

INTERNATIONAL TRAINING RESOURCES

Attachment C

2269 Chestnut Street, # 161
San Francisco, California 94123

To: Mr. Michael DiMiceli
Assistant Executive Director
California Commission on POST

Date: 11/23/11

From: Ben Tisa Partner/Senior Instructor – International Training Resources
Dave Bliss Partner/Senior Instructor – International Training Resources

Regarding: POST Letter dated 10/24/11 from Assistant Executive Director Michael C. DiMiceli regarding decertification of ITR courses and instructors as a result of 7/21/11 Injury Accident

Attachment: Appeal Report of International Training Resources submitted in compliance with Section B Regulations –1058 /Appeal Process of POST Administrative Manual

References: Preliminary ITR Incident Report submitted to POST dated 8/2/11
Preliminary ITR Report to Safariland Training Group dated 8/14/11
Preliminary ITR Response to the issues in 10/24/11 POST decertification letter from Assistant Executive Director Michael DiMiceli - 11/4/11
Meeting with Senior Consultant Don Lane and Ben Tisa to include submission of training documents/manuals/reports/photographs-9/6/11
Meeting with Assistant Executive Director Michael DiMiceli, Senior Consultant Dick Reed, Ben Tisa and Dave Bliss -11/4/11

Comments: As of close of Business 11/22/11, ITR still has not received the POST Investigation Report of Consultant Don Lane regarding the issues set forth in 10/24/11 POST Decertification Letter
As of close of Business 11/22/11, ITR still has not received the POST Report regarding the Preliminary ITR Response to the issues set forth in 10/24/11 POST Decertification letter
The attached Appeal Report is being submitted by ITR without any knowledge of the POST Investigation Report contents nor the pending POST response to ITR Preliminary submission to Assistant Director DiMiceli on 11/4/11
All documents/training aids/photographs/video/reports/manuals and other material associated with this incident, have already been submitted directly to POST or Consultant Don Lane

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INTERNATIONAL TRAINING RESOURCES**

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SECTION NUMBER 1

DISTRACTION DEVISE BREACHING INSTRUCTOR COURSE INFORMATION

1. Date certified – January, 4, 2011
2. POST coordinator for certification – Don Lane
3. Certification # 1025-33566 - 16 hours for maximum of 24 participants
 - a. Safariland Training Group standard instructor course is 8 hours
 - b. ITR doubled the training hours to 16 hours for the POST course.
4. Operational needs and justification is to provide SWAT teams the capability to enhance their existing forced breaching ability for critical missions such as hostage rescue, active shooter and counter-terrorist incidents.
5. Distraction Devise Breaching System Description:
 - a. The tool assembles and attachments uses commercially available distraction device munitions which contain flash powder combined with a command initiated firing system.
 - b. The commercially available command initiated munitions come in 15, 8 and 4 gram flash powder loads for various target applications.
 - c. The special tools used in this system are designed to use the denotation pressure from the munition charge to shape and form this force to defeat locking mechanisms and create ports in doors, windows and walls.
 - d. The detonation pressure from the munition charges are contained in a carbon steel chamber designed and engineered to direct and focus the force at the target point.
6. The tool system provides the capability to use denotation energy of distraction devices for forced breaching applications without having to resort to very specialized and extensive explosive breaching training, equipment, storage requirements and special certification process.
7. Some of the more important advantages of the Distraction Device Breaching Tool system over standard explosive breaching procedures are as follows:
 - a. No exposed surface attachment of high explosive charges to target.
 - b. No high explosive blasting caps and firing systems required.
 - c. Failure to detonate procedures are significantly safer with command initiated munitions.
 - d. Blast pressure conditions from exposed high explosive charges, including secondary pressure effects of reflection, focusing and shielding are significantly less because the munitions are all contained inside the blast chamber.

8. Instructional Material/Administrative Documents used in course.
 - a. Safariland Training Group manual "the WallBanger Instructor Course" designated 2010 012910!-0210 with disclaimer and safety guidelines on page 2.
 1. The manual was issued to the course participants at start of class 7/21/11
 2. This manual was issued without DVD information disk.
 3. The manual issued in this course was copied from one provided by ITR because, when the software and munitions were shipped from Safariland Training Group, there were no course manuals and DVD disk included.
 4. The substitute manual was duplicated and assembled during the day of 7/20/11.
 5. Based upon follow-up contact with Safariland Training Group, ITR was advised that new course manual and DVD disks were to be shipped directly to participants.
 - b. Digital video of practical application training events provided by Sandy Wall, Training Manager of the Safariland Training Group.
 - c. Less Lethal Solutions "Course Registration Form"
 - d. Less lethal Solutions Training Academy "WallBanger System Instructor Final Exam"
 - e. California POST Registration form.
 - f. Monterey Peninsula College Registration form.
 - g. ITR Registration form
 - h. ITR "Shot Sheet" deployment form for participants to record/document the Procedures and munitions used for each training event.

SECTION NUMBER 2

DISTRACTION DEVICE BREACHING SYSTEM

1. The tool system is a multi-purpose tactical tool with the ability to be configured for forced breaching operations, single and multiple distraction device deployment and chemical agent insertion applications.
2. The breaching tool system configuration consists of special components and attachment which utilize the command initiated distraction device munitions to shape and form detonation pressure to act as the force to create breach points.
3. Components and attachments consist of the following;
 - a. Fixed extension poles consisting of steel and aluminum square tubing
 - b. Fixed 45/90/180 degree straight attachment for placement of chamber
 - c. Carbon steel chamber with two loading ports
 - d. Wheel handle
 - e. Firing Device handle
 - f. Single and double distraction device attachment
 - g. Chemical agent attachment
 - h. Firing system mechanisms
 - i. Hitch pins for assemble of poles, components and attachments.
4. The tool breaching system uses the Defense Technology Corporation command initiated munitions configured in 15, 8 and 4 gram flash powder charges which are loaded into the carbon steel chamber.
5. The breaching charge can consist of a single 15/8/4 gram munition load or any combination based upon target analysis by the breacher.
6. The tool system can be hand held by a single officer during the denotation phase of the breaching operation or in some applications, mechanically set into a door frame and remotely detonated.
7. The firing system consists of shock tube or thermal tube initiated by shotgun primers and firing device or electric match initiation.
8. During the breaching application, the officers holds the chamber with extension poles and wheel handle, pressing the chamber firmly against the target surface to minimize any pressure leaks at the contact point.
9. The breaching tool can be fired by the breacher or remotely fired by an assisting officer on order from the breacher officer.
10. The Distraction Device Breaching tool system is designed and engineered to provide operational flexibility as to tool operator positioning for execution of specific forced breaching procedures.

11. The tool system extension pole attachments allows for distance variations in the tool operator positioning.
12. The tool system angle attachment for 45 degree, 90 degree and 180 degree straight placement of the denotation chamber, also allows for variations in tool operator positioning.
13. The straight on placement of the chamber to the target surface, generally provides the most effective seal of the chamber edges while minimizing detonation pressure leakage, which could cause debris/fragments being projected outward toward the cover and entry officers who may be positioned parallel to the breach point.
14. The specific position selected by the tool operator will depend on the operators assessment of operational/training conditions, including but not limited to the following:
 - a. Target configuration – door/window/wall/fence/etc.
 - b. Target location
 - c. Approach route
 - d. Tool/equipment being employed
 - e. Ability to effect the most positive chamber seal to the surface of the breach point.
 - f. Tactical positioning of cover officers
 - g. Tactical positioning of entry officers
 - h. Operational functioning of tools as to safe positioning of cover and entry officers.
 - i. Environmental effects resulting from detonation of the breaching tool munitions
 - j. Movement and repositioning of the breaching officer upon execution of the breach.
 - k. Review of the Breachers Log information as to prior operational and/or training breaches
 - l. SWAT Team Leader mission planning requirements
 - m. Other operational/training circumstances
15. The breaching officer will take control of the assembled tool at the Wheel handle and the Firing Device handle for movement to the breach point.
16. At the appropriate location, the Breaching officer will prepare the firing system for final control of the command initiated munitions.
17. When at the breach point, the breacher will confirm placement of the chamber and then look at the Firing Device handle.

18. When the breacher is in the final position, the firing system will be initiated by the breacher or assistant breacher.
19. Upon detonation, the breacher can maintain control of the tool assembly and move to a secondary position or drop the tool assembly in an appropriate location for re-assignment to entry team.
20. The breacher will conduct post breach analysis of the breaching procedures for documentation of the results in the Breachers Log.

SECTION NUMBER 3

JULY 21, 2011 ACCIDENT CIRCUMSTANCES

1. Incident Location
 - a. Fort Ord, Monterey, California
 - b. Malmedy Street
 - c. Building 4
 - d. Second floor
 - e. Room 210W/hallway area
2. Hallway Description
 - a. Distance from door to opposite wall 55 ½ inches
 - b. Wall is cinder block construction
3. Room Description
 - a. 61 ½ inches deep
 - b. 103 inches ceiling to floor
 - c. 47 ½ inches wall to wall
 - d. Ceiling light bulb in place and intact
4. Target Door 210W Description
 - a. Height: 83 ¾ inches
 - b. Width: 35 ¾ inches
 - c. Thickness: 1 ¾ inches
 - d. Door knob plate: 15 7/8 by 4 inches
 - e. Door knob in place
 - f. Solid wood fiber/board composition
 - g. Exterior veneer covering on front and back sides
 - h. Outward opening left to right
5. Breach Team One Members
 - a. Officer Mike Short Visalia Police department
 - b. Sgt. Manual Morales CDCR Salinas Valley State Prison
 - c. Officer Tony Virrueth CDCR Salinas Valley State Prison
 - d. Officer Ramon Diez CDCR Salinas Valley State Prison
 - e. Officer T.C. Wittmann CDCR Salinas Valley State Prison
 - f. Officer Alan Meyer CDCR Salinas Valley State Prison
 - g. Officer Meyer was assigned as student Instructor/Coordinator for the specific Training Event during which the injury occurred.
6. Specific Training Event during which injury to Officer Short was sustained
 - a. Mission was to defeat/removal of door knob/locking mechanism to allow positive entry through door
 - b. Team to develop tool set-up/tool positioning/firing system and munition gram weight amount

7. All Team members participated in the scouting assessment of the target door and came to an agreement as to the tool rigging configuration and munitions gram weight which was to be two 15 gram command initiated devices.
8. As opposed to placing tool on door knob to defeat the locking mechanism, Team One decided to place tool in center of door to test forcing the center of the door to release locking mechanism and/or create port opening for interior access.
9. Tool placement was positioned midpoint of door with door knob and centered in middle of long axis as opposed to being placed over door knob.
10. Tool rigging was a straight on placement of chamber on door center with Officer Short positioned alongside the left side of pole handle and behind the chamber with his head above the chamber placement point.
11. The straight on placement of the chamber was chosen by Team One as the best position to establish a positive seal of the chamber and minimize the risk of pressure leakage and potential debris/fragment from being projected to the immediate left and right sides of the tool placement position.
12. Officer Short was holding the wheel grip with his left hand and the firing device handle with his right hand
13. Guest Product/Technical Specialist Frank Harden assisted Officer Short in positioning the tool for the test breach.
14. Office Short, upon confirming he had control of the tool, nodded to his team mates to fire the munitions
15. At the time of nodding to his Team mates that he had control of breaching tool, Officer Short was looking directly at the tool as it was positioned on the door
16. A member of Team One activated the ignition device upon the "Fire in Hole" notification by Frank Harden and the munitions detonated.
17. At the time of denotation of the munitions, Officer Short was still looking directly at the tool as it was positioned on the door
18. At the time of munitions detonation, Officer Short was wearing protective eye glasses.
19. Upon detonation of the two 15 gram munitions load, smoke and debris were projected outward from breach point.

20. Officer Short immediately dropped the breaching tool, turned approximately 180 degrees to the right at which time it became evident he was injured.
21. Upon becoming aware of injury to Officer Short, officers in close proximity made an immediate assessment of observable injuries and moved Officer Short outside building #4 to the equipment staging area.
22. Participants involved in moving Officer Short were members of Team One, Ron McCarthy and Ben Tisa.
23. After a re-evaluation outside in the daylight, it was decided to conduct immediate extraction and transportation of Officer Short to CHOMP for emergency treatment with this transportation being supervised by Ron McCarthy.
24. Results of Detonation:
 - a. 7.5 inch by 16 inch hole 32.5 inch from top of door/25 inches from bottom of door/10.5 from left side and 17 inches from right side of door
 - b. Evidence of missing door composition and veneer covering on front side outward from breach point hole
 - c. Back side of door did not reflect any significant separation of material
25. With permission from Seaside Police Department, the actual door involved in the injury incident has been obtained by ITR and retained as evidence
26. The door is available for examination by investigator Don Lane or any authorized POST representative
27. This door type is common throughout the complex of buildings at Fort Ord and which have been used for training by ITR and numerous other agencies and trainers for at least 38 years
28. The buildings/doors/walls have been used for breacher training by law enforcement agencies for at least 12 years
29. ITR has repeatedly used the same buildings/doors/area for other courses involving distraction devices/explosive breaching/distraction device breaching/shotgun/ram/pry/vehicle/hydraulic tool breaching and never had an incident injury with fragmentation/debris other than minor scratches/abrasions

SECTION NUMBER 4

DIRECT AND PROXIMATE CAUSE OF ACCIDENT INJURY

1. ITR Instructors have extensive training, experience and course presentation history in the following law enforcement breaching tools and procedures used for forced entries or the porting of doors, windows walls, fences and other barriers:
 - a. Rams
 - b. Shotgun
 - c. Pry bars
 - d. Cutting saws
 - e. Vehicle pulls
 - f. Exothermic cutting
 - g. Hydraulic jam spreaders
 - h. Hydraulic door spreaders
 - i. Distraction device breaching tools and firing systems
 - j. Explosive breaching charges and firing systems
 - k. Lock system defeating tools
 - l. Razor and fence wire cutting tools
 - m. Bolt cutters
 - n. Glass cutting/window porting tools
 - o. Other special equipment
2. During the course of presenting forced breaching courses, there will always be actual or the potential possibility for debris/fragments of the target composition being separated from the breach point upon execution of a specific breaching procedure.
3. There is no reasonable way, with any degree of calculated certainty that breaching instructors can accurately predict the following:
 - a. That there will be any debris/fragments
 - b. The actual composition of the debris/fragment as to being target hardware
 - c. The actual composition of the debris/fragment as to being target material
 - d. The direction of movement/travel of the debris/fragment
 - e. The velocity of the debris/fragment
 - f. The kinetic energy of the debris/fragment
 - g. The size of the debris/fragment
 - h. The weight of the debris/fragment
 - i. The impact point of debris/fragment upon contact with an object/person
4. Because of the inherent hazards of breaching courses, it is with reasonable certainty based upon extensive years of accumulate experience by the instructors, that some breaching instructors and course participants will on rare occasions, be struck by debris/fragment during the practical application phase of breaching courses.

5. Based upon an objectively reasonable examination of the information available to ITR at the time of the Appeal Report, the following conclusions have been reached within a significant degree of factual certainty as to the direct and proximate cause of the injury to Officer Short's eye.
 - a. An unidentified piece of debris/fragment struck the right eye of Officer Short.
 - b. The separation of the veneer/laminate coating or material composition of the target door is what logically appears to be the source of the debris/fragment
 - c. The denotation of the breaching charge is what caused the separation of the debris/fragment from the target door
 - d. The debris/fragmentation caused a complete failure of the protective glasses worn by Officer Short at the point of impact.
6. ITR does not have access to the protective glasses of Officer Short as to evaluating the impact protection performance nor is ITR aware of any due diligence examination/testing done by the POST Investigator.
7. ITR is not aware of any forensic testing, measurements, photographs, technical analysis, reconstructive procedures or other investigative procedures that were employed by the POST investigator to identify the direct and proximate cause of the eye injury.
8. ITR does not have access to the medical treatment records from COMPS or Stanford Medical Center as to the medical assessment/diagnosis of Officer Short's eye injury and whether there was any recovery of foreign debris.

SECTION NUMBER 5

COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING



EDMUND G. BROWN JR.
GOVERNOR

KAMALA D. HARRIS
ATTORNEY GENERAL

October 24, 2011

Mr. Ben Tisa
International Training Resources
2269 Chestnut Street, #161
San Francisco, CA 94123

Dear Mr. Tisa:

We have completed the review and investigation of the incident that occurred during the ITR presentation of the POST- certified training course, Distraction Device, Breaching – Instructor, Course Control Number 1025-33566, on July 21, 2011, causing the significant injury to Officer Michael Scott, Visalia Police Department.

After reviewing all of the information available to us, including interviews with you, Officer Scott, and other persons who were present in the training course and at the scene, we conclude the incident occurred as a result of:

1. Violation of the provisions of the safety policy approved as a condition of certification of the course;
2. Use of instructors who are not approved as a condition of certification of the course;
3. Departure from the content of the course specified in the approved expanded outline and hourly distribution for the course;
4. Improper and incorrect preparation of distraction device munitions;
5. Experimental use of explosive materials not approved within the certification of the course; and
6. Experimental deployment of equipment and munitions that exceeded the experience and competence of all instructional personnel who were present at the scene.

Further, POST staff is aware of the incident that occurred in 2005 in the SWAT course certified to ITR that resulted in the suspension of that certification for the period of one year.

As a result of these findings, the following actions are effective on October 28, 2011:

October 24, 2011

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A. The following courses are decertified:

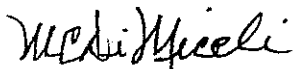
Course No.	Course Title	Hours
24015	Canine/SWAT Deployment	36
24204	Critical Incident Instructor	32
12250	Critical Incident Mgmt & Tactic	40
21635	Defensive Tactic Instructor	80
21665	Defensive Tactic Instructor Update	24
30869	Dispatcher/Tactical Ops Adv	24
30922	Dispatcher/Tactical Ops	40
33566	Distraction Device Breaching Instructor	16
21920	Diversiory Devices - Instructor	16
31990	Firearms/Sub-Machine Gun	32
32112	Firearms/Tactical Rifle Instr.	48
30985	Less Lethal Weapon Instr.	24
23020	Rifle Marksmanship and Sniper	48
23040	Rifle Marksmanship-Sniper, Adv	48
24271	Search Warrant/Arrest High-Risk	40
23000	Special Weapons & Tactics	80
23030	Special Weapons & Tactics, Cmdr	48
23034	SWAT Commander, Adv.	48
30862	Tactical Operations, Adv.	48
33579	Technical Rope Operations Instructor	48

B. No training course listed above may start or be presented in any manner after 5:00 p.m., October 28, 2011.

C. Ben Tisa is prohibited from participating in any POST-certified training course as instructor, coordinator, safety officer, or instructional aide or assistant.

If you wish additional information or you wish to discuss these actions, you may contact me at 916-227-2808 or by e-mail at mike.dimiceli@post.ca.gov.

Yours truly,



MICHAEL C. DiMICELI
Assistant Executive Director

MCD:mlb

SECTION NUMBER 6

**ISSUE # 1 – VIOLATION OF THE PROVISIONS OF THE SAFETY POLICY APPROVED AS
CONDITION OF CERTIFICATION OF THE COURSE**

1. ITR Instructors have reviewed the safety policy for this course in depth and are not aware of any specific procedural violations during the presentation of this course during the period 7/20-21/11 .
2. All ITR instructors and guest Product/Technical Specialist have extensive experience as trainers, and would not knowingly in any circumstances, jeopardize the safety of any course participant.
3. ITR history of POST course presentations and safety record.
 - a. ITR began presenting POST certified courses in January 1995
 - b. Since that time, ITR has accumulated a documented course presentation history of approximately 20,250 hours of training with over 8,460 participants for a total of approximately 171,315,000 training hours.
 - c. In over 171 million hours of documented training , the incident Involving Officer Mike Short is the only accident directly attributable to a specific training event.
 - d. This accident was a tragedy beyond words and was devastating to both fellow course participants and especially for all instructors.
4. All breaching and special munitions courses, because of subject matter content and practical application procedures, inherently involve potentially at risk conditions which the participant voluntary engages in as part of the course.
5. All Special Weapons and Tactics courses, because of subject matter content and practical application procedures, inherently involve potentially at risk conditions, which the participant voluntary engages in as part of the course.
6. ITR Instructors have extensive experience in training procedures, practical application events and safety protocols for an significant inventory of special skill courses to include but not limited to the following:
 - a. Explosive breaching munitions
 - b. Distraction device munitions
 - c. Less lethal munitions
 - d. Rappel master skills
 - e. Shotgun breaching
 - f. Mechanical tool breaching
 - g. Cutting tool breaching
 - h. Tactical vehicle breaching
 - i. Exothermic tool breaching
 - j. Other similar procedures involving special skills

**SAFETY EQUIPMENT REQUIRMENTS LISTED IN THE DISTRACTION DEVICE BREACHING
COURSE ANNOUNCEMENT**

1. Load bearing vest
2. Knee and elbow pads
3. Weapon bungee cord
4. Duty uniform
5. Nomex/fire retardant gloves
6. Eye protection to include goggles and/or wrap around shooting glasses
7. Personal ballistic vest
8. Helmet
9. Other department issued safety apparel/individual equipment

SAFETY EQUIPMENT/UNIFORM WORN BY OFFICER MIKE SHORT ON 7/21/11

1. Ballistic helmet
2. Protective eye glasses
3. Protective gloves
4. Foam eye plug protection
5. Ballistic load bearing vest
6. Duty long sleeve uniform shirt
7. Duty uniform pants
8. Duty service boots

ITR SAFETY PROCEDURES FOR PRACTICAL APPLICATION PHASE OF TRAINING

1. Staged Transport Van – Non Public Safety vehicle.
2. Patrol Vehicles/Unmarked Public Safety vehicles of course participants.
3. Carry Litter.
4. Two First aid kits.
5. One Safariland Helmet Face Shield available for use by course participants.
6. POM Police Dispatch Center notification of training events.
7. Classroom demonstration regarding loading munitions with glove and eye protection.
8. Classroom demonstration of tool construction, rigging and handling techniques.
9. Practical application tool handling and positioning outside of classroom in unloaded condition.
10. Demonstration and practical application rigging of munitions firing system.
11. Demonstration and practical application of breacher procedures for looking away from tool and at firing device grip handle at time of firing munitions charge.
12. Review of video presentation of actual applications being done in prior courses for enhanced understanding of procedures prior to practical application training.
13. All ITR tools and firing system equipment were inspected by Ben Tisa prior to classroom training and during practical application phase of training.
14. All Safariland tools and firing system equipment were inspected by Frank Harden prior to classroom training and during practical application phase of training.
15. All participants underwent a four stage firearms check for both handguns and shoulder weapons by Ben Tisa and Ron McCarthy prior to all practical application training prior to classroom and during practical application phase of training.

16. All instructors were wearing red vest other than Ron McCarthy who was operating the video camera.
17. Instructor Ben Tisa also carried medical pack on back of vest which contained basic inventory of supplies.
18. Specific equipment staging area for all teams to assemble tools and review design configuration.
19. Specific munitions staging area for control of munitions loading and review of firing systems.
20. Only one team allowed to execute application per event with all other placed in observer positions.
21. Designated Hospital/Emergency Treatment Facility – CHOMP
 - a. Community Hospital of Monterey Peninsula
 - b. 23625 Holman Highway
 - c. Monterey, Ca.93940
 - d. Main 831.624.5311
 - e. ER 831.625.4900
 - f. FAX 831.625.4904

INSTRUCTOR TO STUDENT RATIO

1. Per ITR diversionary device safety guidelines, each presenter shall establish and identify an appropriate instructional staff-to-student ratio. (Para.10)
2. Per ITR diversionary device safety guidelines, the instructional staff-to-student ratio should be lowered when a student is actually igniting a diversionary device or exposed to its effect. ITR will have an instructor on scene in close proximity with 1:1 at each diversionary device deployment. (Para. 11)
3. The ITR diversionary Device training safety guidelines were submitted to POST Consultant Don Lane with the Distraction Device Breaching course certification request.
4. These distraction device safety guidelines were approved by POST when the Distraction Device Breaching course was certified by POST for presentation in the state of California by ITR.
5. These safety guidelines were in effect at the time of the injury accident to Officer Mike Short on 7/21/11
6. Compliance with the distraction device safety guidelines to include the instructional staff-to-student ratio is documented in the program of instruction provided the course participants.
 - a. Only one diversionary breaching denotation allowed per training event.
 - b. Minimum of one to one instructor to student ratio during each diversionary device denotation (instructors B. Tisa/D.Bliss/F.Harden)
 - c. Minimum of one instructor to six student ratio during tool set-up, firing system rigging and loading of munitions.(instructors B.Tisa/D.Bliss/F.Harden and R.McCarthy)
7. The instructor to student ratio during tool set-up, firing system rigging, loading of munitions and detonation of diversionary devices was further enhanced by the presence of two guest instructor "Product Technical Specialists".
8. Additionally, each Team Member was assigned role as Student Instructor/Observer to ensure other team members correctly construct and arm the breaching tool as part of the redundant safety procedures.

INSTRUCTOR POSITIONING/DISTANCE TO STUDENT GUIDELINES

1. The proximity as to distance and positioning of an ITR instructor in regards to course participant during the detonation of distraction device breaching tools includes but is not limited to the following factors:
 - a. The training and experience of the instructor
 - b. Training event procedures as to skills being employed
 - c. Sequence of the training event in relation to sequence of course material
 - d. Target configuration – door/window/wall/etc.
 - e. Target location
 - f. Approach route
 - g. Tools/equipment being employed
 - h. Tactical positioning of cover officers
 - i. Tactical positioning of entry officers
 - j. Positioning and distances of other course participants as to observing and recording of the specific training event from safe location.
 - k. Instructor development course verses core skills development course.
 - l. Other circumstances specific to each training event.
2. The proximity as to distance and positioning of one or all instructors in relation to Officer Short at the time of the accident would not in any manner be a preventive factor as to the eye injury based upon:
 - a. The type/location of injury
 - b. The unpredictable pattern as to the type of potential debris/fragmentation
 - c. The unpredictable ballistic profile of potential debris/fragmentation.
3. The distance/positioning of an ITR instructor in relation to a course participant is influenced by a number of interrelated factors which the qualified instructor evaluates and makes an informed judgment based upon the totality of these factors.
4. There no written guidelines/procedures as to recommended physical proximity distances/positioning of instructors in relation to a course participant during any specific training event involving Distraction Device Breaching tools and procedures.
 - a. POST
 - b. Safariland Training Group
 - c. Safariland Participant Manual and Powerpoint disk.
 - d. Other Distraction Device Breaching Instructor courses.

**COURSE PARTICIPANT USE OF SAFARILAND FACE SHIELD DURING TRAINING
EVENTS ON 7/21/11**

1. It should be noted that virtually all course participants on their own volition, elected not to wear the face shield during the practical application denotation phase of the various Training Events.
2. On 7/21/11 while at the CHOMP, waiting for the results of Officer Short's examination and treatment, guest Product/Technical Specialist Frank Harden advised both Ben Tisa and guest Product/Technical specialist Ron McCarthy that he offered the use of the face shield to Officer Short at the Team One equipment staging area.
3. Frank Harden stated that he made the offer more than once and that Officer Short declined the offer for use of the face shield during Training Event # 7.
4. The offer to use the face shield was made by Frank Harden in the presence of Team One members during the tool set-up and rigging procedures for Training Event # 7
5. Frank Harden made the same statement to Ben Tisa on 7/21/11 subsequent to the actual incident and during the follow-up events regarding the injuries to Officer Short.
6. On 11/20/11, Ben Tisa contacted Sgt. Manual Morales, SVSP/CDCR and was advised that Officer Mike Short was offered the use of the Safariland Face shield by Frank Harden more than once prior to the execution of the Training Event, however these offers were declined by Officer Short.

Safety Procedures and Equipment

1. **Briefing plan by range safety officer will include all items listed below and safety/medical issues related specifically to the particular range/location. All reporting requirements, safety procedures, emergency medical and transportation to trauma centers will be briefed specific to each training location.**
2. **Emergency medical service plan – ACTION AND NOTIFICATION.**
 - A. **In the event of an injury or illness, the injury/illness will be evaluated by instructor staff and treated by appropriate first aid and/or emergency medical procedures.**
 1. Serious injury will be transported to the nearest trauma/emergency medical facility by the most expeditious means to include, but not limited to, on site emergency vehicles/ ambulance/ fire/ helicopter.
 2. Serious injuries will be reported, as soon as practical, to the facility OIC and to the law enforcement agency/ employer of the injured officer/ deputy by the instructor staff.
 - B. **Communication equipment.**
 1. Radios
 2. Telephones
 3. Cell Phones
 4. Other
 - C. **Evacuation vehicles.**
 - D. **Helicopter pad/evacuation/emergency medical plan.**
 - E. **Points of contact.**
 1. Hosting law enforcement agency.
 2. Fire.
 3. Ambulance.
 4. Hospital/ trauma emergency service facility.
 - F. **Nearest trauma emergency service facility and routes.**
 1. Monterey, Santa Barbara and Stockton respectively. Emergency number at all

three Locations is 911.

COMMUNITY HOSPITAL OF THE
MONTEREY PENINSULA
23625 holman highway
Monterey, ca 93940

SANTA BARBARA COTTAGE HOSPITAL
320 W. Pueblo Street (at Bath)
Santa Barbara, CA 93102

SAN JOAQUIN GENERAL HOSPITAL
222 E Weber Ave
Stockton, CA 95202-2709

G. Host range coordinator procedures.

3. On scene emergency medical kit.
4. Student instructor ratios depending on training protocols in effect. (See Firearm Safety Rules # 3 below.)
5. Briefing and demonstration by instructors of specific range drill requirements.
6. Walk through dry run/no fire rehearsal by participants.
7. Questions and clarification prior to each exercise.
8. Use of public address system by range master/range instructor in charge of specific drills. (Anchor Audio 4 speaker system with wireless microphone or system installed at host range.)
9. Safety outlines part of manual.
 - A. Assigned as homework and read by students in class with follow-up questions/clarifications with instructors.
10. Marking cones and/or crime scene tape limit/control lines.
11. Off line personnel who are not participating in specific range drill(s).
 - A. Safety positions – do not go forward unless authorized by instructor.

B. Weapon conditions.

1. Unloaded.
2. Magazines out.
3. Bolts locked to the rear.
4. Safety on.
5. In holster or slung from officer.
6. If benched/ muzzle pointed in safe direction.

C. No unnecessary conversation or activity that is disruptive to instructors and/or range drill participants.

12. Area limit marking cones/barricades/caution tape to control access to range area per requirements of host range facility.
13. Range flags as necessary per requirement of host range facility.
14. Ammunition storage/access control area.
15. Collection box for all unspent ammunition.
16. Marking tape/muzzle safety blocks for dry fire/non live fire exercises.
17. "U" shaped range/berm line – approximately 12 – 14 ft. in height or higher.
18. Target/stand placement procedures.
19. Injury report form.
20. Metal target distance and ammunition type vs. paper/cardboard target.
21. Target frame construction.
 - A. Metal.
 - B. Wood.
 - C. Angle iron shape/direction of placement toward shooter.
22. Range clear of excess training aids/hindrances to safe movement/drill executions.

23. Fire hazards/conditions/material and range munitions restrictions.
 - A. Fire extinguisher.
 - B. Fire department point of contact.
24. Verification of acceptable munitions/weapons that are allowed for use in specific live fire training facilities.
25. Other equipment as necessary for specific range drills.

Firearm Safety Rules

1. Cardinal rules of firearms safety.

- A. Treat all firearms as though they were loaded.
- B. Point the muzzle in a safe direction at all times.
- C. Keep you finger off the trigger and outside the trigger guard until you are on target and have been instructed/authorized to fire.
- D. Be sure of your target and what is beyond it prior to discharging the firearm.
- E. Do not use weapons under conditions that would cause an officer to discharge a firearm in opposing direction-close proximity toward other officers.

2. Specific rules:

- A. No cellular telephone use on the range by anyone except as necessary for emergency situations.
- B. Ear and eye protection is required at all times when firing on the range, including observers.
- C. Immediately upon picking up a firearm:
 1. Check and remove any magazine from the magazine well.
 2. Lock the action/ moving parts to the rear out of battery.

3. Visually and physically check the chamber to see that it is unloaded.
4. Check the firearm a second time.

D. Show firearms to two other officers and an instructor to ensure safe condition of the weapon.

E. Never give a firearm to, or take a firearm from, another person unless the action/moving parts are locked to the rear and weapon is unloaded.

F. Load only after your position is taken at the firing point and the command to load is given.

G. Unload and reload as instructed.

H. Keep firearm pointed down-range at all times unless instructed to do so as part of a tactical movement drill.

I. Never draw a handgun from the holster or come off sling position on the range unless instructed.

J. Never draw/re-holster handgun with your finger in the trigger guard or on the trigger.

K. Never holster a cocked weapon unless the weapon model/carry mode and mechanical safety is designed for that configuration per department policy.

L. Never leave your firing point unless instructed to do so.

M. Never go forward of the firing line unless instructed to do so for administrative purposes or as part of a tactical course of fire.

N. Never bend over to retrieve dropped articles on the firing line unless instructed to do so.

O. No talking on the firing line except by, or with an instructor or as part of a tactical course of fire.

P. Pay strict attention to the instructor at all times.

Q. Do not turn/look off the target line to view range instructor unless ordered to do so.

- R. Never anticipate a command.**
- S. Never permit the muzzle of a firearm to point at other officers during courses of fire.**
- T. Never permit the muzzle of a firearm to touch the ground during courses of fire or when in kneeling/low position firing positions.**
- U. Conduct a proper safety check of the weapon before and after each training session or whenever leaving/returning to range – see paragraph 2C for procedures.**
- V. Never dry fire on the range unless instructed to do so.**
- W. Firearms are to be holstered or controlled by sling/retention device when not in use unless otherwise instructed.**
- X. Do not leave firearms/ammunition unattended on the range unless instructed to do so and only if weapons are secured as to unauthorized use and/or access.**
- Y. All safety precautions must be adhered to by students and enforced by instructors.**
- Z. REMEMBER: Everyone has the responsibility for range safety.**

3. Instructor/student ratio.

- A. There will be one designated range master/safety officer per range.**
- B. There will be one firearm instructor per 2 – 8 officers on the range firing line depending on the line course of fire.**
 - 1. Weapon operational mechanics/zeroing drills – 1:8.
 - 2. On-line/stationary and basic movement drills - 1:8.
 - 3. Lateral movement drills – 1:5.
 - 4. In-line movement drills – 1:3.
 - 5. Room entry & arrest drills – 1:2.
 - 6. Full mission profile/mock-up drills – 1:8.
- C. The range master/safety officer and firearm instructor will wear visible shirt/vest and/or hat as identification while on range.**
shirt/vest and/or hat as identification while on range.

DIVERSIONARY DEVICE – GENERAL SAFETY BRIEF

1. Do not handle or manipulate a diversionary device unless instructed and supervised by an instructor.
2. Inspect the diversionary device upon issuance from the instructor or removal from manufacturers packaging. Inspect for the following items:
 - A. Ensure the cotter pin is flat.
 - B. No obvious damage to threads or explosive material container.
3. Upon loading of the body of the device in the proper manner, check the following:
 - A. Ensure the fuse is securely tightened in the body, no threads should be showing.
 - B. Ensure the spoon is flat against the body of the device.
3. Eye and ear protection, Nomex gloves, and long sleeve shirts are mandatory at all times during diversionary device deployment.
4. Upon command from instructor, soft pin the device by straightening one side of the cotter pin, or by slightly straightening both sides of the cotter pin.
5. Secure the device in your load bearing gear with spoon inside pouch.
6. Anytime you plan to deploy a diversionary device, place your shoulder weapon on "safe" and let it hang, or "decock" and holster your pistol prior to retrieving the diversionary device.
7. When staging for deployment ensure that the spoon is in the web of your deployment hand between the thumb and index finger.
8. Once you have pulled the pull ring out from the fuse, under no circumstances will you switch the device to your opposite hand.
9. Deploy the diversionary device into location/depth which will maximize the sensory overload capacity of device. This is the optimum area of effect for the detonation.
10. If at any time you inadvertently drop the device once you have pulled the pin, stand your ground, turn your head away, and close your eyes.

11. If at any time the device comes back into the hallway prior to detonation, stand your ground, turn your head away, and squint/close your eyes.
12. For right handed deployment, the fuse will be in an upright position with the pull ring facing you.
13. For left handed deployment, the fuse will be inverted with the pull ring facing you.
14. During training, never deploy a diversionary device into an occupied room or hallway unless part of a specific conditioning/awareness training drill.
15. If a device fails to detonate, advise instructor of the misfire. Do not approach, handle or touch the dud device unless instructed to do so by instructor. The instructor will approach the dud device and conduct render safe procedures.
16. During night time deployment, if you are the cover officer and the number two officer behind you is inserting the diversionary device, consider squinting your eyes or turning your head in a slightly more pronounced direction into wall side of entry position to minimize loss of low light eye adaptation upon detonation of the device.
17. If there is any doubt as to your safety or the safety of others, cease all actions and announce "cease fire."
18. If unable to insert device into target area due to exigent circumstances, execute abort procedures per instructor/Department policy.
 - A. Deploy in another operational location/direction.
 - B. Move off line and re-pin.
 - C. Other procedure as appropriate under existing conditions.

DIVERSIONARY DEVICES – SAFETY PROTOCOL

1. General safety rules and procedures on the use of each type of diversionary device facility and how each device should be used within the unique features of the facility should be developed, reduced to writing and communicated to instructors and students prior to each training session.
2. The site selected for ignition of diversionary devices and related devices should be reasonably free of loose gravel, rocks or other debris which could become flying hazards.
3. Diversionary devices should never be ignited in areas where highly combustible materials or flammable vapors are present or suspected.
4. Ignition of diversionary devices, sting balls or other related devices inside rooms or other enclosed spaces should be restricted to areas of adequate size and appropriate construction so as to limit the hazard caused by over-pressurization.
5. Ignition of diversionary devices or related devices for training purposes should occur only in areas where proper ventilation is provided.
6. When igniting diversionary devices and related devices in training, students should be positioned so as to avoid flying debris.
7. Presenters should provide or require that every student wear full body protection if located within the effective range of diversionary devices or sting ball device.
8. All persons who are required to ignite or handle a live diversionary device or pyrotechnic device should be provided with fire retardant protective gloves.
9. Each instructor should be required to successfully complete a POST-certified Diversionary Device Instructor program or its equivalent.
10. Each presenter of diversionary device training shall establish and identify an appropriate instructional staff-to-student ratio.
11. The instructional staff-to-student ratio should be lowered when a student is actually igniting a diversionary device or is exposed to its effects.
12. The presenters general safety rules should be reviewed with students immediately prior to the application phase of diversionary device training.
13. Specific procedures for handling device malfunctions, "dud" devices, and other unusual occurrences should be reviewed immediately before any diversionary device is ignited.
14. All classroom instruction or orientation should be accomplished with inert devices.
15. The unique characteristics of different diversionary devices, sting ball and related devices inhibit exact rules for deployment. Instructors should be aware of the particular hazards associated with each device used in training and deploy each accordingly.

16. Diversionary devices, sting balls and related devices should never be thrown directly at or detonated over the heads of students.
17. Students who are exposed to the effects of diversionary devices, sting ball or related devices should be provided with adequate safety equipment to afford vision, hearing and body protection.
18. Students should be instructed not to handle a diversionary device which fails to ignite.
19. Students should be instructed not to remove the retaining pin from any diversionary devices, sting ball, or other device until just prior to igniting the device.
20. Students should be instructed to hold diversionary devices, sting balls and other devices with the "spoon" positioned in the web of the deploying hand. The retaining pin should be accessible to the student's opposite hand.
21. Students should not throw, launch or otherwise deploy diversionary devices unless they have a clear view of the area where the device is intended to land.

SECTION NUMBER 7

**ISSUE NUMBER 2- USE OF INSTRUCTORS WHO ARE NOT APPROVED AS A CONDITION
OF CERTIFICATION OF COURSE**

- 1. Instructors approved as a condition for certification of course**
 - a. Ben Tisa
 - b. Dave Bliss
 - c. Russ Barcelona

- 2. Guest Product/Technical Specialist listed in EDI system for 7/20-21/11 course**
 - a. Ron McCarthy
 - b. Frank Harden

- 3. Because Distraction Device Breaching is such a unique, specialized and equipment specific course as to curriculum content and operational application, ITR by design, reaches out to the very limited number of Product/Technical Specialist who are qualified to enhance the course presentation for the following reasons:**
 - a. Provide information as to current design changes and accessories.
 - b. Provide information as to other agencies that have similar breaching capabilities for regional SWAT team mission support and co-training.
 - c. Provide equipment ordering and pricing information
 - d. Provide additional technical presence as to assisting students regarding equipment set-up/munitions design/rigging questions
 - e. Provide additional technical support and safety oversight as to classroom and practical phases of the training sequence.
 - f. Increases the Instructor to student ratio with qualified individuals who have the equipment and practical application experience with the specialized procedures involved in Distraction Device Breaching.
 - g. The ITR policy for allowing the presence of qualified individuals during specific courses, represents a due diligence responsibility for excellence in training and to disregard these specially qualified individuals would be detrimental to the overall safety and quality of education provided the participants.

- 4. POST EDI System for Presentation Instructor and other Instructor Listing.**
 - a. In 2010, the POST EDI system began capturing instructor participation in the presentation of certified courses.
 - b. In the "Presentation Instructors" section of the EDI, preapproved and vetted Instructors were listed and could be simply checked if they participated in the presentation of a particular course.
 - c. Also in this section of EDI, is a section to include "Other Instructor" and a place to document the reason for the instructor being at the course.

- d. ITR has used this section of EDI to inform POST of other instructors beginning in April 2010 when it was first available, and has done so a minimum of 11 different times for no less than 8 different courses.
- 5. Because of the significant number of ATF Requirements/Regulations regarding transporting, shipping, receiving or possessing explosive material, ITR is supported by Mr. Ron McCarthy who is a vendor and Product/Technical Specialist for Defense Technology/Safariland Equipment Company.**
- a. Mr. McCarthy possesses the following U.S. Department of Justice-ATF licenses/permits:
 - 1. Federal Firearms License # 9-33-059-09-2M-01419
 - 2. License/Permit – Dealer of High Explosives # 9-CA-059-26-3B-01482
 - 3. License/Permit – User of High explosives # 9-CA-059-33-3B-01481
 - 4. Notice of Clearance for Individuals transporting, shipping, receiving or possessing explosive material.
 - b. Mr. McCarthy possesses the following California Department of Justice license/permits:
 - 1. Destructive Device Permit # 07916
 - 2. Centralized List of Exempt Federal Firearms Licensees
 - 3. Certificate of Eligibility as to acquiring or possessing firearms.
 - c. All munitions/destructive devices are shipped from the vendor via UPS directly to the certified facilities of Mr. McCarthy.
 - d. All of the munitions ordered for each course are transported to the training site by Mr. McCarthy and are handled/used/consumed by the participants during the 16 hour course.

SECTION NUMBER 8

**ISSUE # 3 – DEPARTURE FROM THE CONTENT OF THE COURSE SPECIFIED IN THE APPROVED
EXPANDED OUTLINE AND HOURLY DISTRIBUTION FOR THE COURSE.**

1. The only departure from the approved expanded course content and hourly distribution for the course that ITR instructors are aware of, occurred on 7/21/11 at 0800H.
2. Drop in Equipment/Product Technical Specialist Mike Bullian, was allowed to make a “short” presentation to the participants as to being a source of distraction device breaching equipment and munition purchases.
3. Mr. Bullian is a former San Rafael Police Department Officer and is retired from the California Department of Justice, currently employed by “ProForce”, a major vender of law enforcement equipment throughout the United States.
4. Due to comments/statements and questions by both Mr. Bullian and course participants, the “short” presentation got side tracked for approximately 45 minutes into another equipment area not compatible with the course content.
5. Although there was active interest in the subject matter being discussed, ITR instructors were at fault for not stopping the discussion and redirecting the material presentation back to the approved expanded course outline and hourly distribution schedule.
6. The Distraction Device Breaching course is certified for 24 participants.
 - a. The hourly course content is structured to provide sufficient instructional time for the maximum allowed participant to meet the course objectives.
 - b. As there were only 18 participants enrolled in the course, the additional allocated time for 24 participants was used to absorb the time lost during the 45 minute presentation of Mr. Bullian.
7. It is the collective experience and opinion of both ITR Instructors, that there was absolutely no significant loss of instructional time and that all course content material was thoroughly covered in the allocated time frame set forth in the hourly distribution schedule.
8. It is the collective experience and opinion of both ITR Instructors, that there was absolutely no effect on any safety procedures /guidelines during the presentation of this course because of Mr. Bullians’ limited presentation.

SECTION NUMBER 9

**ISSUE # 4 - IMPROPER AND INCORRECT PREPARATION OF THE DISTRACTION
DEVICE MUNITIONS**

- 1. All distraction device preparation procedures demonstrated and used in this course are consistent with contemporary guidelines as recommended by the manufacture of distraction device reload munitions.**
- 2. All distraction device preparation procedures demonstrated and used in this course are consistent with contemporary guidelines provided by the manufacture of the Distraction Device Breaching Tools used in this course.**
- 3. All distraction device preparation procedures demonstrated and used in this course are consistent with contemporary guidelines presented in the Distraction Device Instructor course.**
- 4. All distraction device preparation procedures demonstrated and used in this course are reasonably consistent and compatible with standard operating procedures as presented by other trainers involved in distraction device instruction.**
- 5. A review of historical and currently published material/manuals/course outlines by ITR instructors reflects reasonably consistent and compatible procedures with those used in the Distraction Device Breaching course as presented 7/20-21/11.**
- 6. Some of the historical and currently published material/manuals/course outlines reviewed by ITR instructors are as follows:**
 - a. Safariland Training Group "Distraction Device Instructor Manual" published 2009**
 - b. Safariland Training Group "Distraction Device Breaching Instructor Manual" Published 2010**
 - c. National Tactical Officers Association "Diversionary Device Reference Manual" published 2001**
 - d. National Tactical Officers Association article in the "Tactical Edge" magazine published in summer 2011**
 - e. International Training Resources "Distraction Device Instructor Manual" published 2011.**
 - f. Golden West College SWAT Academy "Diversionary Devices Course Outline" presented 2004 by R.K. Miller**
 - g. TREXPO WEST Educational " Diversionary Devices Seminar Outline" presented 2003 by R.K. Miller**
 - h. TREXPO WEST Educational "Diversionary Device Seminar Outline" presented 1999 by R.K. Miller**

- 7. All distraction device preparation procedures demonstrated and used in this course are compatible and consistent with the collective training and experience of the ITR instructors and guest Product/Technical Specialists on scene for this course.**
- 8. Neither ITR Instructors nor the guest Product/Technical Specialists are aware of any improper and/or incorrect preparation of the distraction device munitions used in the course and would not knowingly present any improper and/or incorrect procedures to course participants.**

SECTION NUMBER 10

**ISSUE # 5 – EXPERIMENTAL USE OF EXPLOSIVE MATERIALS NOT APPROVED WITHIN THE
CERTIFICATION OF THE COURSE**

1. The explosive material set forth in the certification documents are listed as the following:
 - a. Command Detonated Munitions
 - b. Operator Detonated Munitions
 - c. Firing devices/Initiator and Shock tube
2. The explosive material set forth in the course announcement is as follows:
 - a. Command Initiated Reload Munitions
3. The explosive material used in the course are as follows:
 - a. 15 gram Command Initiated Reload Munitions
 - b. 08 gram Command Initiated Reload Munitions
 - c. 04 gram Command Initiated Reload Munitions
 - d. Commercial Shock Tube
 - e. Standard shotgun primers
4. The explosive material as listed are the most contemporary “standard reload products” available and are designed for used in distraction device courses.
5. The explosive material used in the course consist of standard products commercially available “off the shelf” from various vendors.
6. The Command Initiated Reload Munitions are exactly the same as to operational functioning except for the lower gram weight of flash power content which effects the detonation results.
7. Additionally, the product manufactures also provide guidelines as to denotation result based upon their design standards and testing.
8. The Command Initiated Reload Munitions used in the course are not considered “experimental”, as the denotation results can be reasonably defined based upon the extensive training and experiences of the course instructors.
9. The entire program of instruction as to the practical application phase of all contemporary breaching courses involves extensive testing and/or experimental application of course subject matter through a progressive learning sequence as it relates to the tools, procedures and explosive material used in each specific course.
10. Participants acquire operational knowledge and experience based upon specifically designed training events which are structured to allow the participants to learn from controlled application of the tools, procedures and explosive materials used in each specific course.

- 11. The contemporary and operational definition of testing used in the Distraction Device Breaching course as it relates to the learning sequence of the participants consists of the following;**
 - a. An examination, test, experiment or trial as to prove the value or ascertain the nature of something specific.**
 - b. A method, process or means used in such test, examination, experiment or trial**
 - c. Any action or process designed to find out something not known or demonstrate something known.**
 - d. Any action or process designed to find out whether something is effective, workable, valid, etc.**
 - e. The conducting of such tests, trials or experimentation.**

- 12. It is critical to understand that participants are “students” going through a learning process, not subject matter experts or master instructors and their training and experience is developed through individual testing and/or experimental application of tools, procedures and explosive materials on a cumulative basis under the guidance of the course instructors.**

COURSE SPECIFIC TRAINING PROCEDURES –PRACTICAL APPLICATION PHASE

1. Type of Training

- a. Tactical analysis of door barriers as simulated breach points for forced entry operations such as Hostage Rescue/High Risk Warrant service/active shooter/counter-terrorist/other missions.
- b. Progressive sequence of tool setup and use of different combinations of munitions gram weigh contained in Command Initiated distraction devices
- c. Testing and documentation of detonation results based upon target analysis done by each team on assigned target.
- d. Use of "shot sheets" to record type of breach and test results for accumulative knowledge base to enhance the design of subsequent breaches.
- e. Standard munitions used were Command Initiated distraction devices consisting of flash powder munitions containing 15 grams/8 grams/4 grams loads in various combinations with shock tube or thermal tube firing systems.

2. Sequence of Training Events

- a. First sequence of Training Events consisted of three inward opening doors with dead bolt locks. Mission was to defeat deadbolt locks for positive entry through door. Each team was assigned tasking to set up door tool using Command Initiated munitions: 15 grams Team One, 8 grams for Team Two and 4 grams for Team Three (designated as Training Events 1/2/3).
- b. Second sequence of Training Events consisted of three inward opening doors secured with dead bolt locks and latch throw locks on exterior of door. Mission was to defeat both deadbolt lock and the latch throw lock for positive entry through door. Each team was assigned tasking to set up door tool using Command Initiated munitions with gram weight of their choice based upon target analysis and accumulated data from Training Events 1/2/3 (designated as Training Events 4/5/6).
- c. The third sequence of Training Events consisted of three outward opening doors secured with door knobs and latch throws in door frame. Mission was to defeat the door lock mechanism for positive entry through door. Each team was assigned tasking to set up door tool using Command Initiated munitions with gram weight of their choice based upon target analysis and accumulated data from Training Events 1/2/3/4/5/6 (designated as Training Events 7/8/9).

- d. The fourth sequence of Training Events consisted of three inward opening doors secured with dead bolt locks and latch throw lock on exterior of door. Mission was to defeat deadbolt locks and latch throw lock for positive entry through door. Each team was assigned tasking to set up the Remote Door Breaching tool with Command Initiated munitions using gram weight of their choice based upon target analysis and accumulated data from Training Events 1/2/3/4/5/6/7/8/9 (designated as Training Events 10/11/12).
- e. The fifth sequence of Training Events consisted of two plywood wall room dividers and one hollow core door secured with door knob and throw latch in door frame. Mission was to create port in wall for observation/weapon deployment position. Teams one and two were assigned tasking to set up the door tool with remote placement and Command Initiated munitions using gram weight of their choice based upon target analysis and accumulated data from training events 1/2/3/4/5/6/7/8/9/10/11/12.

Team three mission was to defeat door lock mechanism with Remote Door Lock breaching tool. Team three was assigned tasking to set up the door tool with Command Initiated munitions using gram weight of their choice based upon targets analysis and accumulated data from Training Events 1/2/3/4/5/6/7/8/9/10/11/12 (designated as Training Events 13/14/15).

SECTION NUMBER 11

**ISSUE NUMBER 6 – EXPERIMENTAL DEPLOYMENT OF EQUIPMENT AND MUNITIONS THAT
EXCEED THE EXPERIENCE AND COMPETENCE OF ALL INSTRUCTIONAL
PERSONAL WHO WERE PRESENT AT THE SCENE.**

1. Attached is the Instructor Resume of Ben Tisa regarding training, experience and competence as to the equipment and munitions used in the Distraction Device Breaching course.
2. Attached is the Instructor Resume of Dave Bliss regarding training, experience and competence as to the equipment and munitions used in the Distraction Device Breaching course.
3. Attached is the Instructor Resume of Ben Tisa regarding all POST courses formally certified to ITR for presentation in the state of California
4. Attached is the Instructor Resume of Dave Bliss regarding all POST courses formally certified to ITR for presentation in the state of California.
5. The formal Instructor Resume of Mr. Ron McCarty is available from the POST Investigator or Safariland Training Group or directly from Mr. McCarthy.
6. The formal Instructor Resume of Mr. Frank Harden is available from the POST Investigator or Safariland Training group or directly from Mr. Harden.
7. The training demonstration, supervision, use and deployment of distraction devices for ITR Instructor Ben Tisa, averages approximately 1,750 total detonations per year during specific courses.
8. The training demonstration, supervision, use and deployment of distraction devices for ITR Instructor Dave Bliss, averages approximately 1,750 total detonations per year during specific courses.
9. As evidenced by the individual resumes and the collective training, knowledge and experience of all instructional personal who were present at the scene, neither the ITR Instructors nor the guest Product/Technical Specialist are aware of any:
 - a. Deployment of equipment that exceeded the experience and competence of all instructional personal who were present at the scene.
 - b. deployment of munitions that exceeded the experience and competence of all instructional personal that were present at the scene.
10. Neither the ITR Instructors nor the Product/Technical Specialist would knowingly present any experimental deployment of equipment and munitions that exceeded the collective experience and competence of all instructors on scene.

- 11. Based upon the review of Instructor Resumes, the POST investigator has not advised what specific "experimental" deployment of equipment and munitions that exceeded the experience and competence of all instructors who were present at the scene.**
- 12. Based upon the review of attached Instructor Resumes, the POST Investigator has not advised as to the validation, justification, research and technical expertise of the individual(s) who determined that the "experimental" deployment of equipment and munitions exceeded the experience and competence of all instructional personal who were present at the scene.**

To: Don Lane – Senior Consultant
POST

From: Ben Tisa -Partner/Instructor
International Training Resources, LLC

Date: 10/10/11

Reference: Meeting at Stockton Police Department Range between Ben Tisa and Don Lane on 9/6/11

Regarding: Per your request for information regarding training, certifications, course attendance, presentations and experiences involving special munitions, distraction devices and explosives products as to their use in law enforcement breaching operations, the following information is being provided.

<u>Law Enforcement Training</u>	Hours	Date	Presenter
1. Explosive Breaching Course	16 Hours	06/75	SFPD Police Training
2. Explosives and Booby Traps	8 Hours	10/76	US ARMY-EOD
3. Explosive Breaching Instructor Course	80 Hours	01/93	USMC-SOTG
4. Explosive Breaching Course	80 Hours	10/94	USMC-SOTG
5. Explosive Handler Safety Course	40 Hours	05/95	LSU Police Training
6. Explosive Breaching Course	80 Hours	07/98	Cal-POST/ ITR/ACSO
7. Explosive Breaching Course	80 Hours	01/99	Cal-POST/ ITR/LASO
8. Explosive Breaching Course	80 Hours	10/00	ITR/LASO
9. Explosive Breaching Course	80 Hours	04/03	Cal-POST/ ITR/SCSO
10. Diversionary Device Instructor Course	16 Hours	05/07	Cal-POST/ ITR
11. Diversionary Device Instructor Course	16 Hours	09/07	Cal-POST/ ITR
12. Diversionary Device Instructor Course	16 Hours	03/08	Cal-POST/ ITR
13. Diversionary Device Instructor Course	16 Hours	12/08	Cal-POST/ ITR
14. Diversionary Device Instructor Course	16 Hours	11/09	Cal-POST/ ITR
15. Diversionary Device Instructor Course	16 Hours	06/10	Cal-POST/ ITR
16. Diversionary Device Instructor Course	16 Hours	12/10	Cal-POST/ ITR
17. Diversionary Device Instructor Course	16 Hours	05/11	Cal-POST/ ITR
18. Distraction Device Breaching Course	16 Hours	11/09	Safariland Training
19. Distraction Device Breaching Course	16 Hours	02/11	Cal-POST/ ITR
20. Distraction Device Breaching Course	16 Hours	07/11	Cal-POST/ ITR

POST Course Control number-Explosive Breaching issued to ITR 1025-33576

POST Course Control number-Diversionary Device Instructor issued to ITR 1025-21920

POST Course Control number-Distraction Device Breaching Instructor issued ITR 1025-33566

Copies of Certificates are available upon request for courses which a certificate was issued.

Law Enforcement Experience

1. Federal Bureau of Investigation – Special Agent for 24 years assigned to the San Francisco Division as SWAT Team Member, Team Leader, Team Commander and Tactical Commander.
2. Federal Bureau Of Investigation – 22 years as Firearms/Special Weapons and Tactics Instructor for FBI and Police/Sheriff SWAT teams.

Cal/OSHA Certifications and Explosive Breaching Course Development

1. Cal/OSHA Blaster License-Limited: Tactical Breaching for Law Enforcement Only # 8177 Issued 4/19/99 expired 4/19/04 – Electric and Non-Electric Shock Tube and Cap/Fuse Initiation.
2. The very first California POST Certified 80 Explosive Breaching course was researched, developed and presented by Ben Tisa during 1998 at Alameda County Sheriff's Office Training facility in Dublin, California.
3. This initial course was originally certified through the ACSO based upon documentation, lesson plans, student manual, training protocols, training aids and safety procedures developed and prepared by Ben Tisa.
4. Additionally, through extensive coordination with CAL-OSHA's Mining and Tunneling Division, obtained the first ever Law Enforcement Blaster License category for Explosive Breaching by law enforcement officers.
5. In-conjunction with Cal-OSHA staff, developed approximately 75% of the test questions and testing procedures used for course participants to obtain their special category Blaster License.

Military Training and Experience

1. U.S. Marine Corps Infantry Officer, 1966-1970 with extensive training in the use of plastic explosives, detonation cord, electric ignition systems, time fuse and rendering safe booby traps.
2. As an infantry platoon Leader, obtained extensive field demolition experience during combat operations, 1968 and 1969 in the Republic of Vietnam – Northern I Corps area.

To: Don Lane – Senior Consultant
POST

From: Dave Bliss – Partner/Instructor
International Training Resources, LLC

Date 11/2/11

Reference: Meeting at Stockton Police department Range between Ben Tisa and Don Lane on 9/6/11

Regarding: Per your request for information regarding training, certifications, course attendance, presentations and experiences involving special munitions, distraction devices and explosives products as to use in law enforcement breaching operations, the following information is being provided;

<u>Law Enforcement Training</u>	<u>Hours</u>	<u>Date</u>	<u>Presenter</u>
1. Diversionary Device Instructor Course	16	05/07	Cal-POST/ITR
2. Diversionary Device Instructor Course	16	09/07	Cal-POST/ITR
3. Diversionary Device Instructor Course	16	03/08	Cal-POST/ITR
4. Diversionary Device Instructor Course	16	12/08	Cal-POST/ITR
5. Diversionary Device Instructor Course	16	11/09	Cal-POST/ITR
6. Diversionary Device Instructor Course	16	06/10	Cal-POST/ITR
7. Diversionary Device Instructor Course	16	12/10	Cal-POST/ITR
8. Diversionary Device Instructor Course	16	05/11	Cal-POST/ITR
9. Distraction Device Breaching Course	16	11/09	S/TGroup
10. Distraction Device Breaching Course	16	07/11	Cal-POST/ITR

Law enforcement experience

1. Continuous and ongoing use/deployment from 1977 to November 1999 involving thousands of deployments in training and during operations

BEN TISA

INSTRUCTOR RESUME

OFFICE – EXPERT WITNESS CONSULTATION

2269 Chestnut Street, #161
San Francisco, CA. 94123
Tel: (415) 567-0323 (925) 963-3984
E-mail: btisa.itr@comcast.net

OFFICE – INTERNATIONAL TRAINING RESOURCES

Post Office Box 390327
Mountain View, CA 94039-0327
Tel: (650) 967-7057
www.ITR-SWAT.com

FORMAL EDUCATION

Bachelors of Science Degree
California State University at Long Beach, 1966
Business Administration

CURRENT OCCUPATION

1995 - 2011	Partner – International Training Resources, LLC. This company is structured to provide law enforcement and public safety training through the California State POST certification program and on contract directly with various agencies. Currently engaged in presenting courses of instruction through various Criminal Justice Training Centers located in the Western United States and foreign countries via the United States Government's State Department Police Training Programs.
1988 - 2011	Expert witness consultation, depositions and court testimony in litigation cases involving Law Enforcement policy, procedures and practices for field operations and training procedures.
1972-2011	Senior Instructor in basic, advanced and instructor level training programs involving an extensive range of law enforcement tactical skills, firearms and field operation procedures.

AREAS OF EXPERTISE - FIELD OPERATIONS AND TRAINING PROCEDURES

Use of Force • Officer Involved Shootings • Levels of Intervention • Threat Assessment Procedures • Firearms • Weapon Tactics • Defensive Tactics • Less-Lethal and Impact Weapons • Arrest and Control Procedures • Officer Survival Tactics • Plain Clothes Officer Tactics • Chemical Agents • SWAT Team • SWAT Team Leader • SWAT Commander • Tactical Commander • Command Post Operations • Patrol Officer/Supervisor First Responder Procedures • Sniper Team • Incident Command and Control Procedures • Critical Incident Management • Psychology and Physiology of Behavior in Critical Incidents • High Risk Warrant Service • Hostage Rescue Procedures • Aircraft, Ship and Oil Platform Recovery • Tactical Ascending/Descending Operations • Helicopter Operations • Explosive and Mechanical Breaching • Low-light/Night Operations • VIP Protection • Distraction Devices • Critical Threat-Active Shooter Response • Rural Tactical Operation. • Public Transportation Vehicle Tactics • Team Selection Protocol • Instruction Development • Sustainment Training Design. • Armorer-Sniper Rifles, Patrol Rifles

LAW ENFORCEMENT EXPERIENCE

1972	Sworn in as Special Agent for the Federal Bureau of Investigation, Los Angeles California. Transferred to FBI Academy at Quantico, Virginia to attend New Agent Training. Completed agent training.
1972	Transferred to the FBI Oklahoma City. Assigned investigative responsibilities involving bank robbery, kidnapping, extortion, fugitives and terrorist groups. Participated in high risk arrest operations and provided tactical and weapons training to other agents assigned to major case squads.
1973	Transferred to FBI San Francisco, assigned investigative responsibilities involving bank robbery, kidnapping, extortion, fugitives, terrorist groups, public corruption, organized crime, police excessive force/civil rights violations, undercover operations and narcotics investigations.
1973 - 1995	Assigned to Special Operations Unit – Tactical Command/SWAT/Sniper and Negotiation Team
1973 - 1995	Assigned to Firearms and Tactical Training Unit on continuous part time/full time basis.
1984 - 1995	Member of FBI "Shooting Evaluation Team", which reviewed and evaluated agent involved shooting incidents with specific attention to performance standards, rules of engagement, tactics, weapon functioning, training procedures and compliance.
1984 - 1992	Assigned to Department of Defense as consultant/instructor to the United States Marine Corps' Special Operations Training Group providing hostage rescue, sniper, breaching, aircraft assault, ship and oil platform recovery training.
1995	Retired from Federal Bureau of Investigation with 24 years of services.

LAW ENFORCEMENT TRAINING

1972	Special Agent Training - Federal Criminal Code Violations, Investigative Procedures, Crime Scene Procedures, Report Writing, Firearms, Tactics, Arrest Procedures and Ethics.	FBI Academy
1973	Surveillance Procedures Undercover Operations In-Service Arrest and Firearms Training Firearms Instructor SWAT Basic Training	FBI Oklahoma FBI Oklahoma FBI Oklahoma FBI Academy FBI Academy
1974	Sniper Operations General Police Instructor Aircraft Hijacking Procedures Advanced Tactics and Weapon Training In-Service Arrest and Firearms Training	FBI Academy FBI Academy FBI Academy FBI San Francisco FBI San Francisco
1975	Helicopter Operations Instructor Defensive Tactics Instructor Rappelling and Fast-Rope Instructor Kidnapping and Extortion Procedures Explosive and Mechanical Breaching Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	FBI Academy FBI Academy FBI Academy FBI Academy SF Police Dept. FBI San Francisco FBI San Francisco
1976	Explosives and Booby Traps Advanced SWAT Training VIP Protection Tactical Dive Operations Advanced Weapons and Tactics Training In-Service Arrest Firearms Training	US Marine Corps FBI Academy US Secret Service US Navy FBI San Francisco FBI San Francisco
1977	Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	FBI San Francisco FBI San Francisco
1978	Chemical Agent Instructor High Risk Warrant Service Operations Critical Incident Management Drug Laboratory Raid Procedures Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	FBI San Francisco FBI Academy FBI Academy DEA San Francisco FBI San Francisco FBI San Francisco
1979	Firearms Instructor Course Tactical Dive Operations Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	NRA San Francisco FBI San Francisco FBI San Francisco FBI San Francisco

1980	Advanced Defensive Tactics Instructor Undercover Operations Advanced Helicopter Operations Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	FBI Academy FBI Academy FBI San Francisco FBI San Francisco FBI San Francisco
1981	Special Weapons Instructor Course Cold Weather Tactical Operations Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	FBI Academy Las Vegas Police Dept. FBI San Francisco FBI San Francisco
1982	SWAT Team Leader Training Arrest and Control Techniques Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	FBI Academy POST San Francisco FBI San Francisco FBI San Francisco
1983	VIP Protection Tactical Negotiation Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	US Secret Service FBI San Francisco FBI San Francisco FBI San Francisco
1984	SWAT Commander Course Advanced Team Leader Training Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	FBI Academy FBI Academy FBI San Francisco FBI San Francisco
1985	Stress Psychology and Performance Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	FBI San Francisco FBI San Francisco FBI San Francisco
1986	Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	FBI San Francisco FBI San Francisco
1987	Supervisor Course Close Quarter Battle Tactics Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	FBI Academy US Marine Corps FBI San Francisco FBI San Francisco
1988	Pistol Transition Instructor Course Helicopter Flight Operations Tactical Climbing/Rappelling Course Explosive Breacher Course Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training Authorization Granted to Testify as Expert Witness	FBI San Francisco US Marine Corps US Marine Corps US Marine Corps FBI San Francisco FBI San Francisco FBI HQ - WDC
1989	Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training Nuclear Power Plant Operations	FBI San Francisco FBI San Francisco US Dept. of Energy

1990	Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training Nuclear Power Plant Operations	FBI San Francisco FBI San Francisco US Dept. of Energy
1991	Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	FBI San Francisco FBI San Francisco
1992	Chemical Agent Instructor Seminar Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	FBI San Francisco FBI San Francisco FBI San Francisco
1993	Breaching Instructor-Explosives Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	US Marine Corps FBI San Francisco FBI San Francisco
1994	Advanced Breaching Course Advanced Weapons and Tactics Training In-Service Arrest and Firearms Training	US Marine Corps FBI San Francisco FBI San Francisco
1995	Defensive Tactics Instructor Seminar Advanced Hostage Negotiations Advanced Explosives Handling Firearms Instructor Seminar	California POST California POST Louisiana POST Nevada POST
1996	Tactical Operations Dispatcher Tactical Rappel Master Defensive Tactics Instructor Update	California POST California POST California POST
1997	Submachine Gun Instructor Update	California POST
1998	Explosive Breaching Course	California POST
1999	SWAT Team Arrest Procedure Seminar Less Lethal Instructor Seminar Weapon and Equipment Seminar	California POST Trexpo West Trexpo West
2000	Automobile and Bus Clearing Seminar Contemporary Weapon and Equipment Seminar	Trexpo West Trexpo West
2001	Less Lethal Devices Seminar High Risk Operations Seminar Distraction Device Deployment Seminar Undercover Operations Tactical Support Procedures	Trexpo West Trexpo West Trexpo West Trexpo West
2002	Sniper Team Operations Defensive Tactics and Use of Force Seminar Tactical Use of Chemical Agents Seminar Tactical Rappelling Ascending/Descending Seminar Distraction Device Seminar	Trexpo West Trexpo West Cato Cato Cato

2003	Less Lethal Devices Seminar	TREXPO West
	Patrol and Plain Clothes Officer Arrest Procedures Seminar	TREXPO West
	Contemporary Weapons and Equipment Seminar	TREXPO West
2004	SWAT Team Leader Duties and Responsibilities Seminar	TREXPO West
	SWAT Team Member Duties and Responsibilities Seminar	TREXPO West
	Sniper Team Member Duties and Responsibilities Seminar	TREXPO West
	SWAT K-9 Course	California POST
	SWAT Team Entry Tactics Seminar	CATO
	Case Studies Seminar	CATO
2005	Peak Performance Training for Extreme Encounters Seminar	TREXPO West
	Tactical Use of Chemical Agents Seminar	TREXPO West
	Tactical Bus Interdiction Seminar	TREXPO West
	Arrest and Control Techniques Seminar	TREXPO West
	Investigating Use of Force Incidents	TREXPO West
	Sniper Tactics, Technique and Technology Seminar	TREXPO West
	SWAT K-9 Course	California POST
	Sniper Team Operations Seminar	CATO
	Aircraft and Linear Target Intervention Seminar	CATO
2006	Armorer Course – Sniper Rifles	California POST
2007	Distraction Device Instructor Course	California POST
	SWAT K-9 Course	California POST
	Armorer Course – Sniper Rifles	California POST
	Tactical Breaching Course	California POST
	Less Lethal Extended Range Impact Munitions Course	California POST
2009	Distraction Device Breaching Instructor Course	Def-Tec Corp.
	Command and Control procedures for Critical Incidents	CATO
	Case Studies Seminar	CATO
	Liability Issues and Use of Force Seminar	CATO
	Emergency Medical Intervention Procedures	CATO
	Contemporary Weapons/Equipment/Armored Vehicle Seminar	CATO
2010		CATO
	Case Studies Seminars	CATO
	Liability Issues and Use of Force Seminar	CATO
	Sniper Team Operations Seminar	CATO
	SWAT K-9 Course	California POST
	Special Weapons/Equipment/Armored Vehicle Seminar	CATO.
2011	Distraction Devise Breaching Instructor	Def-Tec Corp.
		California POST

INSTRUCTOR CERTIFICATIONS

973-1995	Federal Bureau of Investigation
1973-2011	California POST
1988 -1990	Nevada POST
1978-1990	California State Limited Teaching Credential for Law Enforcement courses
1988 -1994	United States Marine Corps – Special Operations Training Group
2002- 2008	California Association of Tactical Officers
2010-2011	Safariland Training Group

INSTRUCTOR EXPERIENCE

- 1972 - 2011 Directly involved as Senior Instructor in basic, advanced and instructor level training programs involving extensive range of tactical skills, firearms and field operations procedures.
- 1978 Developed and instructed the first FBI and POST certified 80-hour Defensive Tactics Instructor course. This course has been continuously taught since 1975. The material presented in this course now serves as the curriculum model for all FBI agents and instructors at the FBI Academy.
- 1980 Developed and presented the FBI 40-hour Tactical Commander/SWAT Commander course of instruction certified by POST. This course is specifically designed to train field supervisors and commanders in the protocol necessary to resolve high-risk incidents.
- 1986 Designed and presented the first formal SWAT team training program for the Drug Enforcement Administration. This program became the agencies tactical team training protocol and was formally instituted by the director of the DEA. This program included Basic Training followed by one year of Advanced Training.
- 1988 - 1992 Participated directly in the design and development of two major tactical and weapons training facilities at Mare Island Naval Station and Camp Pendleton Marine Base. These facilities have since been utilized for Law Enforcement and Military Special Operations Training.
- 1988 - 1994 As Supervisor-Instructor, established the FBI Special Operations Training Group, which developed and presented training programs for military Special Operations forces. This force consisted of USMC special operation teams, helicopter units, intelligence section and command element. Training consisted of hostage rescue procedures, intelligence collection, helicopter flight operations, assault climbing/rappelling, breaching, aircraft, oil platform and ship recovery operations.
- 1994 Designed and presented the first formal Special Response Team Training program for the California Highway Patrol. This team has become the prototype unit for the Statewide Special Response Unit of the CHP.
- 1994 Developed and presented the first 48-hour POST certified SWAT Team Leader course. This course is currently presented in the State of California and is specifically designed to train team leaders.
- 1995 Developed and presented the official California State Parole Officer Defensive Tactics Instructor Course. The material presented in this 80-hour course now serves as the curriculum model for all California State Parole Defensive Tactic Instructors.
- 1995 Developed and presented the 40-hour POST certified Patrol Rifle Instructor course. This course is currently presented in the State of California and is specifically designed to train instructors in the operation, tactical employment and field deployment protocol for the AR-15/M-16 Rifle.

- 1996 Developed, selected and trained the first Haitian National Police SWAT team. This program was presented through the United States Department of State - Haiti Mission and the US Department of Justice - ICITAP. Involved recruiting, evaluation, equipping and training 200 officers for final selection to national team.
- 1996 Developed and presented the first 40-hour POST certified Tactical Dispatcher Course, which trains police dispatchers to support tactical units and SWAT commanders in field command posts. The material presented in this 40-hour course serves as the curriculum model for the State of California's Tactical Dispatcher Training.
- 1996 Developed and presented the first 48 hour POST certified Tactical Rappel Master Instructor course involving procedures for anchor point rigging, all types of rappel procedures, lowering systems, hook and pole caving ladder procedures, team lifts, fast rope insertions, fixed and webbing ladder procedures, rescue procedures, equipment selection/inspection, operational obstacle clearing, policy and procedure guidelines.
- 1998 Developed and presented the first 80-hour POST certified Explosive Breaching course involving the use of explosives in specially configured charges for Law Enforcement. The material presented in this course now serves as the curriculum model for the State of California's Explosive Breaching Course.
- 2001 Developed and presented the first 32-hour POST certified Active Shooter-First Responder Instructor course involving procedures for direct intervention tactics and operational protocol in critical threat situations.
- 2004 Developed and presented as the lead instructor, the first 80-hour POST Pilot Basic SWAT course for officers selected by their agency to be members of their SWAT team. The material presented in this course now serves as the curriculum model for the State of California's Basic SWAT Course.
- 2005 Developed and presented as the lead instructor, the first 40-hour POST Pilot Tactical Commander course for officers selected by their agency to be commanders of critical incidents. The material presented in this course now serves as the curriculum model for the State of California's Tactical Commander Course.
- 2006 Developed and presented the first 48-hour POST certified Tactical Breaching course involving manual, mechanical, cutting, thermal and shotgun techniques. The material presented in this course now serves as the curriculum model for California POST Tactical Breaching Course.
- 2007 Developed and presented the first 16 hour POST certified Distraction Device Instructor Course involving munitions configuration, explosive properties, safe handling procedures, reloading procedures, maintenance procedures, hand, pole and command initiated deployment, tactical insertion procedures, storage requirements, transportation requirements, policy and procedures documentation.
- 2010 Developed and presented the first 16 hour POST certified Distraction Device Breaching Course involving the use of the explosive properties of distraction device flash powder reloads as the force to breach doors, wall, window and other obstacles, to include safe handling procedures, tool placement and maintenance procedures.

TACTICAL COMMAND AND SWAT OPERATION EXPERIENCE

'972 - 1995	Directly involved in an extensive number of high-risk tactical operations with responsibility ranging from SWAT Team member, Team Leader to Team Commander and Tactical Commander.
1972-1978	Assigned as SWAT Team Member - duties include aircraft hijacking, hostage rescue, barricaded suspects, high risk warrant service, protective details, major event security and public safety protocol. Maintained requirement for tactical skills, firearms qualifications and physical fitness standards.
1979-1983	Assigned as SWAT Team Leader - duties involved the selection and training of new team members. Command and control of team to include planning and execution of various missions. Maintained performance standards, enforced training and operational protocol.
1984 - 1988	Assigned as SWAT Team Commander - duties involved command and control of three SWAT teams to included planning and execution of missions, selection and training of new members, equipment evaluation and procurement, liaison with other support units, discipline of team personnel, operational report writing and evaluations.
1989-1995	Assigned as Tactical Commander - Duties involved command and control of three SWAT teams, four sniper teams, containment team, communication section, hostage negotiation team and command post element. Responsible for the planning, coordination, and execution of all tactical actions as required by specific operations.
12/14/94	Last operational responsibility as Tactical Commander involved the service of two separate high-risk narcotic trafficking warrants for suspected gang members.

MILITARY TRAINING AND EXPERIENCE

966 - 1967	Received commission as United States Marine Corps officer. Attended Infantry Officer School - six months, Quantico, VA – Honor Roll graduate
1968	Assigned duties as Infantry Platoon leader
1968 - 1969	Participated in extensive infantry combat operations with the 3 rd Marine Division in Vietnam
1969	Returned to Camp Pendleton, CA.
1970	Completed active duty with rank of Captain. Received Honorable Discharge

MILITARY TRAINING RECEIVED RELATING TO LAW ENFORCEMENT DUTIES AND RESPONSIBILITIES

1966 - 1970	Squad, platoon and company tactics for urban and jungle operations Information collection and processing of intelligence Weapon selection and tactical employment Rules of engagement Planning, supporting and briefing procedures for execution of tactical operations Casualty processing and evacuation Helicopter operations Assault Climbing and Rappelling Rigging and disarming of mines and improvised explosive devices Tactical use of explosives Stress psychology and performance in combat operations Chain of command operations Close combat self-defense
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OTHER SPECIALIZED TRAINING AND CERTIFICATIONS

1972 – 1984	Martial Arts training and competition in Tae Kwon Do and Hap Ki Do
1960	Los Angeles County and PADI Scuba Diver Certification. Experience in tactical dive operations involving evidence and victim searches.
1998	California State Explosive Blaster License. Certified to use explosives in tactical breaching applications for law enforcement.

PROFESSIONAL ASSOCIATION MEMBERSHIP

1980 – 2009	National Tactical Officers Association International Society of Explosive Engineers California Association of Hostage Negotiators Society of Former Special Agents of the FBI FBI Agents Association FBI - US Marine Corps Association Marine Corps Law Enforcement Foundation National Rifle Association International Association of Chief of Police California Association of Tactical Officers International Wound Ballistics Association International Association of Law Enforcement Firearms Instructors California Association of Firearms Instructors American Sniper Association
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AWARDS AND COMMENDATIONS

1972 - 2005	Recipient of more than 100 formal and written commendations from law enforcement, military and Governmental agencies as well as various civic and business groups for both operational and training events.
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DAVID W. BLISS
212 Sherland Ave. • Mountain View, California 94043
Phone (650) 967-7057 • Cell (650) 303-1111 FAX (650) 967-7053
email: dwbliss @comcast.net

PROFESSIONAL EXPERIENCE

International Training Resources, LLC. - (January 1995 - Present)

Founding member of this law enforcement training and consulting company that specializes in law enforcement management, supervisory, tactical, firearms and defensive tactics programs. Core courses include Tactical Commander/Critical Incident Management, SWAT Team Leader, Basic SWAT, Defensive Tactics/Arrest and Control Instructor, Basic and Advanced Sniper, Firearms Instructor, Patrol Rifle Instructor, numerous officer safety and custom/advanced SWAT courses.

Responsibilities include developing training contracts, liaison with Commission on Peace Officer Standards and Training (POST), writing course materials, coordinating training presentations throughout the State of California and team teaching the majority of the courses.

Mountain View Police Department, 1000 Villa Street, Mountain View, California (650) 903-6350 (October 1987 - October 1999)

Area Commander, Field Operations Division (July 1996 - October 1999)

Coordinated Community Oriented Policing and Problem Solving programs for one half of the city. Included a leadership role in the transition to community policing. This included staffing and scheduling, problem solving protocols, differential police response, and facilitating the formation of neighborhood, business community, and outside government partnerships.

Served as a law enforcement liaison to the City Council Neighborhoods Committee, the Neighborhood Preservation Strategy Steering Committee, the Code Enforcement Committee and the Emergency Communications Center.

Lieutenant, Field Services Division (January 1994 - July 1996)

Watch Commander responsibilities similar to those listed below from October 1987 to January 1992. During much of this time period coordinated the beginning transition to community oriented policing. The Neighborhood Services Unit, Neighborhood Code Enforcement, the Gang Suppression Team and the Street Intelligence Units were grouped under one coordinator for the first time.

These units began to work with other divisions, government entities, and community groups to provide community oriented service. The budget was complete and the

David W. Bliss

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formation of a six person Community Oriented Policing Team began. This team worked in conjunction with the units and resources mentioned above.

Served as the law enforcement liaison to the City Council Neighborhoods Committee, Neighborhood Preservation Strategy Steering Committee, Parks Committee and Code Enforcement committee.

Lieutenant, Investigative Services Division (January 1992 - January 1994)

Responsibilities included command supervision of investigative teams and supervisors; completion of appropriate divisional reports and, as assigned, staff work, press relations; the management of the performance of members assigned to my command, including Community Services (DARE, SRO & Crime Prevention), Crime Suppression Team, Property Crimes Unit, Person Crimes Unit, SWAT and Hostage Negotiations Teams. Training coordinator responsibilities for the division.

Lieutenant, Field Services Division (October 1987 - January 1992)

Responsibilities included command supervision of patrol teams and supervisors assigned thereto; functional supervision and command of records personnel and records section; completion of appropriate divisional reports and, as assigned, staff work, press relations; the management of the performance of members assigned to my command; management of the Field Services Division's manpower function and presentations to Council regarding alternate services levels and capital expenditure.

Responsibilities also included management of the Field Training Officer Program and the Special Emergency Response Teams.

Palo Alto Police Department, 275 Forest Avenue, Palo Alto, California (415) 329-2406 (May 1977 - October 1987)

Sergeant (April 1985 - October 1987)

Supervisor, Investigative Services (July 1985 - October 1987) Supervised eight sworn and non-sworn employees in criminal investigations, crime suppression, crime analysis and special operations. Directed a focus change of the Crime Suppression Team (CST) from reacting to crime incidents to apprehending Career Criminals and narcotics offenders, which contributed to a 6 percent reduction in the burglary rate. Established and supervised multi-division task forces to coordinate efforts on major crime trends.

Identified need for and facilitated better coordination between Field Services (FSD), Investigative Services (ISD), Crime Prevention and Crime Analysis, which increased continuity and success of investigations. Implemented and managed case enhancement

David W. Bliss

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activities with the Crime Analyst to provide quality research on significant investigations. Supervised agent in regional narcotics task force. Acted as division coordinator in the Captain's absence. Prepared Investigative Service Division budget.

Supervised the formation and operation of a highly successful eight agency task force, known as the Criminal Apprehension Team (CAT), which focused its attention on parolees, known offenders and street level narcotics dealers.

Supervised the Field Training Officer program.

Supervisor, Support Services (November 1983 - July 1985) Supervised 13 sworn and non-sworn employees in police records during the transition from manual to automated record keeping systems. Handled personnel actions, including employee selection, disciplinary actions and evaluations. Served as Custodian of Records, by responding to Subpoena requests, determining public access to records and controlling restricted information. Prepared Support Services Division budget and managed division training.

Agent (March 1982 - April 1985)

Designed, coordinated and supervised a holiday season crime suppression team with outstanding results. Trained new officers in plain clothes patrol techniques for apprehending criminals. Managed crime scene evidence collection for the watch.

Supervised in Sergeant's absence, and assisted Sergeant in supervisory activities, including training and case review. Interned in City Attorney's Office for three months to help prepare City's defense of a civil suit; defense was successful.

Reconstructed, and supervised the Special Weapons and Tactics (SWAT) Team. After a complete change in team members, designed training programs and exercises to build expertise. Team resolved numerous SWAT incidents over seven years without injury to citizens or team members, or damage to property. Team provided protection for visiting dignitaries, and security for special events, such as the 1984 Olympics and 1985 Super Bowl.

Officer (May 1977 - September 1981)

Responded to calls for service, investigated crimes and traffic incidents, and responded to citizen requests for assistance and service on all three FSD watches.

David W. Bliss

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Training and Instructor Experience

Began law enforcement training at the Community College level in 1978 at Gavilan College and continued to train for various colleges throughout career to include present time. Assisted the FBI as an instructor in numerous courses and provided regional training through police agencies throughout career. Training has been presented for the American River College, Gavilan College, Las Positas College, Los Rios College, Monterey Peninsula College, the South Bay Public Safety Training Consortium, Santa Barbara City College, San Jose City College, and San Jose State College.

Past Senior Instructor Defensive Tactics/ Arrest and Control at POST Basic Police Academy Learning Domain 33 – Gavilan College, Evergreen College and Monterey Peninsula College.

Continuous/full time training presentations since November 1999 have been in the areas of Incident Command, defensive tactics/arrest and control, firearms, SWAT, Rappel Master, Sniper, Submachine gun, SWAT Team Leader, Patrol Rifle Instructor, officer survival, vehicle pull-over, etc.

DOD/ICITAP Contract. Select and train the Haitian National Hostage Rescue Team 1996.

Senior Instructor in the California Commission on Peace Officer Standards and Training (POST) Pilot Basic SWAT Course in December 2004 and the POST Pilot Tactical Commander Course in February 2005.

Speaking engagements at TREXPO West, the California Association of Tactical Officers (CATO) conference and at the World SWAT Symposium.

Managed training and Field Training Officer Programs in Palo Alto and Mountain View.

Developed and presented the official California State Parole Defensive Tactics Instructor Course. The material presented in this 80-hour course now serves as the curriculum model for all California State Parole Defensive Tactics Instructors.

EDUCATION

Senior Management Institute for Police, Boston, Massachusetts, 1998

M.S., Management, California State Polytechnic University, Pomona, California, 1995

California, Peace Officer Standards and Training, Command College Class 19, 1995

B.A., Administration of Justice, San Jose State University, San Jose, California, 1991

A.S., Life Sciences, Gavilan College, Gilroy, California, 1972

David W. Bliss

Page 5

Basic, Intermediate, Advanced, Supervisory, and Management POST Certificates

Limited Lifetime Teaching Credential

Law Enforcement Training and Certificates

41st Central Coast Counties Basic Police Academy

"Outstanding Graduate Award"

March 18, 1977

University of California, Davis

Crime Scene Investigation and Physical Evidence

7/17/78 – 9/17/78

Northern California Criminal Justice Training and Education System

Santa Rosa Center

Advanced Officer SWAT 40 hours – March 30, 1979

Federal Bureau of Investigation

Self-Defense and Arrest Techniques Instructors School

July 9-20, 1979

Federal Bureau of Investigation

Self-Defense and Arrest Techniques Instructors Update

Completed 1/1/1980

Federal Bureau of Investigation

Special Weapons and Tactics

Completed 7/25/80

Federal Bureau of Investigation

Self-Defense and Arrest Techniques Instructors Update

Completed 10/10/80

Federal Bureau of Investigation
Advanced Special Weapons and Tactics
Completed 10/24/80

Federal Bureau of Investigation
Chemical Agents Instructor
Completed 8/27/82

David W. Bliss
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Federal Bureau of Investigation
Advanced Special Weapons and Tactics
Completed 9/10/82

South Bay Regional Public Safety Training Center
Law Enforcement Supervisory Course
Completed 8/17/84

California Department of Justice
Records Management Course
Completed 3/29/85

Santa Rosa College Public Safety Training
Unusual Incident Management and Tactics
Completed 8/16/85

California Department of Justice
Homicide/Violent Crimes Investigation
Completed 5/9/86

CSU Long Beach
Internal Affairs
Completed 5/21/86

Federal Bureau of Investigations
Defensive Tactics Seminar, Quantico Virginia
July 21 - 26, 1985

Federal Bureau of Investigation
Self-Defense and Arrest Techniques Instructors Update
Completed 1/15/87

Humboldt State University Office Of Continuing Education
The Management Course
Completed 3/25/88

California State University, Long Beach
Center for Criminal Justice Research and Training
Management of the Field Training Officer Program
November 13 - 15, 1989

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Federal Bureau of Investigation
Tactical Leadership Seminar
April 28 - February 1, 1990

FBI - Tactical Operations Commander
April 8 - 12, 1990

Federal Bureau of Investigation
Tactical Leadership Seminar
Completed 2/21/91

Federal Bureau of Investigation
Critical Incident - Tactical Commander
Completed 4/12/91

Federal Bureau of Investigation
Tactical Leadership Seminar
Completed 1/30/92

Federal Bureau of Investigation
Tactical Leadership Seminar
Completed 1/28/93

Federal Bureau of Investigation
Special Weapons and Tactics Update
Completed 8/8/94

Cristando House
Management Update Seminar
Completed 1/9/96

Marin Cons
Assertive Management
Completed 6/20/96

Firearms Instructor Course
ITR/Los Positas Community College
October 1999

Active Shooter Instructor
ITR/South Bay Public Safety Training
October 2001

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California Tactical Officers Association
Training Conference
2002 - 2010

TREXPO West
Training Conference
2002 - 2010

Armorer/Gunsmith - AR-15/M-16
December 17 - 21, 2007

Law Enforcement Use of Force Legal Update
Eugene Ramirez
January 7, 2008

Defensive Tactics Instructor Legal Update
Michael Rains
April 30, 2008

Distraction Devices Instructor
Armor Holdings Training Academy
May 27 - 30, 2009

Commission on Peace Officer Standards and Training
Intermediate Certificate
May 2, 1981

POST Advanced Certificate
May 2, 1986

POST Supervisor Certificate
April 15, 1987

POST Management Certificate
June 19, 1990

Notices of Achievement
March 2, 1982 - Outstanding Service to Community
June 5, 1982 Narcotics
July 2, 1982 Notice of Merit Citation - Armed Suspect Suicide
January, 1983 Dougherty Trial
February, 1983 - Leadership - Holiday Task Force

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May 3, 1983 South Palo Alto Optimist Club - Officer of the Year
March 24, 1987 - FBI Colorado
October, 1987 - Leadership - Palo Alto Regional SWAT
July 26, 1989 - Gas Line Rupture
July 23, 1990 - Federal Fraud Investigation/Operation
April 27, 1992 - "Number of significant SWAT/Hostage events"
March 31, 1988 - Co-instruct FBI DT's School May 9-13, 1988
May 18, 1990 - Tapia Stalking/DV case
October 1999 - Leadership to Regional SWAT Team - Palo Alto Police Dept.
August 13, 2005 - San Mateo County Sheriff's Regional SWAT - Outstanding Leadership
January, 2006 - California Air National Guard - 129th Security Forces Squadron - Quality Tactical Training

SECTION NUMBER 12

INTERNATIONAL TRAINING RESOURCES REQUESTS AND RECOMMENDATIONS

1. As stated in the Appeal Process Report, ITR has been presenting POST certified courses since January 1995. Since that time, ITR has accumulated a documented course presentation history of approximately 20,250 hours of training with over 8,460 participants for a total of approximately 171,131,000 training hours. In over 171 million hours of documented training, the incident involving Officer Mike Short is the only accident directly attributable to a specific training event.
2. This accident was a tragedy beyond words and was devastating to both fellow course participants and especially to all instructors.
3. All instructors in this course have extensive professional training experience as evidenced by the enclosed resumes and would not knowingly in any circumstance, jeopardize the safety of any course participant.
4. ITR instructor have dedicated both their extensive professional law enforcement careers and the last 15 years of ITR POST course presentations, to providing outstanding quality, contemporary and safe law enforcement courses to fellow officers.
5. An extensive amount of time and documentation effort has been put into the Appeal Process Report to ensure all of the information available to ITR as of this report, has been presented in a format which establishes a reasonable and justifiable basis for the requests and recommendations.
6. It is requested that the POST Executive Director, upon a full review of the Appeal Process Report, re-evaluate the six causation findings as listed in the POST letter of Assistant Executive Director Michael DiMicieli dated 10/24/11 which are specific to the Distraction Device Breaching course only, and implement the following administrative process:
 - a. The Distraction Device Breaching course remain decertified
 - b. POST staff review all presentation procedures
 - c. POST staff make any recommendations as to adjustments to course content
 - d. Upon completion of this process, consider recertification of the course.

7. It is requested that the POST Executive Director, upon a full review of the Appeal Process Report, re-evaluate the six causation findings as listed in the POST letter of Assistant Executive Director Michael DiMicieli dated 10/24/11 which are specific to the Distraction Device Breaching course only, and implement the following recommendation:
 - a. It is recommended that POST rescind the restriction regarding Ben Tisa being prohibited from participating in any POST certified training course as instructor, coordinator, safety officer, instructional aide or assistant.
 - b. It is recommended that POST rescind the restriction regarding Dave Bliss being prohibited from participating in any POST certified training course as instructor, coordinator, safety officer, instructional aide or assistant.
 - c. It is recommended that the inventory of ITR POST certified courses, other than the Distraction Device Breaching course, be re-certified for presentation by ITR in the state of California.
8. Any question or request for further information can be directed to Ben Tisa
 - a. Telephone numbers 925.963.3984 or 415.567.0323
 - b. email btisa.itr@comcast.net.
 - c. Office address is ITR at 2269 Chestnut Street, # 161, San Francisco, Ca. 94123
 - d. Both Ben Tisa and Dave Bliss are also available for any additional meetings at POST headquarters at your convenience.