



**INTER-OFFICE COMMUNICATION
POLICE DEPARTMENT
"To Serve and Protect"**



January 29, 2019

TO: Deputy Chief Greg Gonzalez
FROM: Ryan Behrens, Research & Planning/Training, C958
SUBJECT: 2018 Annual Use of Force Analysis – CALEA Standard 1.3.13

SUMMARY

2018 Force Data Highlights:

- **445 total use of force incidents** – An increase of 53 incidents (+13.5%) from 2017, and 49 incidents (+12.4%) above the 5-year average of 396 incidents per year.
- **40 officers injured during force incidents** – An increase of 6 injuries (+17.6%) from 2017, and 10 injuries (+35.1%) above the 5-year average. Officer injuries have increased every year since 2015.
- **75 firearm discharges** – An increase of 32 incidents (+74.4%) from 2017, and 23 incidents (+45.3%) above the 5-year average. This is the highest number of discharges during the 5-year period.
 - **10 against persons** – The highest number of such incidents in the 5-year period, and 4.6 incidents (+85.2%) above the 5-year average of 5 per year.
- **157 takedown incidents** – An increase of 49 incidents (+45.4%) from 2017, and 29 incidents (+22.3%) above the 5-year average of 128 per year.
- **74 Taser deployments** – Consistent with the number of Taser deployments in 2016 (76) and 2017 (75), and only 5 deployments (+7.6%) above the 5-year average of 69 per year.
- **54 brachial stuns, hand strikes and/or elbow strikes** – An increase of 5 incidents (+10.2%) from 2017, and 2 incidents (+4.2%) above the 5-year average of 52 per year.
- **30 canine bites** – A decrease of 6 incidents (-16.7%) from 2017, but 7 incidents (+28.2%) above the 5-year average of 23 per year.
- **25 Pepperball deployments** – A decrease of 4 incidents (-13.8%) from 2017, but 11 incidents (+73.6%) above the 5-year average of 14 per year.
- **24 carotid restraint control holds (CRCH)** – An increase of 5 incidents (+26.3%) from 2017, but 2 incidents (-7.0%) below the 5-year average of 26 per year.

Recommendations:

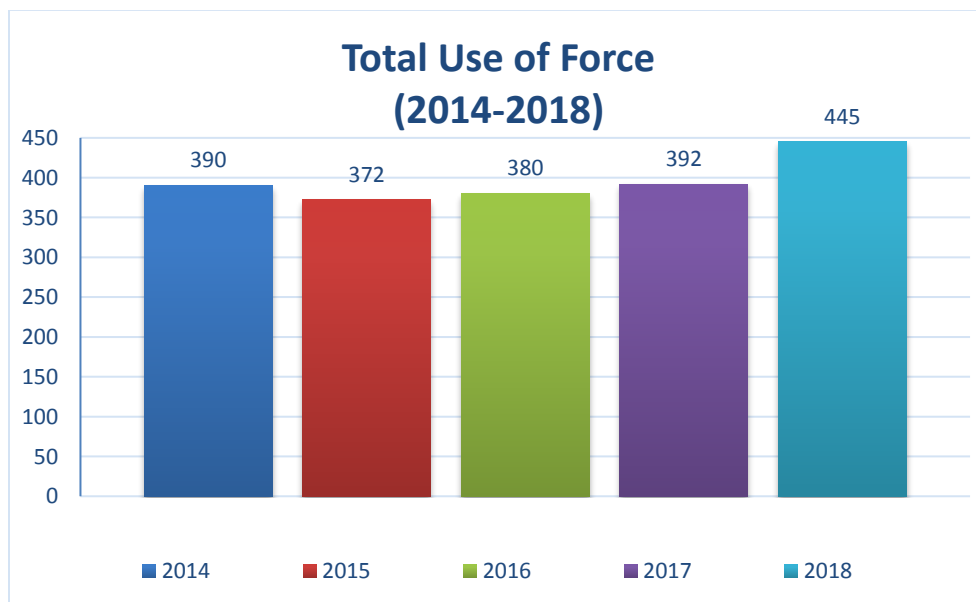
- **Amend the Chief's Report (OPD Form 214) to include two new form fields related to Pepperball deployments.** First, add a field that prompts officers to report the number of Pepperballs discharged during an incident. Second, add a field that prompts officers to report if Pepperballs were discharged directly into a person's body, or if they were discharged for chemical disbursement only (i.e., shot into the ground or into a wall, etc.). These were recommended by Safety Review Board (SRB) members.
- **Provide refresher training to Pepperball certified officers and supervisors.** The SRB has seen incidents in which a Pepperball launcher was used inappropriately, and that inappropriate use was encouraged by a supervisor. This was also recommended by SRB members.
- **Provide all officers with de-escalation training during each annual in-service.** Officer injuries stemming from force incidents have increased each of the last three years. While training cannot eliminate force incidents or the associated injuries, training may prevent some incidents. This may reduce officer injuries, keep more officers on the streets, and reduce costs to the City.
- **Provide officers with shotgun familiarization training.** New shotguns were received recently and, while they are similar to the previous shotguns, officers should receive training to familiarize themselves with these new firearms. This training is scheduled to take place during the 2019 in-service.

OVERALL USE OF FORCE

OPD officers are directed by policy to use only the amount of force that is objectively reasonable to take a subject into custody, or otherwise bring an incident under control, while protecting the safety of officers and the public. Each time an officer uses force against a person, the officer's actions are thoroughly investigated by the Safety Review Board (SRB) to determine policy compliance and identify any safety and/or training needs. The SRB Deputy Chief makes the final decision regarding use of force incidents, with the exception of egregious incidents referred to the Internal Affairs Unit and, on rare occasions, criminal investigators. The Officer Involved Investigations Team (OIIT) conducts investigations of all OPD force incidents that result in serious injury or death, and other incidents as directed by the Chief of Police. **In 2018, OPD officers reported 445 use of force incidents. This is an increase of 53 incidents when compared with the previous year, and is 49 incidents more than the 5-year average of 396 incidents per year.** Due to this increase, and the increasing number of officers injured during such force encounters (see next page), it is **recommended that officers receive de-escalation training annually.** While training can never eliminate the need for force or the associated injuries, it may prevent some force situations. This may potentially reduce officer injuries, keep more officers on the streets, and reduce costs to the City.

Use of Force Comparison (2014-2018)

Type of Force	2014	2015	2016	2017	2018
Baton	6	2	2	2	1
Brachial Stun	5	4	2	4	4
Canine Bite	12	22	17	36	30
Carotid Restraint Control Hold	28	28	30	19	24
Chemical Agent	20	15	18	13	12
Double Leg Sweep	4	2	1	4	4
Firearm Against Perpetrator	4	3	7	3	10
Hand / Elbow Strike	55	38	52	45	50
Improvised Impact Weapon	3	2	2	1	2
Knee Strike	45	38	33	35	39
Leg Strike	7	2	5	12	4
Lift & Dump	9	11	5	5	11
Pepperball	7	2	9	29	25
Pressure Point	11	16	18	10	13
Single Leg Sweep	23	24	15	16	27
Tackle	16	18	23	19	31
Takedown	81	80	65	64	84
Taser	54	65	76	75	74
TOTAL	390	372	380	392	445



Citizen Resistance

The table below shows the types of resistance that led to use of force incidents during the years 2014-2018. The Internal Affairs Unit maintains ten resistance categories for use of force incidents, as seen below. **“Attempting to flee” and “disorderly conduct” increased significantly during the five-year period.** “Misdemeanor arrests” and “felony arrests” plummeted during the same period, meaning officers are better articulating the factors that led them to use force during arrests.

Types of Resistance

Resistance Category	2014		2015		2016		2017		2018	
	#	% of Total	#	% of Total	#	% of Total	#	% of Total	#	% of Total
Assault on Officer	20	7%	14	5%	14	6%	13	5%	16	5%
Assaulting on Citizen	6	2%	11	4%	12	5%	13	5%	14	5%
Attempting to Flee	25	9%	37	13%	46	19%	93	33%	75	24%
Brandishing Weapon	4	1%	1	0%	11	5%	7	2%	8	3%
Disorderly Conduct	20	7%	23	8%	32	13%	55	19%	60	19%
Felony Arrest	39	14%	29	11%	7	3%	8	3%	3	1%
Mental Illness	17	6%	9	3%	3	1%	8	3%	9	3%
Misdemeanor Arrest	51	18%	28	10%	2	1%	2	1%	1	0%
Other	27	10%	11	4%	7	3%	4	1%	0	0%
Resisting Arrest	66	24%	112	41%	104	44%	81	28%	123	40%

Citizen Injuries

The table below shows the numbers and percentages of citizen injuries resulting from use of force incidents for each year from 2014-2018. **The percentage of citizens injured during use of force incidents has hovered between 33% (2015) and 42% (2017).** There were 109 total citizen injuries resulting from force incidents in 2018. This is a decrease of 10 injuries from 2017, and is just 4 more than the 5-year average of 105 citizen injuries per year.

Citizen Injury Outcomes

	2014		2015		2016		2017		2018	
	#	%	#	%	#	%	#	%	#	%
Citizen Injured	110	39%	92	33%	96	40%	119	42%	109	35%
Citizen Not Injured	166	59%	183	67%	143	60%	166	58%	201	65%
No Entry	3	1%	0	0%	0	0%	0	0%	0	0%

Officer Injuries

The table below shows the numbers and percentages of officer injuries resulting from use of force incidents for each year from 2014-2018. **The percentage of officers injured during use of force incidents has increased each year since 2015.** There were 40 total officer injuries resulting from force incidents in 2018. This is an increase of 19 incidents when compared with 2015, and is 10 more than the 5-year average of 30 injuries per year.

Officer Injury Outcomes

	2014		2015		2016		2017		2018	
	#	%	#	%	#	%	#	%	#	%
Officer Injured	30	11%	21	8%	23	10%	34	12%	40	13%
Officer Not Injured	246	88%	254	92%	216	90%	251	88%	270	87%
No Entry	3	1%	0	0%	0	0%	0	0%	0	0%

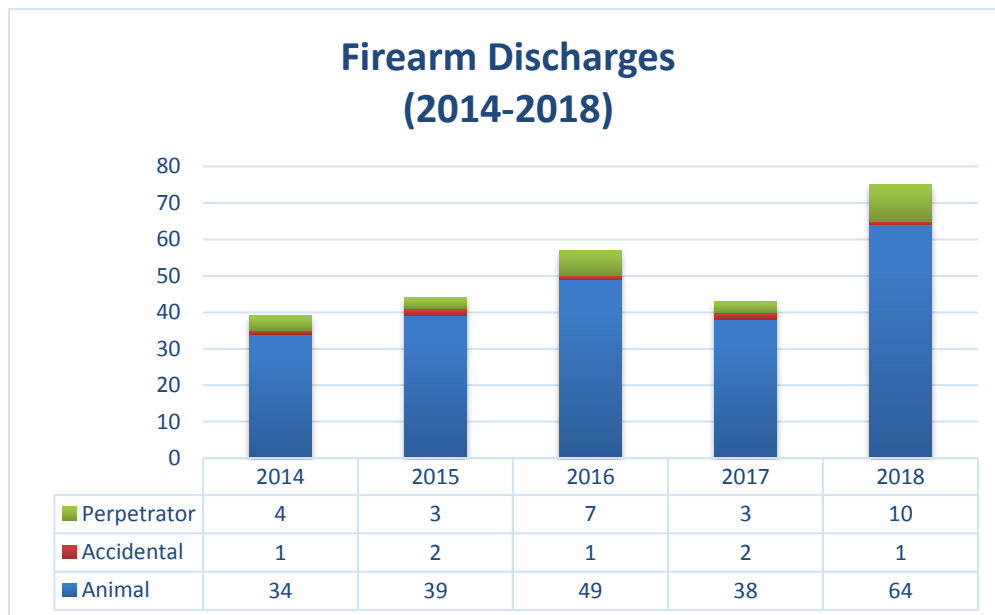
INDIVIDUAL USE OF FORCE CATEGORIES

Discharge of Firearm

Each officer must qualify with their primary firearm to be certified as a law enforcement officer, and must requalify annually in order to maintain certification. Officers must also qualify annually with any backup firearms they wish to carry. This includes handguns, rifles and shotguns. Officers may discharge their firearm in the performance of their duties to defend themselves or others from imminent threat of death or serious bodily injury, to call for assistance as a last resort, or to kill dangerous or badly-injured animals. Officers are prohibited by agency policy from firing warning shots. The Internal Affairs Unit assigns each firearm discharge incident to one of three categories: (1) Accidental, (2) Animal and (3) Perpetrator. Each incident is subject to a thorough investigation by the Safety Review Board (SRB) and may be subject to investigation by the Officer Involved Investigations Team (OIIT). **In 2018, officers were involved in 75 discharge of firearm incidents. This is the highest number of incidents within the 5-year reporting period, and is 33 incidents (+43%) more than the number of firearm discharges in 2017.**

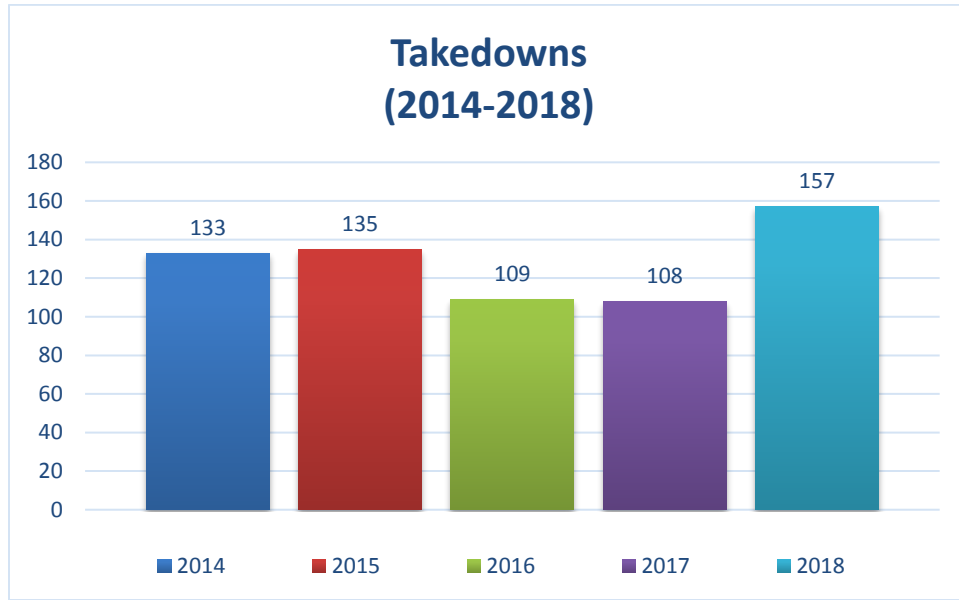
- **There were more firearms discharged against persons in 2018 (10) than in any year in the 5-year period.** Firearm discharges increased by 7 when compared with 2017, and were double the 5-year average of 5 discharges per year. While this increase is unfortunate, each incident is unique and may be influenced as much or more by the actions of the perpetrator than the actions of the officer(s) involved. For this reason, and because each incident was thoroughly investigated by the OIIT and found to be in compliance with policy, there is no concern at this time about the increase.
- **The vast majority of firearm discharges (64) were against animals.** As with previous years, most of these discharges were to put down injured animals, mainly deer per the Safety Review Board.
- **There was one accidental firearm discharge in 2018.** This is on par with the number of accidental discharges that typically take place during a year. Considering there are approximately 850 officers, this is a fairly small number; however, each accidental discharge has the potential for tragedy and should be taken extremely seriously.

Note: New shotguns were recently received by OPD. While these shotguns are similar to the previous shotguns, **it is recommended that officers receive training to familiarize themselves with the new shotguns.** There is currently a training block in this year's in-service training dedicated to shotgun familiarization.



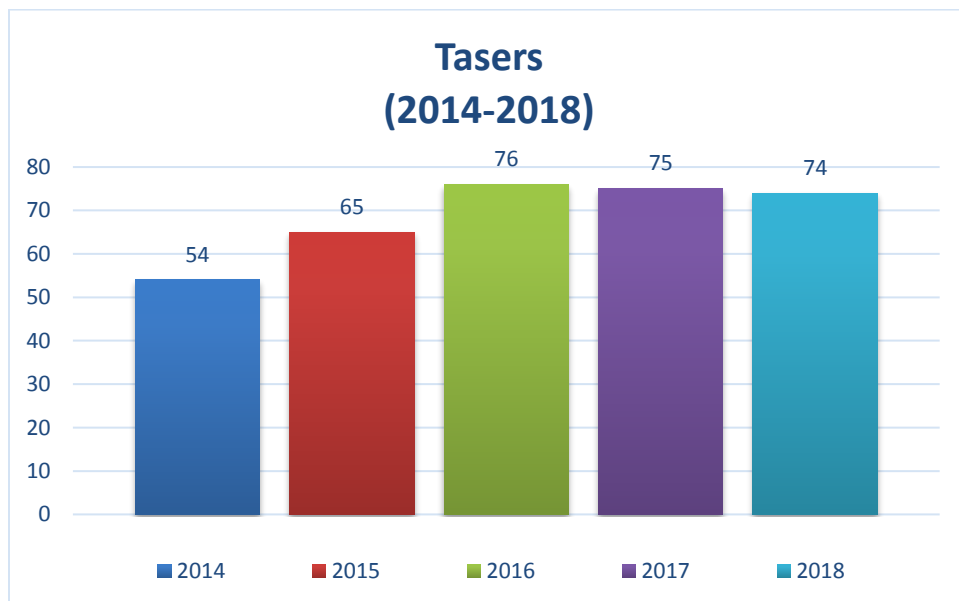
Takedowns

Takedowns are the manipulation of a subject's balance using force to move the subject to a grounded position in order to take control. Officers are authorized to use takedowns against actively resistive subjects. **In 2018, officers reported 157 total takedowns. This is the highest number of takedowns in the 5-year period, and is 29 incidents more than the 5-year average of 128 takedowns per year.** Takedowns – including leg sweeps, lift and dumps, tackles, etc. – were used more than any other reported individual force category in 2018.



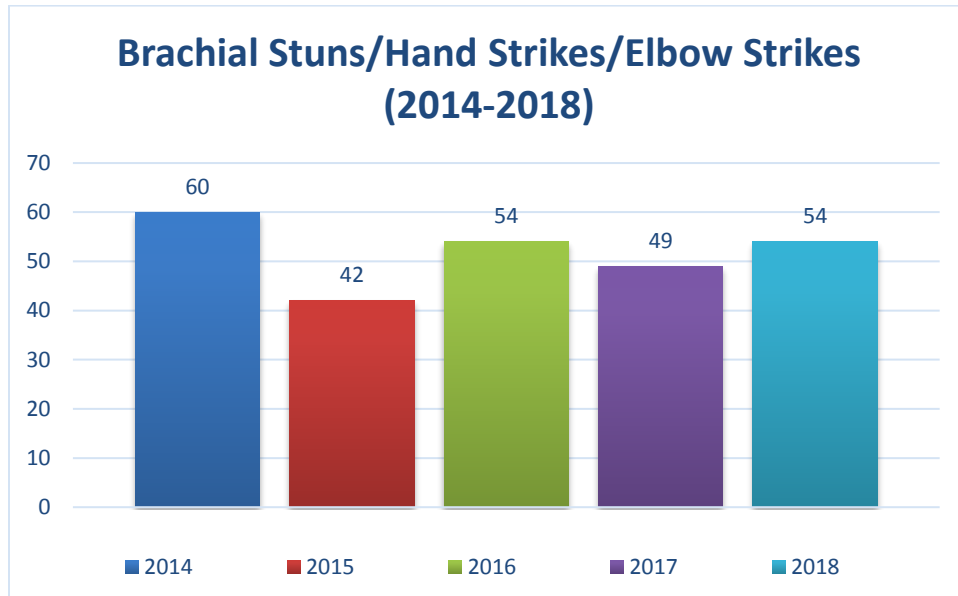
Tasers

Electronic Control Devices (Tasers) are battery powered devices that use propelled wires and probes, or direct contact, to conduct electrical energy to affect sensory and motor functions of the nervous system. The Taser's intended purpose is to temporarily incapacitate subjects and enable the officer to gain control without inflicting serious injury. Officers are authorized to deploy Tasers against persons being actively resistive, or when a subject poses a threat to him/herself. Only trained and certified officers who qualify and demonstrate proficiency annually may carry the Taser on duty. **In 2018, there were 74 incidents in which officers used Tasers against persons. This is consistent with the number of Taser uses in 2016 (76) and 2017 (75), and is only 5 uses more than the 5-year average of 69 uses per year.** Due to the high liability related to Taser use, there is an instruction block dedicated to Tasers scheduled for the 2019 annual in-service training.



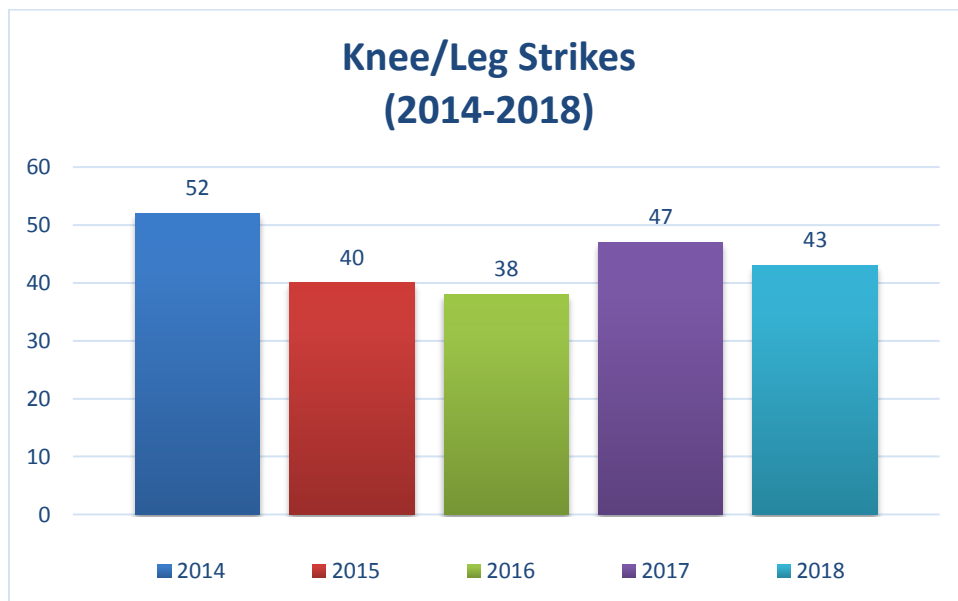
Brachial Stun/Hand Strike/Elbow Strike

Officers are authorized to use brachial stuns, hand strikes and elbow strikes against actively resistive and assaultive/high-risk subjects. As with all uses of force, officers are required to complete a Chief's Report to document use of these techniques, and the officer's actions must be reviewed by the Safety Review Board. **In 2018, there were 54 incidents in which officers used brachial stuns, hand strikes and/or elbow strikes. This is an increase of only 5 incidents when compared with the previous year, and is just 2 incidents more than the 5-year average of 52 incidents per year.**



Knee/Leg Strikes

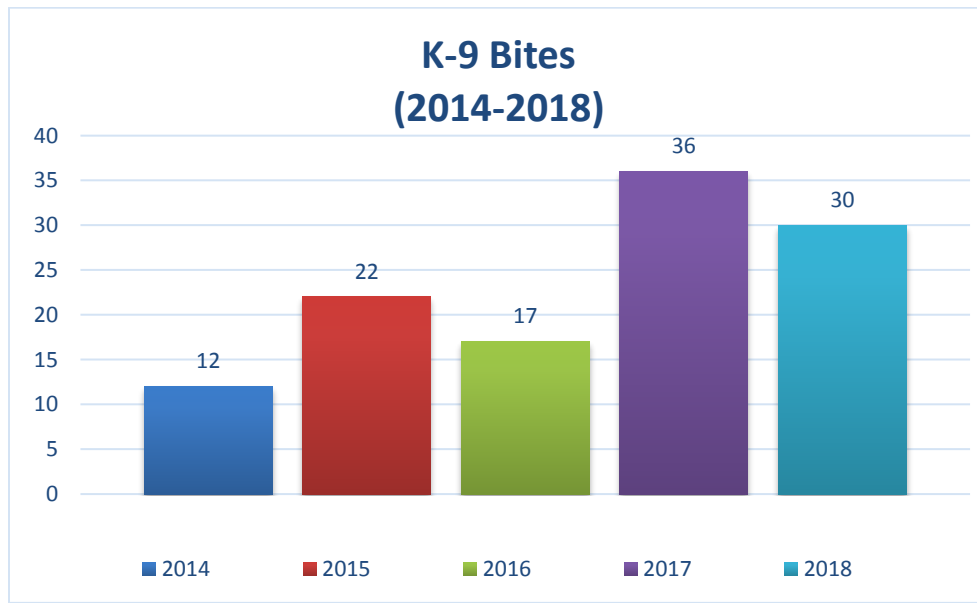
Officers are authorized to use knee and leg strikes against actively resistive subjects. **In 2018, officers reported 43 total knee and leg strikes. This is a decrease of 4 incidents when compared with 2017, and is only one more than the 5-year average of 44 strikes per year.**



Canine (K-9) Bites

OPD K-9s are trained to aid officers by tracking subjects, detecting controlled substances, detecting explosives, recovering evidence, and assisting in locating and/or physically apprehending subjects. K-9 handlers must evaluate each situation and determine if the use of their dog is appropriate. K-9 bites are considered uses of force according to OPD policy, and must be reported as such on a Chief's Report. **In 2018, officers reported 30 "physical K-9 apprehensions" in which K-9s bit suspects as the suspects were being taken into custody. This is a decrease of 6 incidents when compared with the previous year, but is 7 incidents more than the 5-year average of 23 per year.**

Note: Three new K-9s entered service in 2016. As the dogs gained experience, they and their handlers became more effective in locating and apprehending suspects, which contributed to the increase in canine bites seen in 2017.

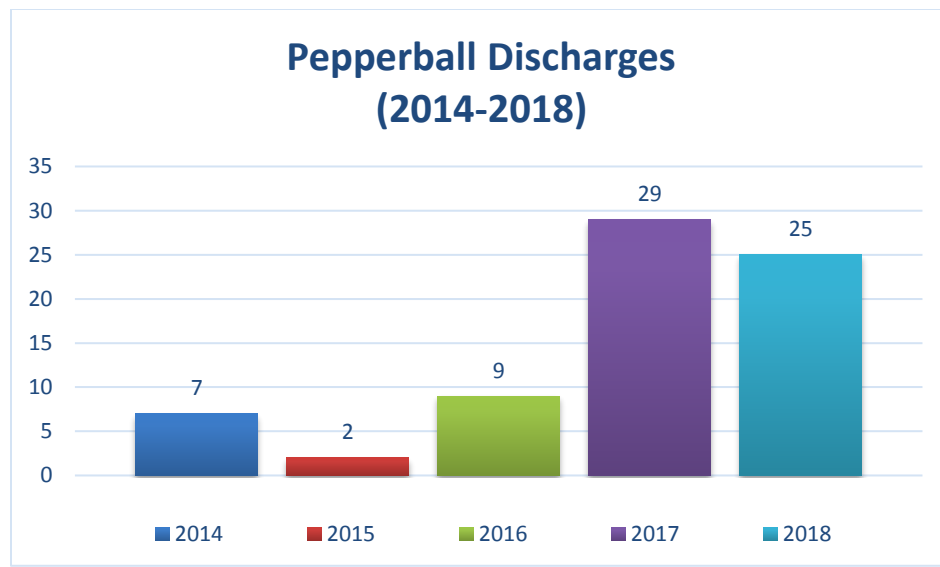


Pepperball

Officers certified in the Pepperball weapon system are authorized to deploy the system against actively resistive subjects. **In 2018, there were 25 incidents in which a Pepperball system was deployed. This is a decrease of 4 incidents when compared with the previous year, but is 11 incidents more than the 5-year average of 14 deployments per year.**

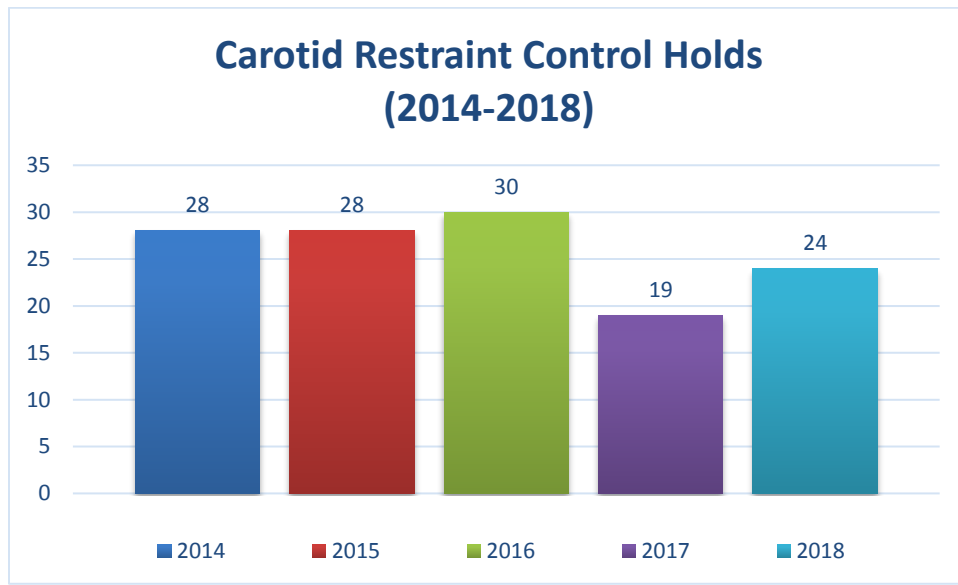
Members of the Safety Review Board (SRB) have **three recommendations** regarding the use of Pepperball:

- (1) **The Chief's Report (OPD Form 214) should be amended so officers are required to report the number of Pepperballs discharged during an incident.** Currently, officers completing a Chief's Report often do not document the number of Pepperballs discharged because it is not specifically requested. Members of the Safety Review Board (SRB) indicate this information would be useful.
- (2) **The Chief's Report (Form 214) should be amended so officers are required to report if Pepperballs were discharged directly into a person's body, or if they were discharged for chemical disbursement only (i.e., shot into the ground or into a wall, etc.).** This will assist the SRB when reviewing force incidents, and will allow OPD to more easily track the way in which the Pepperball weapon system is used.
- (3) **Pepperball certified officers and supervisors should receive refresher training on proper deployment.** The SRB has seen instances this year where the Pepperball weapon system was used inappropriately, and that inappropriate use was encouraged by a supervisor.



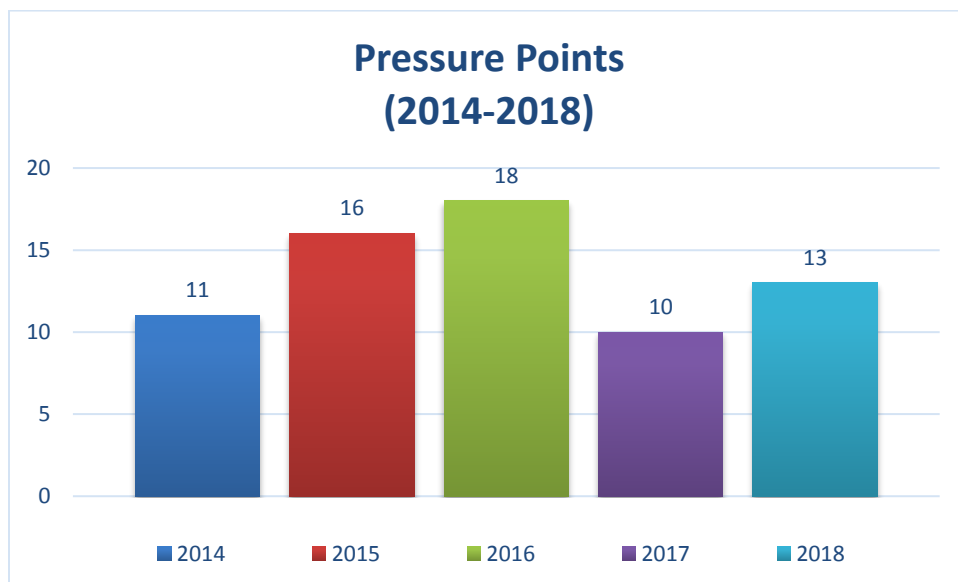
Carotid Restraint Control Hold (CRCH)

The CRCH is a neck restraint technique that relies on lateral compression of the arterial and venous systems within the neck, rather than the airway. This technique is used by officers to stop physical resistance from a suspect or to prevent the imminent destruction of evidence. Officers may only use this technique if they are trained to do so. Officers also receive documented biennial training in proper application of the CRCH. **In 2018, there were 24 incidents in which officers utilized the CRCH. This is an increase of 5 incidents when compared with the previous year, but is 2 fewer than the 5-year average of 26 incidents per year.**



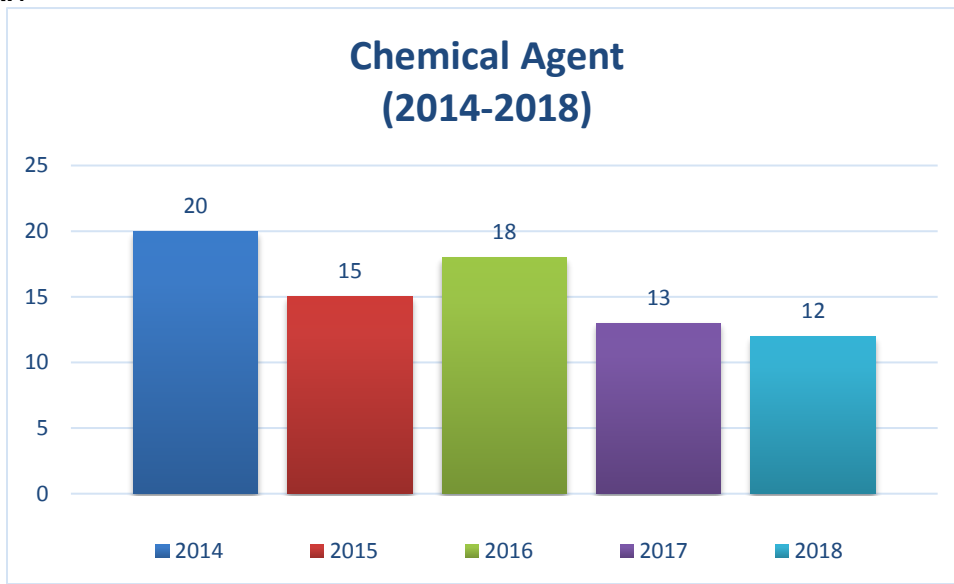
Pressure Points

Officers are authorized to use pressure point techniques against passively resistive subjects or to retrieve evidence. These techniques are intended to cause temporary discomfort in order to make subjects vulnerable to specific arrest and control techniques. **In 2018, officers used pressure point techniques against 13 subjects. This is an increase of 3 incidents over the previous year, but is consistent with the 5-year average of 14 pressure point uses per year.**



Use of a Chemical Agent

A chemical agent is an approved chemical compound used to gain control of a subject. A chemical agent may be a solid, liquid, or gaseous substances that, upon dispersion in the atmosphere, irritates mucous membranes in the eyes, nose, mouth and lungs, and causes watery eyes, sneezing, coughing, difficulty breathing, pain in the eyes, and/or temporary blindness, etc. Officers may carry an agency-authorized chemical agent when trained in its proper use, and are required to receive documented biennial training. Officers are authorized to use the chemical agent when dealing with actively resistive and assaultive/high-risk subjects. The use of an OPD-approved chemical agent is intended to prevent injury to the officer and subject by minimizing resistance from the subject. **In 2018, there were 12 incidents in which officers deployed chemical agents. This is the fewest number of deployments in the 5-year period, and is 4 less than the 5-year average of 16 incidents per year.**



Baton/Improvised Impact Weapons

Batons are used to strike a subject's low lethality target areas in a manner that creates temporary motor dysfunction or mental distraction by creating pain. These weapons may be used against assaultive/high-risk subjects. Officers may carry an authorized baton upon receiving training in appropriate baton techniques. When using the baton, officers must be able to articulate that use of lesser force was inappropriate or would likely have been ineffective. Officers are authorized to use improvised impact weapons in extreme circumstances due to intense, uncertain, and rapidly evolving circumstances in life-threatening situations. **In 2018, there were only three incidents in which officers used a baton or improvised weapon strike. This is consistent with the five-year trend in which batons and improvised impact weapons are rarely used.**

