

SECTION **15**

## Tactical Communication/Conflict Resolution

### 15.1 – 15.4 COMPETENCY REQUIREMENTS

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#### **Note to Administrators**

In order for POST to review and approve your agency's *Field Training Guide*, you MUST submit the following electronic files:

- 1) The POST FTP Approval Checklist ([Form 2-230](#))
- 2) Your department's *Policy & Procedure Manual*
- 3) Your completed Guide (Volumes 1 & 2), including ALL competency requirements covered in Part 5, Sections 1–18.

**LIST OF SUBTOPICS****15.1 TACTICAL COMMUNICATION**

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- 15.3.01 Agency Policy on Landlord-Tenant Disputes
- 15.3.02 California Law and Agency Procedures Regarding Landlord-Tenant Disputes
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- 15.3.04 Policing Problems During Labor-Management Disputes
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- 15.4.01 Rules and Agency Policy Regarding Repossessions

**SECTION 15 TACTICAL COMMUNICATION/CONFLICT RESOLUTION**

CHECK ONE ONLY:  PHASE 1  PHASE 2  PHASE 3  PHASE 4  PHASE 5

Trainee

FTO

<b>15.1 TACTICAL COMMUNICATION</b>								
<b>15.1.01 Verbal and Nonverbal Cues</b>								
The trainee shall discuss how tactical communication involves both professional demeanor and words (verbal and nonverbal cues).								
Reference(s):						Case # (If applicable)	Incident #	
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
		Signature	Date	Signature		Date	Signature	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments:								

**Additional Information:**

**15.1.01 Part A - Reference Agency Policies/Procedures, if applicable** (600 characters maximum)  N/A

**15.1.01 Part B - Agency Training Details** (field will expand automatically)

The trainee shall receive training in this area as part of his/ her compliance with POST Perishable Skills Training.

<b>15.1.02 Benefits of Tactical Communication</b>								
The trainee shall identify and explain the benefits of tactical communication, including:								
A. Enhanced safety (reduced likelihood of physical confrontation and injury)				B. Enhanced professionalism (decreased citizen complaints, personal and professional stress, and civil liability)				
Reference(s):						Case # (If applicable)	Incident #	
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
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**Additional Information:**

<b>15.1.02</b>	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)	<input checked="" type="checkbox"/> N/A
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<b>15.1.02</b>	Part B - Agency Training Details (field will expand automatically)
The trainee shall receive training in this area as part of his/ her compliance with POST Perishable Skills Training.	

<b>15.1.03 Demonstration of Tactical Communication</b> The trainee shall demonstrate an ability to perform in a calm, professional demeanor while de-escalating hostilities or conflicts (i.e., without resorting to physical violence).								
Reference(s):						Case # (If applicable)	Incident #	
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
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**Additional Information:**

<b>15.1.03 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)</b>	<input checked="" type="checkbox"/> N/A
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<b>15.1.03 Part B - Agency Training Details (field will expand automatically)</b> The trainee shall receive training in this area as part of his/ her compliance with POST Perishable Skills Training.
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**15.1.04 Deflection Techniques**  
 The trainee shall explain and demonstrate the ability to use deflection techniques in response to verbal abuse. Every word that follows “but” should be professional language that is goal directed. Examples might include:  
 A. “I appreciate that, but I need to see your driver’s license, vehicle registration, and proof of insurance.”  
 B. “I understand that, but I need you to move your vehicle.”

Reference(s):						Case # (If applicable)	Incident #	
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments:								

**Additional Information:**

**15.1.04 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**  N/A

**15.1.04 Part B - Agency Training Details (field will expand automatically)**  
 The trainee shall receive training in this area as part of his/ her compliance with POST Perishable Skills Training.

**15.1.05 Five-Step Process for Generating Voluntary Compliance**  
 Given a scenario or an actual incident involving an uncooperative subject(s), the trainee shall be able to generate voluntary compliance using the five-step process:

A. **Ask** (Ethical Appeal) – The subject is given an opportunity to voluntarily comply by simply being asked to comply

B. **Set Context** (Reasonable Appeal) – The “why” questions are answered by the identification or explanation of the law, policy, or rationale that applies to the situation.

C. **Present Options** (Personal Appeal) – Explain possible options

D. **Confirm** (Practice Appeal) – Provides one last opportunity for voluntary compliance. For example, “Is there anything I can say to gain your cooperation at this time?”

E. **Act** (Take appropriate action)

Reference(s):					Case # (If applicable)	Incident #		
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
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**Additional Information:**

**15.1.05 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**  N/A

**15.1.05 Part B - Agency Training Details** *(field will expand automatically)*

The trainee shall receive training in this area as part of his/ her compliance with POST Perishable Skills Training.

The general purpose for Tactical Communication is to generate compliance through voluntary cooperation (compliance) or collaboration. If used in an appropriate situation, the 5 and or 8 step process will help in gaining compliance. If action is to be taken and the use of force is explained prior to being used, it will help in lowering citizen complaints, etc. Always use common sense and good officer safety with all contacts.

The 5 Step Process:

- 1) Ask (Ethical Appeal): Asking someone to do what is requested.
- 2) Set Context (Reasonable Appeal): Legal justification for the reason that you are asking them to do what it is you requested.
- 3) Present Options (Personal Appeal): If you do not do (blank), this or that could happen. Always give positive option first!
- 4) Confirm (Practice Appeal): Confirm the options (if they refuse step 2) and try to get them to use common sense to avoid problems/conflict, etc.
- 5) Act: Make a legal choice, based upon the options, to accomplish your goal and based upon the legal options already given to the subject.

**15.2 HANDLING DISPUTES (GENERAL)**

**15.2.01 Basic Responsibilities at the Scene of a Dispute**

The trainee shall explain an officer’s basic responsibilities at the scene of a dispute. These responsibilities shall minimally include:

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>A. Remaining impartial</li> <li>B. Preserving the peace</li> <li>C. Determining whether or not a crime has been committed</li> <li>D. Conducting an investigation if a crime has been committed.</li> <li>E. Providing safety to individuals and property</li> </ul> | <ul style="list-style-type: none"> <li>F. Suggesting solutions to the problem</li> <li>G. Offering appropriate referrals</li> <li>H. Considering arrest as a reasonable alternative if a crime has been committed</li> </ul> |
|---|--|

<i>Reference(s):</i>						<b>Case # (If applicable)</b>	<b>Incident #</b>	
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
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Comments:								



**Additional Information:****15.2.01 Part A - Reference Agency Policies/Procedures, if applicable** (600 characters maximum) N/A**15.2.01 Part B - Agency Training Details** (field will expand automatically)

Upon arriving at the scene of a dispute, an officer has several basic responsibilities to ensure officer safety, scene security and finding the best possible solution to the dispute. The officer's primary responsibility is to keep the peace and restore order. Officers first and foremost need to take the necessary safety precautions to protect themselves, each of the involved parties, bystanders, and property. In order to establish and maintain control of the situation to prevent the dispute from escalating further, officers need to remain impartial and not choose sides in a dispute.

Once the situation is defused and the emotions of the involved parties have been brought to a manageable level, the officer can begin to determine whether or not a crime has been committed. If so, the officer can then take the next steps in the investigation process, up to and including arrest of the criminally culpable party(ies).

If it is determined that a crime has not been committed, the officer needs to take steps to prevent a recurrence of the dispute by offering referral and/or suggestions. Referrals can be made to shelters, intervention services, or other services. A suggestion may be one of the involved parties spending the night away from the location of the dispute, perhaps a hotel or friend's house. The officer also needs to ensure that any property at the dispute location is secure.

Ideally, officers want to apply problem solving techniques that ultimately assist the involved parties in reaching their own solution(s) to the problem. Officers also want to ensure that the dispute is resolved prior to leaving, otherwise, the officers will likely be returning to the location at a later time to handle the same dispute or variation thereof.

**15.2.02 Social Service Organizations**  
 The trainee shall identify various social service organizations that are available within the city or county to render assistance in dispute situations. These organizations shall minimally include those dealing with:

- A. Public health
- B. Alcohol problems
- C. Family counseling and child guidance
- D. Drug problems
- E. Humane Society/Society for the Prevention of Cruelty to Animals (SPCA)
- F. Any additional city/county agencies or organizations

<i>Reference(s):</i>						<b>Case # (If applicable)</b>		<b>Incident #</b>	
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>	
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FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test	
Trainee:									
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**Additional Information:**

<b>15.2.02</b>	<b>Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)</b>	<input checked="" type="checkbox"/> N/A
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<b>15.2.02</b>	<b>Part B - Agency Training Details (field will expand automatically)</b>
The FTO will show the trainee the above locations while on patrol.	

<b>15.2.03 Inherent Dangers to Officers</b> The trainee shall explain the inherent dangers to officers who enter the home of a family (or other occupants) involved in a dispute.								
Reference(s):						Case # (If applicable)	Incident #	
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments:								

**Additional Information:**

<b>15.2.03 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)</b>	<input checked="" type="checkbox"/> N/A
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**15.2.03 Part B - Agency Training Details** *(field will expand automatically)*

Responding to a call involving a dispute can be one of the most dangerous parts of a peace officer’s job. Violence related to disputes is among the leading causes of peace officer injuries and deaths. For this reason, all calls involving disputes must be handled with caution.

Due to the high frequency of calls involving disputes, peace officers can easily regard such calls as routine, much like patrol and traffic stops are often referred to as “routine.” Approaching a task as routine can be deadly when a situation involves a dispute. Calls regarding disputes must never be considered routine.

Peace officers must establish a pattern of conscious safety habits when disputes are involved. A conscious safety habit is an action that becomes automatic with practice but still involves conscious decisions to remain alert, avoid unnecessary risk, or perform a task in the safest possible way.

However, a peace officer must always consider exigent circumstances. Exigent circumstances are emergency situations that require swift action to prevent imminent danger to life or serious damage to property. If there are exigent circumstances that lead a peace officer to reasonably believe someone inside a dwelling may be injured or in immediate need of help, the peace officer may enter the property without consent but must be on an extremely heightened level of officer safety awareness.

**15.2.04 Separating Parties in a Dispute**

The trainee shall explain the advantages and disadvantages of separating parties in a dispute and gathering information from them individually.

<i>Reference(s):</i>					<i>Case # (If applicable)</i>	<i>Incident #</i>		
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	Signature	Date	Signature	Date		Signature	Date	
<b>FTO:</b>					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
<b>Trainee:</b>								
<b>Comments:</b>								

**Additional Information:**

**15.2.04 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**  N/A

Reference the following Antioch Police Policy(ies):

601-(Domestic Violence).

**15.2.04 Part B - Agency Training Details (field will expand automatically)**

Sometimes, as part of a mediation, and in addition to a referral, it may be advisable to suggest a voluntary temporary separation of the involved parties. Such separations involve one or more family members leaving the premises for a specific length of time (e.g. staying with a friend or other family member overnight).

A temporary separation may not solve any deep seated problem that is at the root of the problem, but it may allow emotions to cool to a level where further mediation can take place.

**15.2.05 Private Person Arrest Procedures**  
The trainee shall explain private person arrest procedures at disputes.

Reference(s):					Case # (if applicable)	Incident #		
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments:								

**Additional Information:****15.2.05 Part A - Reference Agency Policies/Procedures, if applicable** (600 characters maximum)  N/A

Reference the following Antioch Police Policy(ies):

418 (Private Persons Arrests)

**15.2.05 Part B - Agency Training Details** (field will expand automatically)

- A sworn employee may receive an arrest by a private person for a public offense committed or attempted in the private person's presence, when the person arrested has committed a felony, although not in the private person's presence, and/or when a felony has been in fact been committed and the private person has reasonable cause for believing the person arrested committed it.
- A magistrate may orally order a private person to arrest anyone committing or attempting to commit a public offense in the presence of such magistrate. A sworn employee may detain, arrest and/or release subjects based on the totality of the circumstances.
- A private person who has arrested another for the commission of a public offense must, without unnecessary delay, take the person arrested before a magistrate or deliver him/her to a peace officer. A sworn employee is not required to receive arrests from a private person if that arrest is not supported by probable cause to believe that a crime was committed and the person being arrested committed the crime in question. There shall be no civil liability against a sworn employee when acting within the scope of his/her authority for false arrest or false imprisonment arising out of any arrest if the arrest was lawful or the sworn employee at the time of receiving the private person's arrest had reasonable cause to believe the arrest was lawful and/or the arrest was made upon reasonable cause pursuant to a charge of the commission of a felony by the person to be arrested.
- When a misdemeanor is committed outside the presence of a peace officer, the offense must have been committed in the presence of the private person making the arrest.
- The decision to detain or release a subject after receiving the subject from a private person rests entirely with the officer. Officers are only obligated to receive the subject.
- If the officer believes there are insufficient grounds for making a criminal complaint against the arrested/received person, the officer may release the person pursuant to section 849(b)(1) PC. Prior to releasing the individual, the officer should run a warrant check on the detained subject prior to releasing per 849(b)(1) PC. If released, the person must be given a Certificate of Release. If choosing to issue a Certificate of Release, do so out of the presence of the complaining party.

<b>15.2.06 Use of Different Techniques</b> The trainee shall assess and explain different techniques to use in given dispute situations. These situations shall minimally include: A. Family disputes B. Neighbor disputes C. Juvenile dispute D. Loud parties/loud noise								
Reference(s):						Case # (If applicable)	Incident #	
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
Trainee:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Comments:								

**Additional Information:**

<b>15.2.06 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)</b> Reference the following Antioch Police Policy(ies):  413 (Civil Disputes)	<input type="checkbox"/> N/A
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**15.2.06 Part B - Agency Training Details** *(field will expand automatically)*

Upon arriving at the scene of a dispute, an officer has several basic responsibilities to ensure officer safety, scene security and finding the best possible solution to the dispute. The officer’s primary responsibility is to keep the peace and restore order. Officers first and foremost need to take the necessary safety precautions to protect themselves, each of the involved parties, bystanders, and property. In order to establish and maintain control of the situation to prevent the dispute from escalating further, officers need to remain impartial and not choose sides in a dispute.

Once the situation is defused and the emotions of the involved parties have been brought to a manageable level, the officer can begin to determine whether or not a crime has been committed. If so, the officer can then take the next steps in the investigation process, up to and including arrest of the criminally culpable party(ies).

If it is determined that a crime has not been committed, the officer needs to take steps to prevent a recurrence of the dispute by offering referral and/or suggestions. Referrals can be made to shelters, intervention services, or other services. A suggestion may be one of the involved parties spending the night away from the location of the dispute, perhaps a hotel or friend’s house. The officer also needs to ensure that any property at the dispute location is secure.

Ideally, officers want to apply problem solving techniques that ultimately assist the involved parties in reaching their own solution(s) to the problem. Officers also want to ensure that the dispute is resolved prior to leaving, otherwise, the officers will likely be returning to the location at a later time to handle the same dispute or variation thereof.

**15.2.07 Handling a Dispute Situation**

Given a scenario or an actual incident involving a dispute, the trainee shall assess and handle the dispute in a safe, efficient, reasonable, and discretionary manner.

<i>Reference(s):</i>						<b>Case # (If applicable)</b>	<b>Incident #</b>	
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	Signature	Date	Signature	Date		Signature	Date	
<b>FTO:</b>					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
<b>Trainee:</b>								
<b>Comments:</b>								



**Additional Information:**

**15.2.07** Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

N/A

**15.2.07 Part B - Agency Training Details** *(field will expand automatically)*

Upon arriving at the scene of a dispute, an officer has several basic responsibilities to ensure officer safety, scene security and finding the best possible solution to the dispute. The officer's primary responsibility is to keep the peace and restore order. Officers first and foremost need to take the necessary safety precautions to protect themselves, each of the involved parties, bystanders, and property. In order to establish and maintain control of the situation to prevent the dispute from escalating further, officers need to remain impartial and not choose sides in a dispute.

Once the situation is defused and the emotions of the involved parties have been brought to a manageable level, the officer can begin to determine whether or not a crime has been committed. If so, the officer can then take the next steps in the investigation process, up to and including arrest of the criminally culpable party(ies).

If it is determined that a crime has not been committed, the officer needs to take steps to prevent a recurrence of the dispute by offering referral and/or suggestions. Referrals can be made to shelters, intervention services, or other services. A suggestion may be one of the involved parties spending the night away from the location of the dispute, perhaps a hotel or friend's house. The officer also needs to ensure that any property at the dispute location is secure.

Ideally, officers want to apply problem solving techniques that ultimately assist the involved parties in reaching their own solution(s) to the problem. Officers also want to ensure that the dispute is resolved prior to leaving, otherwise, the officers will likely be returning to the location at a later time to handle the same dispute or variation thereof.

Responding to a call involving a dispute can be one of the most dangerous parts of a peace officer's job. Violence related to disputes is among the leading causes of peace officer injuries and deaths. For this reason, all calls involving disputes must be handled with caution.

Due to the high frequency of calls involving disputes, peace officers can easily regard such calls as routine, much like patrol and traffic stops are often referred to as "routine." Approaching a task as routine can be deadly when a situation involves a dispute. Calls regarding disputes must never be considered routine.

Peace officers must establish a pattern of conscious safety habits when disputes are involved. A conscious safety habit is an action that becomes automatic with practice but still involves conscious decisions to remain alert, avoid unnecessary risk, or perform a task in the safest possible way.

However, a peace officer must always consider exigent circumstances. Exigent circumstances are emergency situations that require swift action to prevent imminent danger to life or serious damage to property. If there are exigent circumstances that lead a peace officer to reasonably believe someone inside a dwelling may be injured or in immediate need of help, the peace officer may enter the property without consent but must be on an extremely heightened level of officer safety awareness.

<b>15.3 CIVIL DISPUTES</b>								
<b>15.3.01 Agency Policy on Landlord-Tenant Disputes</b> The trainee shall review and explain the agency’s policy on handling landlord-tenant disputes.								
<i>Reference(s):</i>						<b>Case # (If applicable)</b>	<b>Incident #</b>	
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	Signature	Date	Signature	Date		Signature	Date	
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<b>Trainee:</b>								
<b>Comments:</b>								

**Additional Information:**

<b>15.3.01</b>	<b>Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)</b> Reference the following Antioch Police Policy(ies):  413 (Civil Disputes)	<input type="checkbox"/> N/A
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**15.3.01 Part B - Agency Training Details** *(field will expand automatically)*

When called to a dispute involving a landlord and tenant, the primary responsibility of responding officers is to keep the peace and restore order. Once this has been achieved, effective handling of the dispute often requires an understanding of the applicable laws related to landlord and tenant actions. Disputes often arise when one member of the rental agreement believes the other is in violation of the contract.

Landlord/tenant disputes involving criminal actions on the part of one may need to be handled with the appropriate law enforcement actions (arrest, cite and release, etc.). If a dispute arises for reasons other than a criminal act, officers should attempt to mediate and reach an acceptable resolution between the involved parties, such as referrals to an agency that can resolve the problem from which the dispute arose.

In order to evict a tenant, the landlord is required to give three day pay or quit notice in writing. This notice demands that the tenant vacate the premises or come back into compliance with the rental agreement. The notice must be delivered directly to the person, or if the person cannot be reached at home or place of employment, a copy can be left with a person of suitable age at the residence or delivered via US mail. The landlord can serve the tenant with an eviction notice when the rent has not been paid, the tenant has violated the terms, or the tenant has stayed in the premises after the expiration of the contract. All other eviction notices require 30-day notice.

The trainee shall be familiar with Antioch Police policy 413- Civil Disputes.

**15.3.02 California Law and Agency Procedures Regarding Landlord-Tenant Disputes**

The trainee shall identify and explain California law (civil and criminal) and agency procedures applicable to situations that arise from landlord-tenant disputes. These situations shall minimally include:

- A. Evictions
- B. Lockouts
- C. Trespasses
- D. Confiscation of property

<i>Reference(s):</i>					<b>Case # (If applicable)</b>	<b>Incident #</b>		
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	Signature	Date	Signature	Date		Signature	Date	
<b>FTO:</b>					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
<b>Trainee:</b>								
<b>Comments:</b>								

**Additional Information:**

**15.3.02 Part A - Reference Agency Policies/Procedures, if applicable** (600 characters maximum)

N/A

Reference the following Antioch Police Policy(ies):

413 (Civil Disputes)

**15.3.02 Part B - Agency Training Details** *(field will expand automatically)*

Landlord Tenant Disputes: Just as with all other types of disputes, when called to a dispute involving a landlord and tenant the primary responsibility of responding officers is to keep the peace and restore order. Once this has been achieved, effective handling of the dispute often requires an understanding of the applicable laws related to landlord and tenant actions. Signing a lease requires a tenant to make timely rent payments and not to damage the property. For example, a landlord is required to respect the privacy of the tenant and not enter the property unless either the tenant has given permission, or there is an emergency (e.g. a broken water pipe) that requires immediate attention to prevent further damage to the property. Disputes often arise when one member of the agreement (e.g. the landlord) believes the other (e.g. the tenant) is in violation of the contract (e.g. hasn't paid the rent on time). Incidents involving disputes for reasons other than a criminal act should be mediated by the officer using an acceptable resolution between the involved parties. An acceptable resolution may include referring the involved parties to the appropriate agency that can resolve the problem that has caused the dispute.

In order to lawfully take possession of a tenant's property, landlords must first obtain a court order allowing them to do so (Civil Code Section 1861(a), i.e. "eviction"). The landlord may attempt to change the lock on the door in order to prevent the tenant's further use of the dwelling. This can only be done after the eviction. The landlord will have a "notice of restoration" from the Sheriff. The landlord cannot hold property "hostage" after an eviction. The tenant has one chance in fifteen days to retrieve their property. A landlord may not maliciously deface, damage, or destroy any property related to the tenants dwelling in an effort to harass the tenant. A landlord may not enter a dwelling without permission in order to harass the tenant or to "have a look around." The only exceptions are prior consent as part of the lease or when entry is reasonable to prevent imminent damage to property. It is unlawful for the landlord to interrupt utility services in an attempt to force the tenant to vacate the premises.

A landlord is required by law to give a three day pay or quit notice in writing delivered directly to the tenant. This allows the tenant to come into compliance with the agreement or vacate the premise. The eviction process can begin when rent has not been paid, the tenant has violated the terms of the agreement, or the tenant has stayed in the residence after the term of the rental agreement has expired. If the problem is not corrected after the three day time period, the landlord must file a civil lawsuit known as an unlawful detainer. The court must then decide if the tenant is to be evicted. The only legal advice that officers should give to either landlords or tenants involved in a dispute involving an eviction is to contact an attorney or seek other professional legal assistance. Once a lawful eviction has taken place, a tenant cannot lawfully reenter the dwelling from which evicted. The former tenant can only enter upon mutual agreement with the landlord to retrieve the tenant's property.

Penal Codes Related to Landlord/Tenant Disputes:

- 418 PC: Tenant lockout; Seizure of tenant's property
- 419 PC: Reentering a dwelling after being evicted
- 591 PC: Interruptions of a tenant's telephone, electricity, gas, water, or other utility services
- 593 PC: Obstruction/interference of electric lines
- 593c PC: Interfere with/obstruct gas lines
- 594 PC: Removal of doors and/or windows; Damage or destruction of tenant's property
- 602.5 PC: Entering without legitimate reason or without permission from the tenant
- 624 PC: Obstruction of water works

<b>15.3.03 Agency Policy on Labor-Management Disputes</b>								
The trainee shall review and explain the agency’s policy on labor-management disputes.								
Reference(s):						Case # (If applicable)	Incident #	
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments:								

**Additional Information:**

<b>15.3.03</b>	<b>Part A - Reference Agency Policies/Procedures, if applicable</b> (600 characters maximum)	<input type="checkbox"/> N/A
	Reference the following Antioch Police Policy(ies):	
	413 (Civil Disputes),412 (First Amendment Assemblies)	

**15.3.03 Part B - Agency Training Details** *(field will expand automatically)*

Officers should use discretion in the enforcement of the Penal Code during labor disputes. Advisements and warnings should be used whenever possible. Supervisors should be contacted before taking law enforcement action when persuasion efforts fail. Supervisors will make contact with the picket captain to achieve a peaceful resolution to the issue. Subjects will be advised, cited, or arrested as appropriate when all the above conflict resolution efforts have been attempted and the non-compliance continues. Incident reports need to articulate all efforts to mediate the problem such as: what advisements were given to whom and when; at what point the picket captain was contacted; all the conflict resolution efforts attempted, etc.

Criminal acts that officers may have to enforce during a labor-management dispute are the obstruction and blocking of sidewalks and ingress/egress points. Trespassers may prove to be an issue requiring law enforcement action. Outside agitators and the potential for violence and vandalism would require officers to take action.

The trainee shall be familiar with Antioch Police policy 413- Civil Disputes and 412- First Amendment Assemblies.

**15.3.04 Policing Problems During Labor-Management Disputes**

The trainee shall explain agency policy and procedures relative to typical policing problems that occur during labor-management disputes. These problems shall minimally include:

- A. Obstruction of ingress or egress
- B. Blocking of sidewalks and roadways
- C. Outside agitators
- D. Violence and vandalism
- E. Trespasses

<i>Reference(s):</i>					<i>Case # (If applicable)</i>	<i>Incident #</i>		
	<b>Received Instruction</b>		<b>Competency Demonstrated</b>		<b>How Demonstrated?</b>	<b>Remedial Training</b>		<b>How Remediated?</b>
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments:								



**Additional Information:**

**15.3.04 Part A - Reference Agency Policies/Procedures, if applicable** (600 characters maximum)  N/A

Reference the following Antioch Police Policy(ies):

412 (First Amendment Assemblies)

**15.3.04 Part B - Agency Training Details** (field will expand automatically)

Officers should use discretion in the enforcement of the Penal Code during labor disputes. Advisements and warnings should be used whenever possible. Supervisors should be contacted before taking law enforcement action when persuasion efforts fail. Supervisors will make contact with the picket captain to achieve a peaceful resolution to the issue. Subjects will be advised, cited, or arrested as appropriate when all the above conflict resolution efforts have been attempted and the non-compliance continues. Incident reports need to articulate all efforts to mediate the problem such as: what advisements were given to whom and when; at what point the picket captain was contacted; all the conflict resolution efforts attempted, etc.

Criminal acts that officers may have to enforce during a labor-management dispute are the obstruction and blocking of sidewalks and ingress/egress points. Trespassers may prove to be an issue requiring law enforcement action. Outside agitators and the potential for violence and vandalism would require officers to take action.

**15.3.05 Small Claims Court**  
The trainee shall explain the role of the small claims court relative to civil disputes.

Reference(s):					Case # (if applicable)	Incident #		
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments:								

**Additional Information:**

**15.3.05 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**  N/A

Reference the following Antioch Police Policy(ies):

413 (Civil Disputes)

**15.3.05 Part B - Agency Training Details (field will expand automatically)**

The Civil Division of the courthouse handles non-criminal lawsuits among individuals and/or corporations brought to enforce, redress, or protect private rights. The Civil Division conducts civil trials and manages civil filings, records, small claims cases, appeals, probate matters, unlawful detainers, defaults, case management, dispute resolution, name changes, and civil restraining orders to prevent harassment and elder abuse.

**15.3.06 Handling a Civil Dispute**

Given any situation involving a civil dispute, the trainee shall assess and handle the situation in a safe and effective manner, consistent with agency policy and state law.

Reference(s):					Case # (If applicable)	Incident #		
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
Trainee:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test		<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test	
Comments:								

**Additional Information:**

**15.3.06 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**  N/A

**15.3.06 Part B - Agency Training Details (field will expand automatically)**

**15.4 REPOSSESSIONS**

**15.4.01 Rules and Agency Policy Regarding Repossessions**  
 The trainee shall explain and discuss the general rules and agency policies regarding property repossessions. These shall minimally include:

A. What property is subject to repossession  
 B. Who may make a repossession  
 C. To what lengths a reposessor may go  
 D. When a repossession is complete

Reference(s):					Case # (If applicable)	Incident #		
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments:								

**Additional Information:****15.4.01 Part A - Reference Agency Policies/Procedures, if applicable** (600 characters maximum) N/A

Reference the following Antioch Police Policy(ies):

413 (Civil Disputes)

**15.4.01 Part B - Agency Training Details** (field will expand automatically)

Repossession is a civil matter between a seller and a buyer. If the buyer has signed a conditional sales contract to purchase goods over a period of time and does not live up to the terms of the contract, the seller can take back possession of, or repossess those goods. Officer's normally do not become involved in a lawful repossession process other than to keep the peace and restore order. Officer's may not hinder or aid either party involved in a lawful repossession. Even an improper repossession, absent a criminal violation, is still a matter for civil action. Any action by the officer benefitting either the reposessor or buyer, without a specific court order, would violate one or the other person's right to "due process" under the 14th Amendment of the U.S. Constitution. Legal repossessors are sellers, banks, or finance companies. Private repossessors are required to have a state license posted in their place of business and to carry an ID card with photo.

Officers may be called upon to verify if a repossession is legal. In order to have complete possession of the property, the reposessor must have complete dominion and control over the property. This takes place when the reposessor has gained entry to the property or when the property has been hooked up to a tow truck (vehicles only). The property does not have to actually be removed from the buyer's property before the repossession is complete. If the reposessor does not have complete possession and the buyer objects, the property cannot be taken.

Even when the repossession is complete, the buyer has the right to retain, remove or later claim (up to 60 days) personal items from within the property that is being repossessed. The buyer cannot remove any property that is fixed or an integral part of the property being repossessed, even if the item was purchased separately.

Property that is subject to repossession includes homes, vehicles, rent-to-own items, and property used as collateral. Property that cannot be repossessed includes property not specifically named as collateral for a debt, credit card purchases, and property named as collateral in an unenforceable contract.

**See next page for Attestation**

## Part 5 – Section 15: Tactical Communication/Conflict Resolution

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### ATTESTATION FOR SECTION 15

#### TO ENTER YOUR ELECTRONIC SIGNATURE:

- Click on the 'X' in the signature line to activate the signature field > Right click and select "Sign" from the menu.
- Click on "Select Image" > Locate your signature file > Click "Open" to place your signature (date appears automatically).
- Enter your full name next to your signature.

#### YOUR ELECTRONIC SIGNATURES VERIFY that the Field Training Officer (FTO) and Trainee attest to the following:

1. The FTO(s) provided all instruction, training, and related feedback/comments to the Trainee in accordance with the agency's training requirements for this portion of the Field Training Program.
  2. The Trainee demonstrated all competencies required for this portion of the Field Training Program.
  3. If remedial training was performed, the results were reviewed by the appropriate FTO(s) and accepted by the Trainee.
  4. The final evaluation of the Trainee's performance for this portion of the Field Training Program were approved by the FTO(s) and accepted by the Trainee.
- 

Primary Field Training Officer:     X     Print Full Name: \_\_\_\_\_

Trainee:     X     Print Full Name: \_\_\_\_\_

**IMPORTANT:** After signing the Attestation, the file will be "locked" and **CANNOT BE MODIFIED**. If you need to make changes, both signatures must be removed and re-entered after the final revisions have been made.

**To remove the electronic signature:** Right click on the signature line > Select "Remove" from the menu.

**See the following pages for Instructions to Administrators and FTOs**

## How to Complete Part 5 (Sections 1–18)

### INSTRUCTIONS TO ADMINISTRATORS

**VOLUME 2 OF THE FIELD TRAINING GUIDE CONSISTS OF 18 SECTIONS WHICH MAKE UP PART 5.** Each section is provided as a separate file on the POST website (<https://www.post.ca.gov/field-training--police-training.aspx>). Prior to submitting your FTP Guide to POST for review, you must complete all 18 sections and include them as part of your Guide.

1. **Set up:** Keep an unchanged copy of each section file as a master for reference. Make a copy of the file to use for your agency-specific entries.
2. **Front cover (optional):** To keep a hard copy of Volume 2 for internal use, you can add your agency name and date to the front cover.
3. **For each section (1–18):**
  - a. Open the applicable file and add your agency name and date to the header on page 1. (DO NOT change any other headers or footers or alter any other sections of the file.)
  - b. Below each table:
    - *Part A:* Enter applicable references from your agency’s Policies & Procedure Manual.
    - *Part B:* Enter your agency’s training details.
4. **After completing ALL sections (1–18),** you MUST submit the following materials via flash drive, CD, or DVD to POST for review and approval (do not send printed copies):
  - 1) **Your completed FTP Guide**
  - 2) **FTP Approval Checklist ([POST Form 2-230](#))**  
NOTE: Guides submitted without this form will NOT be reviewed.
  - 3) **Your Department’s Policy & Procedure Manual**
5. MAIL YOUR ELECTRONIC MEDIA TO:  
**Commission on POST**  
**860 Stillwater Road, Suite 100**  
**West Sacramento, CA 95605**  
**Attn: Phil Caporale – BTB**
6. You will receive status notification within 90 days from the date received.

**See next page for Instructions to Field Training Officers**

## How to Complete Part 5 (Sections 1–18)

### INSTRUCTIONS TO FIELD TRAINING OFFICERS (FTOs)

**VOLUME 2 OF THE FIELD TRAINING GUIDE CONSISTS OF 18 SECTIONS WHICH MAKE UP PART 5.** Each section has been customized by your agency administrator(s) to include references to policies and procedures and training details to meet your agency’s Field Training Program requirements. Each file is provided as a separate file. For each section (1–18), complete all tables for each topic.

1. **Set up:** Keep an unchanged copy of each section file as a master for reference. Make a copy of the file to use for your training sessions.
2. **Tracking your training sessions:**
  - a. Upon completing each competency, enter the FTO and trainee names and dates, and how the competency was demonstrated, into the applicable tables.
  - b. Enter any note-worthy comments related to the trainee’s performance.
3. **If trainee requires remedial training:**
  - c. Enter the FTO and trainee names and dates, and how the competency was remediated, to show that each competency was completed.
  - d. Enter any additional note-worthy comments related to the trainee’s performance.
4. **Attestation:** After all competencies have been performed, including any remedial training, the primary FTO and Trainee **MUST** enter their electronic signatures on the Attestation page (see instructions) to verify that the Trainee has completed this portion of the Field Training Program.

**End Section**