



# INTER-OFFICE COMMUNICATION

## POLICE DEPARTMENT

**“To Serve and Protect”**

8 March 2011

**TO:** Deputy Chief Dave Baker  
**FROM:** Ryan Behrens, Research & Planning, C958  
**SUBJECT:** 2010 Annual Use of Force Analysis – CALEA Standard 1.3.13

Omaha police officers are allowed to use only the amount of force necessary to achieve lawful objectives. The Omaha Police Department (OPD) utilizes a standard use of force reporting system that allows command staff to review and analyze use of force incidents to ensure officers are using force in a way that is consistent with OPD policies and procedures. In 2010, OPD officers were involved in a total of 545 force incidents – a *10 percent increase* over total force incidents in 2009. Comparisons for each force category can be made by reviewing the table below.

	2009	2010	2-yr avg.
<b>Discharge of Firearm</b>	69	62	65.5
<b>K-9 Apprehension</b>	2	7	4.5
<b>Use of Baton</b>	9	3	6
<b>Use of Bodily Force</b>	313	366	339.5
<b>Use of Mace</b>	23	24	23.5
<b>Use of Pepperball</b>	10	5	7.5
<b>Use of Taser</b>	62	78	70
<b>TOTAL</b>	488	545	516.5

**Discharge of Firearm:** Omaha police officers are directed to use deadly force only when they reasonably believe the action is in defense of human life, or in order to safely and humanely put down a seriously injured animal. Officers are prohibited from firing warning shots in effecting any type of arrest. Each officer involved in a discharge of firearm (except against an injured animal) is immediately removed from duty until a thorough investigation is completed, at which time the officer – if cleared of wrongdoing – is returned to duty. Each discharge of firearm incident is reviewed by the OPD Safety Review Committee for policy compliance and/or possible training issues. The Safety Review Committee then submits recommendations to the chief of police for approval. Omaha police officers were involved in 62 discharge of firearm incidents in 2010 – a *10 percent decrease* from 69 discharge of firearm incidents in 2009.

**Use of Baton:** Omaha police officers have the option to carry a baton while on duty. Officers who choose to carry a baton are allowed to use it as a primary impact weapon to protect themselves or others from harm. Officers may use the weapon to subdue a subject who refuses to comply with verbal commands, and who has displayed behavior indicating that the subject will resist arrest or assault the officer. Omaha police officers used batons on only three occasions in 2010 – a *67 percent decrease (-6)* from nine occasions in 2009.

**Use of Bodily Force:** Use of bodily force includes force without a weapon such as a brachial stun, double leg sweep, hand strike, hard empty hand control, joint lock, knee strike, leg strike, LVNR,

pressure point, single leg sweep, soft empty hand control, and takedown. Omaha police officers may use bodily force as appropriate against subjects who are offering either passive resistance (soft empty hand control) or defensively resistance (hard empty had control). Officers used bodily force on 366 occasions in 2010 – a 17 percent *increase* from 313 occasions in 2009.

**Use of Mace:** Omaha police officers may use chemical agents such as mace when empty hand control techniques are ineffective or inappropriate. Chemical agents are deployed in accordance with Omaha Police Department training standards. Deploying a chemical agent should include the use of verbal commands before, during and after use, when tactically feasible. Omaha police officers used mace 24 times in 2010 – a four percent *increase* from 23 times in 2009.

**Use of Pepperball:** Omaha police officers who are certified to use the pepperball weapon system may use pepperball as an intermediate weapon within the Omaha Police Department's use of force continuum. Pepperball is used to deescalate potentially dangerous situations when lesser force options would likely ineffective to establish control, and where deadly force is not appropriate. Prior to deploying the pepperball system, officers must take into account the safety of innocent bystanders, other officers, and the suspect. Omaha police officers used pepperball five times in 2010 – a 50 percent *decrease* from 10 times in 2009.

**Use of Taser:** Omaha police officers are allowed to use electronic control devices (Tasers) to control a potentially dangerous or violent subject when the subject – through words or actions – communicates that he or she may soon resist, oppose or attempt to flee from an officer making a lawful arrest or detention. A Taser may also be used if a person poses a risk of self, such as a self-inflicted injury or suicide attempt. Only officers who are certified in the use of a Taser may carry this weapon. Omaha police officers used Tasers 78 times in 2010 – a 26 percent *increase* from 62 times in 2009.

**Recommendations:** (1) The Omaha Police Department saw increases in use of force incidents in the areas of K-9 apprehension (250%), use of bodily force (17%), use of mace (4%), and use of Taser (26%). It is recommended that command officers look closely at why the department experienced increases in these use of force areas. It is also recommended that the department's Training Unit, after receiving feedback from command officers regarding the issues causing these specific increases, consider implementing training to address these issues during the next mandatory in-service training session for officers.

In addition, it is difficult to determine overall use of force trends based on two-year comparisons. It is, therefore, recommended that the Annual Use of Force Analysis be enhanced to include a five (5) year timeframe in which trends can be more effectively identified.