly force    6. Most police departments have some version of this in their policy 4. How much force can an officer use against a suspect?    1. One level of force higher on the Use of Force Continuum than what the suspect is using or attempting to use 5. Factors That Determine How Quickly an Officer Can Escalate Their Level of Force    1. The nature of the crime    2. Whether the suspect is obeying commands    3. Weapons    4. If the suspect has a previous arrest record    5. The number of suspects    6. The number of backup officers    7. The size of the suspect(s)    8. The size of the officer    9. Fatigue – 3 to 5 seconds    10. Age    11. Sex    12. Perception of skills 6. Signs of Passive Behavior by a Suspect    1. Compliant with the officer’s commands    2. Makes no attempt to fight or resist arrest    3. Might even thank the officer for the job that they do 7. Signs of Aggressive or Assertive Behavior by a Suspect About to Fight    1. Thousand-yard stare    2. Pacing    3. Clenched fists    4. Bladed stance    5. Quick movements    6. Verbally expresses his or her intention 8. How Officers Effectively Handle Angry People    1. The officer is honest    2. The officer allows the person to vent    3. Depending on the situation, the officer       1. Refrains from escalating force and waits for the person to calm down before arresting him or her, or       2. Matches the person’s intensity and force to neutralize him or her    4. The officer engages in conversation using the “gift of gab” 9. Factors that Contribute to a Person’s Hostility Towards Police    1. Issues going on in a person’s life such as       1. Family problems       2. Money or job problems       3. Health problems       4. Legal problems    2. Bad previous police encounters    3. The demeanor of the officer    4. Drugs or alcohol    5. Their sense of justice and its fairness in relation to them 10. Ways For an Officer to Have an “Edge”     1. Be alert     2. Look professional     3. Maintain the height advantage     4. Don't get too close     5. Be prepared to step back 11. Consequences of Excessive Force     1. Departmental discipline     2. State court criminal action     3. State court civil action     4. Federal civil rights – criminal and civil 12. Legal Issues     1. An officer has the duty to intervene if other officers are engaging in excessive force in his or her presence     2. There can be personal liability for failing to stop others   N. Report Writing/Documentation   * 1. Articulation is key   2. Documentation is everything   3. Your report is your chance to justify and explain your actions   4. It may be looked at by internal affairs, the media, and the courts   5. Details, details, details...   *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*   1. This lesson may be modified to accommodate your students with learning differences by referring to the files found on the Career & Technical Special Populations page of this website (http://cte.unt.edu/). |
| **Guided Practice \*** |  |
| **Independent Practice/Laboratory Experience/Differentiated Activities \*** | 1. Break the class into groups of 3 or 4. The groups create a scenario involving a “use of force” situation that a police officer becomes involved in. The groups rotate out of the classroom as the scenarios are presented. The members of the group that are not in the classroom will each enter the classroom and participate in another group’s scenario as the police officer(s). You can limit the amount of physical contact allowed between the students and have the student police officer explain what they would do based on the Use of Force Continuum. You can give a grade or have the students who are not participating in the scenario give grades or use the Role Play Rubric for assessment. When all the members of the group outside the classroom have gone through the scenario, then the groups rotate. Points may be awarded in the following manner:  * The officer made the right decision – yes is 50 points, no is 0 points * The amount of time it took for the decision to be made   + 1 second – 50 points   + 2-3 seconds – 20 points   + 4-5 seconds – 10 points   + More than 5 seconds – 0 points * The officer died in the scenario – 0 points  1. A use of force writing assignment based on the following scenario. Emphasis should be based on details and the basis upon which the student would have taken the action they took (with a little bit of imagination allowed).   On [make up a date] at [make up a time] you are dispatched to a disturbance at 701 E. Center Street. Dispatch is unable to give you much information other than that there is a fight among an unknown number of males. When you arrive at the house you see three males on the ground being beaten by another male with a baseball bat. This male is someone you have dealt with before. You know he has is a golden gloves boxer. When the male with the baseball bat sees you, he begins running towards you. As he is running he throws the bat down but continues charging at you. It is up to you to articulate how far the male was from you when he threw the bat down and what action you took based on all of these things. You will need to provide descriptions of everything, including weather, environment, age and size of the subjects, etc.  This should be at least one page. The student will read his or her report in front of the class or just let the other students read the report. Then the other students and the instructor can play the part of media reporters asking the student to justify his or her actions. Use the Writing Rubric for assessment.   1. Students complete an open-note quiz. The instructor may want to give the option of extra credit for it or allow students who complete it to use it on the test. |
| **Lesson Closure** |  |
| **Summative / End of Lesson Assessment \*** |  |
| **References/Resources/**  **Teacher Preparation** | **Resources:** |
| **Additional Required Components** | |
| **English Language Proficiency Standards (ELPS) Strategies** |  |
| **College and Career Readiness Connection[[1]](#footnote-1)** | 1. Writing   A. Compose a variety of texts that demonstrate clear focus, the logical development of ideas in well-organized paragraphs, and the use of appropriate language that advances the author’s purpose.   * + 1. Determine effective approaches, forms, and rhetorical techniques that demonstrate understanding of the writer’s purpose and audience.     2. Generate ideas and gather information relevant to the topic and purpose, keeping careful records of outside sources.     3. Evaluate relevance, quality, sufficiency, and depth of preliminary ideas and information, organize material generated, and formulate a thesis.     4. Recognize the importance of revision as the key to effective writing. Each draft should refine key ideas and organize them more logically and fluidly, use language more precisely and effectively, and draw the reader to the author’s purpose.     5. Edit writing for proper voice, tense, and syntax, assuring that it conforms to standard English, when appropriate. |
| **Recommended Strategies** | |
| **Reading Strategies** |  |
| **Quotes** |  |
| **Multimedia/Visual Strategy**  **Presentation Slides + One Additional Technology Connection** |  |
| **Graphic Organizers/Handout** |  |
| **Writing Strategies**  **Journal Entries + 1 Additional Writing Strategy** |  |
| **Communication**  **90 Second Speech Topics** |  |
| **Other Essential Lesson Components** | |
| **Enrichment Activity**  (e.g., homework assignment) |  |
| **Family/Community Connection** |  |
| **CTSO connection(s)** | Business Professionals e America  Future Business Leaders of America |
| **Service Learning Projects** |  |
| **Lesson Notes** |  |

1. Visit the Texas College and Career Readiness Standards at <http://www.thecb.state.tx.us/collegereadiness/CRS.pdf>, Texas Higher Education Coordinating Board (THECB), 2009. [↑](#footnote-ref-1)