



**INTER-OFFICE COMMUNICATION**

**POLICE DEPARTMENT**

**“To Serve and Protect”**

April 2014

**TO:** Deputy Chief Greg Gonzalez  
**FROM:** Jessica Turner, Research & Planning, C076  
**SUBJECT:** 2013 Annual Use of Force Analysis – CALEA Standard 1.3.13

**OVERALL USE OF FORCE**

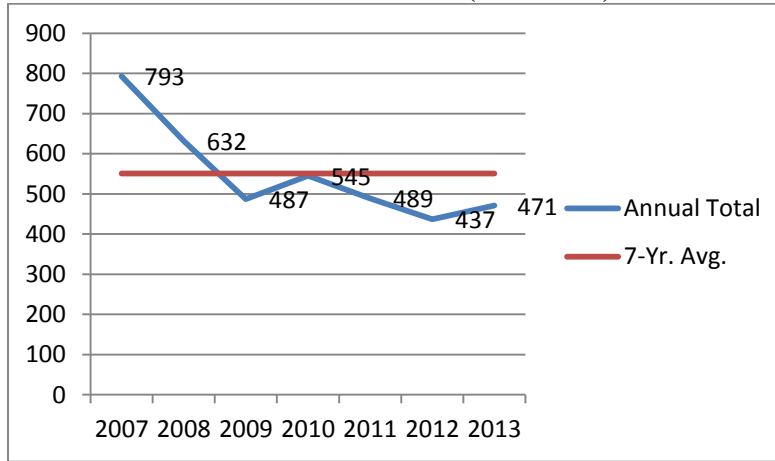
Omaha police officers are allowed to use only that amount of force which is objectively reasonable to take a subject into custody or otherwise bring an incident under control while protecting the safety of the officer and others. In 2013, the Omaha Police Department (OPD) began utilizing the BlueTeam electronic Chief’s Reporting System to report Use of Force incidents. This reporting system allows command staff to review and analyze Use of Force incidents electronically, and therefore better identify trends, possible training improvements, and employee safety issues, as well as provide timely information to the public. Additionally, OPD updated its use of force policies in the spring of 2013. This was a re-write of both policy and practice; all OPD sworn personnel received training on the new policies and practices prior to implementation. Consequently, the 2013 use of force data should be compared to previous years keeping these changes in mind.

In 2013, OPD officers were involved in 471 Use of Force incidents. While this is a 7.8% increase from 2012 it is still 14% below the seven year average of 550.57 incidents per year (see Table 1). Additionally, changes in use of force reporting may account for some of the increase. Overall, Use of Force Incidents have steadily decreased since 2007 (see Chart 1).

**Table 1: Reported Use of Force Comparison: 2007-2013**

<b>Type of Force</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>7-yr avg.</b>
Discharge of Firearm	74	79	69	62	53	60	55	64.57
K-9 Apprehension	10	1	2	7	1	6	13	5.7
Use of Baton	15	4	9	3	6	4	5	6.57
Use of Bodily Force	477	420	313	366	341	284	312	359
Use of Chemical Agent	39	39	23	24	29	20	19	27.57
Use of Pepperball	36	14	10	5	11	3	3	11.7
Use of Taser	142	75	62	78	48	60	62	75.28
<b>TOTAL</b>	<b>793</b>	<b>632</b>	<b>488</b>	<b>545</b>	<b>489</b>	<b>437</b>	<b>471</b>	<b>550.57</b>

**Chart 1: Use of Force (2007-2013)**



**USE OF FORCE – INDIVIDUAL CATEGORIES**

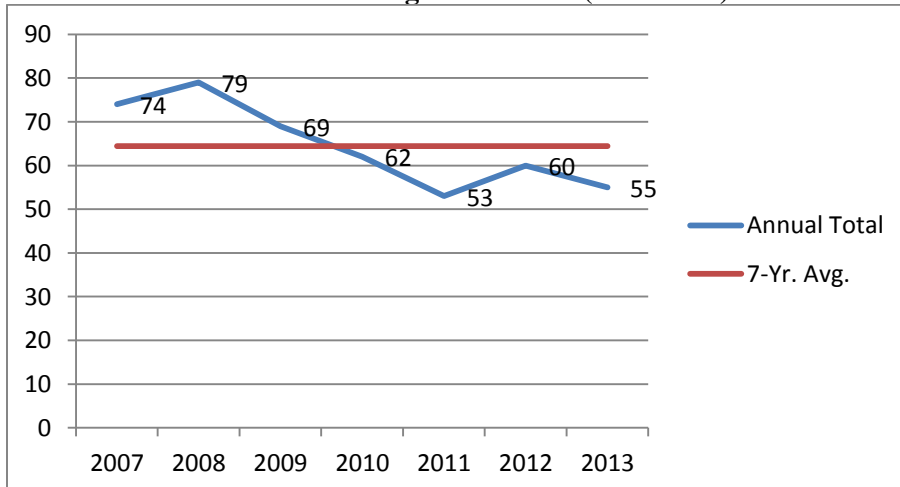
**Discharge of Firearm**

OPD officers may use a firearm in order to defend themselves or others from the imminent threat of death or serious bodily injury; call for assistance when no other means is available; or to kill a dangerous or badly injured animal. Policy prohibits officers from firing warning shots. Any officer involved in a Discharge of Firearm incident is subject to a thorough investigation in which the incident is reviewed by the Safety Review Committee (SRC) for policy compliance and to identify possible safety and/or training issues. The SRC submits recommendations to the Chief of Police, who either accepts or rejects the recommendations. In 2013, there were 55 Discharge of Firearm incidents. These incidents fell into three categories including: (1) animal, (2) accidental, (3) and person (see Table 2). The annual total of 55 incidents in 2013 is 14.6% below the seven-year average of 64.43 incidents per year (see Chart 2).

**Table 2: Discharge of Firearm – 2012 vs. 2013**

Incident Type	2012	2013
Animal	50	48
Accidental	4	1
Persons	6	6
Total	60	55

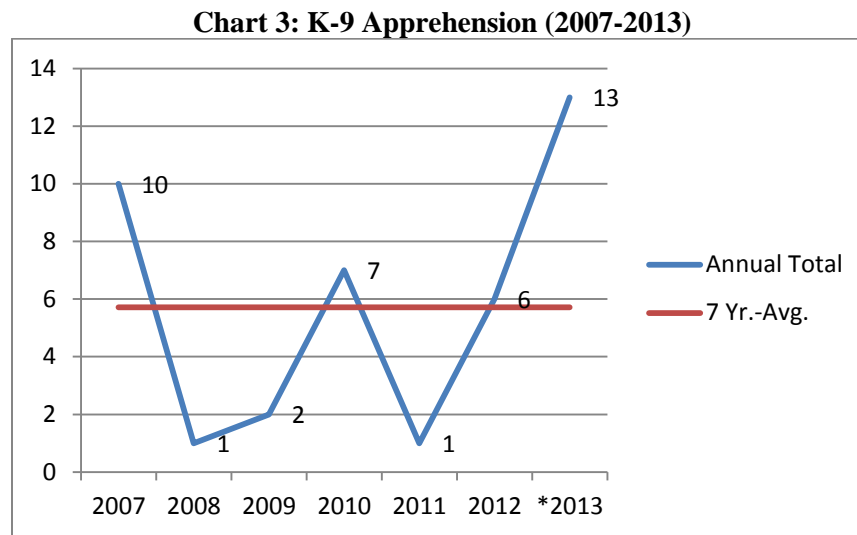
**Chart 2: Discharge of Firearm (2007-2013)**



**Recommendations:** Discharge of Firearm incidents have declined 25.6% overall since 2007. After an increase of 13% in 2012, Discharge of Firearm incidents declined by 8% in 2013. Furthermore, 87% of these incidents involved officers discharging firearms to put down either dangerous or injured animals. It is recommended that officers continue to receive high quality firearms and use of force training. There are no recommended changes in policy, training, or equipment upgrades at this time.

### **K-9 Apprehension**

The K-9 squad is responsible for assisting Uniformed Patrol and Criminal Investigative officers with searches and investigative needs. It is the responsibility of the K-9 handler to evaluate a situation and determine if, in fact, the use of the police service dog is feasible. K-9 Apprehensions more than doubled in 2013, increasing from six in 2012 to 13 in 2013 (see Chart 3).



**Recommendations:** Further research found that the increase in K-9 apprehensions can be attributed to the following factors:

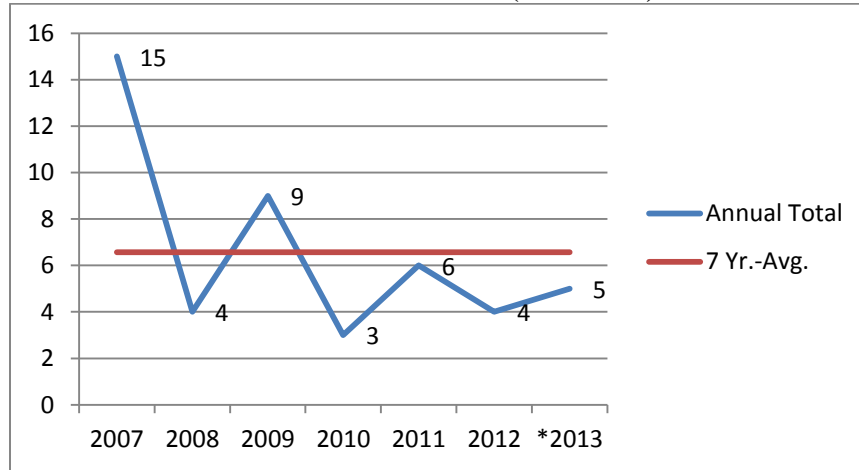
- In 2013 the number of dog teams increased from 8 to 9 resulting in increased K-9 coverage and response to calls for police service dogs.
- In 2013, the most experienced dog team was reassigned to an area with higher criminal/gang activity resulting in a higher number of apprehensions.
- It takes new dogs a year or more of working to become most effective at locating suspects. Two younger dogs that began working in 2011 increased their apprehensions in 2013.
- An emphasis in the Academy and in-service training on perimeter containment has resulted in officers better containing suspects thereby allowing them to call for K-9 assistance.
- The number of non-physical K-9 apprehensions (no bite/not reported as use of force) also increased in 2013

The findings above indicate that the increase in K-9 apprehensions is reflective of a larger, more experienced K-9 unit and training emphasis on perimeter containment. Therefore, there are no recommended changes in policy, training, or equipment upgrades at this time.

### **Use of Baton**

OPD officers may choose to carry a Department authorized baton upon receiving training in appropriate techniques for use. The baton is the approved police impact weapon and should be used by officers to protect themselves or others from potential or actual bodily harm. The officer must be able to articulate that use of lesser means of force was not appropriate or would likely have proven ineffective. There were five occasions of baton use by officers in 2013, which is below the seven-year average of 6.57 incidents per year (see Chart 4).

**Chart 4: Use of Baton (2007-2013)**

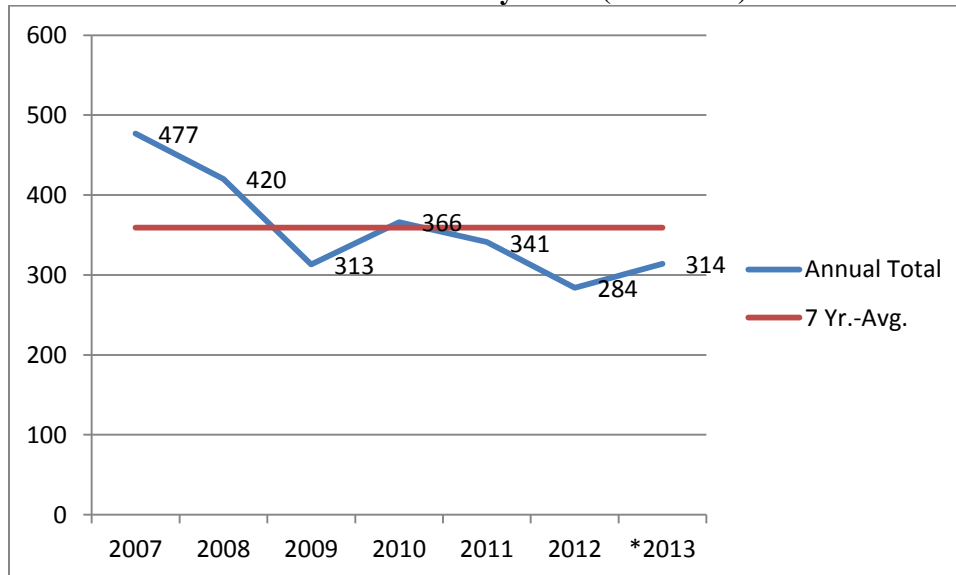


**Recommendations:** Use of Baton by OPD officers is a rare occurrence. With a seven-year average of only 6.6 incidents per year, and only five incidents in 2013, it is impossible to gauge the significance of the slight increase of use in 2013. Therefore, no changes to department policy, training, or equipment upgrades are recommended at this time.

**Use of Bodily Force**

Use of Bodily Force includes weaponless force. Use of Bodily Force often includes several types of force during a single incident. For instance, an officer may use a double-leg sweep and LVNR/ULNR during the same incident. Prior to 2013 the Use of Bodily Force annual total was calculated as the number of incidents in which bodily force was used. Therefore, an incident in which multiple types of bodily force were used was calculated as one occurrence. However, with the implementation of the new Blue Team reporting system, the annual total includes each use of bodily force regardless of whether they occurred in the same incident. In 2012, then, there were 284 incidents in which bodily force was used. When the 284 incidents of bodily force in 2012 are broken down by type there were actually 477 occurrences of bodily force. In 2013, there were 314 occurrences of bodily force, some of which may have occurred within the same incident. Therefore, if you compare the actual number of occurrences of bodily force between 2012 and 2013, the Use of Bodily Force decreased by 34% in 2013.

**Chart 5: Use of Bodily Force (2007-2013)**



**Table 3: Use of Bodily Force by Type – 2013**

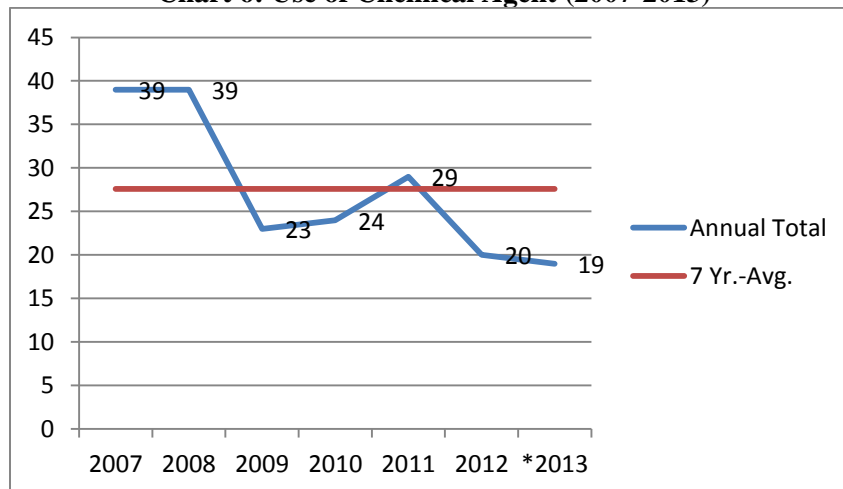
Force Type	2013
Brachial Stun	9
Double Leg Sweep	3
Elbow Strike	4
Hand Strike	57
Improvised Weapon	2
Knee Strike	35
Leg Strike	10
Lift and Dump	5
LVNR-Evidence Recovery	2
LVNR/ULNR	27
Pressure Point	11
Single Leg Sweep	25
Tackle	28
Takedown	96
<b>Total</b>	<b>314</b>

**Recommendations:** Use of Bodily Force incidents accounted for over 65% of all Use of Force incidents in 2013. The frequency of these incidents inherent in policing a city of over 400,000 residents as well as the ambiguity of many of these events means that this total is most likely to be impacted more significantly by changes in reporting policies and systems. Due to recent policy changes regarding the reporting of bodily force incidents as well as a new reporting system, it is difficult to draw firm conclusions based on the data from 2013. Therefore, it is recommended that this category of use of force be monitored closely in upcoming years for trends. It is recommended that officers continue to receive mandatory annual in-service training in bodily force techniques and policies.

**Use of Chemical Agent**

The use of chemical agent is intended to prevent injury to the officer and the subject by avoiding active resistance from the subject. Chemical agent may be used when other officer response techniques are ineffective or inappropriate. Deployment of chemical agents should include the use of verbal commands before, during and after use, when tactically feasible. Officers averaged 27.57 Use of Chemical Agent incidents per year from 2007 to 2013. There were 19 Use of Chemical Agent occurrences in 2013 (see Chart 6).

**Chart 6: Use of Chemical Agent (2007-2013)**

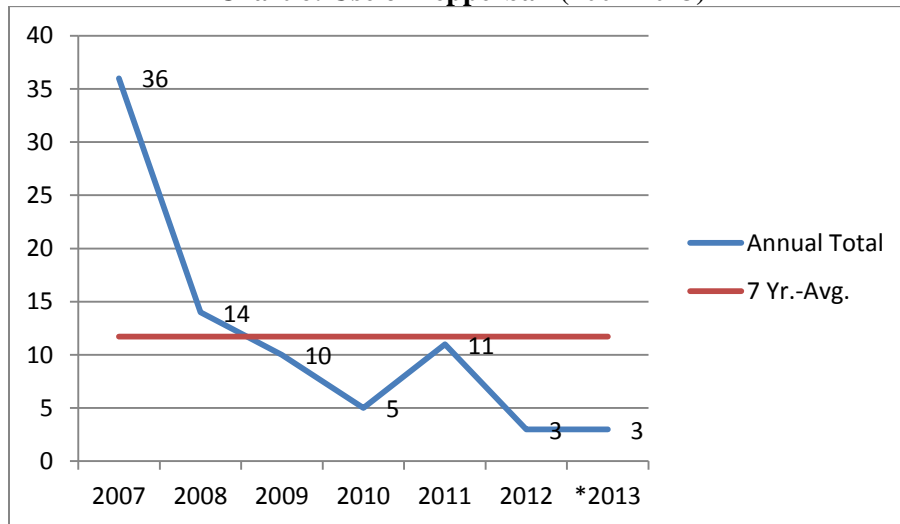


**Recommendations:** Officers' use of chemical agent continued to decline in 2013 reaching its lowest level since 2007. In fact, there has been a 51% decrease in Use of Chemical Agent since 2007. There are no recommendations for policy, training, or equipment upgrades at this time.

### Use of Pepperball

Officers certified in Use of Pepperball are allowed to use the pepperball weapon systems when interacting with Actively Resistant or higher subjects. The officer must be able to articulate that use of lesser officer response techniques was not appropriate or would likely have proven ineffective. The purpose of utilizing the pepperball weapon system is to create a psychological and physiological stunning effect (i.e., pain compliance) in order to temporarily disable the subject without intent to cause serious bodily injury or inflict deadly force. Prior to deploying the pepperball weapon system, officers must take into account the safety of innocent bystanders, other officers, and the suspect. Use of Pepperball incidents in 2013 remained consistent with 2012 at 3 incidents, which is well below the seven year average of 11.7 (see Chart 6).

**Chart 6: Use of Pepperball (2007-2013)**

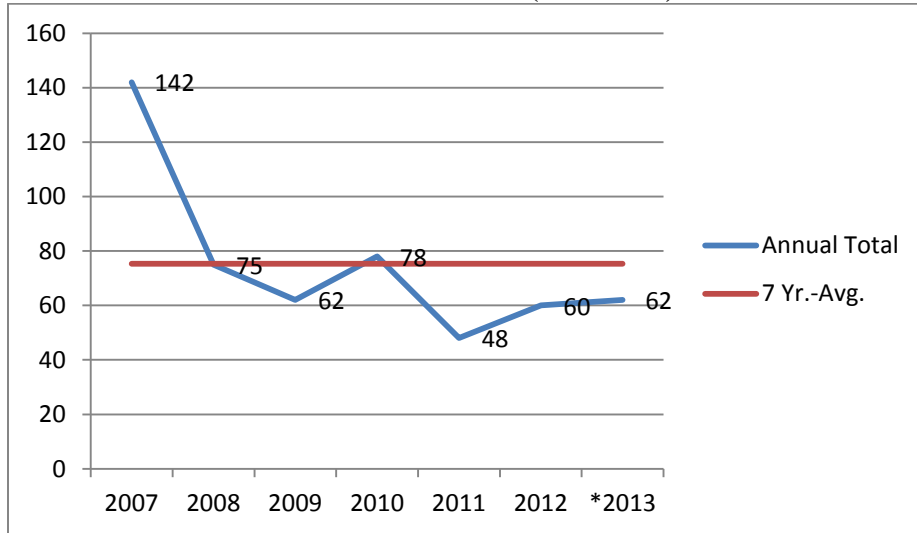


**Recommendations:** Omaha police officers have deployed the pepperball weapon system fewer than 15 times annually since 2008. This is less than half as often as the system was used in 2007. Additionally, there was no increase in the use of the pepperball weapon system in 2013. There are no recommendations for policy, training, or equipment upgrades at this time.

### Use of Electronic Control Device (ECD)

Officers may use electronic control devices (ECDs) when interacting with Actively Resistant or higher Subjects. An ECD may also be used if a person poses a risk to self, such as a self-inflicted injury or suicide attempt. Only certified officers may carry the ECD. Deployment of an ECD should include the use of verbal commands before, during and after use, when tactically feasible. Over the past seven years, officers have significantly reduced their use of ECD. The Use of ECD incidents increased slightly in 2013 to 62 incidents, however, the Use of ECD is still well below the seven year average of 75 incidents per year (see Chart 7).

**Chart 7: Use of ECD (2007-2013)**



**Recommendations:** *OPD experienced a 29 percent increase in Use of ECDs from 2011 to 2013. This came after a significant reduction in Use of ECD incidents in recent years. Although the 2013 total is 17.65% below the seven year average, it is wise to note the increase in use since 2011 and continue providing quality annual Use of Force training to all officers. No policy changes or equipment upgrades are recommended at this time.*