

Defensive Tactics/Impact Weapons Program

461.1 PURPOSE AND SCOPE

The defensive tactics/impact weapons program is intended to provide a standardized program to equip police officers and revenue protection guards with the technical and communication skills necessary in the areas of weaponless defense, impact weapons, and the mechanics of arrest.

This policy shall establish the procedures for the selection, testing, qualifying, retention, and re-admission of defensive tactics/impact weapons instructors. This policy also establishes procedures for training qualification and remediation procedures for officers and revenue protection guards.

The Chief of Police or his designee shall approve all department defensive tactics/impact weapons training before they are acquired and utilized by any member of this department.

461.2 DEFENSIVE TACTICS/IMPACT WEAPONS INSTRUCTOR

The defensive tactics/impact weapons instructor is an experienced officer trained in the art of supervising, training and evaluating police officers and revenue protection guards in the application of weaponless defense, impact weapons, and the mechanics of arrest.

461.2.1 SELECTION PROCESS

Defensive tactics/impact weapons instructors will be selected based on the following requirements:

- Must be off probation ~~Minimum of two years non-probationary patrol experience, including at least one non-probationary year as a BART police officer~~
- Possess a POST Basic certificate
- Immediate supervisor's recommendation
- Satisfactory performance evaluations, and an attendance record that complies with department guidelines
- Pass an internal oral interview selection process

A defensive tactics/impact weapons instructors selection committee shall be established, and this committee shall be composed of the following personnel who shall convene for the purposes of screening and selecting qualified applicants for defensive tactics instructor:

- Defensive tactics/impact weapons program coordinator
- Defensive tactics/impact weapons program sergeant
- Defensive tactics/impact weapons instructor from ~~selected by~~ the BPOA

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The selection process for defensive tactics/impact weapons instructor shall be as follows:

- (a) Upon notification of memorandums of interest being accepted for defensive tactics/impact weapons instructor, all interested officers meeting the minimum qualifications listed shall submit memorandums of interest to the defensive tactics/impact weapons program coordinator via the chain of command.
- (b) It will be the responsibility of the applicant's immediate supervisor to prepare a written recommendation as to the applicant's suitability for the defensive tactics/impact weapons instructor position. Additionally, all supervisor's written recommendations will include comments on attendance, discipline, skills related to the assignment, EDR file review, and ensure compliance with established minimum qualifications.
- (c) All qualified applicants will be invited to participate in a oral interview to be administered by the defensive tactics/impact weapons program staff.
- (d) The oral interview will be scored by the defensive tactics/impact weapons program staff. A score of 75% or higher is required to pass. Those passing will comprise an eligibility pool.

Unless otherwise stated, a pool of five shall be established. An exception could be a one-time selection for a given period. The rest of the candidates will be ranked numerically. When one person is selected from the pool, the person ranked number one moves into the pool.

If fewer than five persons are eligible to be placed in the pool, the pool will consist of those persons who are eligible (Example: only three people achieve a score of 75%. There will be a pool of three, with zero persons ranked numerically).

The final selection for defensive tactics/impact weapons instructor will be made by the Chief of Police. A bulletin will be issued announcing the selections and candidates in the eligibility pool. The pool will remain in effect for eighteen (18) months from the date of the bulletin, but may be extended by the Chief of Police.

461.2.2 TRAINING

An officer selected as a defensive tactics/impact weapons instructor shall successfully complete a POST certified [a rest and control](#) ~~80-hour defensive tactics~~ instructor course, and a POST certified ~~80-hour~~ impact weapons instructor course prior to being assigned as an instructor.

All instructors must complete updated (re-certification) courses for defensive tactics and impact weapons every three (3) years.

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461.3 DEFENSIVE TACTICS/IMPACT WEAPONS PROGRAM COORDINATOR

The defensive tactics/impact weapons program coordinator will be selected from the rank of lieutenant by the Operations Bureau Deputy Chief or his/her designee, and shall possess a POST Supervisory Certificate.

The defensive tactics/impact weapons program coordinator shall have the overall responsibility for, but not be limited to the following:

- Conduct regular defensive tactics/impact weapons instructor meetings.
- Monitor and direct overall defensive tactics/impact weapons program.
- Maintain liaison with other agency's defensive tactics/impact weapons coordinators.
- Develop ongoing training for defensive tactics/impact weapons instructors.

The below listed training is from the Department' Training Plan and is either mandatory, essential or desirable.

Essential tactical coordinator - [arrest and control](#) ~~Defensive tactics~~ instructor, [arrest and control](#) ~~defensive tactics~~ instructor update.

461.3.1 DEFENSIVE TACTICS/IMPACT WEAPONS PROGRAM SUPERVISORS

The Patrol Bureau Deputy Chief, or his/her designee, will appoint a sufficient number of defensive tactics/impact weapons supervisors to effectively monitor the defensive tactics/impact weapons program. These supervisors will be selected from the rank of sergeant, and shall possess a POST Supervisory Certificate. These supervisors will have performed duties as defensive tactics/impact weapons instructor during their careers, and will be well versed in the intricacies of the defensive tactics/impact weapons program.

Defensive tactics/impact weapons supervisors will be responsible for the following:

- Scheduling instructors for upcoming training dates.
- Maintaining regular contact with assigned instructors to provide assistance where necessary.
- Monitoring individual defensive tactics/impact weapons instructor's performance.

The below listed training is from the Department's Training Plan and is either mandatory, essential or desirable.

Essential defensive tactics/impact weapons supervisor training - Defensive tactics/impact weapons instructor, defensive tactics/impact weapons instructor update.

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461.4 RETENTION

Defensive tactics/impact weapons instructors shall perform their duties in strict accordance to departmental policies, and shall only teach the material presented in the current course outline approved by the defensive tactics/impact weapons coordinator.

Instructors may be removed from the defensive tactics/impact weapons program by either the defensive tactics/impact weapons coordinator or Chief of Police if an instructor:

- Fails to adhere to the rules and regulations of this policy
- Fails to perform the require tasks of the current course outline satisfactorily
- Engages in unlawful or unprofessional behavior
- Demonstrates a pattern of unsafe or unacceptable police practices
- Is a principal in any departmental disciplinary action which results in a sustained finding
- Voluntarily withdraws from the program

The length of the defensive tactics/impact weapons instructor's assignment shall be at the discretion of the Chief of Police. Any defensive tactics/impact weapons instructor wishing to withdraw from the program voluntarily should submit a memorandum, via the chain of command, directed to the Operations Bureau Deputy Chief.

461.4.1 RE-ADMISSION

Those instructors withdrawing voluntarily from the program may be readmitted when new openings occur by going through the selection process again. The defensive tactics/impact weapons program staff will make a recommendation as to whether to reinstate the instructor. The final determination will rest with the Operations Bureau Deputy Chief.

461.5 DEFENSIVE TACTICS/IMPACT WEAPONS TRAINING QUALIFICATION

The defensive tactics/impact weapons staff shall provide all sworn and revenue protection officers with yearly training designed to enhance skills and improve proficiency in the areas of the use of force and control devices techniques.

The defensive tactics/impact weapons coordinator, with approval of the Chief of Police, shall establish acceptable levels of proficiency in the use of defensive tactics and impact weapons training. Defensive tactics/impact weapons training qualification may be changed and modified in an effort to increase the proficiency of personnel training in defensive tactics and impact weapons.

Qualification and training records shall be forwarded to the Personnel & Training Bureau. The Operations and Support Services Deputy Chiefs, or their designees, are to ensure that all sworn personnel and/or revenue protection guards under their respective commands qualify in accordance with this policy.

461.5.1 FAILURE TO QUALIFY

Any sworn police officer or revenue protection guard who does not strictly adhere to the requests or instructions of the instructors will not be allowed to participate in training.

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If any officer is unable to qualify for any reason, including injury, illness, duty status, or scheduling conflict, that officer shall submit a memorandum to his or her immediate supervisor prior to the end of the required defensive tactics qualification period.

Personnel who fail to qualify shall be allowed a minimum of one additional opportunity to qualify during that training day. Those personnel who are still unable to qualify may receive additional defensive tactics training that day if training time and a sufficient number of defensive tactics staff are available.

In situations involving personnel who are unable to qualify by the end of their scheduled shift or the conclusion of the training day (whichever comes first), the on-site defensive tactics supervisor shall, as soon as practicable, notify the employee's immediate supervisor or the on-duty Watch Commander of the failure to qualify. The department's Progressive Discipline System will be implemented to include no less than a letter of discussion.

The defensive tactics/impact weapons coordinator or designee shall arrange for a 4-hour remedial defensive tactics or impact weapons training session as soon as practical for the non-qualifying personnel. Personnel who are unable to qualify by the conclusion of the first remedial training session shall be scheduled to attend a second 4-hour remedial training session. Personnel will progress to the next level in the Progressive Discipline System, not less than an a written reprimand.

Personnel who are unable to qualify by the conclusion of the second remedial defensive tactics or impact weapons training session, shall be assigned to an administrative position, and a third 4-hour training session will be scheduled. Progress to the next level in the Progressive Discipline System, not less than a pay step reduction.

Personnel that are unable to qualify by the conclusion of the third remedial defensive tactics or impact weapon training session, shall remain assigned to an administrative position. A final opportunity to qualify will be scheduled. Progress to the next level in the Progressive Discipline System, not less than suspension without pay.

Personnel who are unable to qualify by the conclusion of their fourth remedial defensive tactics or impact weapons training session, shall remain assigned to an administrative position. The member/employee shall be examined by a District medical doctor to ensure no medical condition exists that prevents the employee from qualifying.

If no medical condition exists, the member/employee will be subject to termination proceedings.

461.5.2 REMEDIAL TRAINING

Any employee who acts in a grossly unsafe manner or demonstrates dangerous and/or extremely poor decision-making skills in the deployment of and/or application of any use of force-related task, in the field or in training, may be required to attend mandatory remedial training prior to returning to full-duty status.

If in the opinion of the supervisor/primary instructor at the site of the training, the employee's actions/decision-making are so unsafe that if the employee were returned to full duty, the

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employee may be a safety hazard to him or herself, fellow employees, and/or the public, the supervisor/primary instructor shall recommend mandatory remedial training for the employee. The primary instructor shall contact the on-duty Watch Commander as soon as practicable and make the recommendation for mandatory remedial training.

If the request for mandatory remedial training is approved, the employee shall be removed from an on-duty patrol capacity and placed into a temporary administrative position until such time as that employee satisfactorily completes the mandatory remedial training.

Repeated failures to correct such deficiencies may result in implementation of the Progressive Discipline System. Nothing in this policy precludes the department from requiring an employee to successfully complete remedial training to correct lesser safety violations and/or marginal tactical decision-making skills, without the employee first being removed from full-duty status.