

Missouri Legal Update Lesson Index

2021 Lessons

2021 Lessons

2021 Lesson 22: Eyewitness Identifications

This lesson online technical skills lesson is designed to enhance an officer's understanding of the factors that contribute to reliable and unreliable eyewitness identifications. The lesson analyzes cases involving eyewitness misidentifications. It examines common witness identification practices and the legal requirements for admitting witness identification evidence. The lesson explains what factors outside of police control—such as witness stress, memory decay, etc.—affect witness reliability. It also examines what factors within police control—such as blind administration, pre-identification instructions, etc.—affect witness reliability. Finally, the lesson provides extensive guidelines from the United States Department of Justice on best practices in photo array identification procedures.

2021 Lesson 21: Bloodborne Pathogens

This is an online bloodborne pathogens lesson for police. Sections 1 and 2 explain what bloodborne pathogens are, how they are spread, and how law enforcement officers might be exposed to them. It examines the symptoms, routes of transmission, and treatment options for hepatitis B virus, hepatitis C virus, HIV/AIDs, and Ebola virus.

Section three examines how officers can protect themselves from infection through the hepatitis B virus vaccination. It examines an employer's duty to provide personal protective equipment (PPE), how to select appropriate PPE, accessing PPE, putting on PPE, and removing PPE. It also examines precautions officers should take when they anticipate that they may be exposed to PPE. The lesson discusses the use of appropriate containers and labels for blood and OPIM.

Section four addresses decontaminating clothing and areas that become contaminated with blood or OPIM, disposing of PPE, handwashing, emergency needlestick and splash protocols, keeping a sharps injury log, medical evaluations, and state confidentiality laws. Section 5 addresses exposure control plans.

Missouri Legal Update Lesson Index

2021 Lessons

2021 Lesson 20: Arrest & Detention of Foreign Nationals/Consular Notification

This is an online technical skills course for law enforcement officers regarding the arrest and detention of foreign nationals/consular notification. Section one explains the basic requirements under the Vienna Convention for Consular Relations (VCCR) that apply to law enforcement officers who arrest or detain foreign nationals. It defines critical terms necessary to understand an officer's responsibility toward arrested or detained foreign nationals.

Section two explains the procedures officers must follow when they arrest or detain a foreign national. It explains the difference between mandatory and non-mandatory notification countries. This section also outlines applicable requirements when for when a foreign national dies, becomes seriously injured or ill, or faces the possibility of having a guardian or trustee appointed for him/her. This section explains the right of consular access.

Section three addresses additional information regarding: a) detentions and other situations triggering the VCCR requirements; b) determining who is a foreign national; c) who has responsibility for making required notifications; and d) notification requirements.

2021 Lesson 19: Sexual Harassment

This online sexual harassment lesson for police. It defines what conduct constitutes sexual harassment and explains the difference between quid pro quo and hostile environment sexual harassment. The lesson explores the role of the Equal Employment Opportunity Commission and the Missouri Commission on Human Rights in sexual harassment cases. The lesson defines retaliation and provides examples of retaliatory conduct. The lesson explains when an employer may be held liable for sexual harassment committed by an employee and what an employer can do to avoid or limit liability. The lesson explains where and how to file a sexual harassment complaint and what damages may be available for victims of harassment. Finally, the lesson provides tips for what individuals who experience or witness sexual harassment can do.

2021 Lesson 18: Legal Update

This is an online legal update for Missouri law enforcement officers. The lesson addresses new cases issued by state and federal courts to guide police officers

Missouri Legal Update Lesson Index

2021 Lessons

regarding: whether a police officer may rely on a warrant to seize evidence of a crime when the warrant specifies one location but the officer seizes the property somewhere else; whether a suspect who recently used alcohol or drugs can “knowingly and intelligently” waive his or her rights; whether, if a police officer has a prosecutor review a warrant affidavit, a police officer will be entitled to qualified immunity from important errors or omissions the officer made in the affidavit; how long a police officer may keep a compliant, non-threatening individual in handcuffs during a Terry stop.

2020 Lesson 17: Ethics

This is an online interpersonal perspectives course focused on law enforcement ethics. It explains general principles of ethics in law enforcement, provides an example of a police codes of conduct, and explores the detrimental effects of the code of silence. It defines terms commonly used in an examination of police ethics, including: appearance of impropriety, bribe, gift, corruption, and Garrity Rights. It explains when Missouri law prohibits public employees from accepting gifts or certain payments. The lesson describes the Missouri disciplinary process applicable to law enforcement officers and provides examples of actual cases of police misconduct heard by the Missouri Administrative Hearing Commission.

The lesson examines the obligation of law enforcement officers to provide fair treatment under law, while also addressing the challenging environment faced by law enforcement officers. The lesson reviews common types of police misconduct and provides actual examples from recent cases.

Finally, the lesson examines the consequences of police misconduct for the community, for individual officers, and for law enforcement agencies.

2021 Lesson 16: Legal Update

This is an online legal update course for Missouri law enforcement officers. The lesson addresses recent court decisions providing guidance to police regarding: what actions by law enforcement officers constitute a seizure of a package in the possession of a common carrier; what justifies the seizure of a package in the possession of a common carrier; how officers may obtain an anticipatory warrant; when a controlled delivery will support probable cause to arrest a suspect; when officers may conduct a protective sweep of a residence; what is the scope of a lawful protective sweep; and when will an

Missouri Legal Update Lesson Index

2021 Lessons

officer be entitled to qualified immunity for actions taken during an investigation of alleged abuse by a family member.

2021 Lesson 15: Legal Update

This is an online legal update course for Missouri law enforcement officers. The lesson addresses recent court decisions providing guidance to police regarding: how officers should proceed when a Mirandized suspect agrees to talk to officers, but, during questioning, the suspect appears to assert the right to remain silent; whether the plain view doctrine allows an officer to examine glass vials lying on a couch to determine whether they contain illegal substances; whether an officer must have probable cause that there is an emergent threat to individuals in order to conduct a warrantless search or seizure under the exigent circumstances exception to the Fourth Amendment's warrant requirement; whether an officer may use a violent takedown maneuver on a suspect who is slow to comply with the officer's instructions, but who is not threatening anyone, not actively resisting arrest, and not attempting to flee; and what must an officer do in a warrant affidavit to show the reliability of information provided by an anonymous source.

2021 Lesson 14: Documentation of High-Risk Incidents

This is an online technical skills course focused on police documentation of high-risk incidents.

Section one addresses defines "high risk" incidents for police for purposes of the lesson. In addition to physical risk, it describes the following risks officers face: reputation damage, administrative discipline, civil liability, and criminal prosecution.

Section two provides general principles of report writing and explains how good police reports can help mitigate risks. It examines the wide range of audiences who use police reports. It also provides tips for gathering information to include in field reports and identifies fundamental content that to include in police reports.

Section three provides guidance on information law enforcement officers should include in use of force reports in consideration of the legal standards that apply to an officer's use of force.

Missouri Legal Update Lesson Index

2021 Lessons

Section four provides guidance on reporting writing for officer-involved injuries and in-custody injuries. It provides tips for what to document and where to document it, even in cases involving apparently minor injuries.

Section five addresses report writing for high-risk search and seizure incidents based on the legal standards that apply. It also provides considerations for the documentation of consensual encounters that could lead to liability.

Section six addresses report writing regarding exculpatory information. It explains the risks involved when officers become aware of exculpatory information regarding a suspect. It provides guidance proper documentation.

2021 Lesson 13: Legal Update

This is an online state-specific legal update course for Missouri police. The lesson addresses recent court decisions providing guidance to law enforcement officers regarding: whether hot pursuit of a fleeing misdemeanor suspect always qualifies as an exigent circumstance justifying a warrantless entry into a home; the consequences when an officer continues to tase a suspect after the suspect has become compliant; whether an officer must allow a suspect privacy while the suspect consults with an attorney regarding whether to submit to a chemical breath test; how an officer should weigh conflicting reports from a victim, a suspect, and witnesses when making an arrest decision.

2021 Lesson 12: Legislative Update

This is an online legislative update course for Missouri law enforcement officers. The lesson addresses 2021 amendments to the Missouri Revised Statutes. Section one examines amendments regarding enforcing firearms laws.

Section two examines amendments regarding peace officers, including amendments regarding: creating a new program to provide services to peace officers who have been called to respond to traumatic incidents; a new prohibition on law enforcement officers' use of chokeholds; a database to keep a record of incidents when officers use certain types of force on suspects; POST background checks; posting personally identifiable information of law enforcement officers on the internet; sexual conduct in the course of public duty; placing any surveillance cameras or game cameras on private property;

Missouri Legal Update Lesson Index

2021 Lessons

rights of law enforcement officers who are subjected to an administrative investigation; and other matters.

Section three examines amendments regarding transportation, including: electric bicycles; human trafficking convictions; interference with an ambulance service; personal delivery devices; and other matters.

Section four examines amendments regarding vulnerable persons, including: the places where sex offenders may not knowingly loiter or be present; orders of protection due to pet abuse; severe cases of domestic abuse and extended orders of protection; protection of children at unlicensed schools; and other matters.

Section five examines amendments regarding controlled substances, including: a prescription drug monitoring program; extended weekend hours for bars; retailer packaged alcohol; and other matters.

Section six examines miscellaneous amendments to the Missouri Revised Statutes, including amendments regarding: institutional vandalism; exposing others to infectious diseases; interference with a health care facility; catalytic converters; release of feral swine; lottery winners; and other matters.

2021 Lesson 11: Mental Illness

This is an online interpersonal perspectives course designed to assist police interacting with persons with mental illness. The lesson explores why the issue of mental illness is important to the law enforcement community, by examining the prevalence of mental illness in the United States population and specific encounters between persons with mental disorders and law enforcement officers. The lesson examines the symptoms of various mental disorders, including depression, bipolar disorder, anxiety disorders, obsessive-compulsive disorder, hoarding disorder, post-traumatic stress disorder, schizophrenia, and personality disorders. It examines non-suicidal self-injury. The lesson provides detailed tips for recognizing a person with mental illness and guidelines for interacting with or handling persons with mental illness. Finally, the lesson explains Missouri's involuntary detention procedures.

Missouri Legal Update Lesson Index

2021 Lessons

2021 Lesson 10: Legal Update

This is an online legal studies course for Missouri police. The lesson addresses recent court decisions providing guidance to law enforcement officers regarding: whether a community caretaking exception to the warrant requirement ever permits police officers to make warrantless searches and seizures inside the home; when officers may enter a home to check an occupant's well-being; whether officers who reasonably rely on erroneous computer records to make a vehicle stop violate the occupant's Fourth Amendment rights; whether qualified immunity protects an officer who throws tear gas at reporters stationed near the scene of unlawful protests; retaliatory arrest; when exigent circumstances justify a warrantless search of a suspect's genitalia; and whether an officer is entitled to qualified immunity if the officer responds to a dispatch while transporting a shackled, unbuckled prisoner, and, due to circumstances that arise while responding to the dispatch, the prisoner is injured.

2021 Lesson 9: Implicit Bias

This is online interpersonal perspectives course for police regarding implicit bias.

Section one addresses how to recognize implicit bias; how culture, developmental history, and experience can lead to the emergence of implicit bias; how implicit (e.g., unconscious) bias has the potential to produce biased or unfair decisions and behavior; and studies demonstrating the effects of implicit bias.

Section two examines how implicit bias might affect the thoughts, decisions, and behaviors of law enforcement officers and witnesses. It explains how recognizing implicit bias can improve officer safety. It also provides examples of actual cases involving potential implicit bias.

Section three explains the concept of microaggressions and how micro-aggressive behavior may result from implicit bias. It provides examples of microaggressions and tips for changing micro-aggressive behavior.

Section four examines strategies for reducing implicit bias, including stereotype replacement, counter-stereotypic imaging, individuation, perspective taking, and increasing contact in a positive setting.

Missouri Legal Update Lesson Index

2021 Lessons

2021 Lesson 8: De-Escalation

This is an online interpersonal perspectives course focused on de-escalation. It provides officers with a greater understanding of an involuntary phenomenon that virtually all human beings can experience, called flooding. Flooding occurs when the brain is overwhelmed by adrenaline. The fight-flight response—which serves to help us in the face of threat—goes too far. The resulting flood of adrenaline disrupts the brain instead of helping it. The lesson explains the relationship between escalation/de-escalation and the fight-flight response. It explores how potentially tragic outcomes of many encounters between officers and citizens can be avoided if the officers can manage the flooding that occurs, either the citizen's and/or their own. Finally, the lesson provides instruction on how to prevent situations from unnecessarily escalating and how to de-escalate situations when possible.

2021 Lesson 7: Drones

This is an online technical skills course focused on drone operations and drone investigations.

Section one addresses the prevalence of drones in the United States and why law enforcement agencies may use drones. It examines how law enforcement officers may become involved in drone use, including situations where a person shoots another person's drone, drones are used in search and rescue operations, drones interfere with police operations, drones are used to further criminal activity, and drones are used for commercial purposes.

Section two examines the rules that apply to the public and to law enforcement agencies using drones. It explains the exception for recreational flyers and the Small Unmanned Aircraft Systems rule, also known as Part 107. The section identifies prohibited drone operations. It explains how to comply with temporary flight restrictions, rules regarding operating over people and at night, and how to avoid hazards associated with flying near airports.

Section three examines the role of local law enforcement officers in investigations involving drones. It provides guidance from the Federal Aviation Administration on suggested questions local law enforcement officers should ask drone operators. It provides examples of a remote pilot certificate, Small UAS Certificate of Registration, and a Certificate of Waiver or Authorization. It also indicates state laws that may be implicated in drone operations.

Missouri Legal Update Lesson Index

2021 Lessons

Section four examines how to set up a law enforcement drone program. It provides examples of how police may use drones in their operations and the options for setting up a drone program. It explores pre-implementation considerations for agencies, including: researching relevant laws and regulations; community outreach; selecting drone equipment; funding the drone program; staffing the drone team; and training. It examines countermeasures against threats posed by drones.

Section five addresses search and seizure considerations for agencies implementing a drone program.

2021 Lesson 6: Landlord-Tenant Law for Police

This is an online, Missouri-specific legal studies course focused what law enforcement officers need to know about landlord-tenant law.

Section one explains what parts of landlord-tenant law are most relevant to officers in performing their duties. It explains the rights of tenants, guests, and trespassers; the landlord's responsibilities; the tenant's responsibilities; the tenant's privacy rights; and eviction proceedings.

Section two examines whether officers may assist a landlord using "self-help" to evict a tenant. It provides examples of situations where landlords have wrongfully evicted tenants and the potential consequences for officers who participate in those evictions.

Section three examines the role of law enforcement officers in a legal eviction process. It explains when law enforcement officers may forcibly enter a premises and remove a tenant. The section further examines what happens to a tenant's property left on the premises.

Section four examines the circumstances under which officers may remove adult children from a parent's home. It explains the obligation of parents to care for their children and when those obligations apply. The section addresses situations where an adult child is a tenant, trespasser, or domestic abuser.

Section five examines how landlord-tenant law affects an officer's ability to conduct a warrantless search of a premises. It explains when a person has Fourth Amendment protection in a rented premises. It also explains who may consent to a search of a rented premises and the extent of that authority to consent.

Missouri Legal Update Lesson Index

2021 Lessons

2021 Lesson 5: Racial Profiling

This lesson is an online interpersonal perspective course on racial profiling/bias-based policing designed to promote: fair, impartial, and unbiased policing practicing; understanding and respect for racial and cultural differences; and the use of effective, non-combative methods for carrying out law enforcement duties in a racially and culturally diverse environment.

This lesson examines federal constitutional prohibitions against racial profiling under both the Fourth and Fourteenth Amendments. The lesson considers how biased practices perpetuate racial and other stereotypes and mistrust of law enforcement; how fair and impartial practices promote effective law enforcement; how racial profiling allegations can arise; and Missouri traffic stop data comparing stop and search rates of different racial groups.

The lesson provides prohibitions from the United States Department of Justice that go beyond the constitutional minimum for the use of race, ethnicity, gender, national origin, religion, sexual orientation, and gender identity as a consideration by law enforcement officers. Under these guidelines, it explains when the consideration of race, ethnicity, gender, national origin, religion, sexual orientation, and gender identity is an appropriate policing practice and when it is an inappropriate policing practice.

Finally, the lesson addresses differences in how the public and police define racial profiling and evaluate police conduct. It explains how police can use procedural justice as an effective, noncombative method to improve law enforcement/community relations in a racially and culturally diverse environment and reduce the likelihood that the public will perceive police as biased or engaged in racial profiling.

2021 Lesson 4: Legal Update

This is an online, Missouri-specific legal studies course. The lesson addresses recent court decisions providing guidance to Missouri law enforcement officers regarding:

- When will officers who mistakenly arrest the wrong person be denied qualified immunity in a civil lawsuit?

Missouri Legal Update Lesson Index

2021 Lessons

- When may an officer briefly seize and investigate a person filming police activity? When will an officer be denied qualified immunity for seizing a person's cell phone?
- When may an officer enter a person's home and take the person into custody for an involuntary mental health evaluation?
- - When may an officer use deadly force against a suspect without first providing a warning?
- - When must officers give Miranda warnings?

2021 Lesson 3: Legal Update

This is an online, Missouri-specific legal studies course. The lesson addresses recent court decisions providing guidance to Missouri law enforcement officers regarding:

- When does an officer have probable cause to arrest a suspect for driving while intoxicated if a short time passes between the time an accident occurs and the time the officer first contacts the driver?
- When may an officer stop someone as part of the officer's community caretaking function?
- When is it unreasonable for an officer to use deadly force against an intoxicated person or person experiencing a mental health crisis?
- Under what circumstances is it reasonable for an officer to tase a suspect?
- - Does qualified immunity shield law enforcement officers from liability when they improperly disclose private information about individuals?

2021 Lesson 2: Diverse Communities

This is an online interpersonal perspectives course focused on diverse communities, cultural competence, bias prevention, and a history of the American civil rights movement.

Section one defines cultural competence and explores why the concept is important to the law enforcement community. It explains how cultural competence can be practiced at the individual and organizational level.

Section two examines elements of culture and describes how those elements distinguish one culture from another. It explores concepts of race and ethnicity, including how racial labels can vary over time and from one location to another. The lesson

Missouri Legal Update Lesson Index

2021 Lessons

describes the following elements of culture and how those can shape a person's experiences and perspectives: language and communication; geographic location; values and traditions; family and kinship; gender roles; socioeconomic status and education; immigration and migration; heritage and history; sexuality; perspectives on health, illness, and healing; and religion and spirituality.

Section three provides a summary of certain noteworthy people and events that are part of the history of the American civil rights movement, including: slavery; abolition; reconstruction; the Jim Crow era; lynchings; school segregation; the Great Migration; World War I and the Red Summer; mass violence against Black Americans; civil rights protests of the 1960s; Rosa Parks; Dr. Martin Luther King Jr.; Malcom X; the Little Rock Nine; the Freedom Riders; and other people and events.

Section four examines paths for self-evaluation and engaging with diverse communities. It explains how individuals can examine how culture has influenced their own perspectives and that of others. It explains how law enforcement agencies can practice cultural competence and how an agency might use a racial equity toolkit.

2021 Lesson 1: First Amendment Law

This is an online legal studies course regarding First Amendment law. Section one addresses the right to assemble. It examines public forums and nonpublic forums and explains that the government is more limited in its ability to regulate speech in public forums. This section explores examples of protected activities and non-protected activities as well as constitutional and unconstitutional anti-assembly ordinances.

Section two addresses when law enforcement officers may use force against protesters by examining actual cases.

Section three addresses symbolic speech, including tents on public property, cross burning, and flag burning. The section examines when symbolic speech is protected by the First Amendment and when it is not.

Section four examines categories of unprotected speech, including fighting words, true threats, speech inciting imminent lawless action, obscenity, child pornography, defamation, fraud, and speech integral to criminal conduct. It provides actual case examples where officers had to determine whether certain speech was protected by the First Amendment or criminalized.

Missouri Legal Update Lesson Index

2021 Lessons

Section five addresses speech directed at police officers. It explains that officers are expected to exercise a higher degree of restraint than ordinary citizens when responding to fighting words. It also explains an officer's duty not to retaliate in response to protected First Amendment activity. Finally, it addresses when officers will be protected by qualified immunity from retaliatory arrest lawsuits.

Section six addresses the right of people to record public police activity and provides actual case examples.

Section seven examines the First Amendment rights of police officers. It examines when law enforcement officer speech is protected by the First Amendment and provides examples of when it is not.