

# Missouri Legal Update Lesson Index

## 2019–2020 Lessons

### 2019-2020 Lessons

#### 2020 Lesson 22: Bloodborne Pathogens

This is an online technical skills course designed to assist law enforcement officers who may reasonably be anticipated to have skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials resulting from the performance of their employment duties.

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 HBV 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 the 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.

#### 2020 Lesson 21: Mental Illness

This is an online interpersonal perspectives course designed to assist law enforcement officers interacting with persons with mental health and cognitive impairment issues. 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

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personality disorders. It examines non-suicidal self-injury and suicide. 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.

### **2020 Lesson 20: Arrest & Detention of Foreign Nationals/Consular Notification**

This is an online technical skills course. 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 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.

### **2020 Lesson 19: Ethics**

This is an online interpersonal perspectives course focused on law enforcement ethics. It defines terms commonly used in an examination of police ethics, including: appearance of impropriety, bribe, gift, corruption, and Garrity Rights. It examines contrasting theories of ethics, the challenging environment faced by law enforcement officers, the influence of agency culture on the ethical practices of individual officers, the components of moral police behavior, and the Missouri disciplinary process applicable to law enforcement officers.

The lesson explains the importance of an agency code of conduct and examines behavior that deviates from a model code of conduct. The lesson explores how a code

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of silence can undermine ethical practices in an agency and reviews state law regarding the acceptance of payments or gifts by public employees. The lesson includes numerous example questions based on actual cases of police misconduct.

### **2020 Lesson 18: Legal Update**

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

- When may officers executing a search warrant at a residence detain occupants of a vehicle parked in front of the residence?
- When executing an arrest warrant at a residence, must officers knock and announce their presence when a person leading them into a house leaves the front door open?
- What facts will establish probable cause to arrest a person for driving while intoxicated?
- When will a law enforcement officer who fires his weapon on an armed participant in an altercation not be entitled to qualified immunity in a civil suit alleging excessive force?

The lesson also provides an update on the Missouri Legislature Special Session Amendments.

### **2020 Lesson 17: Hazardous Materials & Hazard Communication – Part 2**

This is an online technical skills course. It is Part 2 of a two-part lesson on hazardous materials and hazard communication. It is intended to provide first responder awareness level refresher training.

Section four examines the information communicated by DOT warning placards. It explains what the colors on the placards signal and explains various hazard classes. It explains what shipping documents are and where to find them. It provides a case study of officers and the public exposed to anhydrous ammonia during a farm accident.

Section five examines the Emergency Response Guidebook. It explains what information is found in the color-coded pages of the guidebook. It explains how to determine initial isolation and protective action distances using the guidebook. It has

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officers practice looking up a placard number and determining the initial isolation zone for the hazard encountered.

Section six examines personal protective equipment and decontamination. It describes the four levels of PPE and what each level of PPE protects against. It examines decontamination procedures. It provides a case study of officers exposed to drugs in a hotel room.

Section seven examines the OSHA Hazard Communication Standard, a/k/a the “Right to Know” requirements. It examines how officers may be exposed to chemicals in the workplace. This section examines an employer’s responsibilities to: have a written hazard communication program; train employees; conduct a materials inventory; ensure products are labeled appropriately; and provide safety data sheets. It also lists worker’s rights under OSHA law.

Section eight examines safety data sheets and explains what information that can be found in the 16 sections of a safety data sheet.

### **2020 Lesson 16: Hazardous Materials & Hazard Communication – Part 1**

This is an online technical skills course. It is Part 1 of a two-part lesson on hazardous materials and hazard communication. It is intended to provide first responder awareness level refresher training.

This lesson provides examples of situations where officers have encountered hazardous materials and the potential outcomes of those events.

Section one defines hazardous materials, explains the potential health risks posed by hazardous materials: thermal, radiological, asphyxiation, chemical, etiological, or mechanical. It identifies OSHA’S five levels of training and responsibilities in hazardous materials incidents.

The lesson explains clues to recognizing hazmat events, including: occupancy and location; container shape and size; placards and labels; shipping papers, safety data sheets, and facility documents; markings and colors; and human senses. The lesson reviews the recommended initial response to hazardous materials incidents.

Section two examines routes of exposure and chemical characteristics. It explains that chemicals can enter the body through inhalation, skin absorption, ingestion, and

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injection and provides tips for avoiding exposure. Section two examines case studies of officer inhalation exposures to phosphine at a residence and drugs at a traffic stop.

Section three examines containers used for transporting hazardous materials. It explains how a container's shape and size can provide responding officers with initial information about the type of chemicals involved in a hazardous materials incident. It specifically addresses rail cars, commercial tanker trailers, agricultural tanks, and fuel trailers. This section provides case studies of officers exposure to vinyl chloride from a train derailment and the dangers of a boiling liquid expanding vapor explosion (BLEVE).

### **2020 Lesson 15: Legal Update**

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

- What circumstances turn a consensual encounter with a motorist into an investigative detention;
- What circumstances allow an officer to search a vehicle for weapons;
- What are the limits of a Terry-style vehicle search for weapons;
- When the public safety exception to the Miranda rule allows officers to interrogate a suspect without first providing a Miranda warning;
- What an officer must do make an arrest of a driver before asking him/her to take a blood alcohol content test; and
- Whether, to make an arrest, an officer must handcuff an injured driver whose mobility is limited by medical devices.

### **2020 Lesson 14: Testifying**

This is an online technical skills lesson addressing how police officer witnesses can prepare to testify in a deposition or at a trial.

Section one addresses the importance of credibility while testifying. It examines the three basic components of credibility: honesty, likeability, and competence.

Section two examines definitions every officer should know before testifying, including: adverse party, burden of proof, chain of custody, circumstantial evidence, credibility, demonstrative evidence, deposition, direct evidence, discovery, exhibits, fact finder, hearsay, laying a foundation, leading question, mistrial, motion, motion in limine, motion

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to suppress, oath or affirmation, objection, real evidence, rule on witnesses, subpoena, subpoena duces tecum, the law, witness preparation, and witness impeachment.

Section three addresses preparing for depositions. It examines the importance of depositions, how an officer should prepare for depositions, what an officer should bring to depositions, how an officer should conduct him/herself at depositions, and what to expect during depositions.

Section four examines pretrial meetings between prosecuting attorneys and officers. It provides guidance on how to build trust between the officer and prosecutor, explains the difference between real and demonstrative evidence, and offers suggestions for practicing testifying.

Section five explains how to prepare for direct examination. It explains the questions the prosecutor will likely ask the officer to introduce him/her, establish his/her background, and explain his/her involvement in the case. It also explains the questions officers will likely be asked regarding real and demonstrative evidence.

Section six explains how to prepare for cross-examination. It examines the three main cross-examination structures and what an officer can do to prepare for them.

Section seven addresses common questions police officer witnesses may have about testifying in court, including: what to wear; how to conduct oneself; what to bring; where to look while testifying; whether the witness may ask questions; and what to do when an attorney objects.

### **2020 Lesson 13: Legislative & Caselaw Update**

This is an online legal studies course. The lesson addresses revisions to the Missouri Revised Statutes enacted during the 2020 legislative session. Section one examines amendments to the Missouri Revised Statutes regarding dangerous felonies, including a new vehicle hijacking statute and amendments regarding criminal street gangs, conspiracy, unlawful possession of a firearm, and armed criminal action.

Section two examines amendments to the Missouri Revised Statutes regarding sexual assault victims, including a new “Sexual Assault Survivors’ Bill of Rights” and the “Justice for Survivors Act.”

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Section three examines amendments regarding changes to Missouri's controlled substances law, including altering restrictions on purchases of ephedrine, amending the drug schedules to match federal regulations, prohibiting the delivery of certain substances, and making changes to marijuana regulations.

Section four examines amendments regarding child and elder abuse, including amendments regarding information sharing between the Children's Division and law enforcement agencies, electronic monitoring, and elder financial exploitation.

Section five examines several changes regarding traffic and motor vehicle laws, including changes regarding: the motorcycle helmet law; the amount of time transferred license plates and temporary tags may be used; digital driver's licenses; trailer length and mud flaps; and drones over certain facilities.

Section six examines amendments to the Missouri Revised Statutes regarding service animals and notaries.

Section seven is a caselaw update providing guidance to officers regarding when they may perform a warrantless search of a vehicle incident to the arrest of an occupant of that vehicle and when they may search the person of a suspect or the area within the control of the suspect incident to the arrest of that suspect.

### **2020 Lesson 12: Legal Update**

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

- When an officer may stop a car that is registered to someone who does not have a valid driver's license.
- What circumstances will provide reasonable suspicion that justifies a traffic stop.
- When officers are interrogating a suspect in custody, what comments by the suspect amount to a request to have a lawyer present during questioning.
- What types of behaviors by officers will violate a suspect's right to have an attorney present during custodial interrogation.
- When officers may conduct more than one pat-down search on a subject.
- When may an officer enter a home under the community caretaking exception to the warrant requirement.

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- When may an officer search that home under the exigent circumstances exception to the warrant requirement.
- When will officers who restrain a person in a prone position be entitled to qualified immunity from a lawsuit alleging excessive force.

### **2020 Lesson 11: Confinement Sexual Abuse/PREA for Officers – Pt 2**

This is Part 2 of a two-part online technical skills lesson on preventing confinement sexual abuse/PREA for officers.

Section six examines the official response to reports of sexual harassment and sexual abuse, including PREA's requirement that covered agency staff report even mere suspicion of sexual abuse or sexual harassment. The lesson outlines: the duty of agencies to protect inmates; the duty of first responders to protect inmates and preserve evidence; the duty of agencies to protect inmates from retaliation.

Section seven examines investigations of sexual assault in confinement. It details PREA's requirements for criminal and administrative agency investigations of sexual abuse in jails or lockups. It explains the evidentiary standards applicable to investigations of sexual abuse and sexual harassment in jails and lockups and the requirement that jails inform inmates of the results of these investigations.

Section eight addresses PREA's disciplinary and corrective measures towards each of the following offenders: staff, contractors, volunteers, inmates, and detainees.

Section nine explains PREA's medical and mental health care requirements for victims of sexual abuse in jails and lockups. Section ten provides an overview of PREA's data collection requirements.

Section eleven examines anti-fraternization policies and how they can be used to help prevent sexual harassment and sexual abuse. It examines the types of conduct that policies may prohibit and provides examples of problematic relationships from actual cases.

Section twelve addresses LGBTQ detainees and inmates. It provides officers with definitions of terms relevant to the LGBTQ community and explains how to use them appropriately.

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Section thirteen addresses policies and procedures related to LGBTQ detainees and inmates. It examines PREA requirements specific to this population and provides policy recommendations from LGBTQ advocacy organizations regarding: determining gender; intake policies; search policies; and housing policies.

Section fourteen provides an overview of Missouri's mandatory reporter laws because some sexual abuse or harassment of detainees and inmates may also trigger Missouri's mandatory reporter requirements regarding child abuse or eligible adult abuse.

### **2020 Lesson 10: Confinement Sexual Abuse/PREA for Officers – Pt 1**

This is Part 1 of a two-part online technical skills lesson on preventing confinement sexual abuse/PREA for officers. The purpose of this lesson is to provide basic information and guidance to law enforcement personnel regarding the Prison Rape Elimination Act of 2003 ("PREA"). Despite what the name implies, PREA does not just apply to prisons nor does it just apply to rape. Rather, it protects anyone in confinement, even in a halfway house or tribal facility, from any type of sexual assault or sexual harassment by staff, inmates, contractors, volunteers, or others. Accordingly, it is important for law enforcement officers to have a basic understanding of PREA requirements, both because they interact with residents/detainees/inmates and because they sometimes investigate crimes committed against them. This lesson focuses on the PREA standards applicable in jails and police lockups. The lesson provides examples from actual cases of sexual abuse by inmates and staff.

This lesson examines the dynamics of sexual abuse in detention, including the prevalence of detention sexual abuse and risk factors for victimization. It explains the continuum of abusive behaviors, identifies how heterosexism and homophobia in detention facilities can encourage the targeting of anyone who does not conform to gender norms, and examines common barriers victims face to reporting sexual abuse in detention facilities.

The lesson includes PREA definitions. It explains PREA's required zero-tolerance policy towards all forms of sexual abuse and sexual harassment. It examines PREA requirements regarding: the housing of youthful inmates, cross-gender viewing and searches, inmates with disabilities, evidence protocols, and training requirements.

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The lesson explains PREA's risk-screening requirements and their importance to police. Finally, the lesson examines PREA's reporting and investigations requirements, including the requirement that agencies provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation, and neglect.

### **2020 Lesson 9: Legal Update**

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

- Whether a motorist's touching or crossing of the fog line is a traffic violation;
- When an officer may stop a vehicle for a minor traffic violation;
- What officer actions amount to a seizure of a suspect;
- Whether an unlicensed driver in possession of a rental car has Fourth Amendment protection in the car;
- The rights of civilians to observe police activity;
- When will an officer accused of retaliatory arrest be entitled to qualified immunity;
- Whether officers may be held liable under 42 U.S.C. section 1983 for off-duty conduct; and
- Whether an officer will be entitled to qualified immunity for using a Taser against a large and athletic man who has previously been non-compliant.

### **2020 Lesson 8: Suicide Intervention - Part 2**

This online interpersonal perspective lesson is Part II of a two-part lesson addressing suicide prevention. Section one plays an actual 9-1-1 call during which a dispatcher successfully talks a suicidal person down from a tower. It provides an opportunity for officers to witness the five stages of suicide intervention in an actual case.

Section two provides an analysis of the dispatcher's handling of the five stages of suicide intervention. It points out how the dispatcher made extensive use of the following active listening techniques to build rapport with the caller: I/we care statements; minimal encouragers; open-ended questions; and identifying/satisfying a need. It also examines statements made that could have weakened rapport.

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Section two further examines how the dispatcher completed the last two stages of suicide intervention: maintaining control and developing/implementing a plan. It explains how the dispatcher provided hope to the caller and made “contracts” to maintain control over the crisis. The lesson demonstrates how the dispatcher successfully developed and implemented a plan to resolve the crisis through: repeatedly emphasizing the goal; fueling the person’s hope; keeping everyone “on the same page”; briefing the person on reality; addressing the person’s concerns; and making it personal.

Section three provides guidance on helping survivors of suicide loss. It explains how losing a person to suicide differs from losing a person to other violent methods of death. It addresses how choosing words carefully can help reduce the stigma suicide survivors may feel. It provides concrete examples of how officers can help suicide survivors.

### **2020 Lesson 7: Suicide Intervention - Part 1**

This online interpersonal perspective lesson is Part I of a two-part lesson addressing suicide prevention. Section one provides background information on suicide including suicide rates in the United States, signs that someone may be contemplating suicide, myths and facts about suicide, challenges for law enforcement officers intervening, triggering events, and risk factors.

Section two describes how to complete the five stages of suicide intervention: Assessing Risk; Taking Necessary Action; Establishing Rapport; Maintaining Control; and Developing/Implementing a Plan. It provides detailed guidance on successful active-listening techniques for establishing rapport with persons in suicidal crisis.

Section three addresses officer wellness, including how officers can prepare themselves for the psychological toll of handling a suicide intervention and how officers can care for their emotional health after handling a critical incident. It provides suggestions for helping fellow officers and information on mental health care resources.

Section four plays the audio of an actual 9-1-1 call involving a successful suicide intervention. It analyzes how the dispatcher involved completed the first two steps of suicide intervention. The remaining steps are analyzed in Part II.

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### 2020 Lesson 6: Police-Prosecutor Relations

This lesson is an online interpersonal perspective course on police-prosecutor relations. Section one describes how police and prosecutors can develop positive working relationships that provide a foundation for an effective criminal justice system. It explains essential components for a good relationship: alignment, credibility, a communication system, accountability, cooperative assurance, and respect and giving credit.

Section two describes how the following “executive landmines” can undermine the relationship between police and prosecutors: egos, differences in background, resentment of the county attorney as the chief law enforcement officer, and varying political influences. It provides guidance on how to address these executive landmines.

Section three addresses common criticisms officers may have of prosecutors. It provides perspective that can help address these concerns and improve the police-prosecutor relationship.

Section four addresses how an officer’s report can influence the police prosecutor relationship.

Section five explains the term “alignment” and describes how police and prosecutors can achieve alignment. It describes how alignment facilitates convictions and examines the role of joint activities.

Sections six addresses the issues faced by prosecutors when police are accused of misconduct. It further examines public perceptions of police/prosecutor conflict-of-interests when police are suspected of criminal behavior. Finally, it explores the role of the FBI and the United States Department of Justice (DOJ) in addressing alleged police misconduct.

Section seven examines the “Brady” rule and its importance to the police-prosecutor relationship. It provides an overview of Brady-Giglio evidence and explains the importance of police providing that evidence to prosecutors.

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### 2020 Lesson 5: Racial Profiling/Bias-Based Policing

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, noncombative 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 (i.e., fair, impartial, and unbiased) policing practice and when it is an inappropriate (i.e., unfair, partial, and biased) 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.

### 2020 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:

- Whether a Missouri peace officer's license may be permanently revoked for committing a domestic assault;
- When it is necessary for law enforcement officers to provide Miranda warnings;

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- Whether a suspect has Fourth Amendment protection in his or her text messages sent to another person’s phone that police have the authority to search; and
- Whether officers may extend a traffic stop to investigate suspected criminal activity unrelated to the original mission of the stop.

### **2020 Lesson 3: Legal Update - School Searches**

This is an online, Missouri-specific legal studies course. The lesson addresses court decisions providing guidance to Missouri law enforcement officers conducting searches and seizures in a school setting. Specifically, the lesson addresses:

- When law enforcement officials may assist school officials with the investigation and search of a student;
- When suspicionless searches in school are lawful;
- When a suspicion-based search in school is lawful; and
- When law enforcement officials will be entitled to qualified immunity against a student’s claim the officer used excessive force to seize him/her in school.

Finally, the lesson provides tips on conducting lawful searches in schools.

### **2020 Lesson 2: Sexual Harassment**

This online interpersonal perspective lesson addresses state and federal prohibitions against sexual harassment. 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

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### 2020 Lesson 1: 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 officers may search items seized from a person during a search incident to arrest;
- Whether courts distinguish between items seized from a suspect's person and items seized from near the suspect during a search incident to arrest;
- Whether a warrant is needed to search the cell phone of a person on supervised release;
- When officers who use Tasers to seize a suspect will be denied qualified immunity in an excessive force lawsuit;
- When a person is in custody; and
- Whether officers must give Miranda warnings to persons who are restrained for medical reasons before conducting an interview.

### 2019 Lesson 18: Elder Abuse Investigations - Part 3

This is part three of a three-part online technical skills course focused on elder abuse investigations. Section nine provides a description of the types of evidence officers should collect/document in elder abuse cases, including specific photographs/physical evidence, financial and legal records, medical records, and interviews.

Section ten provides tips on conducting effective investigations while working with diverse populations and describes how beliefs, and norms within different cultures may affect how a person experiences and reports elder abuse. The lesson examines elder abuse in the following populations: African Americans, Latinos, Asians and Pacific Islanders, and LGBT people. It provides interview tips.

Section eleven describes Missouri's mandatory reporter requirements applicable to elder abuse cases. It explains who must report suspected abuse, defines abuse, describes what information an officer's report of abuse must contain, and explains when officers may arrange for the involuntary transportation of an eligible adult to an appropriate medical facility.

Section twelve examines the elements of various offenses in the Missouri criminal code that officers must understand to properly investigate elder abuse. Specifically, the section examines: abuse of an elderly person, failure to report elder abuse, filing a false

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report, sexual conduct with a nursing facility resident, sexual conduct with a skilled nursing facility resident, and financial exploitation of the elderly and disabled.

#### **2019 Lesson 17: Elder Abuse Investigations – Part 2**

This is part two of a three-part online technical skills course focused on elder abuse investigations. Section five describes the signs of elder emotional or psychological abuse, provides case studies of elder psychological abuse, lists possible crimes committed, and gives suggested interview questions.

Section six describes the signs of elder neglect and abandonment, provides case studies of elder neglect and abandonment, lists possible crimes committed, and gives suggested interview questions.

Section seven describes the signs of elder financial abuse, provides case studies of elder financial abuse, lists possible crimes committed, and gives suggested interview questions.

Section eight provides an overview of Missouri’s guardianship and conservatorship proceedings. It explains why law enforcement officers need to know basic information about guardianship and conservatorship. It includes tips for recognizing abusive behavior committed by guardians or conservators.

#### **2019 Lesson 16: Elder Abuse Investigations – Part 1**

This is part one of a three-part online technical skills course focused on elder abuse investigations. Part one section one provides an overview of elder abuse and relevant definitions of elder abuse from Missouri’s mandatory reporter laws and from the Missouri criminal code. It includes numerous examples from actual cases showing different forms of elder abuse. It describes the main types of elder abuse. Section one further addresses risk factors for victimization, special vulnerabilities faced by women, and common traits of abusers. It also describes the complex relationships that sometimes exist between victims and abusers and the impact of elder abuse.

Part one section two examines common aspects of aging and how aging may impact elder abuse investigations. It provides tips on interviewing older adults.

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Part one section three describes the signs of elder physical abuse, provides case studies of elder physical abuse, and gives suggested interview questions.

Part one section four describes the signs of elder sexual abuse, provides case studies of elder sexual abuse, and gives suggested interview questions.

### **2019 Lesson 15: Legal Update - Missouri Medical Marijuana**

This is an online, Missouri-specific legal studies course. The lesson addresses Missouri's medical marijuana amendment and related regulations. It explains who a qualifying patient is, and when qualifying patients and their caregivers may grow, purchase, possess, and use marijuana. It also examines the conditions under which a qualifying patient or his/her caregiver may grow marijuana for medical purposes as well as packaging requirements for marijuana sold from a dispensary.

The lesson also examines recent court decisions addressing: when officers may use flash-bang grenades to execute search warrants; what factors make it more likely a court will find the use of flash-bang grenades to be reasonable; how an officer can violate a victim's Fourteenth Amendment right to privacy; and what factors courts will consider in determining if a disclosure by law enforcement officers was unreasonable.

### **2019 Lesson 14: Ethics**

This is an online interpersonal perspectives course focused on law enforcement ethics. It defines terms commonly used in an examination of police ethics, including: appearance of impropriety, bribe, gift, corruption, and Garrity Rights. It examines contrasting theories of ethics, the challenging environment faced by law enforcement officers, the influence of agency culture on the ethical practices of individual officers, the components of moral police behavior, and the Missouri disciplinary process applicable to law enforcement officers.

The lesson explains the importance of an agency code of conduct and examines behavior that deviates from a model code of conduct. The lesson explores how a code of silence can undermine ethical practices in an agency. It also reviews state law regarding the acceptance of payments or gifts by public employees. The lesson includes numerous example questions based on actual cases of police misconduct.

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### 2019 Lesson 13: Legislative Update

This is an online, Missouri-specific legal studies course. The lesson addresses revisions to the Missouri Revised Statutes enacted during the 2019 legislative session. Section one examines amendments to criminalize the provision of abortions.

Section two examines amendments relating to judicial proceedings, including amendments regarding the payment of fines, minimum sentences, prosecution diversion programs, and treatment courts.

Section three examines amendments relating to victims.

Section four examines amendments creating criminal offenses involving critical infrastructure facilities.

Section five examines amendments relating to protecting children, including amendments regarding criminal penalties for childcare licensing violations, the Amber Alert system, sex trafficking of minors, criminal street gang activity, and promoting prostitution.

Section six examines amendments relating to accidents in work or emergency zones and related license revocation proceedings.

Section seven examines amendments regarding license plates.

Section eight examines amendments relating to industrial hemp.

Section nine examines miscellaneous amendments.

Section ten provides a case law update regarding whether a person in custody can ever give voluntary consent to a search.

### 2019 Lesson 12: Legal Update

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

- When an officer will be liable for making a retaliatory arrest;

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- Whether officers must allow DWI suspects the ability to speak privately with an attorney prior to consenting to chemical testing;
- Determining whether a garden on a rural property is within the curtilage of a home;
- Whether officers may consider a suspect's intoxication in deciding how much force to use to seize the suspect; and
- Whether officers may obtain a warrantless blood draw from an unconscious DWI suspect.

### **2019 Lesson 11: 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.

### **2019 Lesson 10: Legal Update**

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

- When an officer will be entitled to qualified immunity for enforcing a store search policy;
- When officers may handcuff a person during a Terry stop; and
- Whether an officer always needs a search warrant to take a blood draw during a DWI investigation.

The lesson also addresses what law enforcement officers need to know about Missouri's open and concealed carry laws, including whether a person can carry a

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concealed weapon without a permit, locations where people cannot carry a concealed weapon, age restrictions, concealed carry permits from other states, the open carrying of firearms, unlawful use of weapons, and requirements to carry permits.

### **2019 Lesson 9: Arrest & Detention of Foreign Nationals/Consular Notification**

This is an online technical skills course. 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 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 also 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.

### **2019 Lesson 8: Legal Update**

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

- What an officer must do when requesting a second chemical test under Missouri's implied consent law;
- What language in a search warrant authorizing the search of all data or files on a cell phone will meet the Constitution's particularity requirement;
- When officers may rely on the consent of one co-occupant of a residence to enter and search it if another resident later refuses to give consent;

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- When courts will consider a person to be “seized” for purposes of the Fourth Amendment; and
- Whether mere possession of a digital scale will support a conviction for unlawful use of drug paraphernalia.

### **2019 Lesson 7: Substance Use, Behavior, & Medical Emergencies - Part 3**

This is Part 3 of a three-part online interpersonal perspectives course on Substance Use, Behavior, and Medical Emergencies. This lesson provides officers with critical information about medical conditions sometimes producing odd behavior or behavior mistaken for intoxication so officers can make more informed decisions, reduce reaction time, obtain appropriate medical care, and improve the outcome of many of these encounters. Where possible, the lesson includes examples from lawsuits alleging officers used excessive force against a person with one of the serious medical conditions described in the lesson or were deliberately indifferent to a serious medical condition. It is beyond the scope of this lesson to provide first aid instructions.

Section seven defines traumatic brain injury (TBI), explains common causes of TBI, identifies when law enforcement officers might encounter a person with a TBI, and identifies potential effects of TBI. The lesson also lists danger signs of TBI that indicate a person needs immediate medical attention. It also provides case study examples.

Section eight explains the types of stroke, signs of stroke, methods for identifying stroke, and provides a video of a person experiencing a stroke. It also provides case study examples.

Section nine addresses hypoglycemia and hyperglycemia. It defines the terms, identifies their symptoms, and explains an appropriate law enforcement response to persons with hypoglycemia or hyperglycemia. It also provides case study examples.

Section ten defines epilepsy and explains how law enforcement officers can help a person experiencing a seizure while waiting for medical care.

Section eleven addresses other medical emergencies, including heart attack, heat stroke, breathing emergencies, and sepsis. It also provides case study examples.

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### **2019 Lesson 6: Substance Use, Behavior, & Medical Emergencies - Part 2**

This is Part 2 of a three-part online interpersonal perspectives course on Substance Use, Behavior, and Medical Emergencies.

Section four addresses involuntary commitment procedures for persons presenting a likelihood of serious harm to themselves or others as a result of alcohol or drug abuse. It includes definitions relevant to Missouri’s involuntary commitment procedures for drug or alcohol abuse. It explains who may file an application for detention, treatment, and rehabilitation in an alcohol or drug abuse facility. It also explains the standards that apply when peace officers take a person into custody for a 96-hour imminent harm admission to a mental health or drug abuse facility. This section further describes the application process and the forms officers must complete. Finally, it addresses Missouri code provisions limiting officer liability when acting pursuant to Missouri’s involuntary detention laws.

Section five provides an overview of behavioral signs of medical conditions. It explains the importance of officers recognizing behavioral indicators of medical conditions. The section describes how certain behavioral signs of medical conditions are associated with in-custody deaths. The lesson also describes how officers, like EMTs, can learn to generate a field impression of subjects and spot problem behaviors.

Section six addresses delirium. It defines delirium and explains its causes and its symptoms. It identifies the three medically recognized types of delirium: hyperactive delirium; hypoactive delirium; and mixed delirium. It explains the history and controversy surrounding “excited delirium syndrome.” The section identifies behaviors associated with hyperactive or excited delirium and provides several case study examples. Finally, the section provides guidance on the law enforcement response to people experiencing delirium.

### **2019 Lesson 5: Implicit Bias/Bias-Based Policing/Racial Profiling**

This online interpersonal perspectives course is designed to promote: fair, impartial, and unbiased policing practices; recognition of implicit bias; understanding and respect for

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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.

The lesson 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; studies demonstrating the effects of implicit bias; and methods to reduce implicit bias.

This lesson further explores how understanding the history of policing can assist officers in relationship-building with the African-American community and additional tips for trust-building with communities of color. The lesson includes suggestions for effective, non-combative, and respectful engagement with diverse cultures and communities including: African American communities; immigrant communities; the Latino community; Asian-American communities; Arab, Muslim, Middle Eastern, and South Asian communities; and refugee groups.

### **2019 Lesson 4: Substance Use, Behavior & Medical Emergencies – Part 1**

This is Part 1 of a three-part online interpersonal perspectives course on Substance Use, Behavior, and Medical Emergencies.

Section one addresses the importance of law enforcement officials understanding their duty of care when in contact with people using substances or who may be experiencing a medical emergency. It examines the two situations under which the Fourteenth Amendment imposes an affirmative duty on police to protect or care for private citizens: 1) In custodial and other settings in which the state has limited the individuals' ability to care for themselves; and 2) When the state affirmatively places a particular individual in a position of danger the individual would not otherwise have faced. The lesson also provides examples of cases illustrating these concepts.

Section two addresses substance use. It explains general indicators of intoxication, substance use disorders, drug overdose, withdrawal, and drug-related medical emergencies. It goes on to explain the specific health and behavioral effects of specific drugs, including: alcohol; tobacco; marijuana; stimulants (including methamphetamine and cocaine); hallucinogens; MDMA (Ecstasy/Molly); and opioids (including prescription opioids and heroin).

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Section three addresses law enforcement officers responding to substance users. It provides details on following crisis-intervention guidelines.

#### 2019 Lesson 3: Legal Update

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

- Whether a person can burglarize a residence in which he/she has a property interest;
- What evidence is required to prove a person burglarized a residence in which he/she has a property interest;
- When will law enforcement officials be denied qualified immunity for neglecting an arrestee’s serious medical needs;
- What conduct by law enforcement officers constitutes “deliberate indifference” to a detainee’s serious medical needs;
- What conduct by police will constitute a “custodial interrogation” requiring Miranda warnings;
- Whether questioning or conduct by non-law enforcement officers constitutes a “custodial interrogation”;
- When will evidence obtained pursuant to a search warrant be suppressed;
- Whether a person’s “contact” with a suspected drug trafficker will generally give police probable cause to search the person’s residence; and
- When may officers search a vehicle for a missing person under the community caretaking exception to the warrant requirement.

#### 2019 Lesson 2: Legal Update

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

- When an officer finds a driver away from the scene of an accident, when will the officer have probable cause to believe the driver was intoxicated while driving;
- What evidence can be used to prove intoxication at the time of driving;
- When will an officer be entitled to qualified immunity for using force against a plaintiff who ignores the officer’s commands;
- When will evidence seized by a private citizen be admissible against a defendant in a criminal trial;

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- How courts determine whether a person conducts a search as a private citizen or a government agent;
- When may officers reasonably rely on a person's apparent authority to grant consent to enter a dwelling;
- What factors courts consider when determining if a person has apparent authority; and
- Will an officer be entitled to qualified immunity for using deadly force against a suspect with a reputation for violence but who does not appear to be armed at the time of the seizure.

### **2019 Lesson 1: Human Trafficking Investigations - Part 2**

Note: Human Trafficking Part 1 was the last lesson in 2018.

This is Part 2 of a two-part online technical skills course on Human Trafficking Investigations. Section 6 examines the provisions in Missouri Revised Statutes Chapter 566 prohibiting human trafficking. Section 7 addresses federal laws prohibiting human trafficking.

Section 8 examines investigative considerations in human trafficking cases, including the following: tips for proactive identification of trafficking cases; understanding why victims may be difficult to recognize; indicators of human trafficking; the use of interpreters; victim interviews; and collecting evidence.

Section 9 identifies victims' rights under state and federal laws, as well as resources available to law enforcement and victims.