

FLETC Journal

Spring - Summer
2014
Volume 12

FEDERAL LAW ENFORCEMENT TRAINING CENTERS

★ ARTESIA ★ CHARLESTON ★ CHELTENHAM ★ GLYNCO ★



Forensics Science Training Complex

Page 21

FLETC: Making IT Happen

Page 29

Foreword

Federal Law Enforcement Training Centers
U.S. Department of Homeland Security
1131 Chapel Crossing Road
Glynco, Georgia 31524



Homeland Security



In my role as the Chief Information Officer for the Federal Law Enforcement Training Centers (FLETC), I look to find ways to fully use technology to enable law enforcement training, which includes supporting a diverse set of students, staff, and Partner Organizations. I came to FLETC just prior to the terrorist attacks on September 11, 2001. Following that horrific event, we made some much needed improvements in our IT infrastructure to support the huge increase in our training load.

Now, just a little more than a decade later, we find ourselves in austere financial times where we must reduce costs while simultaneously protecting our homeland. Fortunately for us, FLETC has a long history of ensuring that training is provided in the most cost-effective manner by taking advantage of economies of scale available only through a consolidated law enforcement training approach. A current example is FLETC's adaption of simulation in the areas of driving, shooting, marine and tactical operations and interviewing, which is allowing us to increase our throughput and functionality and address training gaps while being fiscally responsible.

One of the consolidation efforts I am most excited about that will have huge ramifications for the law enforcement community is FLETC's new partnership with the Homeland Security Information Network, or HSIN. This network provides a real time collaboration platform for both emergency management and incident response operations, regardless of geographic or jurisdictional boundaries. Leveraging HSIN can help all law enforcement agencies deliver more cost-effective training by eliminating duplicative efforts and opening existing training to more law enforcement officers throughout their careers. The partnership between FLETC and HSIN will enable us to build a repository of standard training modules that are pervasive across law enforcement curriculum. Students will graduate from our programs with their gun, badge, and a HSIN account that follows them throughout their career – confident in the lessons and tactics they learned while using tools such as HSIN that are available to them in their real world jobs. I invite you to read more about how HSIN will be a game-changer for law enforcement training in the article entitled "FLETC: Making IT Happen!" on page 29 in this edition of the FLETC Journal.

As the events of 9/11 and the serious fiscal and economic challenges we are facing today have shown, world events periodically create significant and sudden changes in both the scope and scale of law enforcement training. As you page through this issue of the FLETC Journal, I invite you to look at ways we can further integrate technologies, such as simulations and HSIN, into our training curriculum so that no matter what the future holds, we are able to provide the quality cost-effective law enforcement training that those who protect our homeland deserve.



Sandy Peavy
Sandy Peavy
Chief Information Officer



Forensic Science Training Complex

The FSTC is a 40,000-square-foot facility dedicated to execution of the Investigative Operations Division's (IOD) Forensics and Special Investigative Skills (FSI) Branch's training mission. The facility is comprised of nine specialized classrooms, three forensic laboratories, a four-bay garage, 14 crime scene modules, 16 staff offices, and a forensic library.



INTRODUCING TACTICAL MEDICINE IN THE BASIC TRAINING ENVIRONMENT

FLETC's mission is to "train those who protect our homeland" and part of that training includes survival skills to complete the mission.

LEAD to GREEN



Lead-free frangible rounds are not only as reliable in a training environment as lead ammunition, but have proven to be less destructive on ranges and equipment. "Green" is clearly the most cost effective and the safest way to train the law enforcement professionals who protect our society.

2 Foreword

Message from Chief Information Officer Sandy Peavy

5 Leadership

Director Connie L. Patrick shares her thoughts regarding "tough-minded" optimism.

17 "Cost of Doing Business"

Training prepares students for the real thing. Risk assessments and mitigation plans are as important in training as they are in actual law enforcement operations.

29 FLETC: Making IT Happen

Merging unique information sharing systems into HSIN will enhance partner collaboration and deepen knowledge sharing.

35 Training for Reality

This is a new series that will share law enforcement officers' and agents' stories from the frontlines about how training has impacted them.

37 Legal Brief - Circuit Split in Using Deadly Force to Control Suicidal People

So what does the Fourth Amendment demand of an officer confronting a mentally unstable person?

40 U.S. Border Patrol Academy Constructs an International Border Fence Training Venue

Border Patrol Agent trainees attend a 13-week FLETC Integrated Border Patrol Basic Training Program to learn critical laws and skill sets that will be necessary once they graduate and become Border Patrol agents.

DIRECTOR

Connie L. Patrick

EDITORIAL TEAM



Front Row (L-R): *Alicia Gregory, Jen Tocco, Susan Thornton*
Second Row: *Carl Milazzo, Preston Farley, Dominick Braccio*
Third Row: *Bobby Masano, Ed McGuire, Karen Lane*
Fourth Row: *Ed Sizemore, William Norris, Kevin Miller*
Not Pictured: *Jeff DuPont, Richard Speed, Kevin Thornton*

GRAPHIC ART/DESIGN

Keith Gartman

PHOTOGRAPHY SUPPORT

David Tucker, Michael Taylor

The FLETC Journal is a law enforcement training magazine produced and published by the Federal Law Enforcement Training Centers (FLETC). It is produced, published, and printed through a joint collaboration with the Protocol and Communications Office and the Government Printing Office. The printed circulation is 2,000 and is also available electronically on the FLETC website at <http://www.fletc.gov/about-fletc>

The content of this publication is written in accordance to the guidelines of the Associated Press (AP) style. Views and opinions expressed in this publication are those of the authors, and do not necessarily reflect the FLETC training policy or doctrine. Articles, photographs, and other contributions are welcomed from the law enforcement training community and academia. Publication depends on general topical interest as judged by the editors.

FLETC



FAST FACTS

FLETC Domestic Training Sites:

- Artesia, NM
- Charleston, SC
- Cheltenham, MD
- Glynco, GA
- LA Port

Export Locations:

State and Local Law Enforcement

- Nationwide

International Law Enforcement Academies: Academic, Operational and Program Support

- Bangkok, Thailand
- Budapest, Hungary
- Gaborone, Botswana
- San Salvador, El Salvador

International Training and Capacity Building Programs:

- Delivered Worldwide

Consolidation: Consolidation of law enforcement training permits the federal government to emphasize training excellence and cost-effectiveness. Professional instruction and practical application provide students with the skills and knowledge to meet the demanding challenges of a federal law enforcement career. They learn not only the responsibilities of a law enforcement officer, but through interaction with students from many other agencies, also become acquainted with the missions and duties of their colleagues. This interaction provides the foundation for a more cooperative federal law enforcement effort.

Integrated Instructional Staff: The FLETC has assembled the finest professionals to serve on its faculty and staff. Approximately 50 percent of the instructors are permanent FLETC employees. The remaining instructional staff are Federal officers and investigators on assignment from their parent organizations or recently retired from the field. The mix provides a balance of instructional experience and fresh insight.



Director Patrick's Reflections on Tough-Minded Optimism

This is the first article in a new series that will feature FLETC leaders' perspectives on various leadership principles. In this edition, Director Connie Patrick shares her thoughts on tough-minded optimism.



Q. At this point in time, which leadership principle stands out to you as particularly important for government leaders?

In his book *Hard Optimism*, Price Pritchett tells us that the secret to not thinking negatively is “to manage the way we explain situations to ourselves – especially when we experience failure, difficulties, uncertainty, or loss, but also when we encounter opportunity and success.” Each of us gets to choose how we will interpret circumstances, and it can often be the difference between success and failure. According to Price, optimists view bad events as temporary, external to themselves, and specific to the situation at hand. In contrast, optimists view good events as long-lasting, internal to themselves, and likely to contribute to an even broader range of benefits than the immediate situation.

Current fiscal circumstances make it difficult for leaders in the public sector to practice tough-minded optimism. However, the concept presents one of our best opportunities for success in spite of our external circumstances. When faced with situations that on the surface appear to have no upsides, we can rethink what is possible by consciously not thinking negatively.

Over the past few years, federal agencies have faced the largest budget cuts in most leaders' memories. Yet at the Federal Law Enforcement Training Centers (FLETC), our law enforcement training mission continues to expand. In October, the 16-day shutdown of the federal government created not only operational complications, but also potential morale issues as leaders throughout the federal workforce were forced to furlough hardworking employees who care deeply about the work that they do. Faced with these challenges, we had to consciously decide to take an optimistic approach, asking what we can do, rather than focusing on limitations.



Q. What is an example of how practicing tough-minded optimism led to a positive outcome?

At FLETC, we have had much success in leveraging partnerships to utilize mutual resources. Therein lays an opportunity to think differently about fiscal limitations. As so many federal agencies struggle to continue serving the public in the midst of budget shortfalls, we identified an opportunity to capitalize on our internal infrastructure, such as dormitories and cafeteria services, to provide conferencing and event management services to other federal entities at lower costs than available in the private marketplace. Instead of adopting a negative attitude about reduced training workload during difficult budgetary times, we found a way to utilize our capacity and save federal agencies over a million dollars in just one year.

Q. What are some tactics you use to practice this principle in your daily work life?

It is incredibly important to understand that it is impossible for a person's brain to perform at its peak levels when he or she is stressed out and thinking negatively. One way I've dealt with the ill effects of negative emotions is to pay attention to nutrition and to use exercise and relaxation techniques as outlets to combat negativity.

Another tactic I've used is to purposefully practice an inclusive approach. Agencies are all in the same boat in terms of reduced funding and budget instability. Partnerships form the backbone of FLETC. When individuals or organizations experience the same phenomena, they can come together as a group to find solutions. In my experience, I've found that inclusion helps foster this. For example, following the recent government shutdown, I thought it was extremely important that FLETC communicate with its partners and gather their feedback on our processes both before and after the shutdown. Through that process, we have learned some things we might tweak next time, but perhaps more importantly, our partnerships have grown stronger because we have purposefully built a more collaborative environment.

Q. How would you encourage others to practice tough-minded optimism?

Price asks the question, "Which is more important – to think positively or to not think negatively?" When faced with difficult situations, I would encourage other leaders to focus on the latter. It isn't about seeing the world through rose-colored glasses, but, rather, it's about thinking through situations carefully enough to determine how to take a non-negative approach. More often than not, we can find opportunities where pessimists only see challenges.



NCIS students practice Tactical Combat Casualty Care principles in a FLETC basic training program.

INTRODUCING TACTICAL MEDICINE IN THE BASIC TRAINING ENVIRONMENT

By Charles Brewer

While on routine patrol, you receive a call from dispatch that a 911 call has been made by a neighbor who has heard shouting and screaming from the house next door. You respond to the residence five blocks away. Upon arrival you observe several people outside the residence with one individual restraining another on the ground. As you exit your vehicle to get a closer look, three shots ring out with the final shot wounding you in the thigh. What are your next actions?

Approximately one year ago, the Federal Law Enforcement Training Centers (FLETC) began incorporating the Tactical Combat Casualty Care principles in all basic training programs to answer that question. The implementation was in direct support of a decision memorandum from Dr. Alexander Garza, Department of Homeland Security assistant secretary for Health Affairs and chief medical officer. This document directed the inclusion of tactical medical training in all basic law enforcement training for DHS law enforcement personnel. It also directed the delivery of standardization of the tactical medical training across the Department of Homeland Security. The primary focus was, and remains, bleeding control, self-care and buddy-care. The utilization of an Individual First Aid Kit (IFAK) was also introduced. This standardization of policy was guided by the combined efforts of other federal law enforcement agencies, the DHS Office of Health Affairs, and the DHS Emergency Medical Services Training, Education and Advisory

Committee. Currently, the FLETC is working with the Committee to finalize a standard first aid kit to be issued to all basic students. Lessons-learned briefings from other law enforcement officers involved in actual situations requiring a tactical medical response were also incorporated. Additionally, working groups from other training programs (i.e., Active Shooter Response and Law Enforcement First Responder) were utilized to glean potential training objectives. It is this collaborative effort that has allowed FLETC to focus on the key principles directly linked to basic law enforcement functions and support the law enforcement mission.

It has long been recognized that law enforcement officers face a multitude of issues upon arrival as first responders; whether it is a motor vehicle accident, assault or mass casualty violence event. Part of being a first responder dictates that immediate care is provided to those who require it. Unfortunately, some of those emergency situations include when officers must provide medical care to themselves. It is just recently that tactical medicine has been included as part of the basic law enforcement training curriculum.



Injured LEOs are trained to “stay in the fight” when possible.



Above and Center Photos: Training includes the use of commercial, as well as improvised occlusive dressings.

Traditional law enforcement training has primarily focused on two areas of care: citizen responder CPR and first aid training. While the principles of responder aid remain valid, the complex situations in which law enforcement officers operate often dictate a more hastened approach. Lessons-learned committees for both law enforcement and military have cited excessive blood loss as the leading cause of death with traumatic injuries and have urged a more immediate tactical approach for officer care. For example, in a law enforcement confrontation involving a wound, officers do not have the luxury of steadily escalating through all methods of bleeding control with a tourniquet being used as a last resort. Based on the situation and mechanism of injury, a tourniquet may actually be the first step for controlling bleeding. This allows officers to continue their law enforcement mission and not stop to render aid. The most important piece of this new philosophy is the increased focus on self-care. In

reflecting upon a confrontation where a serious wound was received, numerous officers have remarked that they did not provide self-care because it never entered their mind nor were they ever trained to provide it.

Not being trained in tactical first aid may sound even

more puzzling when law enforcement special response teams have been receiving this training for years. Over the past 50 years the training curriculum for special response teams has continuously evolved in order to prepare the teams for new adversaries, weapons, tactics and venues. Although it has been a common practice to train members of specialized response teams with tactical medical instruction, this has not been true for the majority of uniformed law enforcement officers. While some members of the law enforcement community would argue that law enforcement officers should not be taking on the role of emergency medical providers, the introduction of tactical medicine is not intended to fill the role of the Emergency Medical Service community. It is designed, however, to equip law enforcement officers with the knowledge, skills and abilities to provide urgent, lifesaving care in a potentially hostile environment.

The integration of tactical medicine and self-care does not stop with basic training as numerous advanced programs also send graduates to high risk areas or conduct high risk operations. These programs focus on the Tactical Combat Casualty Care principles as well as standardized curriculum developed through the Emergency Medical Services Training, Education and Advisory Committee. The training is conducted in conjunction with several training divisions within FLETC to ensure consistency in the delivery. The



Students are evaluated during a Practical Exercise as the final portion of their training.



Each student is evaluated on multiple scenarios specific to their employing agency.

multi-divisional approach also ensures applicable law enforcement methodology and tactics are utilized during the scenarios. This concept is paramount given the core law enforcement mission. This approach also allows specific tactics and techniques to be evaluated by the appropriate subject matter expert, which in turn, allows FLETC to continue the desired multi-disciplinary approach to training.

The training community has always used the motto “train the way you perform on the job.” Keeping this in mind, tactical medical training utilizes realistic scenarios based upon Tactical Combat Casualty Care principles and focuses on the law enforcement mission for each agency. This aspect is important, since most law enforcement officers are not currently carrying first aid supplies as part of their normal duty gear. The delivery methods and objectives are designed to be universal, which facilitates consistent training to be delivered at the state, local, rural, tribal and territorial levels and improves interoperability for joint task force efforts without diminishing the integrity of the training.

FLETC mission is to “train those who protect our homeland” and part of that training includes survival skills to complete the mission. Whether those skills are employed to assist suspects, bystanders or fellow officers, the goal is the same. By introducing these concepts early in basic training and reinforcing them



Each student is issued a standardized Individual First Aid Kit (IFAK). They utilize the IFAK during training to increase familiarity prior to graduation.

throughout training, the skills will become second nature for the first responder in times of stress. This new addition to the training curriculum reinforces the ultimate goal recognized by officers and agents around the world – the ability to return home safely at the end of the shift.



Charles Brewer has over 26 years experience with federal government serving in both the U.S. Department of the Treasury and the Department of Homeland Security, Federal Law

Enforcement Training Centers (FLETC). He currently serves as the chief, Health and Fitness Branch, Physical Techniques Division.

He is a graduate of the FLETC Criminal Investigator Training Program (CITP), the Firearms Instructor Training Program (FITP), Drivers Instructor Training Program (DITP), Non-Lethal Control Instructor Training Program (NLCITP) and the Physical Fitness Coordinator Training Program (PFCTP). Brewer has also served as a commissioned reserve police officer, as well as an emergency medical technician-tactical. While serving as an EMT-Tactical he provided support, directly and indirectly, to numerous federal, state and local police agencies.



Feedback is provided to each student upon the completion of each scenario.

LEAD *to* GREEN

By Alex Graves

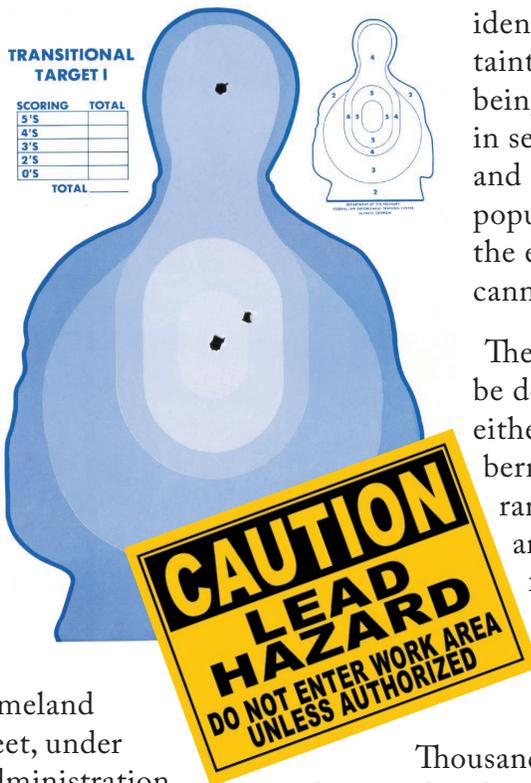
The long-term commitment of the Federal Law Enforcement Training Centers (FLETC) to the health and safety of staff and students yielded landmark industry advances in the development of Reduced Hazard Ammunition (RHA), which is now being used by law enforcement agencies throughout the country for training purposes.

In addition to the many health and safety benefits of RHA, there is also a considerable economic value in using RHA at training facilities. By switching from lead-use ranges to RHA-use ranges, FLETC has been able to save approximately \$100,000 per year on cleaning costs. The significant cost reduction is largely attributed to the differences in wage rates for specialized lead abatement cleaning staff compared to regular janitorial staff. Further costs are realized by fewer training requirements associated with RHA ranges, as well as a reduction in equipment costs.

As stated in the Department of Homeland Security's March 30, 2006, Fact Sheet, under Occupational Safety and Health Administration (OSHA) regulations, "...workers in a lead environment require a lead management plan, lead awareness training, specialized protective equipment, and medical surveillance."

There are also additional hidden costs associated with lead ammunition, including personal protective equipment necessary for range clean up; specialized equipment and supplies for range clean up; lead hazard awareness training for staff, cleaning crews, and grounds keepers; medical surveillance for staff, cleaning crews, and grounds keepers; lead management plans and updates; projected remediation or abatement costs for lead contaminated environment; waste disposal for lead contaminated weapon cleaning equipment and products; ventilation equipment maintenance and cleaning; and the cost of potential Federal and/or state fines for regulatory compliance violations.

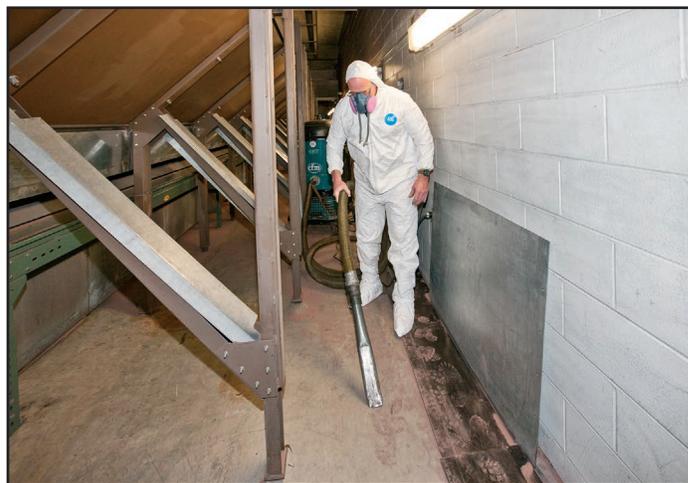
As fiscally responsible as it is to switch to RHA ranges, FLETC is also motivated by improving the health and safety of its staff, students, and



the environment. Lead has been identified as being responsible for tainted soil and water, and it is being ingested by wildlife resulting in serious threats to the health and safety of human and animal populations. The effect of lead on the environment and human health cannot be taken lightly.

The toxic, heavy metal lead, can be deposited on shooting ranges either fired as bullets into impact berms, or collected in indoor range traps. Relatively small amounts of lead may also come from vaporization of lead from the heat of burning powder, barrel friction, and from lead compounds in primers.

Thousands of tons of lead have been deposited and or collected at outdoor law enforcement shooting ranges across the country. Indoor shooting ranges pose additional serious health issues, such as increased lead exposure to the firearms instructor and shooters as a result of an enclosed space. Safe operations of indoor ranges require high-capacity ventilation and air filtration systems. Handling of ammunition and



Range maintenance staff routinely perform bullet trap cleaning.



All contaminated by-products from bullet trap cleaning are managed and contained in accordance with all safety and environmental regulations.

contaminated weapons can also produce elevated lead levels in the blood by absorption through the skin.

Lead is poisonous. It interferes with the proper function of the brain, nerves, and kidneys. At high enough levels, lead is not just absorbed in tissue, but is absorbed in bone marrow. Lead poisoning can be irreversible and potentially fatal. According to a study conducted by OSHA, 89 percent of the individuals shooting with lead bullets received exposure that exceeded their standards for exposure to lead. In that same study, OSHA found that using alternative “reduced hazard” ammunition reduced that to 7 percent.

The composition of bullets most often used by law enforcement typically ranges between 90 to 99 percent lead. So in 1994, recognizing potential environmental and health impacts associated with lead on shooting ranges, staff at the FLETC began to investigate costs and benefits of an alternative to lead ammunition.

In 1998, FLETC developed performance standards for RHA, which also included frangible ammunition. The Sporting Arms and Ammunition Manufacturer’s Institute (SAAMI) defines a frangible round as a projectile that breaks up readily upon impact.

The projectiles of frangible bullets are formed from mixtures of powdered (non-heavy) metals that are pressed at room temperature to produce a high-density material. This ammunition is designed to intentionally break up into smaller pieces upon contact with harder objects or surfaces.

The term “Reduced Hazard” originated at the FLETC in 2003, though it has yet to be adopted as an official industry standard by SAAMI. However, stringent requirements established by the FLETC have become industry norms.

Ballistics experts and senior armorers at the FLETC determined no damage to weapons resulted from the use of RHA. However in the early development of RHA, semi-automatic and/or fully automatic long guns did experience some malfunctions such as interruptions in the cycle of operations when non-jacketed frangible bullets were used. The bullets showed a tendency to break off near the case mouth during the feeding into the chamber from the magazine. As a result, FLETC designed and purchased copper jacketed RHA for use in rifles. Contract stipulations with ammunition manufacturers require RHA projectiles to break into particles no larger than 5 grains, an OSHA requirement.

It is important that there be transparent characteristics between training ammunition and



SIG SAUER® pistol and samples of 9mm frangible ammunition.



Sample of .40 cal lead ammunition in its shell casing, removed and after impact.

duty ammunition. Training ammunition, whatever it may be, should be indistinguishable from the shooter's duty ammunition when fired.

Characteristics to be mirrored are:

- Recoil
- Accuracy
- Reliability
- No special weapon modifications necessary

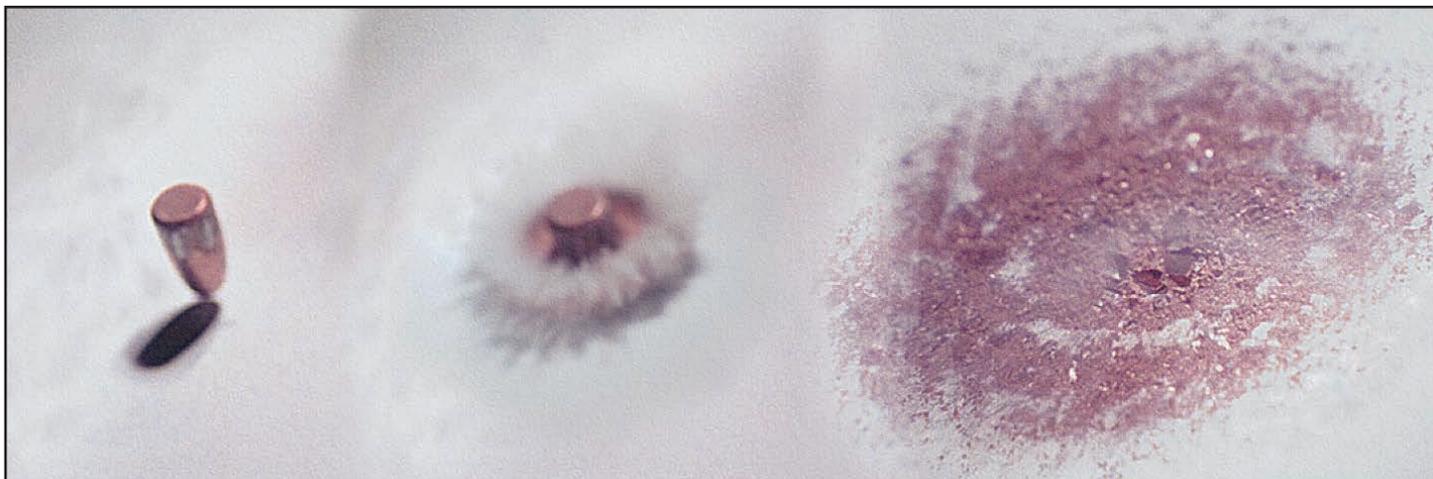
According to Ken Alexander, an ammunition development engineer at CCI-Speer Operations, only very experienced shooters, fewer than 10



Sample of 9mm frangible ammunition in its shell casing, removed and after impact.

percent, noticed recoil differences when shooting the two types of ammunition randomly placed in magazines.

A FLETC study found similar results when replacing lead ammunition with RHA. The study noted that the RHA practically replicated recoil characteristics, a result of more than 85 percent compared to the 98 percent for lead duty ammunition. The accuracy of RHA was comparable to lead duty ammunition – 6 inches at 25 yards with a mean center not more than 2 inches from that of duty ammunition. Typically, the RHA round is considerably lighter than the lead round. However, the intent of the RHA is generally for



High-speed photography shows a frangible round at point of impact.

basic and advanced marksmanship training. It is not yet designed to produce the same terminal performance characteristics as lead duty-carry ammunition.

Reliability is not an issue with using RHA. During analysis by FLETC staff, RHA produced no more interruptions in the cycle of operations with weapons used than did lead ammunition. In addition to health and safety benefits, inherent to its construction, RHA greatly reduces wear and tear on range equipment, and reduces potential for injury/damage from ricochets.

In fact, the FLETC received the Presidential “Closing the Circle” award in 2004 for leadership in driving the development, procurement, and implementation of RHA or “Green Ammunition” used at the FLETC.

As a result of the leadership role adopted by the FLETC, the amount of revenue generated from commercial contracts for RHA ammunition has resulted in a reduction in the per-round cost of RHA, which is now comparable to lead duty ammunition.

Based upon data collected for ammunition purchases at the FLETC, the cost per round of .40 caliber lead and RHA is negligible at approximately 0.27 per round. The one thousand round purchase price of RHA is slightly higher than 155 grain, but slightly less than 180 grain lead ammunition. Profound cost savings associated with the use of RHA are related to mitigating the adverse environmental and health issues resulting from the use of lead ammunition.

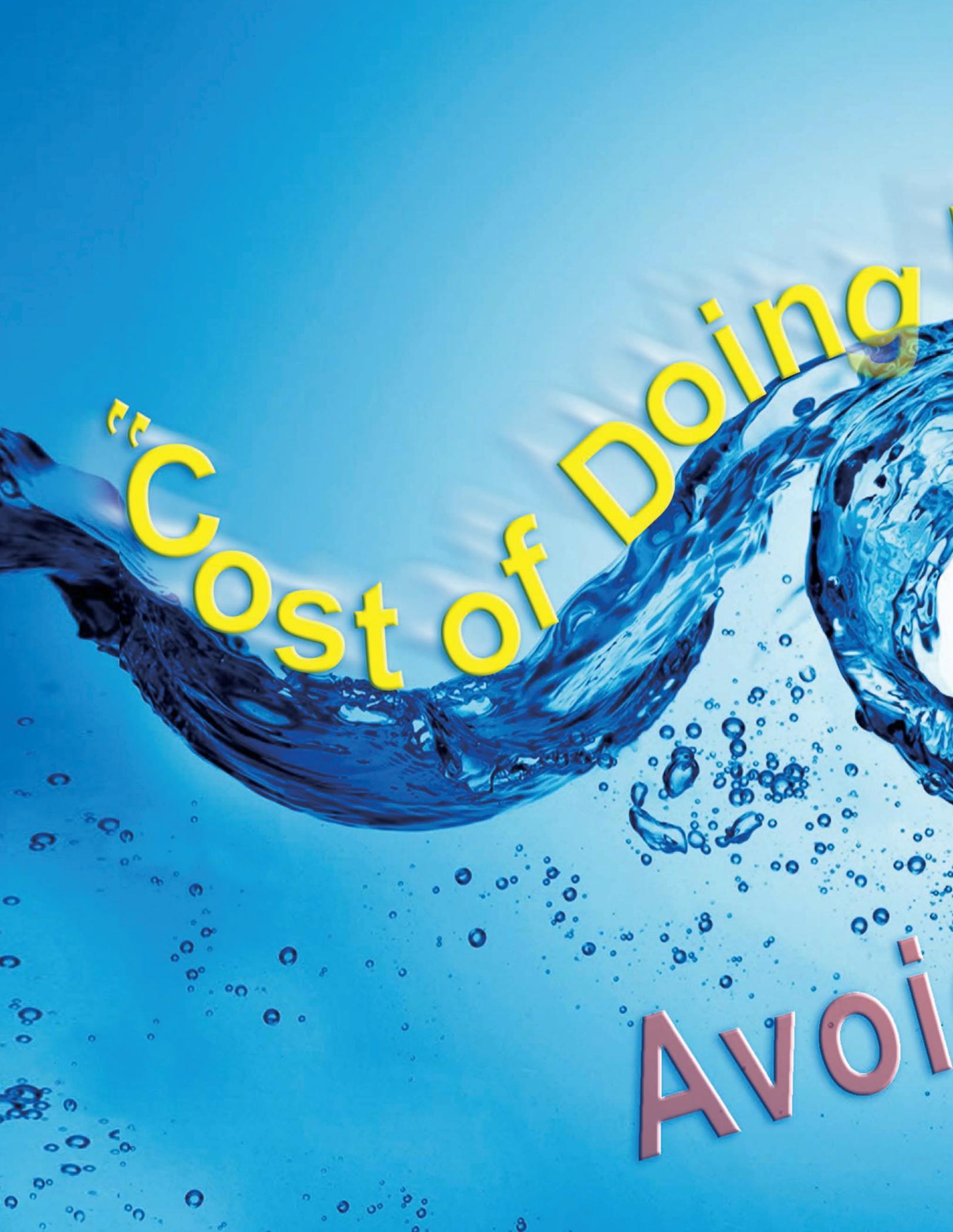
Millions of lead rounds are fired at law enforcement shooting ranges around the country yearly. Lead is not biodegradable, combustible nor does it become less toxic over time. Lead remains and accumulates in the environment, where it can settle into the soil or mobilize into the food chain, poisoning humans, animals, and the ecosystem. RHA offers a safe alternative to lead ammunition

for training and there is no discernible difference in performance when compared to lead ammunition.

Lead-free frangible rounds are not only as reliable in a training environment as lead ammunition, but have proven to be less destructive on ranges and equipment. Most importantly, the ammunition is safer for personnel and the environment. “Green” is clearly the most cost effective and the safest way to train the law enforcement professionals who protect our society.



Alex Graves is currently a branch chief at the Federal Law Enforcement Training Centers (FLETC) assigned to the Firearms Division. He joined the staff of the FLETC in 2005 as a law enforcement program specialist, responsible for the delivery of domestic violence training in Indian Country. He is a veteran of the U.S. Marine Corps, where he was a criminal investigator specializing in crimes against children. He served as a detective with the Hawaii County Police Department, assigned as supervisor for the West Hawaii Domestic Violence Unit. His assignments also included duties as patrol sergeant, patrol officer and firearms instructor. Alex was formerly a law enforcement training specialist for Cangleska/Sacred-Circle in South Dakota.



THE
Cost of Doing

AVOID



Business

vs.

double Risk

By Christopher Pere



MLETP (Marine Law Enforcement Training Program) students discuss a plan for boarding a commercial fishing vessel and discuss the known risks to monitor.

On October 13, 2010, a law enforcement officer was killed in Virginia during a high-risk training exercise. His training mission was to secure a ship with hostile forces. Something went very wrong when he was climbing the ladder to board the ship. He somehow lost his grip, and fell into the James River. Wearing more than 50 pounds of gear, which included a flotation device, the officer hit the water, sank 50 feet to the bottom and drowned. What went wrong? He was wearing quick release body armor; however, a subsequent investigation found that the release handle was not functioning. He attempted to activate his life vest, but it did not inflate. The Co2 inflation canisters were with his gear on shore.¹

Tragedies like this are avoidable. The Federal Law Enforcement Training Centers use the Training Risk Management policy to prevent them. It allows trainers to identify known risks associated with student performance objectives and take measures to reduce them. The Marine Training Branch of the Driver Marine Division also uses the United States Coast Guard's GAR Model. GAR stands for the colors green, amber, and red.

The GAR Model – Think of a traffic light.

The GAR's color scheme acts as a warning system. Trainers determine the risk, or color associated with their exercise, by considering six factors: (1) supervision; (2) planning; (3) team selection; (4) team fitness; (5) environment; and (6) event complexity. A number of 1 to 10 is assigned to each factor and the numbers are added together: The lower the number, the lower the risk of the exercise; the higher the number, the greater the risk. An exercise having a score between 0 and 23 receives the green, low risk color. Any exercise between 24 and 44 gets the amber, caution color. And a score between 45 and 60 receives the color red – meaning that the risk associated with the exercise is high.



The goal of GAR is to identify the risks of an exercise and reduce them, if possible. The “event complexity” of the law enforcement officer’s boarding exercise would be high. It would receive a score somewhere between 8 and 10. However, a lot of supervision by experienced instructors and some detailed planning could offset the event’s high score. Team selection considers the experience level of the students. An experienced team means a low number for that factor, less risk, and a further offset of event complexity. Team fitness considers the physical and mental state of the team. Is the team fresh or tired? And the environment includes the time of day, temperatures, and sea conditions. Waiting until morning when the team is fresh, the temperatures are cool, and the seas are calm may give the optimal green light for training.

Risk Calculation Worksheet - Calculating Risk Using GAR Model (GREEN-AMBER-RED)

The purpose of the GAR model is to help identify and evaluate the risk of a given operation. To compute the total level of risk for each hazard identified below, assign a risk code of 0 (For No Risk) through 10 (For Maximum Risk) to each of the six elements. This is your personal estimate of the risk. Add the risk scores to come up with a Total Risk Score for each hazard.

SUPERVISION

Supervisory Control considers the qualification and effectiveness of the supervision. Even if a person is qualified to perform a task, supervision acts as a control to minimize risk. This may simply be someone checking what is being done to ensure it is being done correctly. The higher the risk, the more the supervisor needs to be focused on observing and checking. A supervisor who is actively involved in a task (doing something) is easily distracted and should not be considered an effective safety observer in moderate to high-risk conditions.

PLANNING

Planning and preparation should consider how much information you have, how clear it is, and how much time you have to plan the evolution or evaluate the situation.

TEAM SELECTION

Team selection should consider the qualifications and experience level of the individuals used for the specific event/evolution. Individuals may not be replaced during the event/evolution and the experience level of the new team members should be assessed.

TEAM FITNESS

Team fitness should consider the physical and mental state of the crew. This is a function of the amount and quality of rest a crewmember has had. Quality of rest should consider how the ship rides, its habitability, potential sleep length, and any interruptions. Fatigue normally becomes a factor after 18 hours without rest; however, lack of quality sleep builds a deficit that worsens the effects of fatigue.

ENVIRONMENT

Environment should consider factors affecting personnel performance as well as the performance of the asset or resource. This includes, but is not limited to, time of day, temperature, humidity, precipitation, wind and sea conditions, proximity of aerial/navigation hazards and other exposures (e.g., oxygen deficiency, toxic chemicals, and/or injury from falls and sharp objects).

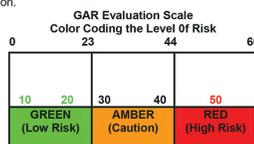
EVENT or EVOLUTION COMPLEXITY

Event/Evolution complexity should consider both the required time and the situation. Generally, the longer one is exposed to a hazard, the greater are the risks. However, each circumstance is unique. For example, more iterations of an evolution can increase the opportunity for a loss to occur, but may have the positive effect of improving the proficiency of the team, thus possibly decreasing the chance of error. This would depend upon the experience level of the team. The situation includes considering how long the environmental conditions will remain stable and the complexity of the work. **Assign a risk code of 0 (For No Risk) through 10 (For Maximum Risk) to each of the six elements below.**

Supervision		Team Fitness	
Planning		Environment	
Team Selection		Event/Evolution Complexity	

Total Risk Score _____

The mission risk can be visualized using the colors of a traffic light. If the total risk value falls in the GREEN ZONE (1-23), risk is rated as low. If the total risk value falls in the AMBER ZONE (24-44), risk is moderate and you should consider adopting procedures to minimize the risk. If the total value falls in the RED ZONE (45-60), you should implement measures to reduce the risk prior to starting the event or evolution.



The ability to assign numerical values or “color codes” to hazards using the GAR Model is not the most important part of risk assessment. What is critical to this step is team discussions leading to an understanding of the risks and how they will be managed.

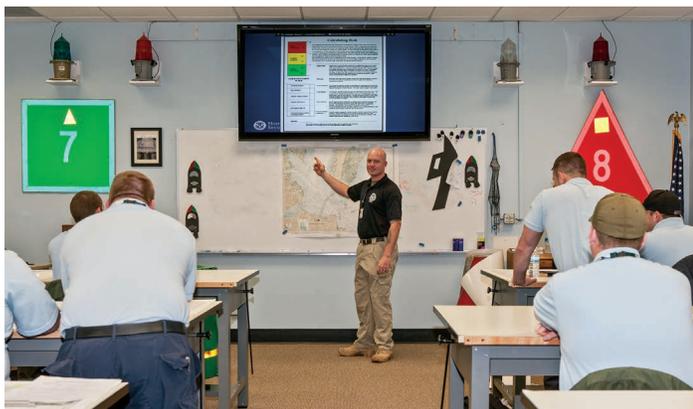
Report the GAR score to the Sector Command Center at (phone number) or the (PATCOM/ COMMS GUY) before the operation.

The GAR Model Worksheet

¹ Memo from VCG Brice-O’Hara, Subject: Final Action on the Administrative Investigation Into the MSST New York Personnel Casualty that Occurred on the James River Near Portsmouth, Virginia, on 13 October 2010, dated Sep 10, 2011.

² Angie Welling, Provo Man Suing Marines: His Son was Killed During Training at California Base, Deseret News, March 24, 2004.

³ Deputy Kills Soldier during Green Beret Exercise, CNN.com, February 24, 2002.



MLETP instructor teaches the use of the GAR and how to employ it in the Marine environment.

The devil is in the details. Complacency is also his ally, and face it – any trainer who tells a family that the loss of a loved one is “the cost of doing business” is at least that – complacent. Professional trainers are a different breed. They do not assume that if the risk was low, or the equipment was functioning yesterday, the same is true for training day. Again, if a risk exists, professionals believe that it can happen. For example, if the exercise calls for non-lethal training ammunition, they will have a pre-check, in place, to ensure that non-lethal is the only type of ammunition the students have. In 2002, live rounds were introduced into a Marine Corps exercise. A soldier was shot and killed with them.²

Another example is off-site training. The FLETC is often required to travel outside its official training grounds. What could happen if the students came into contact with people who are not involved in the exercise? Trainers should have a mitigation plan. They should secure the training area and post it with signs. They should pre-check the area prior to training, and obviously, liaison with local law enforcement. The same year the Marine Corps suffered its tragedy, a sheriff’s deputy shot two soldiers training outside a military reservation. The soldiers mistook the deputy for a role player.³

The GAR and pre-checks are done. Now what? Re-checks are “on the go” assessments of equipment and known risks. If the Global Positioning System and Chart Plotter stop working, make adjustments to the training exercise. Trainers should consider remaining

inshore where they are familiar with landmarks. Radios should be re-checked. If the signal is weak, replace the radio or its battery before the next training evolution.

And finally, get the students involved. Make the GAR assessment, pre-checks, and re-checks the students’ responsibility, too. Ensure that students know the risks of the exercise and involve them in the mitigation plan. They may even catch something the trainer misses.

Train the way you fight.

Training prepares students for the real thing. Risk assessments and mitigation plans are as important in training as they are in actual law enforcement operations. Whether the mission is a high-risk boating exercise or an actual arrest of a dangerous suspect, everyone should know where the hospital is located and the closest route to it. And one final note – have a backup plan. What if the closest route to the hospital is blocked by a traffic accident? The consequences could be equally tragic for either type of mission. As the saying goes, *“train the way you fight, and you will fight the way you train.”*



Chris Pere is currently an Instructor in the Driver Marine Division, with the Marine Training Branch at FLETC Glynco. He spent 13 years on active duty as a boatswainmate in the U.S. Coast Guard, qualified as a USCG

High Risk Training instructor, boarding officer, coxswain and tactical coxswain on multiple vessels. He has spent time in the Caribbean Sea, Atlantic Ocean and Pacific Ocean conducting anti-terrorist, counter terrorist, law enforcement, and search and rescue operations. Pere is continuing his operational experience by serving in the USCG as an active reservist.



FORENSIC SCIENCE TRAINING COMPLEX



By
Lauren
Ware



“Imagination plus innovation equals realization.”

The popular and respected American author, Denis Waitley once said, “Imagination plus innovation equals realization.” While this simple yet powerful statement could apply in many facets of life, it was never more evident in the construction of a facility than in the FLETC’s Forensic Science Training Complex (FSTC), a training venue born of the unique combination of forensic science instructors’ imaginations and the FLETC Project Management Office’s innovation.

The FSTC is a 40,000-square-foot facility dedicated to execution of the Investigative Operations Division’s (IOD) Forensics and Special Investigative Skills (FSI) Branch’s training mission. The facility comprises nine specialized classrooms, three forensic laboratories, a four-bay garage, 14 crime scene modules, 16 staff offices, and a forensic library. It is not, however, the massive scale of the facility, nor the unprecedented consolidation of so many separate training venues under one roof, that makes the FSTC so impressive. Instead, what truly sets the facility apart is the collaborative effort amongst the members of the design team to conceive, design, and construct a custom facility that, prior to its construction, forensic instructors had only imagined. A testament to the design team, those instructors’ imaginings were sought

after and incorporated into the building’s overall design. As a result, the FSTC boasts some of the most realistic venues, unique classrooms, and innovative capabilities, collectively unparalleled by any other law enforcement training academy in the world.

Why Forensics?

In the past decade, numerous developments within the field of forensic science have exponentially emphasized its use in nearly all aspects of law enforcement. While it is nearly impossible to determine which of these developments came first, it is certain the popularity of forensics which is reflected in the increased use by law enforcement, and the technological innovation within forensics, have all contributed to a heavy reliance on its practice. The public’s fascination with this topic has transitioned into an expectation to see forensic science employed in every legal proceeding to which they are exposed. Whether an individual is a member of a jury or merely watching network news coverage of a high-profile criminal trial, there is an almost universal expectation to witness damning forensic evidence that leaves little doubt the accused committed the offense. Consequently, law enforcement agencies have invested increasingly in training, equipment, and resources to make their investigations as forensically sound as possible. In light of the sophistication of forensic capabilities today, it is just about impossible to commit a crime without leaving physical evidence behind that can be detected and recovered by law enforcement. All that remains to be done then, is to receive the best possible training on the application of these techniques within the crime scene. This is where the forensic professionals at FLETC come in.

In 2008, Director Connie Patrick, recognizing the need for FLETC to take a lead role in equipping its law enforcement partners with the most current, relevant and accurate forensic science training possible, pledged to construct a facility that would



The exterior of the Forensic Science Training Complex; a 40,000 square foot facility dedicated to execution of FLETC’s forensic training mission.



bring FLETC's vision of field-level forensic proficiency to life. Director Patrick then tasked the Investigative Operations Division (IOD) to work with the Innovation and Technology Directorate (ITD) as well as the Administrative Directorate (ADM) to research, design, and construct a facility capable of executing training material that would both set and strive to elevate the standard for federal law enforcement use of forensic science in criminal investigations. Senior Instructor Ted McDonald served as the lead training representative for this project, working closely with Barbara Hernandez, project manager, and David Ford, lead architect, and their team.

According to McDonald, the team was "looking to design a facility where we could bring the crime scene to the student.....to capture the reality of a forensic investigation under one roof. The objectives of this design were strictly student-based..... the facility was intended to immerse the student into the culture of forensic applications in law enforcement and criminal investigations."

Indeed, the design team had many requirements to consider as they set out to design the world's leading forensic training facility. The team approached both FLETC and Partner Organization forensic instructors with a question, "What challenges do you encounter while teaching your forensic science topic, and how could we overcome those challenges through construction of a custom facility?" While some wish-list items, such as the forensic supply helicopter pad, never did materialize, many of the instructors' answers to that question inspired classroom features never before used by a law enforcement training academy.

Crime Scene Classroom

One of the standard topics taught is the art of crime scene processing procedures. This includes crime scene management; documentation through notes, photographs and diagrams; and evidence identification, preservation, processing and collection. While none of these tasks are inherently difficult to perform, they pose a new set of challenges

when they must be communicated to students in a classroom setting. Most forensics instructors would agree that crime scene processing is best taught by demonstration, but it is difficult if not impossible to fit FLETC's standard class size of 48 students into any crime scene setting for such instruction. The facility's two auditorium-style crime scene classrooms respond to that challenge and effectively bridge the gap between the classroom and the crime scene, bringing both settings into one, interactive learning environment.

Each of the classrooms utilize tiered seating, creating an almost theater-like atmosphere, placing the audience at center stage in the middle of a crime scene. Before the students is a wall of forensic-friendly wall board, which may be written on with dry erase markers, spattered with blood stains, or dusted with fingerprint powder. A functioning "in-role" door and window are installed in the wall, which allows for role-player intruders to enter the crime scene, commit an offense, and exit the scene directly in front of students. This feature helps to demonstrate a sometimes underemphasized point of teaching the student to put his or herself in the shoes of the offender and analyze where they would have had to walk and what they would have had to touch to carry out that particular offense. Items of evidence are scattered throughout the scene and are annotated by evidence markers. The instructor then uses this scene



The Crime Scene Classroom is used to instruct basic training students in the identification, documentation, and collection of physical evidence within a crime scene.

CRIMINAL



Forensic Science



FORNESICS GARAGE #1



FORNESICS GARAGE #2

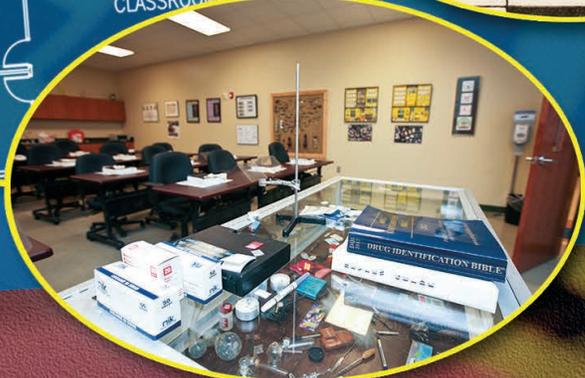


The Forensic Science Training Complex is a 40,000-square-foot facility dedicated to execution of the Investigative Operations Division's (IOD) Forensics and Special Investigative Skills (FSI) Branch's training mission. The facility is comprised of nine specialized classrooms, three forensic laboratories, a four-bay garage, 14 crime scene modules, 16 staff offices, and a forensic library.





Training Complex





to illustrate how crime scenes are processed. Now embedded in the lecture presentation is a crime scene diagram of the very scene laid out before the students. Adhering to principles of adult learning, the student can hear a verbal description of these crime scene processes, examine a two-dimensional representation of the crime scene on the two 80-inch flat screen monitors mounted above, and observe and even enter the staged crime scene to participate in the three-dimensional representation of the scene. The use of this classroom has amplified student engagement and interaction during this lecture and has undoubtedly catapulted their understanding of crime scene processing procedures to entirely new levels.

Forensic Training Laboratories

The facility contains three forensic laboratories, each of which are outfitted with six, four-person peninsulas, accommodating a total of 24 students. These peninsulas have sinks installed at the far end, an accompanying built-in fuming hood, and shelves immediately below the work surface for quick access to processing supplies. Another innovative feature envisioned by a forensics instructor is the digital microscope stationed in the center of the forensics laboratories. The challenge faced when demonstrating various processing techniques is the inherently small nature of individual items of evidence, coupled with the necessity of mechanical manipulation of that object, thus obscuring the student's view of the very



One of three forensic laboratories used to provide hands-on evidence processing skills training to basic and advanced students.



Students of the Advanced Forensic Techniques in Crime Scene Investigation training program utilize high-intensity alternate light sources to visualize biological evidence in one of the Crime Scene Modules.

technique they are supposed to be observing. The installation of a Video Graphics Array cable in the middle of the floor, and its connection to 12 flat screen monitors mounted at the base of each peninsula, has allowed instructors to demonstrate a processing technique such as silicone casting of a tool mark or swabbing a bloodstain under a high-resolution digital microscope; that image is captured and simultaneously displayed on the 12 monitors immediately in front of the students. Now, regardless of their position in the classroom, each student can see exactly what the instructor sees during the processing effort. This innovation has allowed instructors to spend far less time demonstrating the same technique over and over again, and much more time giving students individual attention as they learn to perform the techniques themselves.

Crime Scene Modules

Forever committed to achieving realism in training, forensic instructors desired a dedicated practical exercise scenario venue that would mirror real world crime scenes as closely as possible, while still allowing for the control of variables and task visibility necessary to meaningfully evaluate student performance. The facility's Crime Scene Modules have absolutely revolutionized scenario-based practical exercise training. Identical in size and construction, the 14 modules are outfitted with forensic-friendly surfaces on all floors, walls, and ceilings to allow



for blood spatter application, fingerprint dusting, and chemical processing of all surfaces. Each has a pocket door which can be designated “out of role” that opens up into one long hallway; from here, instructors may walk the length of the hallway and observe student processing efforts simultaneously. The “in-role” door and window open up to a realistic outdoor setting suggestive of a row of town houses in an urban neighborhood. The modules are some of the most versatile components of the training facility, as instructors can stage something as simple as a one-item of evidence sketching scene for the beginner student, to an enormously complex eight-hour multiple-victim homicide scene worthy of the advanced student, all in the same training venue. By employing all 14 crime scene modules, the FLETC is now able to deliver identical scenes to each of its advanced students, who must perform cradle to grave processing of those scenes on their own. This makes for a much more valuable training experience for these students, for when they graduate the program, they return to their agencies fully confident in performing any and all tasks expected of them in processing a crime scene.

Vehicular Crime Scenes and Forensic Garages

Any experienced investigator will attest that crime scenes are not always conveniently situated inside buildings; many are inside vehicles, presenting a whole new set of challenges for those tasked with



Students of the Advanced Forensic Techniques in Crime Scene Investigation training program engaged in processing efforts of a vehicular death scene.

documenting and recovering evidence from those scenes. The lack of symmetry inside irregular vehicle spaces makes measuring and triangulating evidence extremely challenging, and the cramped spaces under dashboards and behind car seats create a variety of lighting challenges for the crime scene photographer. Before the facility was built, the FLETC was severely limited in practical scenario training inside vehicles, as applying the majority of forensic processing techniques to the inside of a government-owned vehicle would most assuredly destroy it. Now, however, the four-bay forensic garages contain four static vehicles, which have been purged of all fluids and electronics, and now serve as training venues for advanced vehicular crime scene practical exercises. These training vehicles have also been shot at predetermined angles, leaving ballistic defects used in trajectory reconstruction analysis training and numerous practical exercise scenarios.

The Future of Forensics

The goal of FLETC has long been to research, design, and deliver the most current, relevant, and accurate forensics and specialized investigative techniques available to the federal law enforcement officer. The team of instructors has consistently met that goal because of their individual passion and expertise in their topical areas. This expertise is recognized, as instructors boast professional affiliations with such entities as the American Academy of Forensic Sciences and The International Association for Identification, and are frequently asked to speak at gatherings of these professional bodies and to present the results of innovative research conducted in support of their training mission at FLETC. The dedication and skill sets of the instructors and the content of their curriculum have earned FLETC a reputation for excellence in the field of forensics. Now, with a facility commensurate with the energy, enthusiasm, and expertise of the FSI instructional staff, there is a seemingly endless capacity to expand and continue to achieve the vision of setting and constantly elevating the standard for federal law enforcement use of forensics and

(Continues on Page 28)



specialized skills in criminal investigations. Indeed, the capabilities of this facility have already impacted the way partner organizations approach training in forensic science.

“FLETC’s new Forensic Science Training Complex has enabled our agency to expand the expertise of our crime scene investigators and analysts through the consolidation of training programs in one location,” stated Special Agent Julie Lecca, Air Force Office of Special Investigations Forensics and Biometrics Program Manager. “Prior to the establishment of the Forensic Science Training Complex, our agency had to seek out a great deal of training through ad-hoc classes hosted by other law enforcement agencies. Now, due to the new facilities and increasing certifications of the instructors, we are able to offer our agents greater access to in-demand training programs.”

The Forensic Hall of Fame

Each week, FLETC graduates students who enter the field of law enforcement ready to employ the training and techniques imparted to them during their training experience on Center. The FLETC hopes to recognize the success of its students by displaying their work in the Forensic Hall of Fame, set up in the main hallway running through the facility. FLETC graduates and instructional staff alike are invited to donate former items of evidence, which have made a difference in a case, but that have now ceased to have any legal value and are approved for disposal, to the Forensic Hall of Fame for display. All items chosen for display will be featured in a glass case in the hall, and will be accompanied by a plaque that lists the name of the contributor, their agency, a short synopsis of the investigative circumstances around the evidence, and ideally, a reference to a class number that former student attended.* Because the Forensic Hall of Fame must be traversed to access every classroom, each student entering the complex will be immediately immersed into the culture of forensic investigations. The FLETC expects that students will wander the halls and gaze on those items hoping to one day make such a contribution and inspire future forensic investigators. If the students step foot on FLETC with that desire,

the instructors on staff at the FSTC will be ready to respond to the training needs of the future with this innovative and imaginative facility.

*To donate items to the forensic hall of fame, please contact Lauren Ware at 912-267-3225.



Lauren Ware is the Branch Chief for the Forensics and Special Investigative Skills Branch of the Investigative Operations Division within the Glynco Training Directorate. Her branch delivers training on crime scene processing, evidence collection, digital photography and controlled substance investigations in all FLETC basic training programs. Additionally, her branch executes six advanced training programs. Prior to this position, Ware spent ten years as an active duty special agent with the Air Force Office of Special Investigations (AFOSI). Ware’s professional affiliations include membership in the American Academy of Forensic Sciences. Her formal education includes a bachelor’s degree in Physical Anthropology from the University of Hawaii, and a master’s degree in Forensic Sciences, with a concentration in crime scene investigation, from the George Washington University, Washington, DC.

FLETC:

MAKING IT HAPPEN!

BY SANDY PEAVY

(Editor's Note: Assistant Director Sandy Peavy, the first Chief Information Officer for the Federal Law Enforcement Training Centers (FLETC), gives her perspective on how technology and training have changed over the past decade at the agency and how she and her team Made IT Happen at FLETC.)

I arrived at FLETC in 2000 as the agency's first Chief Information Officer. Because much of the law enforcement training at FLETC involves "live" training scenarios, the agency's money had primarily been spent on physical infrastructure rather than technology. Furthermore, the law enforcement culture was not open and welcoming to technology. I heard such comments as 'the only thing a laptop is good for is a boat anchor,' or 'I have never seen a computer put handcuffs on someone!' This lack of technology focus gave rise to a very limited and decentralized Information Technology (IT) environment with very few dedicated resources and no processes, policies, or standards in place. Essentially, anyone who had money was allowed to buy IT equipment and do their own thing. My initial assessment revealed a proliferation of outdated desktop computers, printers and software; an email system that was so inadequate it did not support attachments; a very limited network with little to no security; a computer room that leaked and required its doors be opened in the summer and huge fans brought in to help cool the equipment; and only a handful of people to help support this disparate environment – needless to say, we had our work cut out for us! – Assistant Director Sandy Peavy.



In 2000, the FLETC computer room leaked and required its doors be opened in the summer and huge fans brought in to help cool the equipment.

“If you fail to plan, you are planning to fail!”

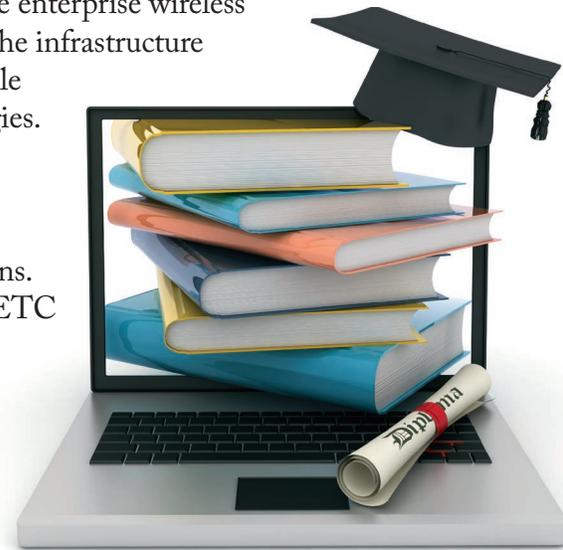
said Benjamin Franklin. In 2001, just prior to the September 11, 2001, terrorist attacks, the IT team under the direction of Assistant Director Peavy began to plan by defining its mission and vision and laying out strategic IT goals and objectives. The strategic plan, which was published in February 2002, defined a vision where “Virtual campuses, wireless technology, and on-demand, flexible learning would allow FLETC to create a virtual learning environment where students, instructors, and law enforcement professionals have electronic access to the latest information and training in classrooms, dormitories, outdoor ranges and duty stations worldwide,” to even include “the FLETC duck pond,” as Peavy was fond of saying. The plan included an example implementation scenario where “An instructor greets the class of FLETC students sitting in classrooms from California to Maine. Students participate in the lecture via a webcast. The instructor presents the latest information on use of force and discusses legal issues surrounding the topic. Students ask questions online and the instructor answers via the webcast...” This scenario is now reality at FLETC because the IT team not only put a plan into place to “Make IT Happen,” but implemented the plan with some significant initiatives.

Enterprise Wireless Network

FLETC began rolling out wireless internet connectivity at its four domestic training sites with four buildings at its Glynco site in Glynco, Ga., in 2010. Glynco now has 68 buildings outfitted with wireless, with another three planned for the near future. The Artesia, N.M., site has 35 wireless buildings, a range with outdoor wireless access, and plans for another 15 buildings to become wireless soon. The Charleston, S.C., site wireless connectivity is located in 14 buildings plus the Chalmers Training Vessel, the Outdoor Marine Training/Boat Platforms, and the Simulation Based Training Area. The Cheltenham, Md., Training Delivery Point has 10 buildings supporting wireless with the deployment of two additional buildings scheduled for this fiscal year.

How does wireless capability directly impact the ability to conduct law enforcement training?

Future generations of students will be asking, “Why were students carrying around those big backpacks at FLETC?” Mobile technologies represent an exciting opportunity for FLETC to enhance its ability to share information and deliver training solutions that meet the needs of the law enforcement community anywhere, anytime. As more of our world moves to mobile, personalized training based on a mobile user’s preferences and activity history creates intriguing opportunities. The enterprise wireless system provides the infrastructure necessary to enable mobile technologies. Already, wireless connectivity is used for practical exercise evaluations. Additionally, FLETC is piloting the migration of its learning content from print to electronic media as part of a



mobile computing/mobile learning approach. This migration will make learning content available from a platform that is compact, portable and searchable.

Potential future uses for the capability and expansion of the capability

In the next few months, FLETC will implement fence-to-fence coverage of the wireless infrastructure at all four domestic training sites, realizing the vision of providing students and staff access to the latest information and training, anywhere, anytime, including the duck pond! Additionally, FLETC is working with its Partner Organizations to allow their equipment to connect to the wireless infrastructure. As this infrastructure is put into place, FLETC will gain the capability of supporting outdoor mobile classrooms, wireless data capability to patrol vehicles, and use of wireless video surveillance capabilities to enhance site security in areas where running copper and fiber connectivity proves cost-prohibitive.

After Action Review (AAR) System

The FLETC After Action Review (AAR) system is the implementation of commercial digital security surveillance cameras and equipment designed to record and play back training scenarios. The system provides for real-time access and immediate replay of events that are used for student self-improvement and by the instructors to critique student actions.

How does the capability directly impact the ability to conduct law enforcement training?

The AAR system advances training in that it does not alter the execution of a scenario, it provides multiple views of an event, and it records in high definition color with sound. Instructors can now observe a scenario without interfering or “taking up the space” for movement or promoting subconscious supervision. In the past, students would often challenge the instructors as to what happened in a scenario, claiming to have performed one way while the instructor saw something else. Now the instructor can immediately replay the event, using pause or slow motion, to highlight the teaching points with irrefutable audio/video evidence.



After Action Review (AAR) System

Students have begun to critique themselves for areas of improvement or to note correct behavior.

Potential future uses for the capability and expansion of the capability

As more instructors are exposed to the system, word is quickly spreading of its capabilities. As a result, additional requests to equip more training areas are being made and plans are being made for installation of AAR systems at the domestic Training Delivery Points.

Student Administration and Scheduling System (SASS)

The Student Administration and Scheduling System (SASS) is an enterprise resource management system that integrates and automates FLETC’s entire training lifecycle process from scheduling and registration through graduation and documentation of student transcripts. SASS is used by every directorate and by the Partner Organizations. SASS is currently scheduling training classes, billing for training, registering students, providing instructor assignments, providing housing management, collecting survey data, and generating testing for our students.

How does the capability directly impact the ability to conduct law enforcement training?

Before SASS, FLETC relied on numerous homegrown spreadsheets, charts, databases, and

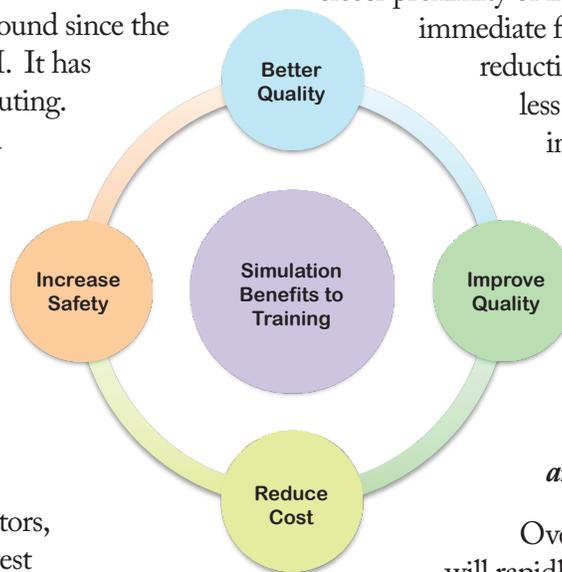
business processes. As SASS continues to be refined, it will ensure standard FLETC processes across the organization and provide substantial improvement in organizational efficiency. FLETC can now provide data to its customers concerning training venue usage, student throughput and class information in ways that were not possible before SASS. There are also tools within SASS to test various scheduling scenarios, which assist FLETC leadership in decision making with regard to additional student throughput requests or construction/renovation project impacts. During the recent government shutdown, SASS significantly improved the resumption of training operations. Class schedules were regenerated, instructors were scheduled, and students were returned to housing. As all of this happened, FLETC was able to ensure accurate billing (and non-billing) as appropriate.

Potential future uses for the capability and expansion of the capability

In the immediate future, SASS will continue to expand the Rubicon application which allows instructors to provide and upload practical exercise evaluations with the touch of a finger. The roadmap for additional future capabilities includes self-registration for online training programs, automated housing assignments, role player resource management, and the capability to conduct further student workload analysis.

Simulations

Computer simulation has been around since the Manhattan Project in World War II. It has evolved as fast as modern day computing. With the economic turmoil we find ourselves in today, where we must reduce costs while simultaneously protecting our homeland, simulation training methodologies are not merely an aid to our live training—but are indispensable to training. Currently, FLETC has deployed simulation to include an Avatar Based Interview Simulator, Driving Simulators, Marine Simulators, Use of Force Simulators, and the latest



Avatar Based Interview Simulator

addition of virtual firing ranges for basic marksmanship training.

How does the capability directly impact the ability to conduct law enforcement training?

FLETC’s adaption of simulations is allowing us to increase our throughput, functionality and address training gaps, while being fiscally responsible. It allows us to build more realistic, adaptive and progressive scenarios that enhance the learning experience for our students. For example, our driving simulators provide a range of programmable scenarios that require cognitive skills in situational awareness and decision making that enhance emergency response and instill in our students the need to “arrive alive.” Our new firearm simulation ranges will provide benefits such as more trigger pulls, closer proximity of instructors to students for diagnostics,

immediate feedback as to shot placement, a reduction in ammunition usage, and have less environmental (lead) impact. Our interviewing simulator provides a cognitive framework and an immersive training experience that helps students learn and practice interviewing as well as interpersonal and counseling skills that are essential to an officer’s ability to lead.

Potential future uses for the capability and expansion of the capability

Over the next few months, FLETC will rapidly expand the use of simulation.

Virtual firing ranges will be built in Artesia, N.M. Newly upgraded driving simulators will be deployed to Glynco, GA., Artesia, N.M., and Cheltenham, MD. A special effects system will be piloted at Glynco in its Danis City, a training facility complex resembling an actual city with residential and commercial venues. Additionally, over the next year, a Critical Incident Command Center will be built at Glynco to provide leadership training on managing critical incidents. Although more than a year out, FLETC is exploring a couple of new simulation arenas. The first concept is for a Dynamic Engagement facility that may combine simulations of driving and shooting. FLETC is also exploring the use of tactical engagement simulations in combination with Danis City to simulate explosions, track student locations, and provide vests for students similar to laser tag.

Future IT

Given the current economic situation, looming budget cuts, and restrictions on hiring and travel, it is imperative that FLETC augment its physical campuses with virtual methods to provide a learning environment that supports ‘just in time’ as well as continual training for law enforcement officers everywhere. To this end, the Homeland Security Information Network (HSIN) represents a game-changing opportunity for FLETC to enhance its ability to share information and deliver training solutions that meet the needs of the law enforcement community anywhere, anytime.

HSIN is the Nation’s focal point for sharing Sensitive But Unclassified (SBU) information. It enables those who protect and secure our homeland to collaborate and share information, regardless of geographic or jurisdictional boundaries.

HSIN In Use

HSIN enables federal, state, local, tribal, territorial, international and private sector homeland security partners to achieve their missions (such as law enforcement,

emergency management, defense, critical infrastructure, intelligence and analysis, and public health) through secure real-time collaboration and information sharing. For example, The DHS Network Operations Center (NOC) uses HSIN to track and disseminate reports on every incident of significance to law enforcement and emergency management/services operations. In 2013, HSIN was used for operational and situational awareness in the Boston Marathon bombing, Washington Navy Yard shooting, and the attempted White House perimeter breach to share timely intelligence information, alerts, warnings, and notifications as the incidents developed.



HSIN Diagram

Leveraging Mission Overlap

FLETC’s operation is based on the long held premise that taxpayers are far better served through a consolidated approach to law enforcement training. Like HSIN, FLETC has a similar mission to provide SBU information to our users. HSIN has the scale and security we need to reach our federal, state, local, tribal and international communities. Consolidating efforts will allow us to provide more cost-effective training and state-of-the-art information sharing via a network with tools that are beneficial to the law enforcement community.

Tools to Use from Recruitment to Retirement

FLETC trains law enforcement officers early and throughout their careers. By introducing students to HSIN early and teaching them how to best take advantage of the robust system, the agency sets them up for long-term success. HSIN enables a level of collaboration and coordination that had previously not been possible. The network is more than a repository of program data; it enables real time collaboration for both emergency management and incident response operations.

FLETC is working with HSIN to build a Law Enforcement Training (LET) Community of Interest (COI)—an online, virtual and interactive learning environment supporting all elements of the law

enforcement community with a centralized portal, collaboration, instant messaging, and internal email options. The partnership between FLETC and HSIN will enable FLETC to host its on-line training and build a repository of standard training modules that are pervasive across law enforcement curriculums. Further, the vision for the FLETC site within HSIN includes a library of reference materials that students will be able to access long after they've left the FLETC campus. Students will graduate from FLETC training programs with their gun, badge, and a HSIN account that will follow them throughout their careers – confident in the lessons and tactics they learned while using tools such as HSIN that are available to them in their real world jobs.

A Huge Step Forward for the Law Enforcement Community

Merging unique information sharing systems into HSIN will enhance partner collaboration and deepen knowledge sharing. HSIN can help all law enforcement agencies deliver more cost-effective training by eliminating duplicative efforts and opening existing training to more law enforcement officers throughout their careers. Finally, and perhaps most important, because they will have more access to training, our Nation's law enforcement officers will improve their effectiveness and continue to build the critical skills they need to protect our homeland.

When I was a little girl, my father took me to the 1964 world's fair, the iconic baby-boomer event that introduced technology we take for granted today, but was considered visionary at the time. Seeing a "picturephone" that allowed people to see the person they were speaking to, robotic dinosaurs, and handwriting recognition on a computer 50 years ago was the beginning of my interest in technology. Like this world's fair, we help FLETC see the possible with technology and then work with the business owners to make IT happen. When I look back at the world's fair and realize how long it took to "consumerize" the technology, the fact that FLETC is Making IT Happen in just a little more than a decade is nothing short of remarkable. We now have the technical infrastructure, culture, and leadership in place to develop cutting edge law enforcement training that allows those who protect the homeland to not only accomplish their

mission, but that brings them safely home to their families at night. As the saying goes, "it takes a village," so my thanks and gratitude go to all the many people at the FLETC who work tirelessly every day to Make IT Happen – AD. Peavy.



Sandy Peavy is a member of the Department of Homeland Security's CIO Council, which provides DHS and its partners the IT services required to lead the unified national effort to prevent and deter terrorist attacks and protect the homeland. As one of the original CIOs for DHS, she

stood up the Department's core communications, computing, and enterprise services and the CIO Council's governing structure. When FLETC was under the Department of Treasury, Peavy served on the CIO Council where she helped develop Treasury's IT strategy, management of IT investments, and leadership of key technology initiatives.

Peavy has over 30 years of experience in IT, beginning her federal career as a GS-3 computer assistant for the Office of Personnel Management. She served 13 years as a civilian in the Air Force, helped Defense Information Systems Agency (DISA) consolidate their Defense Megacenters, and served as the deputy director for Communications and Information for Headquarters Air Force Reserve Command. She received the Meritorious Civilian Service Award from the Air Force and from DISA for her exceptional leadership and the Presidential Rank Award of Meritorious Executive from DHS.

Peavy holds a bachelor of science, magna cum laude, in education from Georgia Southern University and a master's degree in computers from Mercer University. She is a graduate of the Federal Executive Institute, the National Defense University Advanced Management Program, and is a licensed private pilot.



Training For Reality

By Jen Tocco

This is the first article in a new series that will share law enforcement officers' and agents' stories from the frontlines about how training has impacted them. Former National Park Service Ranger Derek Anderson believes his basic training saved his life in the 2003 incident described below.



Former National Park Service Ranger Derek Anderson

On January 18, 2003, Derek Anderson was a National Park Service Ranger assigned to the Chesapeake and Ohio Canal National Historical Park. That morning he decided to check a few areas in the park before catching up on his more mundane paperwork responsibilities back at the office. The next few hours were anything but what he expected.

He saw a taxi cab parked in a no-parking zone near a boat ramp. Pulling closer, he saw a man standing next to the cab with its driver-side door open. Despite freezing temperatures, the man was not wearing a coat. That set-off the first “red flag.”

Anderson got out of his patrol vehicle. He intended to tell the man to move the car. But after seeing Anderson, the man became agitated and dove past the open door, reaching into the taxi as if he was looking for something. More red flags.

Then he ignored Anderson’s commands to get out of the cab and show his hands. A violent struggle ensued, during which the man continued to ignore orders. At some point, the man obtained Anderson’s baton and used it against Anderson as a deadly weapon. Anderson fired his pistol, killing the man. What Anderson did not know that morning when he first saw the taxi was that it was stolen, and only hours earlier the man had severely beaten its driver.

Anderson is now a senior staff special agent with the U.S. Department of Interior, Bureau of Land Management, Office of Law Enforcement and Security. He credits his training at the Federal Law Enforcement Training Centers (FLETC) with saving his life. In 2002, Special Agent Anderson was a student in what was then called the National Park Ranger Integrated Program and is now the Land Management Police Training Program. He can



A taxi cab parked in a no-parking zone near the boat ramp at Chesapeake and Ohio Canal National Historical Park.

specifically recall his training in use of force, firearms, ground fighting, and cover and concealment. He singles out the techniques he learned from instructors in the Physical Techniques Division and the Enforcement Operations Division, but credits the overall FLETC program with providing the “complete package” of skills that helped him survive. He states, “Once things started going downhill, it was like I was on autopilot. I simply reacted exactly as I was trained. What the training modules looked like at FLETC is what I did out there.”

Anderson observes that his FLETC instructors were truly “subject matter experts.” Their instructional methods allowed the students to hear, see, and then practice what they learned. Anderson relied on “muscle memory” that day, which he describes as repetitive exercises now firmly affixed in his memory and prompting an almost automatic response. While Anderson recognizes the importance of advanced training, he states that “the basics” saved him - his time in the mat room, in the raid houses, on the firing ranges, and in FLETC’s Butcher National Forest.

Reflecting on almost 20 years of federal and state law enforcement experience, Anderson believes that realistic training makes the critical difference in life or death situations. For him, the 2003 shooting is another reminder that a seemingly mundane event like a parking violation can unexpectedly turn into something

much worse – requiring split second decision making. Anderson brings this reality and his belief in the importance of training to his current role as the use-of-force and firearms program manager for the Bureau of Land Management.

From time to time, the National Park Service asks Special Agent Anderson to speak to new recruits. He provides the same advice that he gave his classmates during a speech at his own FLETC graduation: “Take your training seriously. Take it to heart and remember what your FLETC instructors taught you. It could make the difference in coming home alive.”



Jen Tocco began her civil service career in 2008, and currently serves as a management and program analyst in the Director’s Office. She previously held positions in the Office of State and Local Training and the Rural Policing Institute. Prior to moving to Georgia, Ms. Tocco worked in the nonprofit and academic sectors.

While completing her graduate studies, Tocco served as a research fellow at the Rutgers Graduate School of Education’s Center for Educational Policy Analysis. She holds a Bachelor of Arts with a double major in political science and history from Drew University, a Master of Education degree with a focus on educational policy and qualitative research methods from Rutgers University, and a Master of Public Administration degree from Valdosta State University. She also completed all doctoral coursework in educational policy while at Rutgers.



THE CIRCUIT SPLIT IN USING DEADLY FORCE TO CONTROL SUICIDAL PEOPLE

BY TIM MILLER

Ruddy Elizondo had attempted suicide once before when his sister called 911. That night, Ruddy’s mother got up to the sounds of loud music coming from Ruddy’s room and found her teenage son crying and holding a knife to his stomach. She began pleading with him to put the knife down, which was the commotion that prompted Ruddy’s sister to call 911. Officer Green was dispatched to the home. He entered the house, went to Ruddy’s room, and found Ruddy still holding the knife. Green drew his pistol, backed out of the room, and repeatedly told Ruddy to drop the knife. Instead, Ruddy tried to close the bedroom door. Green would not let him. Ruddy cursed, “F--ing shoot me.” Officer Green said that he did not want to shoot, but that he would if Ruddy came closer. Ruddy moved closer – still holding the knife in a threatening manner – and Green fired three times. Ruddy was dead approximately five minutes after his sister called for help.¹

The Elizondos belong to a group of families that called for emergency assistance and watched the responding officers shoot the person the family intended to help. Incredibly, Elizondo was the Fifth Circuit Court of Appeal’s second case in two months that involved police officers shooting a mentally unstable person in the City of Garland, Texas.² The facts in many of these cases are as consistent as how they end. They begin with someone who is suicidal or exhibiting signs of mental illness. A concerned family member calls 911. Police arrive, but escalate the encounter by aggressively confronting the person. That prompts the person confronted to be aggressive. The person threatens the officers with a knife, or some other weapon at hand, and the officers are forced to shoot.

While the facts may be consistent, the court decisions about whether the officers committed a Fourth Amendment violation are not.³ The Second, Fourth, Fifth, Sixth and Eighth Circuit Courts of Appeal confine the excessive force inquiry to whether the officer, or another, was in danger at the moment the officer used deadly force.⁴ Shooting Elizondo was not unconstitutional because the teenager posed an immediate threat of serious bodily harm when Officer Green shot him. These circuits have concluded that the events preceding the use of force are generally irrelevant. Having no effect on the Fourth Amendment question before the Fifth Circuit was an expert witness's opinion that Officer Green's behavior leading up to the shooting was an abomination, and Elizondo's death completely avoidable.⁵

The First, Ninth and Tenth Circuit Courts of Appeal conduct a more extensive "totality of the circumstances" inquiry⁶ rather than focusing on the moment the officer fired. The Tenth Circuit would likely find the expert's opinion relevant as to whether the officer escalated the need to use deadly force.⁷

The circuit split is illustrated in the Tenth Circuit's decision, *Sevier v. City of Lawrence*.⁸ The facts are eerily similar to *Elizondo*. Gregory Sevier had previously attempted suicide. He returned home one evening, went to his room, and began playing loud music. When Mr. Sevier opened the door he saw Gregory with a butcher knife and called 911. But after police arrived, the court focused on some of the disputes between the officers

and the Seviens as to what the officers did next. One of the disputes was whether the officers talked to Gregory's parents, or ignored their attempt to discuss the situation. There was no dispute that the officers went to Gregory's room and opened the door. And like Ruddy Elizondo, Gregory Sevier came to the door with the knife and the officers shot him. The Tenth Circuit refused to dismiss the case in part because there was a question for the jury "...as to whether the officers precipitated the use of deadly force by their own actions during the course of the encounter immediately prior to the shooting."⁹

So what does the Fourth Amendment demand of an officers confronting a mentally unstable person? Is it just to be reasonable at the moment they shoot, or should the court conduct a more extensive inquiry into whether the officers unreasonably created the need to use force? The answer may be in the Supreme Court's 2011 decision, *Kentucky v. King*.¹⁰

King concerned the so-called police-created exigency doctrine, a rule that prevented police from benefiting from a warrantless entry into a home based on exigent circumstances, if the police created the exigency. The facts are simple. After smelling burning marijuana coming from King's door, the police knocked "as loud as [they] could" and announced "This is the police" or "Police, police, police." Next they heard the predictable sounds of people moving inside, and other sounds suggesting that drug related evidence was about to be destroyed. Then they yelled "we're going to make entry inside the apartment," kicked the door open,

¹*Elizondo v. Green*, 671 F.3d 506 (5th Cir. 2012) cert. denied, 2012 U.S. LEXIS 7560 (2012); see also *Elizondo v. City of Garland*, 2011 U.S. Briefs 1375 (2012).

²See *Rockwell v. Brown*, 664 F.3d 985 (5th Cir. 2011).

³See *Elizondo v. City of Garland*, 2011 U.S. Briefs 1375 (2012) (petition for writ of certiorari to the Supreme Court identifying the circuits and describing how they are split.)

⁴See *Nimely v. City of New York*, 414 F.3d 381, 390 (2nd Cir. 2005) (an officer's decision to use deadly force depends on the officer's knowledge of the circumstances immediately prior to and at the moment); *Cowen v. Breen*, 352 F.3d 756, 762 (2nd Cir. 2003); *Waller v. City of Danville*, 212 Fed. Appx. 162 *171 (4th Cir. 2006) (although circuits differ, the Fourth Circuit has repeatedly held that pre-shooting conduct is generally not relevant); *Waterman v. Batton*, 393 F.3d 471, 476 (4th Cir. 2005); *Elliott v. Leavitt*, 99 F.3d 640, 643-644 (4th Cir. 1996); *Rockwell*, 664 F.3d at 991 (the excessive force inquiry is confined to whether [the officer or other person] was in danger at the moment of the threat); *Bazan v. Hidalgo City*, 246 F.3d 481, 493 (5th Cir. 2001); and *Fraire v. City of Arlington*, 957 F.2d 1268, 1276 (5th Cir. 1992); *Schultz v. Long*, 44 F.3d 643, 648-649 (8th Cir. 1995).

⁵*Elizondo v. City of Garland*, 2011 U.S. Briefs 1375, *7 (2012) (Rather than call for back-up, consult with a critical incident team, contact suicide prevention personnel, consult with family, move away from the doorway, formulate a plan to calmly and safely remove the knife, or deploy non-lethal force, Green did exactly what no reasonable officer should do with a mentally unstable, suicidal person. He pulled out his gun, pointed it at Ruddy and began yelling at the distraught kid to drop the knife. How he could possibly assume that it was reasonable...to yell and make threats with a semi-automatic handgun against a teenager in his own bedroom -- who posed only a minimal to moderate threat to himself with a kitchen knife -- is beyond reasonable comprehension.).

⁶*Young v. City of Providence*, 404 F.3d 4, 22 (1st Cir. 2005) (Once a seizure has occurred the court should examine the actions of the [officer] leading up to the seizure. This rule is most consistent with the Supreme Court's mandate that we consider these cases in the "totality of the circumstances"); *Deorle v. Rutherford*, 272 F.3d 272, 1282 (9th Cir. 2002) cert. denied, 536 U.S. 958 (2002); *Sevier v. City of Lawrence*, 60 F.3d 695, 696 (10th Cir. 1995).

⁷See *Sevier*, 60 F.3d at 696 citing *Tennessee v. Garner*, 471 U.S. 1, 9 (1985).

⁸*Sevier*, 60 F.3d 699.

and seized controlled narcotics in plain view.¹¹ The Kentucky Supreme Court held the conduct of the police created the need to enter the home without a warrant and the warrantless entry was unconstitutional because the pounding and shouting by the police made it “reasonably foreseeable” that the occupants would attempt to destroy the evidence.¹²

The United States Supreme Court disagreed. Whether the officers’ conduct made it foreseeable that the occupants would destroy the evidence or pick some other course of action went too far. The Supreme Court restricted the inquiry to whether the police engaged in, or threatened to engage in conduct that violated the Fourth Amendment before they entered the apartment.¹³ The Court found that the knocking and shouting in this case was not constitutionally objectionable. It refused to approve of a test that would second guess police officers about how loudly they should announce their presence. Quoting *Graham v. Connor* the Court stated that the “reasonable foreseeability” test would create unacceptable and unwarranted difficulties for law enforcement officers who must make quick decisions in the field.¹⁴

Was Officer Green’s conduct reasonable using the Court’s rational in *King*? If the inquiry is restricted to whether Green violated or threatened to violate the Fourth Amendment, it was reasonable, at least in a constitutional sense. Green lawfully entered the Elizondos’ home based on facts that one of the occupants needed emergency assistance.¹⁵ And he did not use deadly force until that person put him in fear of serious bodily harm.¹⁶

The circuit split appears to be over a disagreement about what is a Fourth Amendment violation and unprofessional law enforcement. Judge DeMoss made a distinction in the two cases that arose out of Garland City.¹⁷ “While [the officer’s] conduct is not legally objectionable” he stated, “neither is it admirable.” He urged law enforcement agencies to better prepare officers for foreseeable, volatile situations involving mentally ill citizens.¹⁸ Police Chief Magazine echoed that advice in a recent article that recommended realistic, scenario-based training that teaches officers how to maintain emotional control, and not meet hostility with hostility.¹⁹ It states that law enforcement alone will not work and that partnerships with mental health professionals in responding to persons with serious mental illness are crucial. Following their advice will allow officers to not only support and defend the constitution, but also better serve the public, regardless of which circuit they serve in.



Tim Miller is the Subject Matter Expert for Use of Force for the Federal Law Enforcement Centers Legal Division. Mr. Miller joined the United States Marine Corps in 1984 after taking the Illinois state bar exam. He served as a prosecutor, defense counsel, military judge, and staff judge advocate. Mr. Miller received a Bachelor of Science Degree and Juris Doctorate from Southern Illinois University at Carbondale, Illinois. He received his Master of Laws from the Army Judge Advocate General’s School in Charlottesville, Virginia.

⁹*Id.* at 701.

¹⁰*Kentucky v. King*, 131 S.Ct. 1849 (2011).

¹¹*Id.* at 1854.

¹² *Id.* at 1855

¹³ *Id.* at 1863(There was no evidence of a “demand” of any sort to open the door until after the exigency arose)

¹⁴ *Id.* at 1860, quoting *Graham v. Connor*, 490 U.S. 386, 396-397 (1989)(the calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving..”)

¹⁵ *Id.* at 1856 (officers may enter a home without a warrant to render emergency assistance to an injured occupant or to protect an occupant from imminent injury); see also, *Rockwell*, 664 F.3d at 995.

¹⁶ *Rockwell*, 664 F.3d at 991; see also *Tennessee v. Garner*, 471 U.S. at 11.

¹⁷ See *Elizondo*, 671 F.3d at 511- 512 (DeMoss, H.R., concurring); *Rockwell*, 664 F.3d 985, 996 – 997 (DeMoss, H.R., concurring).

¹⁸ *Rockwell* at 997.

¹⁹ Jeni McCutcheon, et al., *Responding to Calls with Suicidal Suspects: Practical Command and Psychological Considerations*, *The Police Chief* 32-35 (May 2013).



U.S. Border P Constructs an Intern Trainin



Border Patrol Academy International Border Fence Training Venue





U.S. Border Patrol Academy Constructs an International Border Fence Training Venue



Main Entrance to the Federal Law Enforcement Training Centers in Artesia, NM.

Visitors to the Federal Law Enforcement Training Centers in Artesia, NM, will find a towering, steel International Border Fence (IBF) similar to that employed along the Southwest International Border. This site improvement will assist in creating a realistic border environment and will become the backdrop for the Scenario-Based Training (SBT) of future Border Patrol agents.

History and Purpose

The U.S. Border Patrol Academy (BPA) relocated to the Federal Law Enforcement Training Centers (FLETC) in Artesia, NM, in September 2004 due to its proximity to the border, centrality to Border Patrol operations, modern infrastructure, and a climate similar to the Southwest border. Border Patrol Agent trainees (BPA(t)) attend a 13-week FLETC Integrated Border Patrol Basic Training Program to learn critical laws and skill sets that will be necessary once they graduate and become Border Patrol agents.

Through its partnership with the FLETC, the BPA has:

- Implemented training facilities that will realistically simulate the field environment;
- Addressed specific recommendations from a series of training reviews to close gaps between use of force policy and application; and
- Managed operational risks through the incorporation of SBT with facilities built to replicate the operational environment.



A Border Patrol agent stands at a static vantage point to observe the International Border Fence near Wellton, AZ.

USBP National Strategy

The mission of the USBP is to protect America. In 2012 the USBP transitioned to a risk-based strategy to accomplish this mission and drive operations against priority threats by preventing terrorists from entering the United States, and disrupting and preventing Transnational Criminal Organizations (TCOs) from engaging in criminal and smuggling activities along the border. This innovative approach focuses on:

1. **Information** - The collection of pertinent field information and intelligence regarding activities that threaten a secure border.
2. **Integration** - The collaborative efforts between federal, state, local, tribal, and international law enforcement partners to disrupt, degrade, and dismantle TCOs.
3. **Rapid Response** - The rapid deployment of the agency's resources and capabilities to engage the greatest risks to homeland security, Border Patrol operations and personnel, and public safety.

These strategic pillars assist the USBP in achieving its two main goals: 1) Secure America's Borders, and 2) Strengthen the USBP. The foundation for achieving both of these goals lies in preparation, analysis, training and execution.

The International Border Fence

The addition of the International Border Fence replica will enhance the training BPA(t)s receive in preparation for service along the American borders.

The U.S. and Mexico share 1,954 miles of international border running from Imperial Beach, California, to Brownsville, Texas. By 2013, approximately 700 miles of border fence had been constructed in the areas most notorious for smuggling.

The dimensions and materials of the fence vary throughout the Southern Border, depending on risk assessment for incursions and topographical variances. In some instances, double and triple layer fencing is used to address illicit activity. The IBF limits and in some cases denies TCO's potential routes of ingress, and assists the USBP in completing its mission to secure the U.S. Southern Border between international ports of entry. These barriers aid the USBP's interdiction efforts and reduce the violence along the Southwest border.



This shows variations in materials used to construct the International Border Fence to accommodate for changes in topography and climate. (Top Left - Landing Mat; Top Right - Secondary; Bottom Left - Floating; Bottom Right - Bollard)



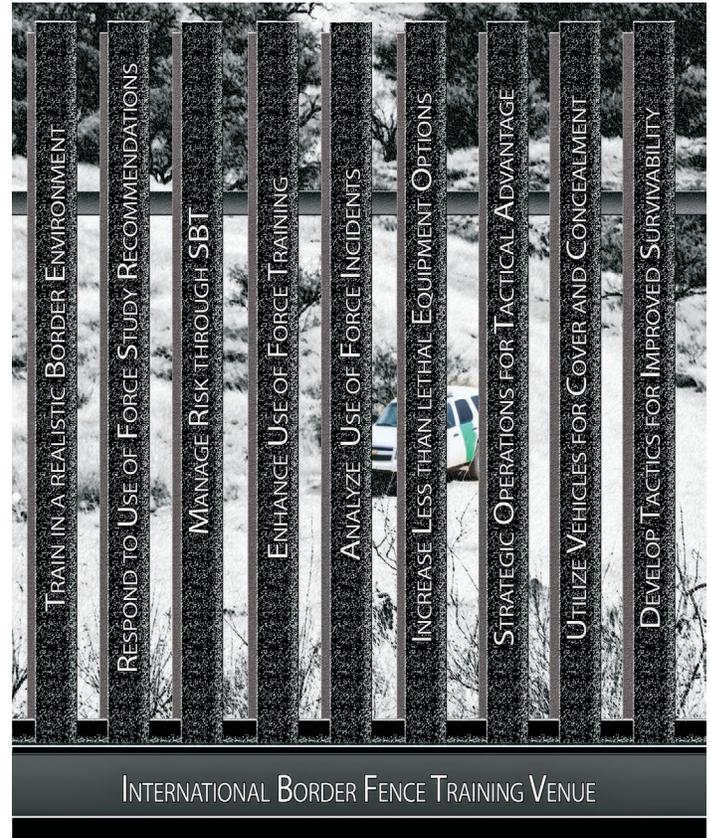
U.S. Border Patrol Academy Constructs an International Border Fence Training Venue

Border Patrol Operational Risks

Current operations along the U.S. border present Border Patrol agents with situations requiring quick decisions in a variety of rapidly evolving circumstances. These dangerous situations require agents to engage assailants using various levels of force. Agents are trained to use the minimum amount of force necessary to protect their life, the lives of other agents, or other individuals, and to always seek to de-escalate any use of force situation. Customs and Border Protection (CBP) has implemented enhanced options through the combination of equipment, training and tactics to better prepare agents to overcome threats encountered in the field, and assist the agents in de-escalating any confrontation they do encounter. Due to the unique nature of border enforcement, the Border Patrol's use of force incidents are constantly being reviewed and revised to determine training needs.



Normandy style International Border Fence with crisp visible sign of a running double shoe print. Taken near Ajo, AZ.



A display that list the purposes of the International Border Fence.

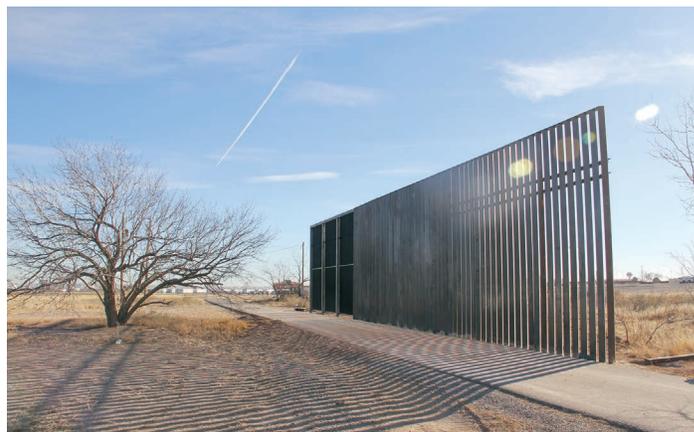
Use of Force Studies

In 2012, a comprehensive study to review CBP's use of force policy and application was performed by CBP's Use of Force Policy Division, the Police Executive Research Forum (PERF), and by DHS's Office of Inspector General (OIG).

The recommendations from this study called for enhancements to use of force training and tactics, additional tools to provide for better analysis of use of force incidents and trends that will better inform policy decisions, a wider array of equipment options be made available to agents and officers, and improvement in particular areas of operational and tactical posture. Implementation of these recommendations will standardize CBP policies, practices, procedures, reporting, and oversight of the use of force program and its application. The results of these recommendations led to the enhancement of SBT as an instructional methodology at the BPA.

Scenario-Based Training

SBT creates realistic situations for the trainees to reinforce training from each dynamic portion of their instruction. Research shows that learning is reinforced when used in conjunction with realistic situations where consequences to actions occur in real-time and evaluation of the participants during practical exercises provides constructive feedback. This is the basis for SBT, to provide BPA(t)s the opportunity to display the underlying skills from their classroom curriculum in environments that parallel the field environment. During SBT, the BPA(t)s will demonstrate their use of judgment and problem-solving skills in various border situations and embrace the deployment or restraint of deployment of the use of force in enforcement scenarios. The SBT will be performed while an experienced Supervisory Border Patrol Agent (SBPA) or qualified instructor evaluates the actions of the agent in training. As a result of the evaluations, BPA(t)s will have a better understanding of the appropriateness of their actions and what alternative actions could be useful in similar situations. In an instructional environment that includes the backdrop of the IBF, trainees will interact with subjects exhibiting both compliant and non-compliant behavior. Agents in training will practice and demonstrate investigative and arrest techniques in a realistic border environment. Interacting with the role-players, trainees must demonstrate knowledge in search and seizure of subjects, the determination of alienage of suspected illegal entrants, and progressive



One of the IBF training venues built on the FLETC to replicate the IBFs in the field.

enforcement actions. The scenarios will incorporate the likelihood of assaultive behavior by the subjects or the absconding of individuals resulting in BPA(t)s reacting with the appropriate use of force to affect an arrest or seizure. Agent trainees will be measured on their ability to understand their statutory authority to enforce the laws, while performing their tasks with the degree of compassion and professionalism that is expected from their position.

The IBF training venues at the BPA will be used as a platform to incorporate various scenarios developed as part of the BPA advancement in SBT. The BPA is staging the construction of six IBF venues at the FLETC in Artesia, N.M., to enhance the training experience. These IBFs will measure 90 feet in length, and will vary in height from 19 feet to 10 feet. The materials will mirror what is used on the international border, to include bollard fencing, as well as fencing constructed from landing mat materials. The IBF sites are designed to create optimum training venues that will become the backdrops for realistic scenarios, and other agency specific training that will be incorporated into the USBP integrated basic course of instruction. Scenarios have been developed from the analysis of data received from actual use of force events and will provide BPA(t)s experience and guidance regarding situations when assailants are throwing rocks or other projectiles, or subjects are using vehicles as a weapon against the agents near the IBF. In these scenarios, BPA(t)s will learn pre-deployment positioning to increase their safety, using the terrain, as well as, their own vehicles



Scenario based training at FLETC where a Border Patrol agent practices apprehensions in a field environment.



U.S. Border Patrol Academy Constructs an International Border Fence Training Venue



Landing Mat International Border Fence near El Paso, TX.

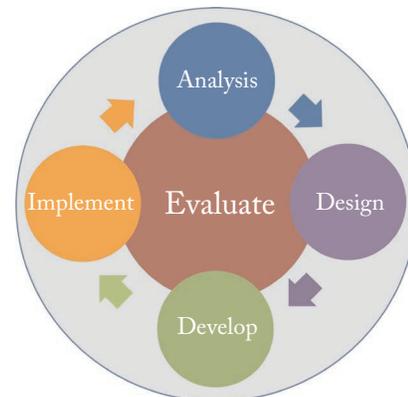
as cover and concealment and maintaining safe operating distances from the IBF and other threats while patrolling the border, and learning to gauge the appropriate use of force necessary to perform their mission.

The Role of the Performance Support Division

Once the infrastructure was in place, the BPA's Performance Support Division (PSD) designed the curriculum. The evolution of the BPA training was motivated through significant curriculum research completed by the BPA's PSD. The PSD provides the Border Patrol Academy systematic analysis, design, development, implementation recommendations, and evaluation (ADDIE) of curricula. The ADDIE model of emerging and existing basic, advanced, and ancillary training of Border Patrol agents utilizes the latest adult learning theories and models, as well as technology as the platform of curricula design. The PSD gathers information from various sources, including Level 1, Level 2, and Level 3 surveys of critical tasks and actions from Border Patrol agents in the field and BPA(t)s at the BPA. A Level 1 Survey measures reaction to the instruction and depicts whether or not the participants reacted favorably to the instruction. A Level 2 Survey measures to what degree the participants learned the intended knowledge or skills expected to be gained from the instruction. A Level 3 Survey measures the prolonged behavior of the learners and to what degree they apply those things that they were instructed. Difficulty, Importance, and Frequency

(DIF) survey results from sector management staffs, station supervisors, and agents in the field identify the critical skill sets and job knowledge necessary for agents in the field. These surveys are a vital component to the curriculum redesign because they provide the perspective of agents doing the job in the field, as well as trainees who have recently completed training. This knowledge base provides the lens through which training can be focused and perfected. The PSD gap analysis determined that the inclusion of practical exercises would enhance trainees' ability to complete the mission of the USBP. The PSD has designed numerous scenarios based on their field research that will incorporate the IBF as an instructional tool for future Border Patrol agents and fulfill the recommendations of the use of force assessments.

The ADDIE Model at the Border Patrol Academy



Analysis - A systematic exploration of actual performance in the field vs. desired performance in the field. The difference is the performance gap. This phase includes the level III and DIF surveys and critical task selection board.

Design - If the analysis phase identifies a performance gap, the design phase will outline the performance objectives to address the performance gap and how the performance will be measured.

Development - Using the information gathered in the analysis and design phases, the performance solution (training) is created - Border Patrol revised curriculum and assessment tools, to include scenario-based training and testing.

Implementation - This phase included the delivery of a performance solution (training) at the Border Patrol Academy.

Evaluation - Measurement of how well the performance solution (training) achieved the objectives.

Results

The Border Patrol's 2012-2016 Strategic Plan is a risk-based approach to safeguarding the American people from the entry of terrorists and the illicit smuggling and criminal activities of TCOs. Border threats continue to evolve, and likewise the capabilities of the USBP must



BPA staff salute the Flag during the morning inspection.

adapt to these changes. The BPA acquires and analyzes information from Border Patrol field intelligence, BPA Field Surveys, and task analysis to develop, deliver, and evaluate training that responds to the challenges faced in the performance of mission critical training tasks. By leveraging collaborative partnerships with key stakeholders, the BPA is able to strengthen the investment in training and education and support field operations. The BPA manages operational risks of field operations through the rapid response to organizational needs, by allocating resources to enrich training, staffing, and Academy infrastructure in an effort to enhance and assist training in support of protecting America.

As the USBP enhances the training of its personnel and incorporates the IBF training venues into the USBPI, it will be better equipped to provide security along the U.S. border; enhanced capabilities and an investment in training will strengthen the USBP as a whole. The IBFs at the FLETC Artesia will become an integral training apparatus ensuring BPA(t)s are trained in Border Patrol specific skills in the same environment they will soon patrol. The analysis of surveys and feedback from field operations performed by the PSD and the training recommendations from the use of force studies provided the framework for the curriculum redesign that will incorporate SBT in the USBPI curriculum. The ultimate goal of the incorporation of the IBF as the backdrop to SBT is to create realistic situations that incorporate typical

work experiences of Border Patrol agents. This system of instruction will create a safer environment for Border Patrol agents in the field, as well as the citizens living along the International border, and reinforces the USBP's commitment to strengthening the investment in their people and capabilities through education, training and support of Border Patrol personnel.



U.S. Border Patrol Academy Supervisory Border Patrol Agent Rocky Roman is an instructor in the Operations and Spanish Departments at the U.S. Border Patrol Academy (BPA). He is currently assigned as the Supervisor over the BPA Communications Department. Prior to being at the BPA, Roman was assigned as an agent at the Blythe Border Patrol Station in Yuma Sector. He has a Bachelor's Degree in Business Management from Brigham Young University of Idaho, and a Master's Degree in Training and Development from Idaho State University.



A Border Patrol truck patrolling the floating International Border Fence near Yuma AZ.

We Train Those Who Protect Our Homeland



Homeland Security

Federal Law Enforcement Training Centers
U. S. Department of Homeland Security
1131 Chapel Crossing Road
Glynco, Georgia 31524
www.fletc.gov



VISIT FLETC.GOV



FOLLOW FLETC ON TWITTER



LIKE FLETC ON FACEBOOK