Lesson Title: NYS Penal Law Article 35.00 Use of Force  

Course: NYS Penal Law  

Duration: (Hours) 1.5  

Prepared by: Guy Rossi, PSTF Staff  

Created: 10/04/04  

Approved by: Mike Karnes, PSTF Director  

Date Presented: 10/20/04  

Method of Presentation: Lecture and Group Exercises  

Instructor(s): Guy Rossi & Lamar Cousins  

Instructional Objectives:  

At the conclusion of this module of training the adult learning using only the materials provided in this class will be able to list orally or in writing:  

1. The definition of deadly physical force according to NYS Article 35.00.  
2. The two step policy within the XYZ Police Department regarding justification in the use of Deadly Physical Force.  

Trainee References:  
Handouts of NYS Penal Law Article 35.00  

Instructor References:  

Training Aids Required:  
Video Player  
Overhead Projector  
Flip Chart or White Board  

THIS IS A SAMPLE LESSON PLAN TO BE USED FOR STRUCTURE AND NOT CONTENT
Introduction:

- **Self**
  - Retired from Law Enforcement after 21 years in 1998
  - Sgt. RPD in Professional Development Section
    - FTO and Recruit Administrator
    - Defensive Tactic Administrator
    - Firearms Instructor
    - PSTF Instructor since 1982
  - Presently a Program Coordinator with PSTF overseeing Curriculum Development
  - Published over 200 articles in police magazines and books.

- **Topic**
  - NYS Penal Law Article 35 – Use of Force

**Value Statement**

- Use of force by law enforcement has always been a controversial subject. The Rodney King incident, in Los Angeles brought incredible scrutiny for officer’s using force during arrests. As a result officers require a greater understanding of when use of force is justified …

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**Use of Deadly Physical Force Defined - ……………**

- Show Video Segment: “Dirty Harry” Off-Duty Bank Robbery (3 minutes)
- Comp Check
- Q1: Can anyone tell me what circumstance justified Detective Harry Callahan’s Use of Force?
- Q2: If Det. Callahan shot the wounded shotgun wielding suspect a second time would he have been justified? Why or why Not?
| Objective #2                      | The XYZ Police Department’s Policy on Use of Deadly Physical Force is:  
|                                 |   ▪ In defense of the imminent use of deadly physical force self  
| Handout #2 Written Scenario's   |   ▪ In defense of the imminent use of deadly physical force against another.  
| Class Exercise (10 min)         | The handout being distributed has five scenarios on it. Please complete  
|                                 |   ▪ the scenarios silently and write down whether the fictitious officer  
|                                 |   ▪ involved would be considered justified under NYS Penal Law Article  
|                                 |   ▪ 35.00.  
|                                 |   ▪ Review and discuss scenario answers  
| Comp check                      |  
| Summary                         | Knowledge of the laws and issues surrounding the justified use of force  
|                                 |   ▪ by police officer is critical to the safety of the officer and the public…  
| Objectives:                     | At the conclusion of this module of training the adult learning using only the  
|                                 |   ▪ materials provided in this class will be able to list orally or in writing:  
|                                 |   1. The definition of deadly physical force according to NYS Article 35.00.  
|                                 |   2. The two step policy within the XYZ Police Department regarding  
|                                 |   ▪ justification in the use of Deadly Physical Force  
| Thanks                          |  

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