

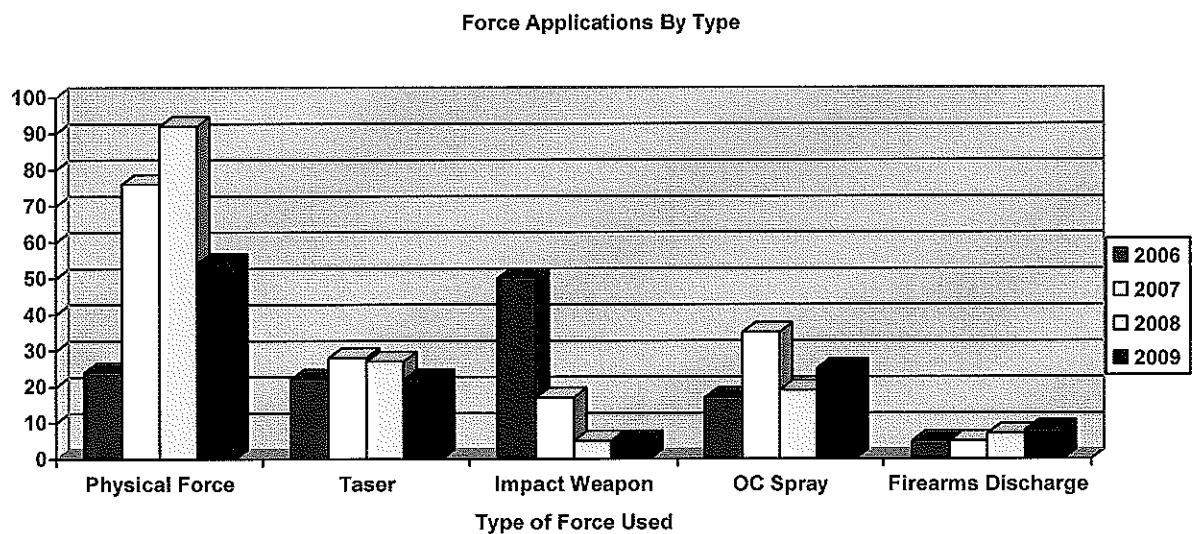
Memorandum To: William A. Hogan  
Chief of Police

From: Lieutenant Sean C. Pound  
Office of Professional Standards

Date: January 31st, 2010

Subject: Analysis of Use of Force Reports 2009

A total of 98 incidents involving the use of force were reported by Asheville Police officers during 2009. These incidents were documented on 107 Subject Action Resistance reports and included 5 cases where a single incident was documented separately by more than one officer. Eight of the cases involved the use of force (Firearm) against an animal. The use of force by type of application for 2009 compared to previous years is illustrated below. (See Figure 1)



**Figure 1** Note: The total number of force applications shown is greater than the total of reported incidents due to some incidents requiring varied or multiple applications of force.

There were several changes in the application of force from 2008 to 2009. The number of instances in which a physical struggle was reported decreased from 92 to 54. The use of impact weapons (ASP Baton) remained the same as 2008 with 5 incidents of use. Applications of OC Chemical spray increased from 19 instances in 2008 to 25 applications in 2009. Officers deployed the Taser 22 times during 2009 as compared to 27 deployments in 2008. Pepperball rounds were utilized for crowd control situations in eight separate incidents.

### 2009 Use of Force - Involvement Per Officer

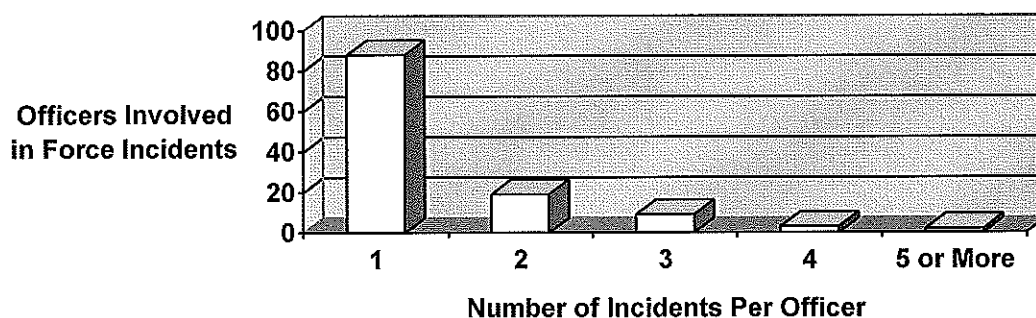


Figure 2

88 Officers were involved in at least one incident in which force was used. The number of officers involved in four or more use of force incidents decreased from 12 officers for 2008 to 5 officers in 2009.

### Use of Force Incidents By Month

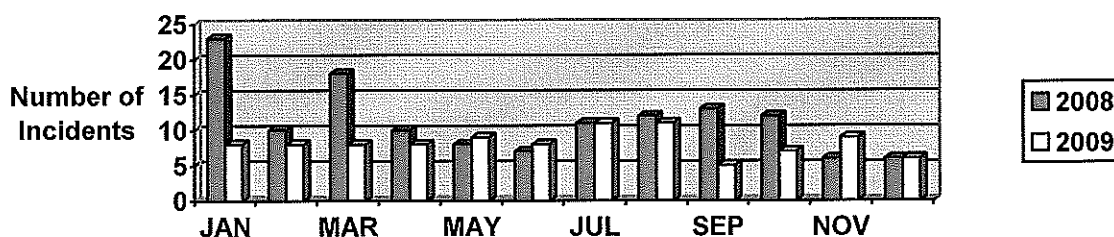


Figure 3

Figure 3 (above) illustrates the number of incidents involving use of force by month ranging from a high of 11 incidents in July and August, to a low of 5 incidents reported in September. There were a significant decrease in the number of incidents reported in January, March, September and October as compared to the previous year, and a slight increase reported in the months of May and November.

### 2009 Force Incidents By Day of Week

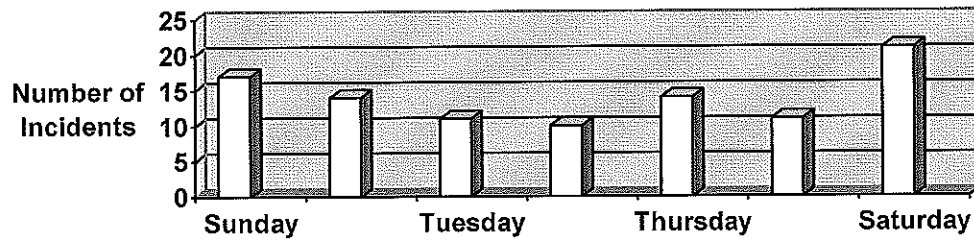


Figure 4

### 2009 Force Incidents by Hour of Day

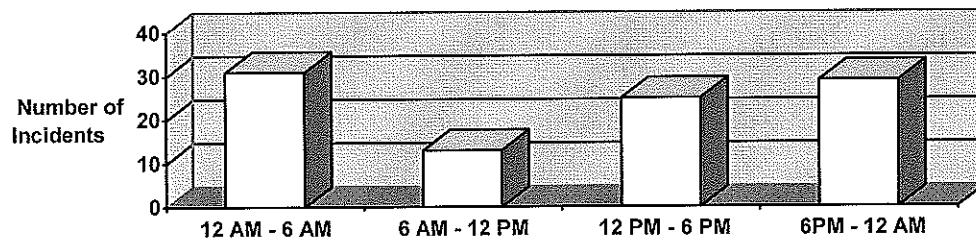


Figure 5

Figures 4 and 5 (above) illustrate the frequency of force incidents by day and time period. As in previous years, use of force incidents occurred most often on Saturdays and during the period from 12 AM to 6 AM.

### 2009 Force Incidents by Ethnicity/Gender

Ethnicity/Gender	# of Incidents
White Male	50
White Female	5
Black Male	25
Black Female	6

Figure 6

(Table does not include 12 incidents of force involving crowd situations, unidentified Subjects or force used on dangerous animals)

In 2009 the Asheville Police Department received 101,383 calls for service and reported 98 incidents involving the use or display of force. Using this data, incidents involving force or show of force occur once per 1034 calls for service or 0.001%. While it is recognized that each call for service does not involve face-to-face contact with citizens, there are also a significant number of direct contacts which are not documented. Such contacts include citizens approaching officers for advice, giving directions to motorists and other informal activities which are not documented in CAD. Even if direct contact occurred in only 10% of reported calls for service, the use or display of force would occur in only 0.01% of all contacts. This figure is a fraction of the average of 1.3 % reported in the 2002 U.S. Department of Justice survey for municipalities with populations under 100,000.

2009 has shown a decrease in the number of incidents resulting in the display or use of force. The department has continued to place emphasis on force-related training during the course of the year. In addition to mandated training for recruits during the department's police academy, in-service training related to force issues has included:

- Review of Deadly Force Law/Policy (Annual Firearms Qual.)
- Annual Legal Update Training
- Taser Recertification
- OC Recertification
- Hosted Verbal Judo Instructor School

All use and show of force reports submitted in 2009 received a chain-of-command review to ensure compliance with applicable policy, procedure and law. Additionally, Force Reports are reviewed by the Force/Pursuit Review Committee to ensure compliance with standards, and identify applicable training needs or policy modifications.