Defensible Use of Force In Education: What You Need To Know

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The opinions and views expressed in this training are solely those of Crisis Reality Training, Inc. and its owner. Crisis situations in and of themselves can be very volatile and fluid and every individual can and will make different choices depending on the situation. The information presented today is given in the context of options employees may take during a given situation. It should not be construed as exact responses to exact situations. This company accepts no responsibility for the choices individual employees may make during a crisis situation.
Yes, Maybe or No?

Is the mere touching of another person, in and of itself, “using force”?
What is Force?

♦ To restrict the freedom of someone’s liberty or movement
♦ Usually involves physical contact
♦ Can lead to a Tort action if negligent or grossly negligent, i.e., unreasonable, unnecessary, or excessive
♦ You must be able to articulate why force was used/necessary
Lessons Learned from Juan DelValle’s Death

♦ What is a safe distance from someone you are in conflict with?
  – Arm’s length?
  – Leg’s length?

♦ Action is always faster than Reaction!
  – Even if you are Bruce Lee!
  – Age doesn’t matter
  – Distance equals reaction time and reaction time equals life
3319.41 Corporal punishment policy.

(A) No person employed or engaged as a teacher, principal, administrator, non-licensed school employee, or bus driver in a public school may inflict or cause to be inflicted corporal punishment as a means of discipline upon a pupil attending such school.

(B) A person employed or otherwise engaged as a teacher, principal, or administrator by a nonpublic school, except as otherwise provided by the governing authority of the nonpublic school, may inflict or cause to be inflicted reasonable corporal punishment upon a pupil attending the school to which the person is assigned whenever such punishment is reasonably necessary in order to preserve discipline while the student is subject to school authority.

(C) Persons employed or engaged as teachers, principals, or administrators in a school, whether public or private, and non-licensed school employees and school bus drivers may, within the scope of their employment, use and apply such amount of force and restraint as is reasonable and necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon the person or within the control of the pupil, for the purpose of self-defense, or for the protection of persons or property.

Amended by 128th General Assembly File No.9, HB 1, §101.01, eff. 10/16/2009.

Effective Date: 10-29-1996
Types of Hands On
Guiding Touch

♦ Used frequently as part of everyday body language
♦ More directive in nature
♦ Usually used to reinforce a verbal message
♦ Meant to assist the subject, not control them
♦ Most of us do this everyday and don’t even realize it
Types of Hands On
Restrictive Touch

- This type of touch is more forceful in nature but is meant to restrict the subject from doing something
- Examples; leave, touch you, grab an object, push by you, etc...
- Requires a more authoritative posture
- Escort position, blocking techniques, limb control
Types of Hands On Forceful Touch

♦ Soft empty hand techniques
♦ Hard empty hand techniques
♦ Remember that in the force continuum you can go up and down in the ladder of force during the same incident
When Can Force Be Used?

- **Self-Defense**
  - Imminent threat of harm to you

- **Defense of others**
  - Imminent threat to others

- **Self-inflicted injury**
  - Suicidal subjects/Mental health patients

- **Protection of property**
  - This is the lowest priority/property can be replaced
What Is Professionalism?

♦ Definition – Having or showing great skill; expert

♦ No person by how they treat you should be able to dictate your level of professionalism

♦ If you are going to claim the title of being a professional then be willing to train and act like one😊
Use of Force Policy

- Does your school district have one?
- If so, what is it?
- Does not need to be lengthy or too technical
- Should refer to Ohio State Law as stated previously
- Employees should be trained
- Every UOF incident should be documented!