

CONTROL IS THE GOAL:

In arrest situations, our goal is to control the suspect and safely take him into custody using force that is reasonable under the particular circumstances if needed. In using compliance holds we use a reasonable degree of controlled pain. Since control is our goal, the pain must have a purpose and direction. The hold is applied so that if the suspect is cooperates; there is a relief from pain. If the suspect resists, there is a reasonable increase of pain. Increases in pain are the result of the suspect's own resistance. You direct the suspect both verbally and physically with the control hold. We never use the pain to punish the suspect, only to achieve and maintain control.

GUNS:

Any time you are in a physical altercation with a suspect there is at least one gun involved (your own). Studies have shown that 85 to 90% of persons attempting to take an officers gun will attempt to shoot and kill them with it.

TECHNIQUES

FOOTWORK

Position of Interview POI (position on all contacts)

Strong side (gun side) is away from the suspect. Feet are approx. shoulders distance apart. Feet should be positioned so you feel you have balance, strength and mobility in any direction. Forward foot points in general direction of suspect. Rear foot is turned out at a 45 to 60 degree angle. The weight is evenly distributed on both feet and the knees are not locked. Upper body is bladed to the suspect by at least 45 degrees at the hips.

Shuffle Step (To move forwards and backwards)

Move the front foot forward dropping your hips as you move. Then draw the rear leg forward. The feet do not cross. Keep at least one normal step between the feet so that you maintain strength and balance. To go backwards reverse the process moving the rear foot back and then the front foot back.

Normal Pivot (Turning to face the rear)

Look to the rear. Step slightly forward with the weak or forward foot. Then pivot towards the rear so that your strong leg is now forward.

Shuffle Pivot

From the POI, the front leg steps forward and to the outside at a 45-degree angle, the front hand passes across the front of the face, from the weak side to the strong side. The rear leg then circles behind the front leg, moving the body to a POI approx. 90 degrees from the original POI.

Progressive Pivot

From the POI, the rear leg swings around and forward in front, the front leg then swings behind the other leg, reversing the officer's direction leaving the officer in a reversed stance.

Ground Fighting Position

Roll onto the back leg side keeping the front leg and foot cocked, to kick out at the attacker. The rear leg and foot protect the centerline and can push off the ground to move the officer from side to side to stay in front of the attacker.

CONTROL HOLDS

Twist Lock

The suspect's arm and hand are rotated in toward his body. Suspect's hand is gripped in a two handed twist lock grip with the arm bent at about a 90 degree angle and the back of the suspect's hand is lifted to about parallel to his arm pit. The officer's bottom gripping hands second and/or third fingers rotate the suspect's little finger back and behind the other fingers. The officer's elbow is placed against the suspect's back/ side area to prevent the suspect rotating into the officer.

Bar Arm Wrist Lock

The suspect's arm is extended to the rear with the elbow locked. The suspect's fingers are pointed up with the officer being sure the suspect's wrist is completely flexed. The officer applies pressure to the back of the suspect's hand with his thumb. The officer can keep both hands to the back of the suspect's hand or place one hand on the suspect's elbow.

Rear Wrist Lock

Using a matching hand grip, the officer grips the meaty portion of the suspect's thumb and runs his second finger along the knuckle line on the back of the suspect's hand. At the same time, the officer uses his free hand to grip the suspect's triceps area. The officer pushes down on the triceps and flexes the wrist of the suspect by pushing up on the back of the hand. The suspect's arm is rotated behind his back. The suspect's elbow should be in the officer's side. The suspect's wrist is flexed with his fingers pointed up with his forearm about parallel to the ground. Pressure is applied to the back of the suspect's hand until compliance is gained.

TAKE DOWNS

Bar Arm Take Down

Once the suspect is in a bar arm control the officer puts his inside hand on the suspects elbow. Rotate the elbow back and the hand forward, bringing the suspect to the ground. The officer then moves into a prone control as with prone handcuffing.

Twist Lock Take Down To The Front

Take your free hand and grip the suspect's triceps area just above the elbow. Turn the suspect's fingers in toward his body while rotating the triceps back. Now walk forward bringing the suspect to the ground on his stomach.

Twist Lock Take Down To The Rear

Turn to face the suspect's side with a two handed twist lock while lifting the twist lock up so the suspect's forearm is parallel to the ground. Rotate the suspect's fingers in and down. As the suspect starts going down, step back allowing him onto his back. Keeping the twist lock grip, stir the suspect's hand and arm out and around his head while staying on the same side of his body. The motion will place the suspect on his stomach. Transition to a prone control.

HANDCUFFING AND SEARCHING

Quick Cuffing

Have the suspect face away from you and place the back of his hands together, behind his back and interlace his fingers. Have the suspect spread their feet and point their toes outward. Place the handcuffs in one hand in a butterfly position with the single arms facing down/ out. Grasp the suspect's fingers and apply the handcuffs in a rocking motion to both wrists. Search and double lock the handcuffs.

Rear Wrist Lock Cuffing

Place the suspect in a rear wrist lock. Direct the suspect to put his free hand on the back of his head. Grip the handcuffs in a pistol grip with the free hand and apply the handcuff to the suspect's hand behind his head. Bring the suspect's hand and arm behind him by grasping the free cuff through the loop with two fingers and your thumb. When the hand is near the suspect's buttock, rotate the free cuff around (to the outside) the cuffed wrist and bring it to the small of the back. Hook the free cuff loop on a finger of your hand which is maintaining the wrist lock. Grab the free cuff with your free hand in a pistol grip. Place the handcuff on the suspect's controlled wrist using your cuffing hand while pulling the suspect's wrist away from his back. Search and double lock the handcuffs.

Prone cuffing

Order the suspect to place his hands high above his head and slowly turn around while you do a visual search for weapons. Order the suspect to a prone position arms outstretched with palms up, ankles crossed, and head facing away from your side of approach. Make a bar arm wrist lock grip (left to left or right to right) of the suspect's hand while pulling the slack out of the arm. Raise the arm up applying forward and downward pressure. Conduct a quick search of the back with your free hand. Make a hand change and bring the free hand to the suspect's elbow. Kneel in the suspect's shoulder area keeping weight on the foot. Bring the free hand up to the suspect's hand to grasp the meaty portion and bring it behind the back in a twist lock control hold. Keep the suspect's hand and arm off the back with the wrist bent. Handcuff the controlled hand, down and away. Put the fingers of the free hand in the cuff, pull back towards the shoulder of the controlling hand. Release the controlled wrist and that hand grabs the chain of the cuffs in a pistol grip. Tell the suspect to bring their other hand behind his back. Grip the fingers of the suspect's free hand in a twist lock type grip and pull the free hand into the handcuff. The suspect should now be searched, the cuffs double locked and the suspect assisted to a seated position. The officer squats behind the suspect, applies an elongated rear wrist lock and has the suspect tuck his leg on the wrist lock side. The officer has the suspect rock up to a standing position.

Interlocked finger standing search

Have the suspect interlock their fingers behind in the head and face away from you, feet separated and knees locked back. Move in and grip the suspect's hands with one of your hands, squeezing the suspect's fingers/ thumbs together. Place your free hand in the small of the back and bow the suspect forward as you step into the suspect's calf/ knee area with the foot that matches the pushing hand to keep the suspect bowed forward. Now search one side of the suspect. Switch your hands that are holding onto the suspects hands and switch sides to now search the other side of the suspect.

GROUND CONTROL TECHNIQUES

These techniques are designed to provide the officer with a position of advantage, should he find it necessary to attempt to control an offender on the ground. Additionally, they will provide a means for the officer to defend himself should an offender take him to the ground.

Sprawl (Hip Press)

Purpose: To keep the suspect in a prone position, while waiting for backup assistance. Force your chest down and against the suspect's back while pressing your hip into the suspect's hip on the same side. Use your forearm and upper arm to push the suspect's head into the ground.

Hip Switch

Purpose: To prevent the suspect from coming up from a prone position to either a four point stance or to his knees. To counter the suspect's attempt to rise on the opposite hip from that being pressured by your hip press.

As the suspect attempts to get up on the opposite side from your hip press, quickly transfer your weight (hip) to the opposite side of the suspect's body. Quickly "switch" your hip to the suspect's other hip by moving across the suspect's lower body area. Remember to keep your chest on their back and hands/ forearms behind their head and neck.

360 Switch

Purpose: To move from one side of the suspect's body to the other, in preparation for applying a control hold or if the initial sprawl came from the suspect's head area. Quickly "crab" around the suspect's head to the opposite side. Stay up on your toes, not on your knees. Use the suspect's upper back as a pivot point and spin on your toes around the suspect's head to the opposite side.

2 on 1 Rockout

Purpose: To secure one arm of a suspect out from under his body and into a control hold on the back.

While in any ground control position where you are facing the same direction of the suspect, reach from underneath the suspect's forearm/ armpit with your same sided arm. Grab the suspect's wrist area. At the same time, take your other elbow and upper arm and force the suspect's head to the opposite side of his body from the hand you are grabbing or drive your elbow into his mastoid. Push your grabbing elbow into the suspect's same side shoulder. As you push your grabbing elbow towards the ground, begin a 360 spin to the opposite side of the suspect's body. Add your second hand to the suspect's hand, as you continue the 360. Continue the 360 until your body movement pulls the arm out and onto the suspect's back and into a same sided shoulder prone control.

GUN RETENTION TECHNIQUES

Grasp From Rear With Right Hand

Grasp your gun and suspect's hand with your strong hand pushing downward, keeping gun in holster. Step forward with your strong leg (gun side) and bring your free elbow back to deliver a blow to the suspect's head area. Turn to your strong side, bringing your weak hand to the suspect's hand that is grasping the gun. Twist the hand bringing the suspect's fingers upward. If you are right handed you will drive the suspect to a prone position using an arm bar takedown. If you are left handed you will use a reverse wrist takedown.

Grasp From Rear With Left Hand

The steps are the same except the takedowns are reversed. Reverse wrist for right handers and arm bar for left handers.

Grasp From Front With Right Hand

Grasp your gun and the suspect's hand downward, keeping the gun in the holster. Step back with the strong leg and deliver a blow to the face area or TMJ with your left palm. Have your left forearm close to your body with your hand pointing up. Twist your hips hard to the right, impacting the suspect's elbow area and power through it. Grab the suspect's hand with your left hand also and twist so the suspect's fingers are pointed upward. If you are right handed use a reverse wrist take down, if left handed use an arm bar take down.

Grasp From The Front With Left Hand

Steps are the same except the takedowns are reversed.

LEG RESTRAINT DEVICE

Refer to and review of Albany Policy Manual sections 306.1 through 306.8. Training conducted in accordance with section 306.61 and section 343.1 through 343.9.

**ALBANY POLICE DEPARTMENT
OFFICER SURVIVAL/TACTICS
Handout #1**

**DUTY/OFF DUTY HANDGUN COURSE
(2-2004)**

As part of the department's Use of Force Training, officers will receive handouts like this one with information on officer survival techniques and tactics. Our range and weaponless defense training will continue to have officers practice hands on officer survival techniques and tactics through scenarios, basic qualifications, combat stress courses, force on force training and drills. These handouts are meant to supplement the training presented and give officers additional material to refer back to after the training sessions. **Mental preparation and attitude continues to be a central theme spoken of by officers who have survived felonious assaults. The will to survive no matter what and never giving up are key.**

The following information/ statistics are from two sources:

1. The U.S. Department of Justice study published October 1997 - In The Line of Fire: A Study of Selected Felonious Assaults on Law Enforcement Officers (referred to as DOJ study in the remainder of this handout)
2. The California Commission on Peace Officer Standards and Training - Guidelines for Law Enforcement Officer Safety, Resulting from the Study of California Peace Officers Killed in the Line of Duty, published 1994 (referred to as the POST study in the remainder of this document)

The DOJ study covered a selected group of 40 incidents where peace officers were assaulted between 1987 - 1994. 52 law enforcement officers were feloniously assaulted by 42 offenders in the 40 incidents studied. In this study the peace officers survived the assaults and were interviewed as were the offenders. This provided information that obviously can't be obtained by the study of fatal officer incidents. This group of officers were survivors and the study attempted to find out what they did right as well as mistakes made.

In the POST study the information was obtained from the study of California Peace Officers killed in the line of duty between 1990 - 1993. The following information just touches on some of the key points made in the studies. We can learn from the survivors as well as those officers who made the ultimate sacrifice. I will be attempting to obtain further studies of these types of incidents so that we can improve on our officer safety. I maintain the studies for officer review in my (Sgt. Dolter's) office. I would recommend each of you take the time to review the studies in detail. Contact me if you would like to borrow them.

“ ROUTINE CALLS ”

Routine, repetitive types of calls continue to emerge as a continuing threat to officer safety. 70 percent of the Calif. Officers on duty murders in the POST study were the result of traditional calls and stops (traffic and pedestrian contacts, prisoner transports, domestic violence, disturbance calls, alarms, etc.). In the DOJ study 50 percent of the cases examined involved response to disturbance calls, attempted arrests, or crime-in-progress calls. In many of the DOJ study incidents, the survivor officers were taken completely by surprise by the attack as they were in the mindset of handling just another routine type call. 21 percent of the victim officers reported that they had been to the same location on previous calls.

Every contact an officer makes must be done with officer safety basics in mind.

As a review, the basics include:

1. Awareness of cover (In 82% of the incidents in the POST study, cover was either available but not utilized or abandoned by the victim officer). On all contacts we must be aware of cover, be ready to use and/or move to cover when necessary.
2. Watching and controlling suspects hands - the hands and weapons in them are what can kill you.
3. Proper positioning of the patrol car or your person during contacts and response to calls. This includes not getting too close to the suspect, waiting for assistance, not abandoning a safe position before back up arrives and proper positioning of the vehicle on arrival to the call or in regards to the suspect.
4. Use the radio. Call in all stops and activity. Don't be hesitant to call for cover. It's better to have too many cops on scene than not enough to handle the situation.
5. Key into danger signs and trust your instincts when you see them. No arrest or preservation of evidence is worth your life. Call for and wait for back up.
6. Never handle any call as routine. Complacency and overconfidence can get you killed. Always prepare for the worst case scenario that might unfold.
7. When back up is on scene, work together. Communication is key. Being sure your cover officer is aware of the danger signs you observe is critical (yelling gun when one is seen on or near a suspect).

A previous 1992 DOJ study, In the Line of Duty, studied officers killed. Through interviews, behavioral descriptors of the killed officers were documented. In the Line of Fire study, behavioral descriptors were documented through interviews with the survivor officers.

DOJ study 1992

Descriptors of Officers killed

Friendly to everyone
Well-liked by community and department
Tends to use less force than other officers felt they would use in similar circumstances
Hard working
Tends to perceive self as more public relations than law enforcement
-service oriented
Used force only as last resort
-peers claim they would use Force at an earlier point in Similar circumstances
Doesn't follow all the rules, especially in regard to
-arrests
-confrontation with prisoners
-traffic stops
-waiting for backup
Feels he/she can "read" others/situations and will drop guard as a result
Tends to look for "good" in others
"Laid back" and "easy going"

DOJ study 1997

Descriptors of Officers assaulted

Friendly
Hard Working
Service oriented
Willing to use force when justified
Doesn't follow established rules and procedures, especially in regard to:
-arrests
-traffic stops
-calling for or waiting for backup
Feels he/she can "read" situations or persons and will drop guard as a result
Survivor

The 1997 DOJ study theorized that some "hard working" officers were taking short cuts in order to achieve higher arrest or citation numbers. These type of behaviors included serving warrants alone, not calling in traffic stops, attempting arrests alone and acting without backup. The few extra stats achieved by taking short cuts obviously aren't worth the risk. The survivor officers were said to demonstrate tremendous determination to survive. Although it can't be proven, this will to survive may well be what saved their lives. Once again, winning, coming out on top no matter what and being a survivor are central themes. The proper mind set every day is critical.

PHYSICAL WELL-BEING

In the DOJ study (the survivors), 47 of the 52 officers stated they were in excellent health at the time of the assault. 4 stated they were in better than average health and the remaining officer average health. Not one survivor felt they were in less than average health. 73% of the survivors were involved in some type of physical fitness program. 73% were also non-smokers at the time of the assault.

THE OFFENDERS

The data from all the studies suggests there is no singular profile of a person who would assault, attempt to kill, or actually kill a police officer. This is why every call must be approached with caution - **no call can ever be routine!**

Critical lessons can be learned from the offenders. Following are some of them from the 1997 DOJ study (these people all tried to kill cops).

- In 8 of the 40 incidents, the offender used more than one weapon during the assault.
- 36% of the offenders said they carried the weapons in their crotch area. Half of the offenders felt the groin area was the most overlooked by cops during searches.
- Over one-fourth of the offenders reported carrying a second weapon at least part of the time. In most cases the second weapon was a handgun. All the offenders carrying a second weapon stated they hoped to use the second weapon against anyone who removed the first weapon from them.
- Nine of the offenders stated the victim officer should have requested or waited for backup.
- Two offenders stated the assault could have been avoided if the officer would have taken control of the situation.
- In two cases the officers informed the suspect of his intention to arrest before taking action (returning to arrest or directing the offender to another location).
- Four offenders were members of street gangs and had the street gang mentality. These offenders were cold-blooded, non-remorseful (two of them paid \$50 to kill the next officer who entered a certain area). Although we currently have no major street gang problems within the city, we certainly stop and contact gang members regularly and have to be ready to deal with this mentality at all times.

PROCEDURAL ISSUES

Although it is true that an officer could still be assaulted or killed even if they do everything correctly (we have a dangerous job), it is every officers responsibility to train and work with officer safety being their number one priority. We can't eliminate all risks but we can certainly reduce them. We are obligated to ourselves and our families to work as safely as possible - to survive.

Following are some issues raised in both studies that pertain to training, proper mindset and regular work habits (practicing officer safety basics on all calls).

- In the 1997 study, two officers were shot while following offenders commands when the offender was pointing a gun at them. Officers need to preplan for such an incident, looking for the best time to react. Being able to draw and fire quickly are critical as well as practicing gun take-aways.
- One officer was shocked when he was pursued by a bank robber after the officer retreated to cover. We must be prepared and train for offenders to react in different ways.
- We need to remember that the person we stop may be wanted or think they are, have just killed someone or be just plain crazy. Some of these people will do anything to avoid arrest including trying to kill you. Several of the officers in the studies were caught completely off guard and were shocked that they were attacked.
- Four of the survivor officers were attacked when making arrests for minor violations. Three of them were acting alone. The offenders were completely cooperative until they attacked. We should always have backup when making arrests, no matter what the violation is for. We should also have backup whenever we have someone getting out of their car (vehicle search, impound, suspect going to another location in the vehicle to produce I.D., etc.).
- Some offenders felt the officer did not properly control them or the situation. The offenders felt this gave them the opportunity to attack. We must always control all contacts or tactically retreat if warranted.
- Offenders stated the groin area was their favorite place to carry weapons or contraband since it is the most overlooked area by police. In one case the officers were so overjoyed to find drugs in the offenders pocket they failed to find the revolver in his groin area. We must always remember to completely search and when we find one weapon there is usually at least one more.
- Officers stated they were hesitant to completely search dirty or homeless people. Male officers were also hesitant to search females and the groin areas of males. The importance of thorough searches can't be stressed enough. Every suspect arrested needs to be completely searched and every officer receiving a prisoner needs to re-search - no matter how many times the person has been searched. We have had several incidents of items being found in our jail recently (contraband, nails clippers, etc.) so we aren't doing a good enough job!

- Some officers in the 1997 study felt they knew what not to do but were unclear on when they could escalate or even when they were fighting for their life. Every officer has to have a clear understanding on use of force policies and be willing to use the appropriate amount of force without hesitation when necessary.
- Officers need to be able to draw, shoot and reload with their weak hand. Officers should also consider carrying a department approved backup gun that can be accessed with the weak hand.
- Foot pursuits are dangerous. Officers should consider the totality of the circumstances before starting one and if possible, wait for assistance before looking for or apprehending a suspect who fled on foot.
- Most domestic calls we respond to occur in the suspect's home. We should approach all domestic violence calls as we would any other crime in progress call. Basic officer safety tactics must be used. Officers need to recognize the availability of firearms and other weapons as well as the high emotions and extreme volatility inherent on these calls. In all the domestic violence calls studied, the suspects were armed or had access to a firearm before the officer made contact.
- We must remember that evidence preservation, recovery of narcotics and/or the arrest of a suspect should never take priority over officer safety. We can always catch the bad guy tomorrow if he gets away.

OFF-DUTY INCIDENTS

Between 1985 through 1994, 1 in 7 officers who were feloniously killed were off duty at the time of their deaths. Unless there is no other option, the best plan for off duty incidents is to be a cooperative victim and a good witness. If you act off-duty you place not only yourself in danger but also any loved ones or others who are with you. If you do choose to become involved in an off-duty incident there are several disadvantages you'll be facing including:

- Not knowing if there are additional suspects that you haven't observed
- Lack of equipment including - vest, duty handgun, extra ammo, cuffs, flashlight, pepper spray, impact weapons, etc.
- No radio - no dispatcher who knows where you are and no way to call for backup (family members who are old enough should be taught what to do if you are forced to act off-duty - calling for help and what information to give as well as distancing themselves from you)
- Lack of ability to properly identify yourself to suspects, citizens and responding officers (follow all directions of uniformed officers as you will probably be viewed as a subject with a gun)

Unless you are defending your own life or one of your loved ones, the best advice is to not become directly involved. Observe, call the local police and be a good witness.

tant limitation on pat searches: the permissible scope of the search. Taking note of these fundamental restrictions, the Court in *Terry* said, “[O]ur inquiry is a dual one—whether the officer’s action was justified at its inception, and whether it was reasonably related in scope to the circumstances which justified the interference in the first place.”¹³

Before we begin, however, we must acknowledge that officers will sometimes encounter situations in which they reasonably conclude that a pat search is necessary even though the legal grounds for it are questionable, or maybe even nonexistent. Or they might have reason to believe that it would be too dangerous to follow the required procedure. In either situation, officers should do what they think is necessary for their safety, and not worry too much about whether the search will stand up in court. As the Court of Appeal observed, “Ours is a government of laws to preserve which we require law enforcement officers—live ones.”¹⁴

“ARMED OR DANGEROUS”

As noted, pat searches are permitted only if officers have reason to believe that the detainee is presently armed or dangerous. But unless they actually see a weapon, or unless the detainee is outwardly hostile, this determination must necessarily be based on circumstantial evidence.¹⁵ What circumstances are considered significant? And how do the courts evaluate them? These are the questions we will now examine.

General principles

ARMED OR DANGEROUS: In *Terry*, the Court said that pat searches are permitted only if officers reasonably believed that the detainee was armed “and” dangerous. Almost immediately, however, the lower courts understood that the use of the conjunctive “and” was an unfortunate lapse—that pat searches would be justified whenever officers reasonably believed that a detainee was armed *or* dangerous. After all, it is apparent that every suspect who is armed with a weapon is necessarily dangerous to any officer who is detaining him, even if the detainee was cooperative and exhibited no hostility.¹⁶

Furthermore, although the courts still routinely quote *Terry*’s “armed and dangerous” language, they understand that a pat search will be justified if officers reasonably believed that a detainee constituted an immediate threat, even if there was no reason to believe he was armed.¹⁷ As the Sixth Circuit put it, “The focus of judicial inquiry is whether the officer reasonably perceived the subject of a frisk as potentially dangerous, not whether he had an indication that the defendant was in fact armed.”¹⁸

THE “REASONABLE OFFICER” TEST: To determine whether an officer reasonably believed that a detainee was armed or dangerous, the courts employ the “reasonable officer” test. Specifically, they permit pat searches if the threat would have been apparent to a reasonable officer in the same situation.¹⁹ As the U.S. Court of Appeals put it, “[T]he facts must be such that a hypothetical officer in exactly the same circum-

¹³ *Terry v. Ohio* (1968) 393 U.S. 1, 19-20.

¹⁴ *People v. Koelzer* (1963) 222 Cal.App.2d 20, 27. ALSO SEE *People v. Dumas* (1967) 251 Cal.App.2d 613, 617 [“The realities of present day law enforcement dictate that a failure to make such a search, in many cases, might mean death to policemen.”].

¹⁵ See *People v. Thurman* (1989) 209 Cal.App.3d 817, 823 [it would be “utter folly” to require officers “to await an overt act of hostility before attempting to neutralize the threat”]; *People v. Samples* (1992) 11 Cal.App.4th 389, 393 [“Our courts have never held that an officer must wait until a suspect actually reaches for an apparent weapon before he is justified in taking the weapon.”].

¹⁶ See *Pennsylvania v. Mimms* (1977) 434 U.S. 106, 112 [“The bulge in the jacket permitted the officer to conclude that Mimms was armed and thus posed a serious and present danger to the safety of the officer.” Emphasis added]; *People v. Superior Court (Brown)* (1980) 111 Cal.App.3d 948, 956 [“[A] pat-down search for weapons may be made predicated on specific facts and circumstances giving the officer reasonable grounds to believe that defendant is armed or on other factors creating a potential for danger to the officers.” Emphasis added]; *People v. Avila* (1997) 58 Cal.App.4th 1069, 1074 [“[T]he crux of the issue is whether a reasonably prudent person . . . would be warranted in the belief that his or her safety was in danger.”]. NOTE: The Court in *Terry* at p. 28 acknowledged that an armed detainee is necessarily dangerous: “[A] reasonably prudent man would have been warranted in believing petitioner was armed and thus presented a threat.”

¹⁷ See *Michigan v. Long* (1983) 463 U.S. 1032, 1049; *People v. Superior Court (Simon)* (1972) 7 Cal.3d 186, 204 [“The critical question remains, is this the kind of confrontation in which the officer can reasonably believe in the possibility that a weapon may be used against him?”]; *U.S. v. Flett* (8th Cir. 1986) 806 F.2d 823, 828.

¹⁸ *U.S. v. Bell* (6th Cir. 1985) 762 F.2d 495, 500, fn.7.

¹⁹ See *Terry v. Ohio* (1968) 392 U.S. 1, 21-2.