



Redman Suit Hitchhiker Scenario

REPORT

CONFIDENTIAL

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TABLE OF CONTENTS

I.	Executive Summary.....	1
II.	Interviews.....	2
III.	Documented Injuries at Vermont Police Academy.....	19
IV.	Sergeant Scott Swenson, Baltimore PD Report.....	20
V.	Vermont Police Academy Hitchhiker Scenario.....	22
VI.	National Trends.....	23
VII.	Findings.....	24



I. EXECUTIVE SUMMARY

The Hitchhiker Scenario is a Use of Force Training exercise utilized by the Vermont Police Academy (VPA) during recruit training. It is the third of four Use of Force scenarios that each recruit participates in during the course of their training. The scenario involves the recruit confronting an instructor role-playing the part of a hitchhiker who is on the Interstate illegally. Both the recruit and instructor are wearing “Redman Suit,” which is an outfitting of protective gear. During the scenario, recruits encounter a combative/assaultive subject on what appears to be a routine call. Recruits are expected to observe pre-assault indicators and utilize skills and techniques that they have been taught in the weeks preceding this scenario. The scenario was created and implemented over 20 years ago by Fish and Wildlife Warden Evan Eastman, who at that time was lead Use of Force instructor at the VPA.

During the 103rd (February 6 – May 26, 2017), 104th (July 31 – November 17, 2017) and 105th (February 5 – May 25, 2018) Basic Academy classes, the combined number of recruits totaled 109. Four of those recruits are believed to have sustained concussions during their participation in the Hitchhiker Scenario.

In April 2018, [REDACTED] made a formal request to the Vermont Criminal Justice Training Council (VCJTC) for an investigation of the Hitchhiker Scenario after [REDACTED] reported being concussed at the Vermont Police Academy (VPA) during the Hitchhiker Scenario. The undersigned was retained to conduct the investigation along with 21CP Solutions, a law enforcement consulting firm based in Chicago, IL that provided supervision, direction and oversight of the investigation.

The investigation included interviews of recruits and instructors, a review of materials provided by the VPA that included a “Scenario Sheet” for the Hitchhiker Scenario and reported injuries for the aforementioned Basic Academy Classes, a review of a report authored by Sergeant Scott Swenson of the Baltimore, Maryland Police Department, and research into National Standards and Best Practices.

Based on information obtained during the course of this investigation, the undersigned made several recommendations to include discontinuing the practice of head strikes directed at recruits participating in this scenario.

II. INTERVIEWS

The following is a list of individuals interviewed related to this investigation as well as those that declined or failed to respond. A request for permission to interview the individuals listed was sent to the Commander of each agency represented (where applicable). All interviews were voluntary.

Persons Interviewed:

1. [REDACTED]
2. Shawn Burke² – Former Burlington Deputy Chief

Scenario Participants

3. Officer Bryan Kirby – Burlington PD – 105th Basic
4. Officer Brock Marvin – Burlington PD – 105th Basic
5. Officer Connor Palmateer – Burlington PD – 103rd Basic
6. Officer Dierdre LaCouture – Burlington PD 104th Basic
7. [REDACTED] 103rd Basic
8. Officer Victor Montalvo – Burlington PD 104th Basic
9. [REDACTED] 103rd Basic
10. [REDACTED] 104th Basic

Instructors

11. Sergeant Lema Carter – Rutland County Sheriff's Department
12. Warden Josh Hungerford – Vermont Fish and Wildlife
13. Warden Robert Currier – Vermont Fish and Wildlife
14. Detective Jonathan Purdy – Vermont Department of Motor Vehicles

Declined Interview Request:

1. Sergeant Dave Clements – Burlington PD
2. Sergeant Jamie Morris – Burlington PD
3. Officer Kelly Schmidt – Burlington PD

Interviews with Burlington PD were coordinated through Lieutenant Justin Couture. Lieutenant Couture advised that the Officers listed above declined the request to be interviewed related to this investigation. Sergeant Clements and Sergeant Morris are or were Use Of Force Instructors at the VPA and were interviewed by Deputy Chief Burke during his investigation; Officer Schmidt is a recruit that participated in the Hitchhiker Scenario.

4. Vermont Attorney General's Office Detective Jesse Sawyer

Detective Sawyer is a Use Of Force Instructor at the VPA. A request for permission to interview Detective Sawyer was sent to his supervisor, Domenica Padula on via email on May 14, 2020 and again on May 28, 2020. Ms. Padula did not respond to these requests. The undersigned sent an email directly to Detective Sawyer on May 29, 2020. Detective Sawyer responded on this same date and stated, "At this time, I have no interest in discussing the matter."

■ [REDACTED]
² Shawn Burke is now the Chief of Police in South Burlington, VT.

5. Trooper Shawn Cavic – VT State Police, St Albans - 103rd Basic
6. Trooper Charlotte Hartman - VT State Police, St Albans - 103rd Basic
7. Trooper John Gildea - VT State Police, Middlesex - 104th Basic
8. Trooper David Lambert - VT State Police, Middlesex - 104th Basic
9. Trooper Vienna Valenti - VT State Police, Williston - 104th Basic
10. Trooper Bojan Brkovic - VT State Police, St Albans - 105th Basic
11. Trooper Michelle Archer - VT State Police, Williston - 105th Basic
12. [REDACTED] 105th Basic

Colonel Matthew Birmingham, Director of the Vermont State Police granted permission to interview the above-mentioned officers with the understanding that their participation would be voluntary. The undersigned attempted to schedule interviews with assistance from the President of the Vermont State Police Troopers Association President Michael O’Neil. O’Neil informed the undersigned on February 13, 2020 that all of the Troopers declined the request to be interviewed.

13. Officer Nichole Peatman – Essex PD – 105th Basic
14. Officer Bryon Wehman – Essex PD – 104th Basic
15. Officer Brett Williger – Essex PD – 104th Basic

A request for permission to interview the above listed officers from the Essex Police Department was sent to Essex Chief of Police Rick Gary via email on March 12, 2020 and again on March 20, 2020. Chief Gary did not respond to these requests.

16. [REDACTED] 105th Basic
17. [REDACTED] 105th Basic

A request for permission to interview the above listed officers from [REDACTED] was sent to [REDACTED] via email on March 12, 2020 and again on March 20, 2020. [REDACTED] did not respond to these requests.

[REDACTED]
On March 9, 2020, I met with [REDACTED] at [REDACTED] residence in [REDACTED] for the purpose of interviewing [REDACTED] regarding this investigation. It was a memo authored by [REDACTED] on April 19, 2018 and addressed to [REDACTED] that was the impetus for launching this investigation. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] The interview was audio recorded and a copy is included as an attachment to this investigation.

[REDACTED] advised that [REDACTED] understanding of the Hitchhiker Scenario exercise that is conducted at the VPA is that it is a scenario in which an officer responds alone to a subject with a possible mental health issue hitchhiking on the highway. What drew [REDACTED] attention

[REDACTED]
[REDACTED]

to this scenario was that the officer is trained to request identification and, when this occurs in the scenario, the role player (instructor) presents the ID very low and with his weak hand. If the officer looks down at the ID, he/she is met with a hard blow to the head. ██████████ advised that it does not occur in every scenario, but more often than not it does.

██████████ was asked when the Hitchhiker Scenario first began to give ██████ reason for concern. ██████████ referred the undersigned “to the investigation ██████████ ██████████ said that Deputy Chief Burke’s report is “an accurate narrative of the timeline.” ██████████ added that it first came to ██████ attention when ██████████ was hospitalized with a concussion while at the VPA.

██████████ was asked if there was a specific aspect of the Hitchhiker Scenario that ██████ was concerned about or if it was the entire scenario. ██████████ replied, “I have to say I think it’s quite important to train officers to be aware of threats to their safety when they’re dealing with unknown and unpredictable people alone. That is a legitimate goal of police training that should always be a part of Academy scenarios. However, punching an unsuspecting trainee in the head with a sparing glove in a way that, in fact, has without question resulted in concussions over time that required hospitalization concerns me. And I guess one of the reasons I became concerned about the process in general is there did not seem to be a system or capacity at the Police Academy to realize that this was a problem. Then to take care of officers that have been afflicted this way. To revise the training. This training can accomplish this goal effectively in many ways without unsuspecting blows to the head that result in hospitalization. And the fact that there was no awareness of that, no system in place to detect it and that when I first voiced my concern, the answer was ‘we are just going to continue doing this. You don’t understand what it takes to train police’ is what resulted in the events that brought us up to here.”

██████████ advised that “above and beyond this” there are allegations that “larger, aggressive” instructors are causing injuries to women and smaller officers.

██████████ further advised that ██████████ ██████████, ██████ met with the Commissioner of Public Safety, the Director of the State Police, an Attorney, the Chief of Brandon PD and the Director of the Vermont Police Academy Rick Gauthier. ██████████ advised that ██████ expressed ██████ concerns about the strikes to the head during the Hitchhiker Scenario and ██████ was reassured that they “had no idea this was happening” and that “this is terrible” and that they would “get the bottom of this” and it would be handled.

In April 2018, ██████████ Deputy Chief Shawn Burke ██████ conduct an investigation that included interviewing all Burlington PD officers that attended the 103rd, 104th and 105th Basic Academy Classes and “find out if it was, in fact, pattern and practice to strike unsuspecting officers hard and in the head with a sparing glove.” ██████████ the goal was not to publicize these concerns, nor was the goal to have this result in a lawsuit or to encourage officers to take their own legal action. ██████████ the sole reason for Deputy Chief Burke’s investigation was to make sure the Burlington Police Department was taking care of its own officers.

Chief Shawn Burke - South Burlington Police Department

On March 17, 2020 I spoke with South Burlington Chief of Police Shawn Burke via telephone. At the time that the Hitchhiker Scenario complaint was brought forward, Chief Burke was the Deputy Chief of Police for the Burlington Police Department. For the purpose of continuity and context, Chief Burke has been and will continue to be referred to as Deputy Chief Burke throughout this report.

Deputy Chief Burke advised that concerns at Burlington PD related to the Hitchhiker Scenario were first raised by [REDACTED]. [REDACTED] had reported sustaining a concussion during the Hitchhiker Scenario while attending the VPA. After learning of [REDACTED] injury, [REDACTED] came forward and alleged that [REDACTED] too had sustained a concussion while attending the VPA.⁸ It was Deputy Chief Burke's recollection that [REDACTED] was the driving force in seeking an inquiry into how and why these injuries were occurring. [REDACTED]

[REDACTED] Deputy Chief Burke compiled his findings into a written report that was turned over to [REDACTED].

Former Vermont Police Academy Executive Director Richard Gauthier

In a memo dated October 23, 2018, and addressed to the Vermont Criminal Justice Training Council members, former VPA Executive Director Rick Gauthier provided an overview of the Hitchhiker Scenario. A summary of the overview follows:

The scenario itself was developed by then-lead Use Of Force Instructor Vermont Fish and Wildlife Warden Evan Eastman approximately 20 years ago and has been used in every level III training since then. A conservative estimate of 75 recruits per year equate to approximately 1,500 recruits who have participated in this scenario in total. The exercise is third in a series of use of force practical scenarios that involve an escalating amount of force that the Recruit must employ in order to successfully complete the scenarios. The first exercise involves the recruit maintaining control over passive suspect. In the second exercise the recruit encounters active resistance (suspect is refusing to be handcuffed but is not assaultive. The third is the Hitchhiker Scenario in which the suspect is actively assaultive, forcing the recruit into a physical confrontation. The fourth and final scenario requires the recruit to utilize de-escalation techniques to resolve the incident without physical confrontation.

It is important to note that, prior to the Hitchhiker Scenario taking place, a recruit has received over 40 hours of training involving such topics as use of space and distance, recognizing pre-assault cues, positioning of feet and hands, keeping their eyes on the suspect, and hours of

[REDACTED]

██████████ looked down and immediately “got blasted” on the left side of █████ head in the area of █████ ear. According to ██████████, █████ had been struck hard enough that █████ felt like █████ was playing catch-up for the rest of the scenario because █████ was “off-balance, disoriented and just physically at a loss.” ██████████ felt like █████ needed to keep going and get through the scenario because that’s what █████ have to do in real life. ██████████ realized that █████ was over-matched so █████ attempted use █████ baton, but the role player was able to get it away from █████ and threw it away. ██████████ and the role player engaged in a physical confrontation and █████ was struck again in the head. ██████████ recalls thinking that if █████ took another blow to the head, █████ would be “done (unable to finish the scenario).” ██████████ decided that in real life █████ would be justified to use lethal force, so █████ drew █████ weapon (training prop) and said “bang bang” to indicate █████ was firing. The role player advanced towards █████, took the weapon and threw it across the room saying, “that’s not how the scenario goes.” They continued to engage in hand to hand combat but █████ could tell that the role player’s aggression level had dropped and █████ felt like he was “dumbing it down” for █████. ██████████ was eventually able to put his right arm into a wristlock and the role player laid down ending the scenario.

██████████ was asked to rate the amount of force used in the first strike to █████ head on a 1 (very little) to 10 (significant) scale and █████ said “9.” ██████████ did not think the role player hit █████ with the full force he was capable, but thought it was “pretty close.” ██████████ wondered later if the role player is even aware of what his full force is.

According to ██████████, █████ sustained “an uncategorized sort of brain injury” that involves symptoms such as migraine headaches, tinnitus¹⁰, hearing loss and balance issues.

██████████ advised that █████ did not seek medical attention at the time, but probably should have. ██████████ explained that ██████████ ██████████ and that “it’s kind of hard to diagnose yourself. ██████████ did report it to the VPA or █████ own agency initially.

██████████ advised that █████ failed the scenario for █████ decision to use lethal force but later found out that a classmate, Jared Harrington from the Middlebury Police Department, had also resorted to lethal force and he was given a passing grade.

Exercise #2

The second exercise took place on the same day as the first. ██████████ identified the role player in this exercise as “Cardin” and █████ was unable to identify the evaluator. VPA training records identified the role player was as Rutland County Deputy Sheriff Lema Carter and the evaluator as Vermont State Trooper Chris Brown. ██████████ advised that █████ was still so dazed and disoriented from the first exercise that █████ was unable to complete this exercise and had to call an end to the scenario midway through. ██████████ recalled very little about this exercise because it is a “complete jumble and not

10 Tinnitus is the perception of noise or ringing in the ears.

recalled the role player handing [REDACTED] his ID before he “haymaker punched me right in the head.” [REDACTED] advised that [REDACTED] blacked out and when [REDACTED] came to, [REDACTED] was on the other side of the room wrestling with the role player. According to [REDACTED], the exercise was ended shortly thereafter and [REDACTED] was told [REDACTED] had to repeat it. [REDACTED] recalls telling the role player and evaluator that [REDACTED] got hit in the head pretty hard and was feeling pretty dizzy. [REDACTED] was pretty sure [REDACTED] had been concussed as a result of the blow to the head but [REDACTED] didn’t want to stop and have to repeat the exercise again.

Exercise #2

[REDACTED] believed [REDACTED] participated in the second exercise on the same day as the first. [REDACTED] did not recall the name of the role player but described someone that fit the description of Jesse Sawyer. [REDACTED] did not know who the evaluator was during this exercise. VPA training records indicate that the role player was in fact Jesse Sawyer and that the evaluator was Detective Jonathan Purdy. [REDACTED] advised that [REDACTED] recalls telling both the role player and evaluator that [REDACTED] got hit in the head pretty hard during the first scenario and asked that [REDACTED] not be hit in the head again. According to [REDACTED], [REDACTED] request was honored and [REDACTED] was able to get through the second exercise with a passing grade.

[REDACTED] advised that [REDACTED] did report [REDACTED] injury and remembers filling out a first report of injury form but didn’t know if it was for the VPA or [REDACTED] own Department. [REDACTED] advised that [REDACTED] did not seek medical attention but was looked at by [REDACTED] roommate, [REDACTED]. According to [REDACTED], [REDACTED] looked at [REDACTED] pupils and that there didn’t appear to be anything “too extreme.” [REDACTED] advised that [REDACTED] had concussion-like symptoms for approximately 1 ½ weeks following [REDACTED] participation in the Hitchhiker Scenario.

[REDACTED] did not recall [REDACTED] telling [REDACTED] about being injured but is aware that [REDACTED].

Officer Victor Montalvo – Burlington Police Department – 103rd Basic

On February 25, 2020 I met with Officer Victor Montalvo of the Burlington Police Department. Officer Montalvo is a graduate of the 103rd Basic Academy Class at the Vermont Police Academy in Pittsford, Vermont. The interview was audio-recorded and a copy is included as an attachment to this investigation.

Officer Montalvo advised that he did participate in the Hitchhiker Scenario once during his time at the Academy but did not recall who was the role player in the Redman Suit or who the evaluator was in his scenario. VPA training records identified the role player as Fish and Wildlife Warden Robert Carrier and the evaluator as Rutland County Deputy Sheriff Lema Carter. Officer Montalvo advised that he did not know what to expect when he went into the scenario. According to Officer Montalvo, at the start of the scenario he was told that he needed to make contact with an individual who was walking on the highway and that the individual’s actions were illegal and unsafe. Officer Montalvo approached the role player and request

identification, which the role player extended to him. As Officer Montalvo reached for the ID, he “caught” his first punch. From that point, it was “just a full-on fight.” Officer Montalvo advised that the first punch struck him on the left side of his face and added that he never saw it coming. Officer Montalvo believes that throughout the course of the scenario, he was struck in the head approximately three times.

Officer Montalvo was asked to rate the amount of force used by the role player when he was struck in the head on a 1 (very little) to 10 (significant) scale and he said, “I’d put it like a 5.” Officer Montalvo advised that he was not injured as a result of the blow to his head and therefore there was no reason to seek medical treatment. It was Officer Montalvo’s belief that the role player laid off and did not strike him with his full capability. Officer Montalvo referred to the strike to his head as one that got his attention but did not incapacitate him in any way.

Officer Montalvo thought that the scenario was good scenario and that it definitely has value. Officer Montalvo also believed that the force used against him during the scenario was appropriate for a training exercise.

Officer Montalvo was not aware of any classmates that were injured as a result of this scenario.

Officer Connor Palmateer– Burlington Police Department – 103rd Basic

On February 21, 2020 I met with Officer Connor Palmateer of the Burlington Police Department. Officer Palmateer is a graduate of the 103rd Basic Academy Class at the Vermont Police Academy in Pittsford, Vermont. The interview was audio-recorded and a copy is included as an attachment to this investigation.

Officer Palmateer advised that he did participate in the Hitchhiker Scenario once during his time at the Academy and that the role player in his scenario was Jesse Sawyer. Officer Palmateer did not know who the evaluator was for his scenario. VPA records identified Jesse Sawyer as the role player and Detective Jonathan Purdy as the evaluator. Officer Palmateer did not know what to expect with regards to the scenario, but the fact that he and the role player were wearing the red man suit and that it was a use of force training day led him to believe there would be force involved.

Entering the scenario, Officer Palmateer was told that the role player was a hitchhiker on the side of the road and that he was the responding officer. Officer Palmateer recalled asking for the hitchhiker’s ID and as he reached for it the hitchhiker struck him in the head area. Officer Palmateer advised that the strike to his head caught him completely off-guard, therefore he made no attempt to block it or even protect himself. Officer Palmateer was asked to rate the amount of force used in the strike to his head on a 1 (very little) to 10 (significant) scale and he responded “7 maybe. 6 or 7. Enough to see stars, I guess.” Officer Palmateer did not believe the role player struck him with the full force of his capability. According to Officer Palmateer, he believes he was struck in the head 1-2 more times before the scenario ended, but those strikes were less forceful than the first one. Officer Palmateer further advised he believed that the force used by the role player was appropriate and not excessive. Officer Palmateer advised that he was not injured during the Hitchhiker Scenario and that at the time, he was unaware of any

classmates being injured. Officer Palmateer has since learned that classmate [REDACTED] is alleging that [REDACTED] sustained a concussion as the result of the Hitchhiker Scenario.

[REDACTED] **104th Basic**

On March 23, 2020 I conducted a telephone interview with [REDACTED] [REDACTED] is a graduate of the 104th Basic Academy Class at the Vermont Police Academy in Pittsford, Vermont. The interview was audio-recorded and a copy is included as an attachment to this investigation.

[REDACTED] advised that [REDACTED] did participate in the Hitchhiker Scenario once during [REDACTED] time at the Academy and that the role player in his scenario was Vermont State Trooper Chris Brown. [REDACTED] did not recall the name of the evaluator during [REDACTED] scenario but knew that [REDACTED] was with the Rutland City Police Department. VPA was unable to locate records for [REDACTED] scenario however, based on other scenario's, it is known that Trooper Brown Rutland County Sheriff Lema Carter were working as a team on this training day. [REDACTED] advised that [REDACTED] had an idea what to expect because [REDACTED] had been through similar scenario's when [REDACTED] attended the police academy in [REDACTED]. [REDACTED] was told that this scenario involved approaching an individual who was found walking on the Interstate. [REDACTED] requested identification from the role player and simulated checking the information through dispatch. At one point the role player was facing the away from [REDACTED] and suddenly turned around and swung his left arm towards [REDACTED]. [REDACTED] stepped back and avoided being struck before tackling the role player and getting him on the ground. The scenario ended with the role player on top of [REDACTED] while on the ground. [REDACTED] advised that [REDACTED] was not struck in the head at any point during the scenario. [REDACTED] was not injured during the scenario and does not believe any of his classmates were either.

[REDACTED] advised that one of the newspaper articles [REDACTED] read related to the Hitchhiker Scenario stated that [REDACTED] had sustained a concussion during the 104th Basic Academy and indicated that it occurred during the Hitchhiker Scenario. [REDACTED] wanted to clarify that [REDACTED] was concussed while attending the Academy but it occurred during a different Use of Force exercise when [REDACTED] was accidentally struck in the neck by a classmate.

Officer Deidre LaCouture– Burlington Police Department – 104th Basic

On February 20, 2020 I met with Officer Deidre LaCouture of the Burlington Police Department. Officer LaCouture is a graduate of the 104th Basic Academy Class at the Vermont Police Academy in Pittsford, Vermont. The interview was audio-recorded and a copy is included as an attachment to this investigation.

Officer LaCouture advised that she did participate in the Hitchhiker Scenario once during his time at the Academy and that the role player in his scenario was Vermont State Trooper Chris Brown. Officer LaCouture did not know who the evaluator was for her scenario. VPA training records confirmed that Trooper Brown was the role player and identified Rutland County Sheriff Lema Carter as the evaluator. Officer LaCouture advised that she did not know exactly what to expect, but she had heard about the Hitchhiker Scenario before attending the Academy and referred to it as "infamous."

Officer LaCouture advised that prior to participating in the scenario she had to put on the Redman Suit, which she said she hated. Officer LaCouture said that the helmet was the most uncomfortable part. After getting the gear on, the scenario evaluator acted like a dispatcher and explained to Officer LaCouture what type of call she was responding to. Officer LaCouture approached the role player and told him he wasn't allowed to be hitchhiking. The role player appeared agitated and began clenching his fists. According to Officer LaCouture, she was hyper aware that she was in a defensive tactics class and was wearing the Redman Suit, so she expected something to happen. Officer LaCouture was simulating calling in the hitchhiker's ID when she saw him raise up his right arm. Officer LaCouture was able to step back and partially block the incoming blow and did not sustain any impact to her head. Officer LaCouture was asked to rate the amount of force used in this attempted strike on a 1 (very little) to 10 (significant) scale and she said "3 or 4." Officer LaCouture believes that the role player deliberately did not attack her with full force which gave her the opportunity to anticipate it. Officer LaCouture advised that a physical scuffle ensued between she and the role player and she went to the ground once or twice. Officer LaCouture does not believe she sustained any blows to her head during the course of this scenario and was not injured as a result of the scenario.

Officer LaCouture advised that in her opinion and based only on her scenario, the amount of force used by the role player was appropriate. Officer LaCouture was unaware if any classmates sustained injuries but was told by fellow recruit Brett Williger that he was struck with significant force by his role player Jesse Sawyer.

Officer Brian Kirby – Burlington Police Department – 105th Basic

On February 21, 2020 I met with Officer Brian Kirby of the Burlington Police Department. Officer Kirby is a graduate of the 105th Basic Academy Class at the Vermont Police Academy in Pittsford, Vermont. The interview was audio recorded and a copy is included as an attachment to this investigation.

Officer Kirby advised that he did not participate in the Redman Suit Hitchhiker Scenario during his Academy Class due to an injury to his arm. There was discussion about him participating in the scenario some time before he graduated, but it never happened.

Officer Kirby advised that he knew about the Hitchhiker Scenario before attending the Academy because it is frequently discussed in Vermont Law enforcement circles. When asked whether it is a scenario that people look forward to or dread, Kirby replied, "both." Kirby wished that he had been able to participate even though he would have been nervous. Kirby advised that from what he knows about the scenario, it is the best training simulation that he can think of to prepare an officer for what they are likely to encounter when they are out working patrol. Officer Kirby said that the scenario teaches you about "getting rocked" and in his opinion, it's better to have it happen in a controlled environment than "downtown in a bar fight."

Officer Kirby advised that he was aware of three recruits in his class being injured as a result of the Hitchhiker Scenario; [REDACTED] both suffered concussions while [REDACTED] sustained a meniscus (knee) injury. According to Officer Kirby, he believed the same role player was involved in all three scenarios in which his classmates were injured. Kirby described

himself as being a little upset by this and wondered if the role player was “going a little too hard.” Officer Kirby did not know the role players name but described him as a big guy with a beard and a shaved head.¹¹

Officer Brock Marvin – Burlington Police Department – 105th Basic

On February 21, 2020 I met with Officer Brock Marvin of the Burlington Police Department. Officer Marvin is a graduate of the 105th Basic Academy Class at the Vermont Police Academy in Pittsford, Vermont. The interview was audio-recorded and a copy is included as an attachment to this investigation.

Officer Marvin advised that he did participate in the Hitchhiker Scenario once during his time at the Academy and believes that the role player in his scenario was Jesse Sawyer, but he wasn't 100% sure. Officer Marvin believed that the evaluator for the scenario was Kevin Geno. VPA records indicate that Jesse Sawyer was the role player and that Morrisville PD Officer Ron Audette was the evaluator. Officer Marvin did not know what to expect with regards to the scenario, but the fact that he and the role player were wearing the red man suit led him to believe there would be force involved. Officer Marvin's recollection was that he was told that the scenario involved a hitchhiker and that he was to make contact with the hitchhiker and deal with the situation appropriately. Officer Marvin advised that he approached the hitchhiker and requested identification. The hitchhiker was being verbally aggressive and eventually Officer Marvin and the hitchhiker “traded punches.” Officer Marvin was able to get the hitchhiker to the ground where the two wrestled for a while. Officer Marvin advised that he utilized some use of force techniques that he had been taught in the Academy and was eventually able to subdue the hitchhiker and end the scenario. According to Officer Marvin, during the scenario there were punches directed at his head and some of them landed.

Officer Marvin was asked to rate the amount of force used in the strikes to his head on a 1 (very little) to 10 (significant) scale and he responded “I would say a 6. It was enough to catch my attention but not nearly enough to incapacitate me.” Officer Marvin did not believe the role player struck him with the full force of his capability. Officer Marvin qualified his answer by stating that prior to beginning his law enforcement career, he competed in combat sports. Officer Marvin further advised that he believed that the amount of force used by the role player during the scenario was appropriate and not excessive. Officer Marvin believed the Hitchhiker Scenario is an important training exercise and is worth continuing.

Officer Marvin advised that he was not injured during the Hitchhiker Scenario, but, is aware that several classmates were. Officer Marvin recalled the names of two recruits who were injured; [REDACTED] and believes there may have been one or two others.

Sergeant Lema Carter – Rutland County Sheriff's Department – INSTRUCTOR

On May 20, 2020 I spoke by telephone with Sergeant Lema Carter – Rutland County Sheriff's Department. Sergeant Carter is a Use of Force Instructor and has served as both the role player and evaluator during the Hitchhiker Scenario at the Vermont Police Academy in Pittsford, Vermont. Sergeant Carter has been teaching Use of Force at the VPA for approximately four

¹¹ Based on the physical description provided by Officer Kirby, the role player was likely Jesse Sawyer.

years. The interview was audio recorded and a copy is included as an attachment to this investigation.

Sergeant Lema advised that Use of Force Training taught at the VPA is structured in a progressive manner and follows the Use of Force Continuum. Recruits are taught various techniques and face different scenarios that gradually increase in difficulty. The Hitchhiker Scenario is one of the last UOF scenarios that the recruits face and is designed for the students to go “hands on” with an aggressive, non-compliant subject using techniques and skills they have been taught up to this point in their training. The goal is for recruits to recognize pre-attack indicators that they might face in a real-life situation prepare them to be safe when they return to their police departments. If the recruit is not picking up on pre-attack indicators, the evaluator will attempt to be more overt.

According to Sergeant Lema, the process for the Hitchhiker Scenario is very structured. Before every scenario the instructors have a safety brief and go over safety protocols. They also discuss expectations of recruits and role players, and complete an evaluation sheet on each recruit.

Sergeant Lema advised that each scenario does not specifically call for a head strike nor does he recall ever being told to use a head strike. Sergeant Lema estimated that instructors are usually engaged in this scenario at less than 50% of their full fighting capacity and that when he deploys a head strike he does so at about 20% of his capability.

Sergeant Lema advised that the only recruit injury he recalls in a scenario in which he was the role player occurred due to the recruit failing to disclose a pre-existing knee injury. The recruit reinjured the knee during the scenario. Sergeant Lema advised that no recruit has ever told him that they had been concussed or were experiencing concussion like symptoms as the result of participating in the Hitchhiker Scenario. Sergeant Lema further advised that he has never observed a recruit that appeared to be experiencing from concussion like symptoms as the result of participating in the Hitchhiker Scenario.

Sergeant Lema was asked if he believed that the Hitchhiker Scenario has value as a training exercise and he responded, “Very much so.” Sergeant Lema added that he has spoken to officers 5-10 years after they participated in it and the feedback he gets is that the officers felt the scenario was an eye-opening experience for them.

Sergeant Lema had no suggestions on what changes could be made to improve the Hitchhiker Scenario.

Sergeant Lema believes that head shot in the scenario is important just for the “attention getting factor” but added that it doesn’t have to be a hard hit to accomplish that. Sergeant Lema said that it is a good lesson for a recruit to realize just how vulnerable and exposed they are.

Sergeant Lema advised that he has never seen an instructor participating in the Hitchhiker Scenario that he felt was “out of line.” Sergeant Lema added that he believes that the VPA has a phenomenal group of instructors that genuinely care about the students.

Warden Joshua Hungerford – Vermont Fish & Wildlife – INSTRUCTOR

On June 5, 2020 I spoke by telephone with Vermont Fish & Wildlife Warden Joshua Hungerford. Warden Hungerford is a Use of Force Instructor and has served as both the role player and evaluator during the Hitchhiker Scenario at the Vermont Police Academy in Pittsford, Vermont. Warden Hungerford has been teaching Use of Force at the VPA for approximately five years. The interview was audio-recorded and a copy is included as an attachment to this investigation.

Warden Hungerford advised that he did not receive any specific training related to the Hitchhiker Scenario, but he knew the scenario from when he was a recruit himself and went through it. According to Warden Hungerford, he read the scenario over and “they pretty much let you go at it.”

Warden Hungerford advised that the scenario does not specifically call for a head shot directed at the recruit but more often than not, that’s what occurs. Warden Hungerford added that, in his opinion, when you get struck in the head you’re more likely to learn from it. Warden Hungerford also feels like it is a good way to see how a recruit is going to react because many of them have never been struck in the head or face area before. Warden Hungerford advised that he has never been told how much force to use when striking a recruit and that it’s left up to the instructor’s own judgement. Warden Hungerford advised that you don’t want to hit someone with full force and “knock their head off” but you want it to be hard enough so that they recognize that they left themselves vulnerable. Warden Hungerford estimated that when he does take a head shot at a recruit, he’s using 10-20% of his full striking capability.

Warden Hungerford advised that he is unaware of any recruit sustaining an injury during a scenario that he was involved in. Warden Hungerford also has no recollection of any recruit telling him that they were concussed or that they were experiencing concussion like symptoms as a result of the Hitchhiker Scenario.

Warden Hungerford was asked if he believed that the Hitchhiker Scenario has value as a training exercise and he responded, “Absolutely.” Warden Hungerford explained it’s important to know how a recruit will handle a confrontation and physical fight before they end up facing that situation in real life.

Warden Hungerford said that he believes that leaving the possibility of a head shot in the scenario is a good thing because it is a situation that a recruit could very well be faced with while on patrol.

Warden Hungerford was asked if he had any opinion on changes that could improve the Hitchhiker Scenario, and he suggested the possibility of recruits wearing mouthguards while participating in the scenario to reduce the possibility of a concussion.

Warden Robert Currier– Vermont Fish & Wildlife – INSTRUCTOR

On June 5, 2020 I spoke by telephone with Vermont Fish & Wildlife Warden Robert Currier. Warden Currier is a Use of Force Instructor and has served as both the role player and evaluator during the Hitchhiker Scenario at the Vermont Police Academy in Pittsford, Vermont. Warden

Currier has been teaching Use of Force at the VPA for approximately five years. The interview was audio recorded and a copy is included as an attachment to this investigation.

Warden Currier advised that he did not receive any formal training related to the Hitchhiker Scenario, but he is familiar with the scenario from when he was a recruit himself and went through it. According to Warden Currier, before proctoring the scenario, there was always a quick discussion among instructors related to safety precautions.

Warden Currier advised that the scenario does not specifically call for a head shot directed at the recruit. According to Warden Currier, the scenario is designed to teach recruits to pay attention to their surroundings and be cognizant of the “reactionary gap” between the recruit and role player. If the recruit makes a mistake or leaves themselves vulnerable, then they are attacked. According to Warden Currier, the recruits are taught defensive tactics and techniques in the weeks leading up to the Hitchhiker Scenario and hopefully they utilize these tools during the scenario.

Warden Currier advised that he has never been told how much force to use when striking a recruit and that it’s left up to the individual instructor’s common sense and judgement. Warden Currier estimated that when he does take a head shot at a recruit, he’s using “50% maybe” of his full striking capability.

Warden Currier advised that he is unaware of any recruit sustaining an injury during a scenario that he was involved in. Warden Currier further advised that he has never had a recruit tell him that they were concussed or that they were experiencing concussion like symptoms as a result of the Hitchhiker Scenario nor has he ever observed a recruit exhibiting concussion like symptoms.

Warden Currier was asked if he believed that the Hitchhiker Scenario has value as a training exercise and he responded, “I do.” Warden Currier believed that this is a scenario that could very well occur in the real world.

Warden Currier was asked if he had any opinion on changes that could improve the Hitchhiker Scenario and he said that he thinks there have already been improvements with regards to communication amongst instructors prior to the scenario taking place and making sure everyone is on the same page. Warden Currier also believes there is more consistency regarding how the scenario is run.

Warden Currier said that they have been instructed not to deliver blows to the head during this scenario anymore. However, he believes that leaving the possibility of a head shot in the scenario is important because it is the most likely point of attack in a real-world situation.

Detective Jonathan Purdy – Vermont Department of Motor Vehicles – INSTRUCTOR

On June 3, 2020 I spoke by telephone with Vermont Department of Motor Vehicles Detective Jonathan Purdy. Detective Purdy is a Use of Force Instructor and has served as both the role player and evaluator during the Hitchhiker Scenario at the Vermont Police Academy in Pittsford, Vermont. Detective Purdy has been teaching Use of Force at the VPA for approximately four

years. The interview was audio recorded and a copy is included as an attachment to this investigation.

Detective Purdy advised that he did not receive any specific training related to the Hitchhiker Scenario and that instructors are not given direction with regards to how much force and effort they should exert. Detective Purdy further advised that he is not aware of any manual or syllabus to guide instructors in facilitating the Hitchhiker Scenario. Detective Purdy added that the instructors never go 100% during training scenarios, whereas 100% effort is expected of the recruits. According to Detective Purdy, new instructors usually start as evaluators so that they are able to see the scenario take place several times before donning the Redman Suit. Detective Purdy stated that this scenario has been going on for a long time and added that he recalls going through it as a recruit himself in 2003. Detective Purdy advised that the scenario teaches recruits that they are vulnerable to being attacked at any time.

Detective Purdy advised that the scenario does not specifically call for a head shot directed at recruits. According to Detective Purdy, every scenario is different and depends on what the instructor is seeing from the recruit. According to Detective Purdy, the ultimate goal of the exercise is for the recruit to recognize a problem and react to the problem using skills and techniques they have been taught prior to this exercise. If the recruit makes a mistake or leaves themselves vulnerable, then they are attacked.

Detective Purdy conceded that it is possible for an instructor to hit a recruit with more force than they realize but added that when a head shot is taken, it's not done with the intent of hurting the recruit. Detective Purdy advised that the instructor is looking to get the attention of the recruit and remind them to protect themselves.

Detective Purdy advised that he has never seen a recruit sustain an injury requiring medical attention during the Hitchhiker Scenario with the exception of minor cuts that might require a band aid. Detective Purdy further advised that he has never had a recruit tell him that they were concussed or that they were experiencing concussion like symptoms as a result of the Hitchhiker Scenario nor has he ever observed a recruit exhibiting concussion like symptoms.

Detective Purdy was asked if he believed that the Hitchhiker Scenario has value as a training exercise and he responded, "Yes I do." Warden Currier believed that this is a scenario that could very well occur in the real world.

Detective Purdy was asked if he had any opinion on changes that could be made to improve the Hitchhiker Scenario. Detective Purdy suggested making students aware during training leading up to the Hitchhiker Scenario that being attacked in the real world is a very real possibility and that they should anticipate that it could happen at any time during a training exercise as well.

Detective Purdy believed a head strike during the scenario is a valuable lesson and learning moment for the recruit but conceded that it might be possible to deliver the same message without a blow to the head.

III. Reported Injuries During 103rd, 104th and 105th Basic Academy Classes

103rd Basic Academy Class

Recruit	Injury	Activity	Tx Provided	Explanation
Recruit 1	Rib pain	UOF	Y	
Recruit 2	Abdominal strain	PT - sprinting	Y	
Recruit 3	Knee pain	PT - General	Y	
Recruit 4	Bump on hand	Unknown. Irritated by UOF	Y	
Recruit 5	Knee pain	Physical activity	Y	Knees pain when up/down from the ground. No specific incident identified.
Recruit 6	Dislocated thumb	UOF - Baton practice drills	Declined	Declined medical tx. Recruit stated that this is an ongoing issue (prior to Academy)

104th Basic Academy Class

Recruit	Injury	Activity	Tx Provided	Explanation
Recruit 1	Bruised finger	UOF scenario	Declined	
Recruit 2	Lower back pain	PT - Running	Y	
Recruit 3	Groin strain	PT - Sprinting?	Y	
Recruit 4	Eyelid laceration	UOF - drills	Y	ER. Other student was punching bag, hand slipped and struck Stewart in the eye.
Recruit 5	Knee pain	UOF - Hitchhiker	Declined	
Recruit 6	Hip flexor pain	PT - kickball	Y	Pre-existing issue was significant contributing factor.
Recruit 7	Ankle pain	Possibly PT	Y	
Recruit 8	Hamstring injury	PT - General	Y	
Recruit 9	Eye abrasion	OC training	Y	
Recruit 10	Wrist & toe pain	UOF scenario	Declined	
Recruit 11	Left shoulder pain	UOF	Declined	
Recruit 12	Concussion	UOF	Y	
Recruit 13	Ankle pain	UOF or PT - unclear	Y	
Recruit 14	Knee pain	PT - general	Declined	Recruit stated that █████ normally has knee soreness following PT.

105th Basic Academy Class

Recruit	Injury	Activity	Tx Provided	Explanation
Recruit 1	Knee strain	UOF	Y	
Recruit 2	Groin laceration	PT - pushing weight sled	Y	
Recruit 3	Ankle strain	PT – running	Declined	
Recruit 4	Elbow strain	UOF – scenario	Declined	
Recruit 5	Shoulder strain	UOF – drills	Y	
Recruit 6	Head injury	UOF scenario - hitchhiker	Y	ER and tx for the following 6 weeks. No LOC. Hx of 3 concussions.
Recruit 7	Head injury	UOF scenario - hitchhiker	Y	Dx'd concussion. No LOC. Saw [REDACTED] Had multiple visits before cleared.
Recruit 8	Shoulder strain	UOF – baton	Y	
Recruit 9	Neck strain	PT – running	Y	Cause is questionable - two varying reports
Recruit 10	Shoulder strain	Physical exercises	Y	
Recruit 11	Mild leg muscle strain	PT – sprinting	Declined	
Recruit 12	Back strain	PT – running	Declined	Pre-existing
Recruit 13	Jammed Toe	UOF	Declined	
Recruit 14	Shoulder strain	UOF	Declined	Student fell on [REDACTED]
Recruit 15	Arm & Shoulder strain	Slip & Fall	Declined	
Recruit 16	Shoulder strain	UOF - handcuffing	Declined	
Recruit 17	Neck strain	UOF - neck pull downs	Declined	
Recruit 18	Knee stiffness	PT	Declined	
Recruit 19	Elbow strain	UOF - cuffing	Y	

IV. SGT. SCOTT SWENSON, BALTIMORE PD REPORT

On September 11, 2018, [REDACTED] requested Sgt. Scott Swenson of the Baltimore (MD) Police Department to conduct a review of the Hitchhiker Scenario conducted at the VPA and to render an opinion and offer recommendations. At the time of his report, Sgt. Swenson was a seventeen-year veteran of the Baltimore Police Department and served as the force and de-escalation trainer for that Agency. Sergeant Swenson's additional credentials and background are documented in his report, which is included as an attachment to this investigation. Sergeant Swenson's report indicated he was previously acquainted with [REDACTED] from cross training in Use of Force tactics with other police agencies, [REDACTED].

Sergeant Swenson's report is in memo form and is dated September 12, 2018. The memo is forwarded to [REDACTED] via Sergeant Swenson's chain-of-command. Sergeant Swenson states that his opinions are based on an a "draft of a review of a drill conducted at the

Vermont Police Academy known as the Hitchhiker Drill.” The review Swenson is referring to is presumably the report authored by Deputy Chief Burke.

Sergeant Swenson’s report begins by listing numerous injuries sustained by recruits while participating in the Hitchhiker Scenario. Although not intended to diminish Sergeant Swenson’s conclusions or recommendations, it should be noted that the injuries he points to as a basis for his conclusions are somewhat misleading. Sergeant Swenson wrote in his report, “Multiple injuries requiring hospitalization (the report advised one session included three in one day).” The term “hospitalization” is often defined as being admitted to a hospital and requiring an overnight stay. It should be noted that the recruits injured as a result of the Hitchhiker Scenario and taken to the hospital were all treated on an outpatient basis.

Sergeant Swenson’s report also states that, “This drill drew the attention of trainers and commanders due to the following injuries being reported:” That sentence is followed by seven bullet points, each documenting different injuries or symptoms. One bullet point refers to “Head injuries” and another to “knee injuries.” Deputy Chief Burke’s report makes reference to only one knee injury. The use of bullet points in Sergeant Swenson’s report imply that each bullet point represented different injured recruits; however, several of these bullet points were symptoms that one individual had reported experiencing.

Sergeant Swenson’s report also mentions injuries and symptoms that aren’t documented anywhere in Deputy Chief Burke’s written report to include “possible diagnosis of a brain injury” and “hearing loss.” ██████████ did allege that ██████ sustained “an uncategorized sort of brain injury” that involves hearing loss and other symptoms as a result of being struck in the head while participating in the Hitchhiker Scenario during ██████ interview with the undersigned. ██████████ also mentioned ██████████ hearing loss during an interview with the undersigned on March 9, 2020, so it is probable that Sergeant Swenson was relying on information obtained from ██████████ during conversation in addition to the Deputy Chief Burke Report.

Again, it is important to note that the information above does not render Sergeant Swenson’s conclusions or recommendations as inaccurate. It is merely pointed out to so that the actual number of injuries sustained by recruits is not misrepresented.

The following is a synopsis of Sergeant Swenson’s recommendations after reviewing Deputy Chief Burke’s written report related to the Hitchhiker Scenario:

1. The lesson plan for the Hitchhiker Scenario should be reviewed to ensure that the following are included:
 - Clearly written scenario with objectives and role player assignments, a clearly defined role player (with expectations), a supervisor, a safety officer, safety gear, and a safety plan.
 - A pre-scenario briefing that includes the safety plan, hard and fast expectations of the role player, and medical considerations.
 - What exactly constitutes a pass or a fail to eliminate subjectivity of the evaluators. One trainee reported that after being punched in the head

several times and disarmed of ■■■ baton, ■■■ attempted to fire ■■■ weapon but was advised by an instructor this was not appropriate. Although I did not witness this incident, these reported elements could fit the criteria for a deadly force encounter. Being advised their response was not appropriate could lead to confusion.

2. It is recommended that the VPA limit force contact between instructors and students. As best practice, it is problematic to place an instructor in a position where they would strike a trainee. The level of training an instructor has and the potential of injuring the trainee make striking a trainee in the head under any circumstance in training problematic and I would recommend further review. At the Baltimore PD Training Academy, an instructor does not go above passive (not moving but not physically cooperating with the officer) or active (pulling and pushing away) resistance during any role play scenario. An instructor would never be in a position to strike or kick a trainee during a scenario. A recommended fix to this particular scenario would be to simply take the fight to the ground and actively resist, aggressively pushing and pulling away, forcing the trainee to engage with the techniques taught in the Academy for an extended period of time. This would accomplish the same objective without the obvious problems that result from striking the head.

Sergeant Swenson's report concludes with an overview of Baltimore Police Academy Use of Force scenarios.

V. VERMONT POLICE ACADEMY HITCHHIKER SCENARIO SHEET

There is currently no formal lesson plan related to the Hitchhiker Scenario. The only written instruction related to facilitating the Hitchhiker Scenario is the "scenario sheet" for that exercise. The sheet contains the following instructions for the role player and evaluator:

Officer is dispatched to a hitchhiker on the interstate.

OBJECTIVE: Recruit should arrive and use correct tactics to approach the role player and attempt to identify. The recruit should react appropriately to verbal and non-verbal pre-assault cues and react to an assault. A focus should be on proper technique usage, adequate force generation and proper escalation/de-escalation of force depending on the role player's reaction. Correct usage of ancillary equipment (Inert Training OC, Impact Weapon, Inert Training Weapon) should also be observed.

ROLE PLAYER: Combative/Assaultive

The role player should begin the scenario as a non-compliant subject and escalate to an assaultive confrontation with the recruit. The role player should overtly display both verbal and non-verbal pre-assault cues throughout the confrontation. The role player should react appropriately to well delivered strikes, Inert Training OC, and well delivered impact weapon strikes.

The following information is also contained on the sheet and is completed by the instructor(s) for each recruit:

Recruit Name:

Date:

Injury reported before scenario: Yes or No – Describe:

Injury reported after scenario: Yes or No – Describe:

Pass or Fail

Evaluator:

Role Player:

Comments:

VI. NATIONAL TRENDS

Federal Law Enforcement Training Center (FLETC) is currently training 51,000 students annually in basic programs. The FLETC employs simulation exercises (Tactical Simulation Training) in lieu of scenarios involving head strikes. The incidence of serious head trauma is less than one case a year.¹²

The Florida Highway Patrol Academy trains 130 to 140 recruits annually. The duration of basic training is 30 weeks. There has been no serious head trauma in the past eight years. Florida Highway Patrol stopped its boxing program more than 20 years ago. ¹³

On December 7, 2010, Norfolk Police recruit John Kohn was struck in the head during a training exercise. According to reports, Kohn was first punched in the face by an instructor; he reported the incident to his wife and classmates, complaining of a headache. Two days later he sustained additional head blows by another student and the instructor during a ground fighting session until he blacked out. Paramedics responded and he was flown to a hospital where he underwent brain surgery. He remained in critical condition until he was taken off life support on December 18th, 2010. Doctors determined that the cause of death was due to multiple brain injuries (second-impact syndrome). Subsequently, the Norfolk Police have made changes in their training; they now ban intentional head strikes and require additional training for instructors and recruits in identifying and reporting possible injuries.¹⁴

The Virginia Beach Police Academy never uses head strikes.¹⁵

Dr. Fabrice Czarnecki, the chairman of the Police Physicians Section of the International Association of Chiefs of Police and an advisor to several law enforcement agencies strongly recommends the elimination of head strikes and full-force exercises in police academy reality-

¹² Messina, P. and Czarnecki, F., *Martial Arts for Cops, The Dark Side – Fists of Frenzy*; The Police Marksman, January/February 2002.

¹³ Ibid.

¹⁴ Pam Kulbarsh, *Concussions: More than a Smack Upside the Head*; Officer.com, June 21, 2012.

¹⁵ Ibid

based training. “I don’t know if there is a way in training to hit people in the head safely,” states Dr. Czarnecki.¹⁶

VII. FINDINGS

The following findings are based on the information obtained by the undersigned during the course of this investigation:

The Hitchhiker Scenario is a Use of Force Training exercise utilized by the Vermont Police Academy during recruit training. It is the third of four scenarios that a recruit participates and involves the recruit confronting an instructor role playing the part of a hitchhiker. Both the recruit and instructor are wearing “Redman Suit” protective gear. The scenario is designed for the recruit face a combative/assaultive subject on what appears to be a routine call. Recruits are expected to observe pre-assault indicators and utilize skills and techniques that they have been taught in the weeks preceding this scenario.

The scenario was created and implemented over 20 years ago by Fish and Wildlife Warden Evan Eastman, who at that time was lead Use of Force instructor at the VPA.

The overwhelming majority of the instructors and students that were interviewed believe that the Hitchhiker Scenario is a valuable training exercise.

There is no syllabus or lesson plan in place for the Hitchhiker Scenario. There is a “scenario sheet” that states “Officer is dispatched to a hitchhiker on the interstate.” The objective of the scenario is for the recruit observe and properly react to verbal and non-verbal assault cues and to use proper techniques and tactics, to include ancillary equipment, to resolve the confrontation. The only directions provided to the evaluator and role player are the following: *The role player should begin the scenario as a non-compliant subject and escalate to an assaultive confrontation with the recruit. The role player should overtly display both verbal and non-verbal pre-assault cues throughout the confrontation. The role player should react appropriately to well delivered strikes, Inert Training OC, and well delivered impact weapon strikes.*

The “scenario sheet” does not specifically call for the role player to deliver a head strike to initiate the confrontation; however, six of seven participants that were interviewed advised that the physical confrontation with the role player began with the role player taking a swing at their head. Many were caught off guard and struck in the head, while a few were able to take some defensive measures to mitigate the impact.

The “Objective” as described on the “Scenario Sheet” is vague in that it does not clearly define what constitutes a passing or failing grade.

¹⁶ Czarnecki, F. and Miller, R., (2006), *Trooper-Trainee Active Countermeasures Training Evaluation*.

During the 103rd, 104th, and 105th Basic Academy classes, a total of four recruits are believed to have sustained concussions during their participation in the Hitchhiker Scenario. Two, [REDACTED], were taken to the hospital where they were diagnosed and treated for concussions; a third, [REDACTED], advised [REDACTED] experienced that concussion like symptoms and reported it to VPA staff, however, [REDACTED] injury does not appear on the VPA list of injuries sustained during [REDACTED] Academy Class. The fourth recruit, [REDACTED] lingering concussion symptoms that [REDACTED] attributed to a concussion sustained during the Hitchhiker Scenario. [REDACTED].

All of the Instructors that were interviewed advised that they received no specific training regarding how to facilitate the hitchhiker scenario. Some were familiar with the scenario from having participated in it themselves as recruits and relied on that as well as the “scenario sheet,” and observing the scenario as an evaluator.

Instructors receive no guidance regarding how much force to exert when delivering a head shot and they rely on common sense and personal judgment. When asked to estimate the amount of force they use when delivering a head shot to a recruit, the answers ranged from 10-50%. Contrast that to the recruits who estimated that they were being struck with between 3 and 9 on a 1-10 scale (30-90%).

The experience of the hitchhiker scenario varied greatly from recruit to recruit due in part to how they negotiated the scenario but to a larger degree, which role player they faced. Several recruits reported that they were caught off-guard and struck hard in the head while others said that the role player appeared to deliberately telegraph their intent, allowing them a chance to defend themselves.

Dr. Fabrice Czarnecki, the chairman of the Police Physicians Section of the International Association of Chiefs of Police (IACP) and an advisor to several law enforcement agencies strongly recommends the elimination of head strikes and full-force exercises in police academy reality-based training.

Many law enforcement agencies in the United States have discontinued the practice of head strikes during training scenarios. The Federal Law Enforcement Training Center (FLETC), employs simulation exercises (Tactical Simulation Training) in lieu of scenarios involving head strikes. FLETC is largest provider of law enforcement training, serving more than 90 federal agencies and upwards of 51,000 trainees annually, yet incidence of serious head trauma is less than one case annually.



Daniel K. Troidl

July 28, 2020

Date