



**Cumberland County
SHERIFF'S OFFICE**
Ennis W. Wright, Sheriff



Internationally Accredited Law Enforcement Agency

TO: Sheriff Ennis W. Wright *EW Wright*
 THRU: Chief Jack Broadus *J Broadus*
 FROM: Captain Sean Swain *SS Swain*
 DATE: March 16, 2022
 RE: 2021 Annual UOF Analysis and Comparison with 2020

Use of force (UOF) incidents for the year 2021 have been analyzed by me pursuant to CALEA Standard 4.2.4 and a comparison of 2020 UOF incidents has been made. The comparison is shown separating CCSO Deputies and CCDC Officers in most cases.

| | 2020 | 2021 |
|--|------------------|------------------|
| Total UOF Incidents-Deputies and CCDC | 54 | 76 |
| DEPUTIES: | | |
| UOF Incidents Occurring During Dayshift (6:30 a.m. until 6:30 p.m.) | 9 | 23 |
| UOF Incidents Occurring Nightshift (6:30 p.m. until 6:30 a.m.) | 9 | 16 |
| Deputies Using Force | 18 | 37 |
| Deputies Injured | 3 (none serious) | 8 (none serious) |
| Deputies Injured 2 or more times | 0 | 0 |
| Suspects injured | 7 (2 fatal) | 13 (0 fatal) |
| Deputies Using Force on 3 or More Occasions Against Suspects Who Were Injured | 0 | 0 |
| Deputies Using Force 5 or More Times | 0 | 1 |
| Assault on Law Enforcement Officers | N/A | 14 |
| Weapon Discharges | 5 (2 canine) | 3 (2 canine) |
| UOF by Pointing a Gun (includes discharges) | 12 | 12 |
| UOF by K-9 | 0 | 0 |
| UOF Using OC Spray | 0 | 0 |
| UOF Using ASP | 0 | 0 |
| UOF Using Distraction Device | 0 | 0 |
| UOF Using Empty Hands | 5 | 21 |

| DEPUTIES, CONTINUED: | 2020 | 2021 |
|---|------|------|
| UOF Using Flashlight | 0 | 1 |
| UOF Using Handcuffs | 0 | 0 |
| UOF Using Shield | 0 | 0 |
| UOF Using Specialty Munitions | 0 | 0 |
| UOF Using Taser | 4 | 10 |
| UOF by Other Means | 0 | 0 |
| UOF Using Lethal & Less Than Lethal Weapons | 16 | 22 |
| Weaponless UOF Incidents | 5 | 21 |
| UOF Incidents by A Platoon | 4 | 8 |
| UOF Incidents by B Platoon | 1 | 2 |
| UOF Incidents by C Platoon | 2 | 8 |
| UOF Incidents by D Platoon | 6 | 4 |
| UOF Incidents by E Platoon | 0 | 0 |
| UOF Incidents by F Platoon | 0 | 0 |
| UOF Incidents by Administration | 0 | 0 |
| UOF Incidents by Child Support Enforcement | 0 | 0 |
| UOF Incidents by Civil | 0 | 2 |
| UOF Incidents by Courthouse Security | 1 | 1 |
| UOF Incidents by OCU | 0 | 1 |
| UOF Incidents by Sex Offender Unit | 0 | 0 |
| UOF Incidents by SRO | 1 | 5 |
| UOF Incidents by SRT | 2 | 2 |
| UOF Incidents by Detective Division | 1 | 2 |
| UOF Incidents by K-9 Division | 0 | 1 |
| UOF Incidents by Motors | 0 | 0 |
| UOF Incidents by Narcotics | 0 | 1 |
| UOF Incidents by Operations/Support | 0 | 0 |
| UOF Incidents by Fugitives/Warrants | 0 | 0 |
| UOF Incidents by Training/Deputies Training | 0 | 0 |

| CCDC: | 2020 | 2021 |
|---|-------------------|-------------------|
| UOF Incidents Days Shift 6:30 am to 6:30 pm | 25 | 27 |
| UOF Incidents Nightshift 6:30 pm to 6:30 am | 11 | 10 |
| CCDC Officers Using Force | 29 | 27 |
| CCDC Officers Injured | 0 | 5 |
| CCDC Officers injured 2 or more times | 0 | 0 |
| Inmates Injured due to CCDC UOF | 19 (none serious) | 16 (none serious) |
| CCDC Officer Using Force on 3 or More Occasions Against Suspects Who Were Injured | 0 | 1 |
| CCDC Officer UOF 5 or more times | 0 | 0 |
| UOF by use of Canine | 0 | 0 |
| UOF using OC Spray | 6 | 10 |
| UOF using Pepper Ball Gun | 0 | 1 |
| UOF using distraction device | 0 | 0 |
| UOF using empty hands | 6 | 9 |
| UOF using hand cuffs | 0 | 0 |
| UOF using Nova shield | 3 | 2 |
| UOF using specialty impact munitions | 0 | 0 |
| UOF using Taser | 23 | 22 |
| UOF by other means | 0 | 0 |

Introduction

This analysis covers all Use of Force incidents from January 1, 2021, through December 31, 2021. The analysis is used to reveal trends which may identify training needs, potential policy revisions or equipment upgrades. The following report will focus on trends identified through the interpretation of statistics.

During 2021 there were 76 Use of Force (UOF) Reports submitted, which is a 40.7% increase from the 54 UOF Reports submitted in 2020.

This report is categorized into the following areas of analytical value: Officers Involved, Force Used by Officers, Injuries, Suspect Race and Ethnicity, Citizen Complaints and Conclusion.

Officers Involved

Of the 54 UOF incidents in 2020, 15 deputies and 28 CCDC officers used force in comparison to 37 deputies and 27 CCDC officers using force in the 76 use of force incidents reported in 2021.

CCSO Policy 04-25, Personnel Early Intervention System (PEIS), requires that any employee who uses force on five or more occasions within a 12 month period and/or has three or more injuries to suspects/inmates within a 12 month period shall be referred to the PEIS committee to determine if intervention is deemed necessary.

Pursuant to this policy, one (1) deputy was involved in five (5) or more UOF incidents in 2021, on two (2) separate occasions, and was subsequently referred to the PEIS committee twice for review. One (1) detention officer was identified and, subsequently referred to the PEIS committee as a result of using force and causing injuries to inmates on three (3) or more occasions within a 12 month period.

Force Used by Officers

Pursuant to CCSO policies and procedures, the deputies have the following UOF Options:

- **Officer's Presence:** The mere presence of uniformed officers, marked patrol vehicles or a number of officers may be sufficient to prevent a Use of Force incident. In addition, the officer's ability to communicate effectively can persuade a person to comply with the law or prevent the employment of force.
- **Verbal directive:** Lawful commands in a firm and authoritative voice will often be sufficient to control the situation and avoid a Use of Force incident.

- Empty hands control techniques:
 - Soft empty hands control techniques are techniques that have a low probability of causing an injury and control can still be maintained over the subject. An example of this technique is leading the subject by using a transport wrist lock or a straight arm bar takedown.
 - Hard empty hands control techniques are techniques that have a higher probability of causing an injury to the subject. Examples of this technique include knee strikes to the common peroneal nerve, brachial stuns, or strikes to the supra scapular motor nerve.
- Intermediate weapons are weapons such as OC Pepper Spray, ASP baton, flashlight, canine, electronic restraint devices (NOVA ERD, Stun Shield and RACC Belt), electro-muscular control devices (TASER X-26 and X-26P) and Specialty Impact Munitions. Utilization of OC Pepper Spray and electro-muscular control devices constitutes a lower level of force than striking a subject with an impact weapon. Unless a Use of Deadly Force situation exists, every effort should be made to strike the subject with an impact weapon in one of the five primary motor nerve points. In circumstances in which an intermediate weapon is deployed, medical attention will be requested.
- Lethal or Deadly Force.
 - Lethal or Deadly Force includes, but is not limited to, the use of a firearm or striking a subject with an impact weapon on areas such as the head, throat, clavicle, groin, or multiple strikes to vital organ areas.
 - An officer may draw the officer's weapon when the officer has reasonable perception to suspect that the use of deadly force may be necessary. The officer may, but need not be under immediate attack, but need only have a reasonable perception that a deadly force situation could occur. This policy is intended to allow the officer to have the officer's weapon ready in circumstances such as answering a burglar alarm where there are signs of forced entry, or confronting a subject of whom there are reasonable grounds to perceive the subject may be armed, or who may otherwise cause the officer to reasonably fear for the officer's life or safety or that of another person.
 - Warning shots shall not be fired under any circumstances. Such warnings are considered use of deadly force, and use of deadly force must be compliant with law and policy consistent with law.

LEVELS OF FORCE USED

| FORCE USED BY DEPUTIES | 2020 | 2021 |
|----------------------------|------|------|
| ASP | 0 | 0 |
| DISTRACTION DEVICE | 0 | 0 |
| EMPTY HANDS | 5 | 21 |
| FLASHLIGHT | 0 | 1 |
| HANDCUFFS | 0 | 0 |
| WEAPON DISPLAY | 12 | 12 |
| WEAPON DISCHARGE | 5 | 3 |
| OC SPRAY | 0 | 0 |
| NOVA SHIELD | 0 | 0 |
| SPECIALTY IMPACT MUNITIONS | 0 | 0 |
| SUBMACHINE GUN | 0 | 0 |
| TASER | 4 | 10 |
| CANINE RELEASE ONLY | 0 | 0 |
| CANINE RELEASE - BITE | 0 | 0 |

*Some incidents had 1 or more levels of force used.

| FORCE USED BY CCDC | 2020 | 2021 |
|----------------------------|------|------|
| ASP | 0 | 0 |
| DISTRACTION DEVICE | 0 | 0 |
| EMPTY HANDS | 6 | 9 |
| FLASHLIGHT | 0 | 0 |
| HANDCUFFS | 0 | 0 |
| OC SPRAY | 6 | 10 |
| NOVA SHIELD | 3 | 2 |
| SPECIALTY IMPACT MUNITIONS | 0 | 0 |
| TASER | 23 | 22 |
| PEPPER BALL GUN | 0 | 1 |
| CANINE RELEASE ONLY | 0 | 0 |
| CANINE RELEASE - BITE | 0 | 0 |

*Some incidents had 1 or more levels of force used.

There are six levels of use of force; however, only four levels of force are reported, *i.e.*, Empty Hand Control Technique, Intermediate Weapons, Lethal or Deadly Force, and force which results in an injury. All 54 incidents involved officer presence and involved verbal direction prior to using force.

There were 46 reports of deputies and/or CCDC officers using Intermediate Weapons in response to offender actions. Of these 46 reports, deputies and/or CCDC officers used the Taser® 33 times; OC Spray 10 times; Nova Shield 2 times and the Flashlight 1 time. The ASP Baton, Distractionary devices were not used. There were 11 reports of deputies and/or CCDC officers using both Soft and Hard Empty Hand Control Techniques.

There were twelve (12) instances when an officer pointed their duty weapon during an incident. Of the twelve (12) incidents, there were three (3) discharges directed at aggressive canines.

Injuries

There were 29 non-life threatening injuries to the offender/inmate as a result of a use of force in 2021. None of the injuries sustained were of a serious nature requiring long term medical care.

There were 8 reported injuries to deputies and 5 reported injuries to CCDC officers as a result of a use of force in 2021. None of the injuries sustained were of a serious nature requiring long term medical care.

Suspect Race and Ethnicity

The following shows the race and ethnicity of the suspect/inmates, deputy/detention officer and suspect/inmate injuries, as well as arrests, no arrests, use of force complaints and number of use of force incidents that occurred in the year 2021.

2021 ANNUAL UOF CIMIRS CHART

| DEPUTIES | White Non-Hispanic | | Black Non-Hispanic | | Hispanic/Latino Other Races | | Total |
|--|--------------------|----------|--------------------|----------|-----------------------------|------------|-----------|
| | Male | Female | Male | Female | Male | Female | |
| 2021 | | | | | | | |
| Firearm: | | | | | | | |
| Discharge | 0 | 0 | 0 | 0 | 0 | (3 canine) | 3 |
| Display Only | 5 | 1 | 3 | 2 | 0 | 0 | 11 |
| Taser | 5 | 0 | 5 | 0 | 0 | 0 | 10 |
| Flashlight | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| OC Spray | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| ASP Baton | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Empty Hands | 5 | 1 | 9 | 5 | 1 | 0 | 21 |
| Canine: | | | | | | | |
| Release Only | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Release/Bite | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Distractionary Device | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total UOF | 15 | 2 | 17 | 7 | 2 | 3 | 46 |
| Number of Incidents Resulting in Officer Injury or Death | 3 | 0 | 2 | 2 | 0 | 1 | 8 |
| Number of Suspects Receiving Non-Fatal Injuries | 4 | 1 | 3 | 4 | 1 | 0 | 13 |
| Suspects Receiving Fatal Injuries | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrests | 15 | 1 | 14 | 6 | 1 | 0 | 37 |
| UOF Force No Arrests | 5 | 0 | 3 | 2 | 0 | 0 | 10 |
| UOF Complaints | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| UOF on Canine | 0 | 0 | 0 | 0 | 0 | 3 | 0 |

* UOF incidents may involve more than 1 officer, suspect and/or level of force.

2021 ANNUAL UOF CIMIRS CHART

| DETENTION | White Non-Hispanic | | Black Non-Hispanic | | Hispanic/Latino Other Races | | Total |
|--|-----------------------|----------|-----------------------|----------|--------------------------------|----------|-----------|
| | Male | Female | Male | Female | Male | Female | |
| 2021 | | | | | | | |
| Firearm: | | | | | | | |
| Discharge | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Display Only | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Taser | 3 | 0 | 17 | 2 | 0 | 0 | 22 |
| Nova Shield | 0 | 0 | 2 | 0 | 0 | 0 | 2 |
| OC Spray | 1 | 0 | 7 | 2 | 0 | 0 | 10 |
| Pepper Ball | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Empty Hands | 4 | 0 | 3 | 2 | 0 | 0 | 9 |
| Canine: | | | | | | | |
| Release Only | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Release/Bite | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Distractionary Device | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total UOF | 8 | 0 | 30 | 6 | 0 | 0 | 44 |
| Number of Incidents Resulting in Officer Injury or Death | 0 | 0 | 2 | 3 | 0 | 0 | 5 |
| Number of Inmates Receiving Non-Fatal Injuries | 4 | 0 | 11 | 2 | 0 | 0 | 17 |
| Inmates Receiving Fatal Injuries | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total UOF Complaints | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

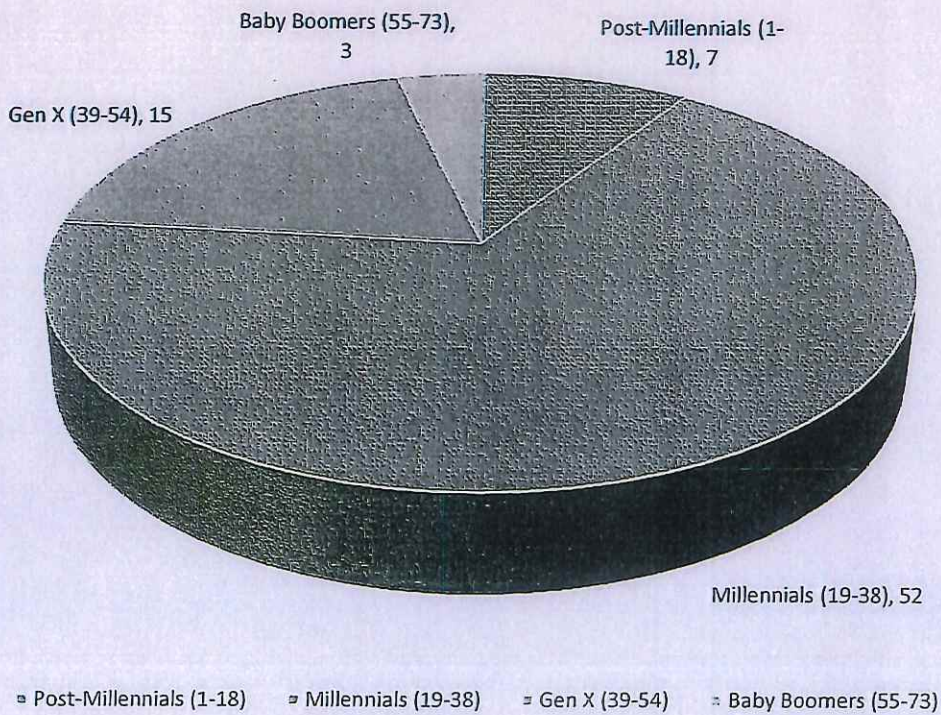
* UOF incidents may involve more than 1 officer, inmate and/or level of force.

AGE OF OFFENDER INVOLVED IN USE OF FORCE CCSO DEPUTIES AND CCDC OFFICERS

The offender's age is categorized into five generation groups as follows:

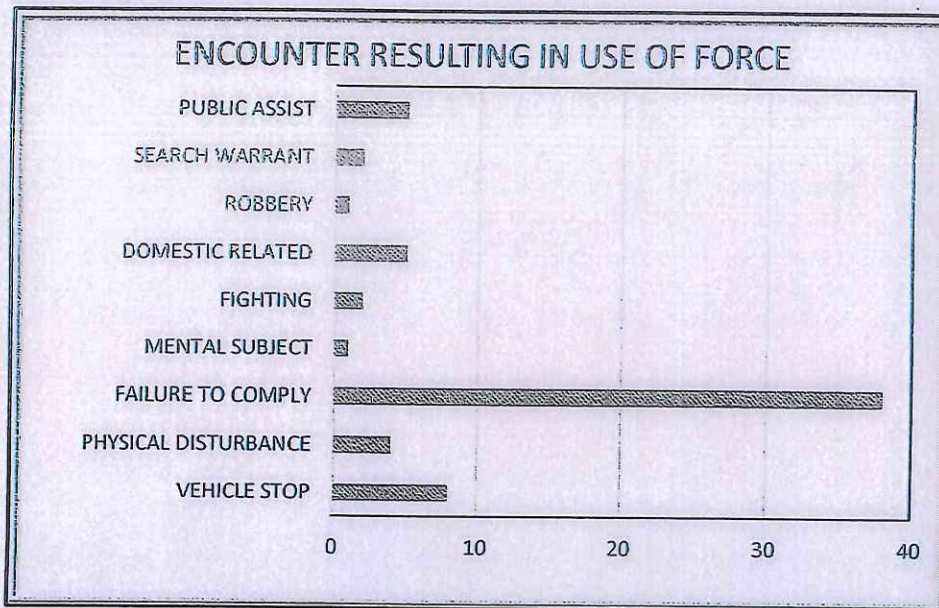
- The Greatest Generation, currently over the age of 93;
 - The Silent Generation, between the ages of 74 and 92;
 - The Baby Boomers, between the ages of 55 - 73;
 - Gen X, between the ages of 39 and 54;
 - Millennials, currently between the ages of 19 and 38; and
 - Post Millennials, between the ages of 1 and 18.
- As evidenced by the chart below, the generation groups for the offenders/inmates involved in a Use of Force incident are as follows: Millennials (67) = 52%, Gen X (19) = 25%, Baby Boomers (3) = 4% and Post Millennials (7) = 9%.

USE OF FORCE SUSPECT BY AGE



Type of Encounter Resulting in UOF CCSO Deputies and CCDC Officers

The following depicts the type of encounters which resulted in CCSO deputies and CCDC officers using force on inmates and/or suspects:



For the year ending 2021, there were a total of 5 Public Assist, 2 Search Warrants, 1 Robbery, 5 Domestic related, 2 Suspect/Inmates fighting, 2 Mental Subjects, 38 Failure to Comply, 4 Physical Disturbance and 8 vehicle stop incidents which warranted the UOF encounters.

Citizen Complaints

There were 0 citizen complaints received during 2021 as a result of the use of force which is a decrease from the 4 complaints received in 2020 as a result of the use of force.

Conclusion

This analysis demonstrates that the various forces used in 2021 indicates the following:

The number of Taser uses increased from 28 in 2020 to 32 in 2021. The Taser use percentages, which reflect an increase/decrease for each division, are as follows:

| | Number of Uses in 2020 | Percentage of Uses | Number of Uses in 2021 | Percentage of Uses | Decrease/Increase |
|---------------------|------------------------|--------------------|------------------------|--------------------|-------------------|
| Admin | 0 | 0 | 0 | 0 | No change |
| Operations Division | 3 | 10% | 7 | 22% | Increase |
| Services | 0 | 0 | 2 | 6% | Increase |
| Detective Division | 0 | 0 | 1 | 3% | Increase |
| Detention Center | 25 | 90% | 22 | 69% | Decrease |

* UOF incidents may involve more than 1 officer, suspect/inmate and/or level of force.

The number of OC spray decreased from 11 in 2020 to 10 in 2021. The OC spray use percentages, which reflect an increase/decrease for each division, are as follows:

| | Number of Uses in 2020 | Percentage of Uses | Number of Uses in 2021 | Percentage of Uses | Decrease/Increase |
|---------------------|------------------------|--------------------|------------------------|--------------------|-------------------|
| Admin | 0 | 0 | 0 | 0 | No change |
| Operations Division | 0 | 0 | 0 | 0 | No change |
| Services | 0 | 0 | 0 | 0 | No change |
| Detective Division | 0 | 0 | 0 | 0 | No change |
| Detention Center | 11 | 100% | 10 | 100% | No change |

* UOF incidents may involve more than 1 officer, suspect/inmate and/or level of force.

The number of Empty Hands uses increased from 11 in 2020 to 30 in 2021. The Empty Hands use percentages, which reflect an increase/decrease for each division, are as follows:

| | Number of Uses in 2020 | Percentage of Uses | Number of Uses in 2021 | Percentage of Uses | Decrease/Increase |
|---------------------|------------------------|--------------------|------------------------|--------------------|-------------------|
| Admin | 0 | 0 | 0 | 0 | No change |
| Operations Division | 5 | 45% | 17 | 57% | Increase |
| Services | 0 | 0 | 2 | 6% | Increase |
| Detective Division | 0 | 0 | 2 | 6% | Increase |
| Detention Center | 6 | 55% | 9 | 31% | Increase |

* UOF incidents may involve more than 1 officer, suspect/inmate and/or level of force.

All use of force incident reports are reviewed by a supervisor, Division Commander and the Professional Standards Captain. Through these reviews and the analysis of those reports, there were no incidents out of compliance with established policies and procedures that required the Office of Professional Standards to conduct an investigation.

As a part of this analysis, the use of force policies were reviewed. I did not find a need to revise any of the use of force policies at this time. Sworn officers have a refresher on the use of force policies during firearms qualifications on an annual basis during in-service training. The Cumberland County Sheriff's Office has a Use of Force Continuum that serves as a general guide for using force during incidents where force is reasonable and necessary.

The UOF reports are being maintained in the Professional Standards Office for review.

Please let me know if you have any suggestions, concerns or questions.

cc: Chief Deputy Jack Broadus
 Major Tandra Adams
 Major Bobby Reyes
 Major Brian Perry
 Major Dennis Peterson
 Captain Lakeshia Washington
 Captain Nichole Hoking
 Captain Johnathan Morgan
 Captain Charles Parker
 Captain James Jones
 Captain Clavion Morning
 Captain Donald Williams
 Lieutenant Corrie Simmons
 S/Sgt. Maura Laney, Accreditation

SS/blt