

MATTHEW L. BROOKS

BY THE BROOKS AGENCY LLC.

Phone: (303) 669-6869

Bythebrooksagency@gmail.com

My name is Matthew Brooks. I own By the Brooks Agency, a Use of Force, Search and Seizure and Police/ SWAT tactics, expert consultation agency.

I am a federally certified Use of Force instructor. I obtained a second national certification as a Use of Force Instructor and Analysis, through Legal Liability Risk Management Institute, a national company that gives legal training both nationally and internationally. I wrote and submitted a use of force article to L.L.R.M.I., which was accepted by them to be a published work. I am also certified by Force Science in analyzing 'use of and using force'.

I am a highly decorated and respected, retired police officer and training officer after 31 years of honorable service with the 9 years as a full time training officer. In my career, I was selected for numerous assignments that included Tactical and SWAT teams as a Team Leader, Field Training Officer, Narcotics Detective, Patrol, School Resource Officer and Department Training Staff.

I was the lead instructor and developer of the Thornton Police Department arrest control and defensive tactics program. As an instructor, I taught thousands of hours in all manner of police training and aspects of civilian training to include Dispatchers, Citizens Academies and Administrative personnel.

I currently instruct at the Arapahoe Community College Police Academy and for the Adams County Sheriff's Office at their Flatrock Regional Police Academy.

I am considered a Subject Matter Expert (SME) in 'use of force' and 'search and seizure' for the Thornton Police Department. I was requested by my command staff to be a sitting member on the Thornton Police Departments Use of Force Committee and was part of the reviewing panel to the department's Response to Resistance reports. Members of the Thornton Police Department from patrol officers to detectives and command staff have requested my opinion regarding numerous uses of force cases to include advising detectives on the shooting review board.

I am the author of the Peace Officer State Trained [POST] Basic Law- Search and Seizure lesson plan which is now available for any department within the State of Colorado to use as an authorized lesson plan of instruction.

I hold an instructor certification in the F.B.I. defensive tactics and arrest control program, the PPCT Use of Force Instructor program, PPCT edge weapons defense instructor program and the PPCT ground defense instructor program.

I have testified in Municipal, District and Federal court well over a hundred times in a career that has spanned decades. In court and other legal proceedings, I have never been accused of perjury. In fact, I have always been highly regarded by the courts for my professionalism, expertise and testifying skills. I have been used as an expert witness, along with assisting the DA in jury selection processes.

I was selected to head up the Thornton Police Departments Defensive Tactics and Arrest Control program. This assignment required a complete review and modernization of the program and techniques. I thoroughly reviewed this program and determined that many updates needed to be made for the safety of the community members and the officers as well aligning the program and techniques with all of the current governing laws. I then made all of the necessary changes and re-trained all of the sworn officers and command staff with the updated changes. I instructed some of these defensive techniques to non-sworn personnel and citizens academy members. This program is still being used at the Thornton Police Department.

I am a State Certified Lead Instructor for Colorado POST Firearms (pistol and rifle) and for Colorado POST Arrest Control and Defensive Tactics to include ground defense and edge weapons defense (PPCT).

I was honorably discharged from the United State Navy (Seabees) after 6 years of service.

EDUCATION

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|---|-----------------|
| The Virginia Beach Sheriff's Academy; Virginia Beach VA | July- Aug 1995 |
| The Norfolk Police Academy; Norfolk VA | May- Oct 1996 |
| The Thornton Police Department Academy; Thornton CO | June- July 2001 |

Work History

U.S. Navy Seabees 1988-1994

Virginia Beach Sheriff's Office 1994-1996

Norfolk Police Department 1996- 2000

Thornton Police Department (ret.) 2001 to 2025

Arapahoe Community College Police Academy Instructor 2024 to present

Certifications

- Practical Search and Seizure course – Aug 2024
- Legal Liability Risk Management Institute Use of Force Instructor and Analysis Jan 2024
- PPCT Edge Weapons Defense Instructor - Jan 2024
- PPCT Ground Defense Instructor - Jan 2024
- Human Factor Research Group Use of Force Instructor - Dec 2023
- PPCT Arrest Control Instructor - Dec 2023
- Legal Liability Risk Management (LLRMI) Use of Force Conference and Certification - Dec 2023
- Taser 7 Instructor Course - Sept 2023
- Calibre Press Legally Justified Use of Force – Jan 2022
- OPN level II Instructor - Feb 2022
- Active Bystandership for Law Enforcement (A.B.L.E.) training - March 2022
- Federal Law Enforcement Use of Force Instructor Course - April 2022
- EMK Use of Force Training - May 2022
- Colorado POST Pistol Instructor Course - May 2022
- Human Factor and the Application of Use of Force - Dec 2022
- Ti simulator Instructor Course for Use of Force - March 2021
- Deploying Procedural Justice and Police Legitimacy Strategies Course - April 2021
- ASP Baton Instructor Course - April 2021
- Simunition Scenario Instructor Course - Nov 2021

Certifications continued

- American Counsel on Criminal Justice (ACJT) Defensive Tactics Instructor Course
March 2020
- Safariland PR-24 Instructor Course - April 2020
- Safariland MEB Instructor Course - April 2020
- CDC Heads Up Concussion Training - April 2020
- Colorado POST EVOC Instructor - June 2020
- PPCT Arrest Control Instructor Course - June 2020
- CCIC Certification Course - June 2020
- The WRAP Restraint Trainer/ Instructor Course - July 2020
- Single Action (1911 pistol) Transition Course - August 2020
- Colorado POST Instruction Methodology Train the Trainer Course - Sept 2020
- CTS Less Lethal Impact (Bean Bag, 40mm LL) Instructor Course - Oct 2020
- CTS Chemical Munitions / Aerosol Instructor (Oleoresin Capsicum) Course-
Oct 2020
- Duty to Intervene Course - October 2020
- Implicit Bias Train the Trainer Course - October 2020
- Understanding Bias Course - October 2020
- Confronting Bias - Nov 2020
- Taser (X26 and Taser 7) Instructor Course with recertification
Feb 2018/ 2020
- Dolan Group Verbal De-escalation Surviving Verbal Conflict/ Train the Trainer
Course – Sept 2019
- Force Science Analyst Course - June 2019

Certifications continued

- Verbal De-escalation Surviving Verbal Conflict Train the Trainer Course - Sept 2019
- AXON Body Worn Camera Train the Trainer Course - Feb 2018
- FBI Defensive Tactics Instructor Course - April 2018
- (FLETC) Tactical Combat Care and Casualty (TCCC) Training - June 2018
- Crisis Intervention Team Coach Certification Course – October 2018
- Human Factor Research Group Threat Pattern Recognition Use of Force Instructor Feb 2018
- Safariland OC Aerosol Instructor Course - April 2017
- Safariland Less Lethal Impact Munitions Instructor Course - April 2017
- Colorado POST EVOC Instructor Certification Course – July 2017
- Colorado POST Rifle Instructor Course - Sept 2017
- Crisis Intervention Team Coach Certification - April 2017
- Crisis Intervention Team (C.I.T.) Training - October 2016
- Conducting Risk Assessments on insider and Outsider Potentially Violent Individuals Oct 2015
- McCarthy Street Crimes Course - Sept 2014
- Dignitary Protection Course - April 2014
- Rocky Mountain Tactical Officer Association (R.M.T.O.A.) SWAT Entry Tactics Course - May 2013
- DEA Undercover Officer Course - July 2010
- Thornton Police Department Defensive Tactics Instructor Course - March 2008
- Kick Stop Leg Restraint Course - March 2008

Explosive Breaching – April 2007

Certifications continued

- Precision Rifle Workshop (PRW) Advanced Sniper Course - May 2007
- Precision Rifle Workshop (PRW) Basic Sniper Course - April 2006
- Department of Criminal Justice Services General Instructor Certification – December 2004
- Anti-Bias Policing for Police (Thornton PD) - Sept 2003
- Drug Abuse Resistance Education Instructor Training Course - August 2003
- Colorado Regional Community Policing Institute Domestic Violence Training (COPS) March 2002
- Colorado Regional Community Policing Institute Domestic Violence Training (COPS) Dynamics of Domestic Violence Training - Feb 2002
- Basic SWAT and Tactics School - May 2002 and June 2012
- Department of Criminal Justice Services (DCJS) General Instructor Certification Course - April 2001
- Norfolk Police Department General Instructor Development School - Nov 2000
- Department of Criminal Justice Services (DCJS) Uniformed Police Officer Drug Interdiction Workshop - Sept 2000
- Norfolk Police Department Field Training Instructor Leadership Seminar - June 2000
- Norfolk Police Department Field Training Instructor Course - April 2000
- Norfolk Police Department POST Traumatic Stress Disorder - Aug 1999
- Norfolk Police Department Problem Solver Course - Nov 1998
- Norfolk Police Department Basic Investigation Course - June 1998
- Norfolk Police Department Uniformed Bicycle Patrol Operations Course - Nov 1997
- Field Training Officer Courses - August 1996 (N.P.D.) and October 2005 (T.P.D.)

TEACHING EXPERIENCE

Norfolk Police Academy Instructor;

During my instructor duties at the Norfolk Police Department, I was considered an assistant instructor, to the primary instructors for the police academy. I was involved in lower level instructing, role player or used a safety officer.

Thornton Police Academy/ In-service Instructor;

- Certifies officers as instructors with our arrest control and defensive tactics program.
- Certifies officers in/ with the use of Taser 7.
- Certifies officers in/ with the use of the ASP Baton, OPNs (nunchakus), PR-24.
- Certifies officers in/ with the use of OC (pepper spray).
- Certifies officers in/ with the use of the less lethal bean bag 12 gauge rounds.
- Certifies officers with their duty, off duty and back-up pistols and rifles.
- Instructs/ certifies officers with quarterly in-service training regarding; case laws, use of force, de-escalation, case law reviews, arrest control, emergency vehicle operating.

Use of Force and Search and Seizure Instructor;

I developed, taught and tested this 3-day course which is lecture based with power point presentation in relevant case law for use of force decision making, officers using force, recognition of compliance and the fundamental understanding of the 1st, 2nd and 4th amendments.

Also presented was;

- Officers “pre-shooting conduct” and “Dispatch pre-loading” officers.
 - The importance of the consideration of all less lethal means and their uses.
 - Officers’ de-escalation total awareness and legitimate use.
 - Officers Body Worn Cameras along with various video footage presented and dissected under legal issues and concerns along with the ever present objectively reasonableness, “necessary” terms and governmental interest.
 - The understanding and application of legal considerations regarding police stops at different levels of contact and legal authority regarding using force within these stops/ encounters.
- CRS Title 16 articles 1,2 and 3.

I instructed this class at the academy level for the past 9 years. In that time, I had at minimum, 200 students attend and pass. This course (Basic Law, Search and Seizure) has now been approved by the Colorado State POST curriculum board.

Arrest Control- Defensive Tactics Instructor,

Two part; First, this course that I developed and instructed is a taught and tested 40 hour course. It is lecture and demonstration based with practical application repetitions and

scenarios for the police academy. In this course, I instruct the students with department approved and authorized, arrest control techniques that include, personal defense weapons (hand strikes, elbow and knee strikes and kicks), defenses from being grabbed or choked and control holds for passive or low-level resistors.

Also included in this course is proper handcuffing with understanding of proper fitting of the handcuffs and “handcuff neuropathy”. With-in this program, relevant case laws are used to show-case, poor/ good use of force decision making and threat assessment as it relates to deciding to use force, actual use of force, compliance recognition and testifying to the force used.

I have instructed this course at the academy level for the past 15 years with the last 9 of those years as the lead instructor/ developer.

Second, I have been instructing this arrest control and defensive tactics program to the department in-service training for the past 13 years. Department in-service requirements for every officer/ detective is 8 hours a year. In this time frame I have instructed hundreds of officers and well over 300 hours of training time. I am currently the only instructor that can certify other officers to instruct this course and select officers that apply to become instructors in this field.

I hold certifications with the Human Factor Research Group PPCT arrest control, edge weapons and ground defense as an instructor. I have taught these programs at Colorado POST academies and is certified as a POST lead instructor.

Case Law Instructor,

I saw the need at the Thornton Police Department for officers to get updated training regarding case laws that affect officers with using force, search and seizure and threat assessment. Because of this need, I developed and instructed this course as a 4 hour lecture with powerpoint and discussion.

This comprehensive course was designed as a “refresher” course for officers with current and relevant case laws regarding use of force decisions, officers’ “mind-sets” and “pre-shooting” or “pre-use of force” conduct, levels of police encounters and proper documentation. I covered court ruling details that set up “guard rails” for officers to follow. I also covered officers reporting and testifying details that either potentially “won or lost” them their respective cases.

This course was taught to the department for in-service training in 2020 and is currently being taught to the recruit academy. This course has paved the way for other department training to include case law review, to support the taught curriculum.

De-escalation Instructor,

I was tasked to develop de-escalation training for the department. I developed this 8-hour comprehensive course in 2018 for the Thornton Police Department. Its design involved a

lecture with a power point, discussions and a written test, for department in-service. In the span of two months, I was able to give this course to all of the Thornton Police Department members.

This course was then customized to a 4-hour class for the in-house Thornton Police academy. Concepts from this training are continually used in all aspects of department training in the academy and in-service scenarios along with other training lectures.

I received a Meritorious Award for developing and instructing this training.

Procedural Justice Instructor,

I developed this comprehensive training course for the 2019 department in-service training. As a new concept for the Thornton Police Department, I designed this to be a 4-hour lecture with a power point and discussion course. I successfully taught this course to all the officers of the Thornton Police Department during in-service training. It was then customized to a 2-hour course for the Thornton Police Departments academy class. Concepts of this course are being continually instructed in all aspects of the department training.

Taser Instructor (taught at State POST academy),

I became a Taser instructor in 2018 and has a current instructor certification in the Taser 7 and X26. I currently certify all members of the Thornton Police Department for on duty carry of the Taser 7. I instructed and certified the police recruits at the Jefferson County POST academy for the Taser 7 and Taser X26 in 2021. This program is strictly controlled, developed and regulated by Axon.

I developed all of the Thornton Police Departments Taser in-service training. This training includes a comprehensive and dynamic Taser use with officers holding, as if arresting, a subject (inanimate humanoid) and having a third officer deploy live Taser darts. The officers would then attempt to handcuff the subject 'under power' of the Taser.

I would also employ training elements such as the level of force that Taser is considered (via case laws), drive stuns, the punitive punishment element and "handcuffing under power" component that is rarely trained or used.

Expandable Baton Instructor,

This course is based on lecture and demonstration with practical application in scenarios and tested for the students. I was certified on the expandable baton (M.E.B.) through Safariland and ASP. I taught this course and issued annual certifications to officers that chose to carry this baton.

I am currently certified as an instructor with the ASP expandable baton. I have instructed this course to both recruit officers and sworn officers attending in-service training. My current certification allows me to certify officers to carry the ASP on duty. This course was developed and is regulated by the ASP Company.

OC {oleoresin capsicum} pepper spray Instructor,

This course is based on lecture, demonstration and practical applications with a practical application test out for students. I have been certified by Safariland and CTS who have

developed and regulates this course. My certification allows me to certify officers to carry OC on duty.

I have developed and instructed numerous in-service trainings and lesson plans in the use of OC, that emphasizes the more critical points of deploying OC such as, warnings given before deployments, proper verbiage that should be used, proper application to the correct area and distance and allowance for compliance. I have been certified in OC since 1994 and an instructor since 2017.

Firearms (pistol) POST Lead Instructor (instructed at a State POST academy),

This course is based on lecture, demonstration and practical applications. I teach and instruct pistol courses to POST certified officers along with non-post certified recruits. I currently instruct a 6-day course to the Thornton Police Department in-house police academy and the department's in-service training.

In this course I cover shooting stance and balance, sight alignment and sight picture, trigger press and recoil management. I also instruct shooting and moving, using cover and concealment and ammo management. I spend time teaching threat assessment and threat of force decision making. I hold a pistol instructor certificate from Colorado State POST.

Firearms (rifle) POST Instructor (instructed at a State POST academy),

This course is based on lecture, demonstration and practical applications. I currently instruct a 2-day patrol rifle course to the Thornton Police Department in-house police academy and the department's in-service training.

In this course I cover shooting stance and balance, sight alignment and sight picture, trigger press and recoil management. Loading and unloading, shooting and moving and using cover and concealment is also taught along with clearing weapon malfunctions, nomenclature and functions.

I also spend time teaching threat assessment and threat of force decision making. I also teach a personal rifle course for the department which is designed for officers that want to carry their own, personal rifle while on patrol. I hold a rifle instructor certificate from Colorado State POST.

Less Lethal (bean bag) 12 gauge shotgun Instructor,

This course is based on lecture, demonstration and practical applications with a written test and a two round qualification for students. It also requires an annual re-certification/qualification for each officer during in-service.

I have been certified with the less lethal bean bag since 2001 and a certified instructor since 2017. This course was developed and regulated by the Safariland and CTS. My certification allows me to certify officers to carry and use this weapon, on duty.

I brought the additional elements of qualifying on the less lethal shotgun. These elements include having the officers announce that the less lethal 'bean bag' was about to be deployed and presenting a 'diminished' target where both rounds fired must strike the target.

Firearms (shotgun) Instructor,

This course is based on lecture, demonstration and practical applications. I currently instruct a 2-day course to the Thornton Police Department in-house police academy and the department's in-service training.

In this course I cover shooting stance and balance, sight alignment and sight picture. Trigger press and recoil management. Loading and Unloading is also taught with clearing weapon malfunctions, nomenclature and functions.

I also spend time teaching threat assessment and threat of force decision making along with weapon maintenance and the different shell that are available for the shotgun and their particular uses and limits.

EVOC (emergency vehicle operator course) POST Instructor,

This is a lecture, demonstration and practical course. I have taught EVOC and the principals of operating an emergency vehicle to sworn and non-sworn personnel since 2017.

I have taught the Colorado POST EVOC course along with developing lesson plans for the Thornton Police Department in-house academy and in-service training. I saw the need for other department personnel such as victim advocate personnel and animal control officers to receive driver training to reduce accidents involving city vehicles.

I specifically designed driving courses, not just for personnel requirements but for vehicle specific dynamics. I hold an EVOC instructor certificate from Colorado State POST with this course. I am a department certified SPIN car driver for the P.I.T. certifications.

OPN Police Nunchukus Instructor Level II,

This course is based on lecture and demonstration with practical application in scenarios and tested both practically and written, for the students. I am currently certified as a level II instructor which allows me the authorization and ability to certify officers to carry the OPN on duty and certify new OPN instructors.

This course was developed and regulated by Kevin Orcutt (RET. Sergeant). I have been certified in the use of the OPNs since 2001 and has been an instructor with the OPNs since 2017. In my time as an instructor, I have certified over 120 officers to carry the OPNs and have re-certified numerous officers during in-service training, annually.

High Risk Arrest Control Instructor,

This course is lecture, demonstration and practical application-based training. I currently instruct officers attending in-service training along with the department recruits during the in-house academy.

This course instructs officers in different ways to conduct high risk arrests such as occupants of stolen vehicles, 'shots fired' or gun calls for service, large disturbances, and person(s) with weapons etc., in the safest ways possible.

I instruct officers in the use of different techniques and weapons to include teaching the officers to always explore or consider all of the options that may be afforded to them with specialized units, distance, time considerations, barriers and less lethal options.

Ti Use of Force simulator Instructor,

I currently use the Ti (company name based in Golden CO.) simulator for both academy and in-service training for the Thornton Police Department. I have been certified as a Ti instructor since 2020. This training consists of having officers and recruit officers “go through” video scenarios that I have selected for a variety of reasons (training needs, department/ command demands etc.).

For these scenarios the officers would be instructed to use proper commands, consider and state options and correctly assess the threat. They will then be presented with a dynamic component in the scenario that will have them make a use of force decision and then use the appropriate “tool”.

I would then discuss with them their use of force choice, threat assessment and decision-making process. I would then cover case law and current applicable laws that they need to know for the given scenario.

TCCC, First Aid and tourniquet Instructor.

I attended and completed the Federal Tactical Causality, Care and Collection medical course at the Federal Law Enforcement Training Center (FLETC). I then developed and instructed the most comprehensive field medical and tourniquet training for the Thornton Police Department.

This training consisted of self-care and “buddy” care. He implemented dynamic training elements such as eliminating the officer’s ability to “see” and to “feel” (using blacked out glasses and gloves) along with having them operate in a high stress environment while having their hands covered in “blood” (dish soap). I also developed a comprehensive lesson plan and powerpoint regarding this topic.

This training is now used by other agencies and in most of the in-service training for the Thornton Police Department. I ensured an important component of this training was to implement the current law (SB 217) and case laws that require medical treatment of persons to include the subject, injured via police contact.

Simunition Instructor.

I was re-certified as a Simunition instructor in 2022. I developed many different scenarios that have been used during department training and SWAT training. In these scenarios he had officers conduct loading and reloading of their pistols after having their eyesight ‘diminished’ (darkened/ taped safety glasses) and their hands and weapons ‘slick’ with blood (dish soap).

I taught officers how to shoot from various positions, in and around obstacles and from concealment. I conducted ‘force on force’ style training to put officers through stress inoculation with one hand reloads, use small forms of cover, apply first aid to themselves and other officers along with assisting the ‘suspects’ with (state required) rendering first aid.

I also developed training for officers and recruits to operate in darkened environments and sound/ noise discipline. Also discussed and taught in this training was threat assessment, distance and using time to our advantage.

SWAT Team Leader/ Operator and Basic SWAT school Instructor.

I was selected to join the Thornton- Northglenn SWAT team in 2002 and spent 16 years on the team. I was promoted to Team Leader due to my leadership qualities, legal and law understanding regarding tactical operations, organization and governmental interests.

During this time on the team, I developed numerous trainings and tactics and trained operators both new and veterans. I instructed new operators in the Basic SWAT School with shooting and moving techniques, NFDD, perimeter set-ups, entry work and detailed warrant planning.

Also, while on the team and as the Team Leader, I planned many SWAT warrants, and scouting missions and completed both the basic and advanced sniper schools.

CIT (Crisis Intervention Team) coach,

As a CIT (Crisis Intervention Team) Coach, I trained and certified new CIT officers during the state run CIT course and assisted in re-certifying veteran CIT officers. I am also involved in the CIT coach course where CIT officers are training to become CIT coaches.

I also instruct at the CIT certification courses that has officers from around the metro area of Denver in the CIT curriculum.

Honors and Awards

Team of the Year 2023

Meritorious Award 2021

Unit Citation Dec 2019

SWAT Unit Citation December 2005

Officer of the quarter Mar 2010

Employee of the month 1996, 2016

Distinguished service award 2019

Medal of Valor 2006

Police Commendation January 2000

Police Officer 4th Quarter 1999

Unit Citation January 2013

Certificate of Appreciation November 1999

Officer of the Month nomination 5 times

Honors and Awards continued:

Letter of Commendation August 1998

Life Saving Award April 1999

Letter of Commendation August 1999

Letter of Appreciation January 1998

Monetary Exemplary Achievement Award August 1999

Exemplary Performance Award June 1999

Commendable Service Award December 2008

PUBLICATIONS

Brooks, Mathew L., "Taser deployment on handcuffed prisoner" Legal Liability Risk Management Institute.

Basic Law; Search and Seizure and Use of Force P.O.S.T. State certified Lesson Plan.

PROFESSIONAL TRAINING

Virginia Commonwealth Challenge Military Youth Corp Camp Pendleton Mentor, Virginia Beach VA. June 1996

PROFESSIONAL AFFILIATIONS

The Fraternal Order of Police (FOP) member 1996- present

Fraternal Order of Police Lodge 16 Vice President 2023- present

USA Boxing green level coach 2012- present

LANGUAGES

English: Native Language

Spanish: Novice Listener, Novice Speaker

References available on request

