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## 2022 Lessons

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### 2022 Lesson 22: Mental Illness

This is an online interpersonal perspectives course designed to assist Missouri police in handling 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. 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.

### 2022 Lesson 21: 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, and HIV/AIDs.

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.

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### **2022 Lesson 20: 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.

### **2022 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.

### **2022 Lesson 14: Officer-Involved Shootings: Law, Human Factors & Investigations – Part 2**

This is part 2 of a two-part course designed to provide Missouri law enforcement officers with a better understanding of the law and agency policy governing the use of force

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decisions, human factors that affect an officer's use of force, and the administrative and criminal investigations of an officer's use of force, with a focus on officer-involved shootings.

Section six addresses the immediate aftermath of an officer-involved shooting. It provides checklists for officers regarding their responsibilities towards the suspect and scene preservation. It explains what a "public safety statement" is and why officers may be asked to provide one. It also addresses the responsibilities of backup officers and supervisors in the immediate aftermath of a shooting.

Section seven addresses criminal investigations of officer-involved shootings. It describes the role and responsibilities of the investigator. It explains which officer statements are likely to be admissible in which proceedings. It also explores whether officers should review video of an incident before providing an official statement.

Section eight addresses administrative investigations of officer-involved shootings. It explains how statements an officer makes under threat of discharge may and may not be used. It also explains an officer's due process rights during an administrative investigation. Finally, it considers actual examples of administrative investigations of law enforcement officers.

Section nine examines the role of the defense attorney.

Section ten provides a case study of a Missouri police officer's use of deadly force and the investigation that followed. It shows how the issues addressed in prior sections of this lesson applied in this case, including: applicable criminal statutes; agency policy regarding shooting at moving vehicles; how human factors could have affected the involved officer; the officer's actions in the immediate aftermath of the shooting; why the officer's statements may have differed from the physical evidence; and which officer statements were admissible.

### **2022 Lesson 13: Officer-Involved Shooting Law, Human Factors & Investigations – Part 1**

This is part 1 of a two-part course designed to provide Missouri law enforcement officers with a better understanding of the law and agency policy governing the use of force decisions, human factors that affect an officer's use of force, and the administrative and

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criminal investigations of an officer's use of force, with a focus on officer-involved shootings.

Section one explains the criminal statutory framework in Missouri that affects police use of force decisions. It examines the elements of various murder, manslaughter, and assault offenses. It also examines the legal justifications for using deadly force available to law enforcement officers and to the public.

Section two addresses federal criminal statutes guiding use of force decisions, specifically the elements of "deprivation of rights under color of law."

Section three addresses civil law that guides law enforcement officer use of force decisions, including guidance from the United States Supreme Court in *Graham v. Connor* and *Tennessee v. Garner*. It examines Missouri's requirement that an employing law enforcement agency defend and indemnify an officer who is sued in civil court for conduct that arose in the course and scope of the officer's employment.

Section four addresses the role of department policy in use of force decisions. It examines several areas where Missouri law enforcement agency policies may place greater restrictions on a law enforcement officer's use of force than the restrictions imposed under state and federal law.

Section five addresses human factors that may affect use of force decisions and an officer's memories surrounding use of force incidents. It examines misconceptions about perception and memory. It explains how stress and trauma can affect human performance.

## 2022 Lesson 12: Legislative Update

This lesson addresses amendments to the Missouri Revised Statutes from the 2022 legislative session, including the following topics:

- Sexual Offenses
- Protecting Victims of Sexual Offenses
- Controlled Substances
- Law Enforcement Administration and Funding
- Miscellaneous

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### 2022 Lesson 11: Americans with Disabilities Act

This is an online legal studies course designed to help Missouri police officers gain a working knowledge of the Americans with Disabilities Act (ADA) and Missouri disability law as it relates to law enforcement functions. The lesson provides an overview of the ADA, focusing on the provisions of Title II. The lesson sets out the most salient provisions of Missouri disability law that can impact police work. The lesson examines the most recent United States Supreme Court and Eighth Circuit cases that apply the ADA and the United States Constitution to policing activities involving those with disabilities, including arrests, custodial interrogation, and transportation of those in custody. The lesson describes common developmental and mental disabilities, describes the ways the manifestations of those disabilities may be misinterpreted by law enforcement officers, and describes actions officers can take to accommodate those disabilities. The lesson also discusses federal and state laws regarding service animals, including what qualifies as a service animal, what places must allow service animals, what questions police officers are allowed to ask about service animals, and criminal penalties for harming a service animal or misrepresenting an animal as a service animal.

### 2022 Lesson 10: Legal Update

This is an online legal update course for Missouri police officers. The lesson addresses recent court decisions providing guidance to law enforcement officers regarding the following questions:

- When officers conduct a vehicle checkpoint ruse, what driver behavior will give the officers reasonable suspicion to seize the driver?
- What actions by a suspect will give an officer reasonable suspicion of criminal activity? What officer actions turn a brief investigatory detention into an arrest?
- Does a person have Fourth Amendment protection in his/her hospital room?
- When may police conduct a second inventory search of an impounded vehicle?
- Can police officers be successfully sued under the legal theory known as malicious prosecution?

### 2022 Lesson 9: Implicit Bias

This is an online interpersonal perspectives and implicit bias course designed to help police officers understand what implicit bias is and is not, identify implicit bias in

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themselves and others, understand how it can affect policing and police departments, and learn practical methods to manage its influence.

The lesson examines actual encounters where implicit bias may have impacted execution of police duties. It describes how implicit bias is formed subconsciously through a wide variety of sources, is part of System 1 quick-thinking processes, and is not synonymous with prejudice. It explains why the difficult role of police officers heightens the need for vigilance regarding implicit bias, including officers' need to rely on instincts and intuitions, their daily experiences patrolling a certain geographic area, sleep deprivation, and being forced to make split-second decisions with incomplete information in life-or-death situations.

The lesson examines how implicit bias can affect hiring, mentoring, and promotion within law enforcement agencies and gives specific ways agencies can manage its impact, including having structured interviews, making mentoring equally accessible to all, and taking regular inventories. It also examines how implicit bias affects police work, including disparate treatment of White and Black drivers in traffic stops, the ability of witnesses to accurately report criminal activity to officers, and considerations in interviewing victims from other cultures and LGBTQ+ individuals.

The lesson provides ways to manage implicit bias, including being aware of the implicit bias, counter-stereotyping, engaging with diverse communities in a positive manner, taking perspective, thinking of people as individuals first, taking high-quality use-of-force training, and getting enough rest.

### **2022 Lesson 8: Crisis De-Escalation**

This is an online interpersonal perspectives and de-escalation course. It explains three basic categories of people experiencing a mental health crisis ("PICs") and examples of what might precipitate a mental health crisis. The lesson describes behaviors that might indicate a person is experiencing a mental health crisis and the crisis cycle. The lesson provides warning signs indicating that a PIC might be dangerous. The lesson provides detailed guidelines for interacting with PICs and de-escalating the crisis. It also provides guidelines for de-escalating a suicidal crisis.

### **2022 Lesson 7: Caselaw Update**

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This is an online legal studies course. The lesson addresses recent court decisions providing guidance to law enforcement officers regarding: whether a passenger in a vehicle involved in a traffic stop is in custody and subjected to interrogation for purposes of Miranda warnings, what facts and circumstances will justify an officer's warrantless entry into a home when the officer has probable cause to believe evidence is about to be destroyed, under what circumstances will an officer who shoots a person's dog be entitled to qualified immunity for that seizure, whether a suspect who only partially matches a witness' description may be stopped under Terry v. Ohio, and whether a private individual's actions render it impossible for police to conduct a proper lineup.

### **2022 Lesson 6: Human Trafficking Investigations – Part 2**

This technical skills course is Part 2 of a two-part online course on Human Trafficking Investigations. The lesson addresses skills to recognize, investigate, and combat the crime of human trafficking.

Section six examines the red flags of human trafficking in general and red flags particular to sex trafficking, labor trafficking, and trafficking of minors.

Section seven examines ways officers can limit the number of potential victims for human traffickers to exploit and ways to deter individuals from purchasing sex.

Section eight examines characteristics of sex and labor trafficking, identifies proactive and reactive approaches, describes the victim-centered approach to human trafficking investigations, and describes the advantages of partnering with community organizations.

Section nine examines difficulties in interviewing human trafficking victims, strategies for a successful interview, screening questions for signs of trafficking, and proper framing of questions when interviewing victims.

Section ten examines local, state, and federal public and private resources officers can access to help victims of human trafficking and increase the opportunity for victim-witnesses to be available during the criminal proceedings.

### **2022 Lesson 5: Bias-Based Profiling/Racial Profiling/Fair-Impartial Policing**

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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.

### **2022 Lesson 4: Human Trafficking Investigations – Part 1**

This is an online legal studies course. The lesson is the first part of a two-part lesson that addresses state and federal laws on the crime of human trafficking to guide police officers in their execution of the law.

- Section one examines the question of what is human trafficking and what distinguishes it from similar crimes.
- Section two examines Missouri laws that prohibit human trafficking and provide remedies for its victims.
- Section three examines federal laws that prohibit human trafficking and provide remedies, protections, and resources for its victims.

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- Section four examines misconceptions about human trafficking and provides facts about this crime.
- Section five examines tactics of human traffickers, including targeting certain victims and using various types of coercion.

### 2022 Lesson 3: Legal Update

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

- whether the failure to give a barricaded suspect Miranda warnings will render the suspect's statements to a crisis negotiator inadmissible; whether a conversation between two officers will constitute an interrogation of the prisoner they are transporting;
- whether motorists can be so intoxicated that they lose their capacity to provide a valid refusal of implied consent; when an officer will have probable cause/reasonable grounds upon which to arrest the motorist for driving while intoxicated;
- how understanding the concept of "clearly established law" can help officers avoid excessive use of force lawsuits against them;
- how a general description of a getaway vehicle and the vehicle's temporal (relating to time) and geographic proximity to a crime scene can factor into whether an officer has reasonable suspicion to make a Terry stop; and
- circumstances under which an officer will have reasonable, articulable suspicion to justify extending a traffic stop.

### 2022 Lesson 2: 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

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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.

### 2022 Lesson 1: Traffic Law Enforcement

This is an online legal studies course for law enforcement officers. The lesson addresses state and constitutional law governing police officers' initiation and conduct of traffic stops.

Section one examines the topic of the source of state and local power to pass and enforce traffic laws, including inherent state police power, statutory enactments governing the state police power, statutory grants of policing authority to political subdivisions, and the prohibition against local ordinances conflicting with state traffic laws.

Section two examines the topic of constitutional limitations on traffic stops, including the amount of evidence necessary to establish reasonable suspicion for a vehicular Terry stop (including evidence known by each officer with a connection to the stop), the type of offenses for which a stop may be made, whether an officer must issue a citation in order to have reasonable suspicion or probable cause to make a stop, the permissible duration of a stop, and the permissible scope of the stop. This section also addresses the constitutionality of several types of vehicle checkpoints.

Section three examines the topic of statutory limitations on traffic stops in counties, cities, towns, and villages, including prohibiting political subdivisions from having quotas for citations, limitations on the amount of fines and being held in custody for traffic violations, prohibitions on racial profiling and reporting requirements, and prohibitions on creating speed traps.

Section four examines the topic of miscellaneous traffic laws, including the duty to drive in a careful and prudent manner, signaling requirements, prohibitions on driving while intoxicated, and whether these laws may be enforced on private land or only on public

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roads and highways. This section also addresses traffic procedures for police responding to emergencies.