

2020

Use of Force Analysis



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Plano Police Department

May 26, 2020

Overview

The response to resistance by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Police officers and other department personnel are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties. Police officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Plano Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting police officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests. It is the policy of the department that employees shall not use greater force than is reasonably necessary to affect their lawful duties.

Documenting Use of Force and Show of Force Incidents

Pursuant to Administrative Directive 112.008 Response to Resistance, a use/show of force report shall be completed for each response to resistance that the aforementioned policy considers appropriate. All reports shall be completed as soon as possible after the incident, but in all cases prior to the end of the shift. Each witnessing officer will be listed as a witness. Each employee using/showing force or witnessing the incident shall complete a report documenting his or her actions and observations.

The involved employee shall be responsible for notifying an on-duty supervisor immediately after using/showing force. The supervisor shall complete the Use/Show of Force report prior to the end of his or her shift. The Watch Commander or supervisor on duty shall make the final decision as to the appropriateness of completion of the Use/Show of Force report.

The Use/Show of Force Report, all official reports and recordings shall be reviewed by the employee's chain-of-command to determine whether the response to resistance complied with department policy. Upon review of a use/show of force incident, the employee's chain of command will report its findings, relevant to the following aspects of the incident. The Chief of Police may require a review of an incident where force was used at their discretion.

The Professional Standards unit (PSU) is responsible for maintaining completed Use of Force and Show of Force reviews. PSU gathers and reports statistical data regarding these and various other incident types to the Chief of Police. The PSU End of Year Report includes a statistical analysis of any problem areas identified, which may indicate a need for further training or an adjustment of written directives or procedures.

Administrative Directive 112.008 - Response to Resistance, considers the factors used to determine the reasonableness of force. For example, some factors include, the severity of the crime/seriousness of the suspected offense or the reason for contact with the individual, immediacy and severity of the threat to officers or others, whether the individual appears to be resisting, amongst others.

Annual Use of Force Statistical Summary

In 2019, there were 86 Use of Force Incidents submitted and reviewed. In some reported incidents, there were multiple occurrences of force, depending on the number of employees involved and various levels of force utilized. A single Use of Force Incident refers to the specific set of circumstances surrounding an arrest, contact, or call for service. A Use of Force Occurrence refers to the actual number of force applications used during a single incident. In 2019 there were 86 Use of Force Incidents involving 312 Use of Force Occurrences by employees, compared to 209 incidents and 393 occurrences in 2018, and 215 incidents and 327 occurrences in 2017. This drastic decrease in figures started at the beginning of 2019 with the distinction between an officer using force and showing force. Last year was the first year where this separation is recorded and individual numbers were evaluated independently.

There were 3 Internal Affairs Complaints recorded in 2019 alleging the improper Use of Force or response to a Use of Force incident. There were no Use of Force reviews for 2019 that resulted in a finding that an officer's actions were outside of policy.

2019 Use of Force Quarterly Breakdown

Disposition	Jan/Mar	Apr/Jun	Jul/Sep	Oct/Dec	Total
Out of Policy	0	0	0	0	0
Policy Failure	0	0	0	0	0
Within Policy	23	21	17	25	86
Total:	23	21	17	25	86

2019 Use of Force Time of Day

Time	Total	Percent
0700-1459	22	25%
1500-2259	30	35%
2300-0659	34	40%
Total	86	100%

In 2019 Use of Force Incidents were most often reported during response to Calls for Service (34 reported incidents – 52%), Arresting a Suspect (21 incidents – 24%), and Jail Operations - Other (11 incidents – 10%). These three response types account for 86% of the Use of Force incidents.

Additionally in 2019, there were 28 incidents (32%) that involved injury to an employee (an increase from 22 in 2018). In 12 incidents (14%), an employee was taken to the hospital for injuries sustained in a Use of Force. In 36 incidents (42%) a citizen alleged injury. In 35 incidents (41%), the citizen was taken to the hospital subsequent to a Use of Force incident. In 2019, there was 1 incident in which a firearm was discharged. This is down from 5 in 2018. During 2019, officers discharged a TASER in three (3) occurrences (compared to 13 in 2018).

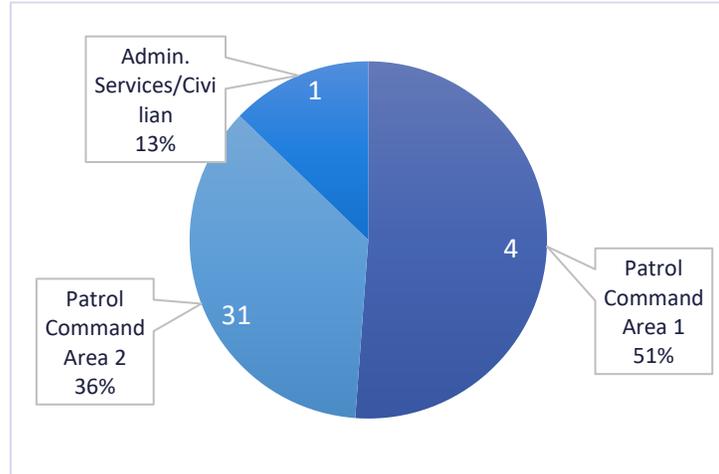
Employees in the 20-29 age group were involved in 104 occurrences (32% of the total Use of Force occurrences). Officers in the 30-39 age group were involved in 111 occurrences (34% of the total Use of Force occurrences). Officers in the 40-49 age group were involved in 77

occurrences (23% of the total Use of Force occurrences). Officers in the 50-59 age group were involved in 30 occurrences (9% of the total Use of Force occurrences). Officers in the 60-69 age group were involved in 1 occurrence (1% of the total Use of Force occurrences). The remaining 1% of occurrences were conducted by the SWAT team and their ages are not identified.

In 2019, Officers assigned to Patrol Services Division were most often involved in Use of Force Incidents. Patrol Services Command Area 1 reported 44 Use of Force incidents (51%). Patrol Services Command Area 2 reported 31 Use of Force incidents (36%) and Administrative Services/Civilians reported 11 incidents (13%).

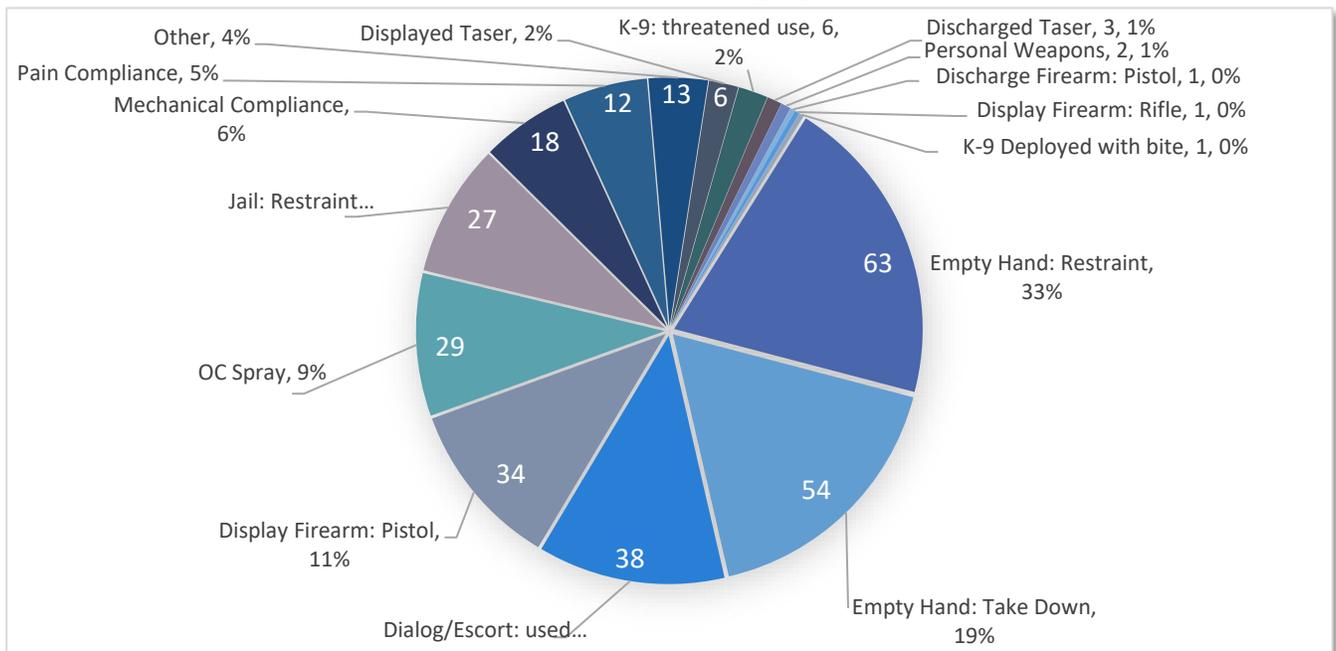
2019 Use of Force Incidents by Division

Empty Hand: Restraint was the most frequently utilized level of force during 2019 with 63 occurrences, followed by Empty Hand: Take Down with 54 occurrences, Dialog/Escort: used first 38 occurrences, and Display Firearm: Pistol with 34 occurrences (there will be incidents involving officers displaying a weapon on a Use of Force incident type due to the fact that multiple officers can arrive to an incident and use different types of force).



Of the occurrences in which officers displayed their pistols during the past year, the calculated effectiveness in halting encountered resistance was 85%. The Dialog/Escort technique was reported as effective only 21% of the time (ineffective 79% of the time). The effectiveness of Empty Hand: Takedown was 87% while the Empty Hand: Restraint was effective 76% of the time. A detailed graphic depiction of the types of force utilized is contained in the figure below.

2019 Use of Force Occurrences by Type of Force Used



Force was encountered against employees in 222 occurrences. The most encountered level of force from a suspect was reported as Push/Pulled Away (38 occurrences), Refused Order/Safety Issue (37 occurrences), Subject Attempt to Harm Self (22 occurrences), Aggressive Posture/Action (21 occurrences), Wrestled/Grappled (19 occurrences), Foot Pursuit/Apprehension (12 occurrences) and Safety Issue-Suspect Contact (11 occurrences).

During 2019, suspects were arrested in 79 incidents in conjunction with Use of Force. There were 157 criminal charges filed on suspects involved in these incidents. The most common charges for those suspects were: Assault on Public Servant (20 occurrences), Resisting Arrest/Search/Transportation (19 occurrences), Public Intoxication (15 occurrences), Evading Arrest/Detention (13 occurrences), Assault (10 occurrences) and Criminal Trespass (9 occurrences).

Annual Show of Force Statistical Summary

In 2019, there were 117 Show of Force Incidents submitted and reviewed. In some reported incidents, there were multiple occurrences of display of force, depending on the number of employees involved and various levels of force utilized. A single Show of Force Incident refers to the specific set of circumstances surrounding an arrest, contact, or call for service. A Show of Force Occurrence refers to the actual number of display of force applications used during a single incident. In 2019, there were 117 Show of Force Incidents involving 350 Show of Force Occurrences by employees.

2019 Show of Force Quarterly Breakdown

Disposition	Jan/Mar	Apr/Jun	Jul/Sep	Oct/Dec	Total
Out of Policy	0	0	0	0	0
Policy Failure	0	0	0	0	0
Within Policy	16	34	38	29	117
Still Active	0	0	0	0	0
Total:	16	34	38	29	117

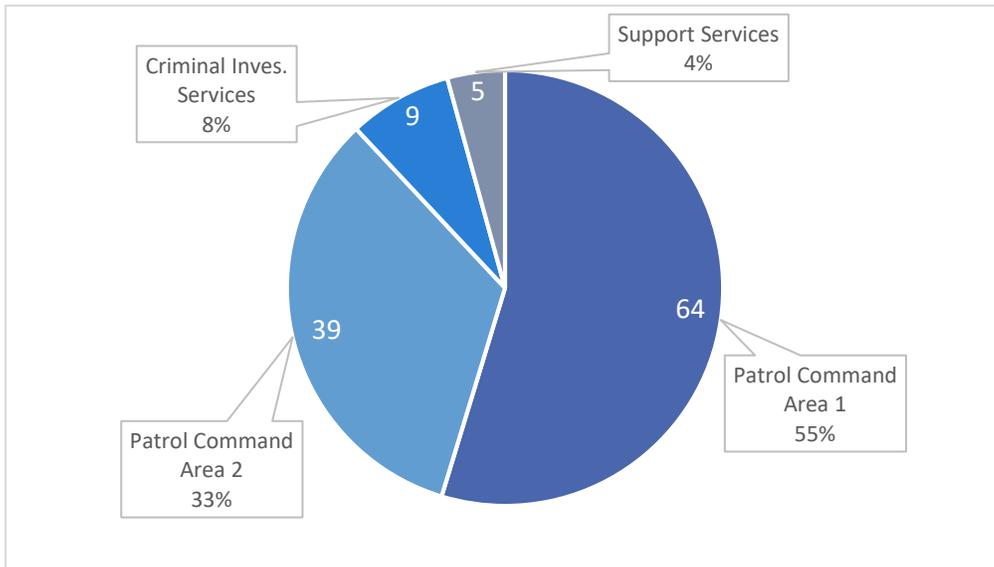
In 2019, Show of Force Incidents were most often reported during response to Calls for Service (50 reported incidents – 43%), Traffic Stop (24 incidents – 21%), and Arresting a Suspect (17 incidents – 15%). These three response types account for 77% of the Show of Force incidents.

Additionally in 2019, there were 0 incidents that involved injury to an employee and 0 incidents where an employee was taken to the hospital for injuries sustained in a Show of Force. There were no incidents where a citizen alleged injury, however 5 (4%) incidents are recorded where a citizen was taken to the hospital due to mental commitment. In 2019, there were 103 incidents in which a firearm was displayed. There were 7 incidents where a Taser was displayed in eight (8) occurrences.

Employees in the 20-29 age group were involved in 116 occurrences (33%). Officers in the 30-39 age group were involved in 152 occurrences (43%). Officers in the 40-49 age group were involved in 52 occurrences (14%). Officers in the 50-59 age group were involved in 28 occurrences (8%). Officers in the 60-69 age group were involved in 0 occurrences (0%). The remaining 2% of occurrences were conducted by the SWAT team and their ages are not identified.

In 2019, Officers assigned to Patrol Services Division were most often involved in Show of Force Incidents. Patrol Services Command Area 1 reported to 64 Show of Force incidents (55%). Patrol Services Command Area 2 reported to 39 Show of Force incidents (33%). Support Services Division reported to 5 incidents (4%) and Criminal Investigative Services Division reported to 9 incidents (8%).

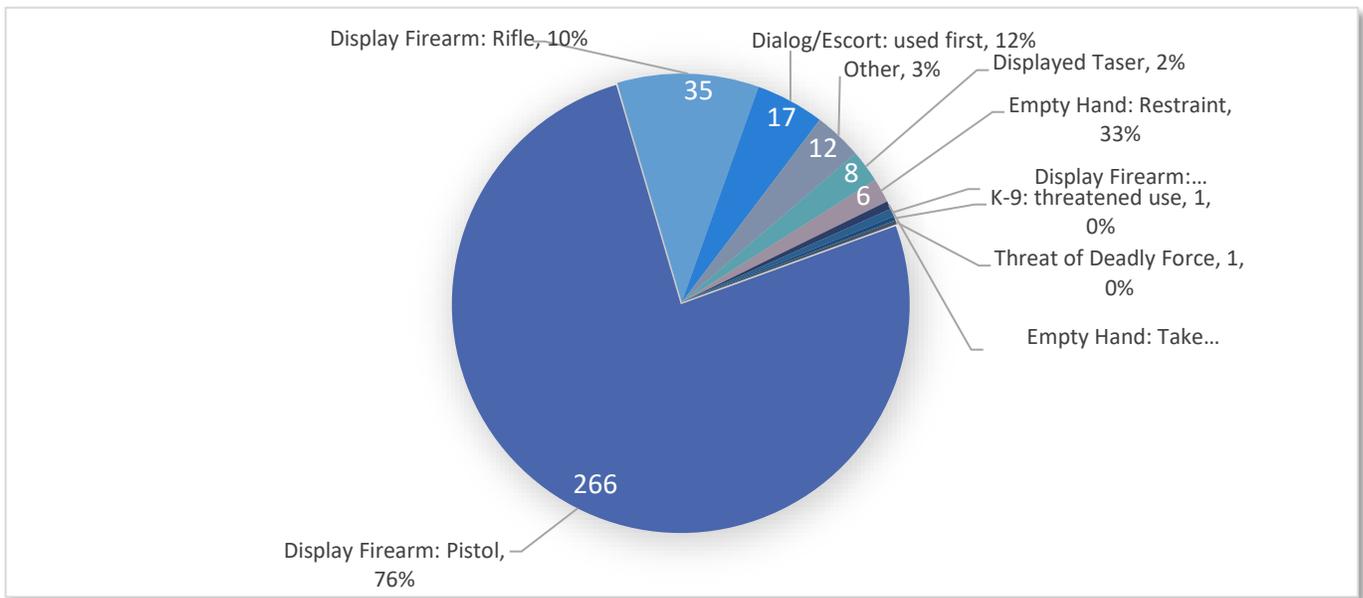
2019 Show of Force Reviews by Division



Display Firearm:Pistol was the most frequently utilized level of force during 2019 with 266 occurrences, followed by Display Firearm:Rifle with 35 occurrences, Dialog/Escort: used first 17 occurrences, and Display Taser with 8 occurrences.

Of the occurrences in which officers Display Firearm:Pistol was used the calculated effectiveness in halting encountered resistance was 96%. The Display Firearm:Rifle technique was reported effective 100% of the time. The Dialog/Escort technique was reported as effective 65% of the time (ineffective 35% of the time). The effectiveness of Displayed Taser was 75%. A detailed graphic depiction of the types of force utilized is contained in the figure below.

2019 Show of Force Occurrences by Type of Force Shown



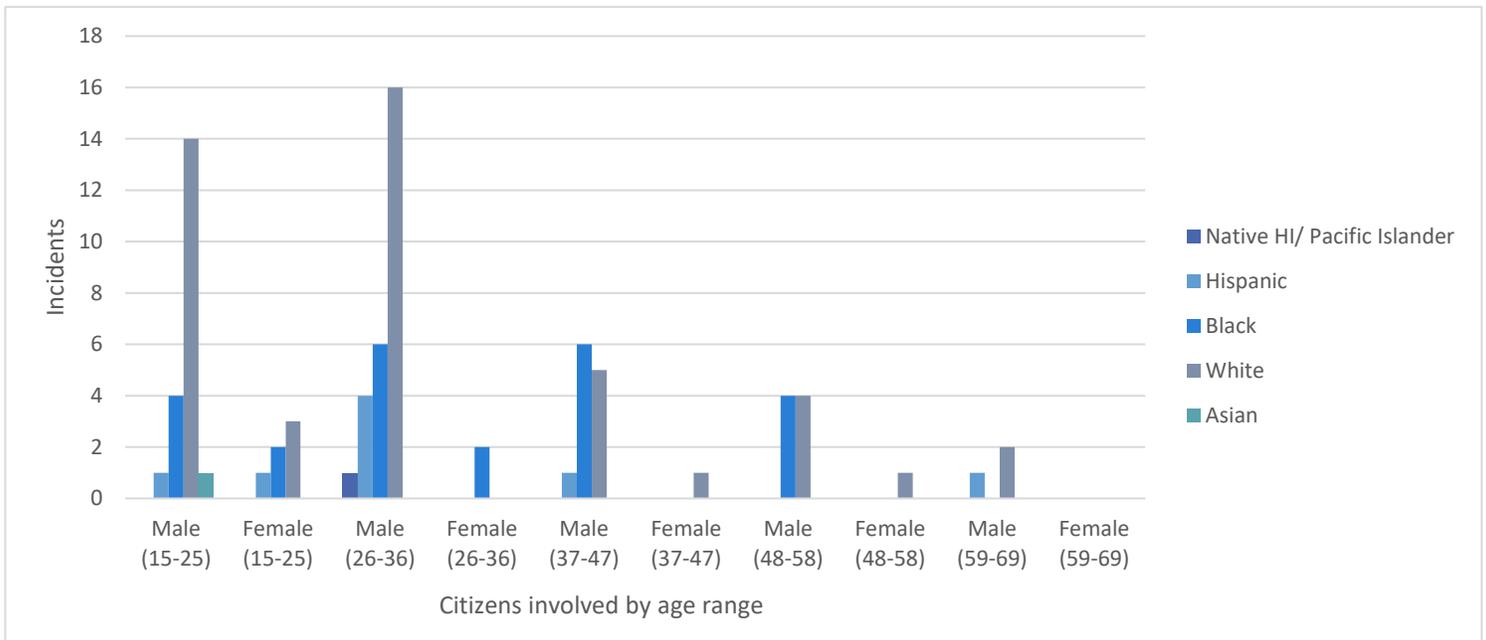
Within the Show of Force incident type the following occurrences were reported: 130 Felony Stop: Stolen Vehicle, 51 Info Subject Possibly Armed, 37 Felony Stop: Other, 26 Display/Use Firearm, 19 Suspect Issue-Suspect Contact, 18 Suspect Armed, 12 Foot Pursuit/Apprehension, 9 Display/Use Edged Weapon, 7 Safety Issue-See Narrative, 7 Refused Order/Safety Issue, 5 Other, 3 Suspect Vehicle/Safety Issue, 1 ESU Tactical Warrant Service and 1 Narcotics Arrest/Warrant Svc.

During 2019, suspects were arrested in 60 incidents in conjunction with Show of Force. There were 120 criminal charges filed on suspects involved in these incidents. The most common charges for those suspects were: Warrants – Misdemeanor (13 occurrences), Unauthorized Use of Vehicle (12 occurrences), Evading Arrest/Detention (11 occurrences), Warrants – Felony (8 occurrences) and Possession Drug: Penalty Group 1 (5 occurrences).

Involved Citizens Age, Sex and Race

With the most up to date 2019 data regarding use of force and show of force incident types the following citizen demographics were obtained:

2019 Response to Resistance Citizen Demographics



Majority of 2019 response to resistance incidents involved white males between the ages of 15-25 and 26-36.

Recommendations

Primarily, the span between the initial incident and the rendering of the final disposition at times is lengthened beyond a reasonable timeframe for investigation. This may be the result of unfinished entries in BlueTeam. Currently, there are incidents in BlueTeam from 2018 and multiple incidents from 2019. It is recommended that the department implement a process in which BlueTeam entries are completed and reviewed by chain of command in a sensible timeframe to prevent lingering entries in the system.

This modification will allow for the following benefits:

- Accurate reporting for end of year report and various reports we participate in
- Quicker timeframe for officers to know the outcome of their investigation
- Early Identification of training needs

In addition, through further analysis, it is highly recommended that all documents are uploaded and attached electronically to the incident in BlueTeam. Currently it is common for an incident to be created in BlueTeam with some documents uploaded, and others are sent via interoffice or given to Professional Standards in person. This method is not efficient and it heightens the probability of important documents being misplaced or not submitted altogether. Utilizing BlueTeam to its fullest capacity will allow investigations to move forward in a timely manner with all documents required to proceed.

Finally, an approval to upgrade to the newest version of BlueTeam (BlueTeam NextGen) is highly recommended. This is simply an upgrade to the existing BlueTeam software. Keeping updated with the latest revision of software is pertinent to the day-to-day operation for those utilizing this software in the field.

The following advantages are worth reviewing:

1. No additional cost for upgrade
2. Plano PD will be operating the most up to date software/technology
3. Streamlined process
4. Simple, step-by-step internet style interface
5. Minimal training required
6. Other agencies state wide are upgrading
7. Accurate reporting by allowing PSU to have control over specifics of each entry
8. Quick installation process

Conclusion

Overall, with the implementation of the recommendations mentioned above we are encouraged that our policies and procedures will continue to evolve and create ways to work in a more efficient and effective manner.

In our continual efforts to update policy for the betterment of our officers along with the commitment to the community we serve, the Plano Police Department will continue to be one of the top sought after agencies in the state . As mentioned previously, the Plano Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. As our mission states, we will continue in our efforts to provide outstanding police services, in partnership with the community, to maintain a safe environment that contributes to the quality of life.