

2019



Use of Force Report

Temple Police Department

Signature Approval Page

This Use of Force Report was prepared by the Professional Standards Unit. This report was reviewed by the Administration Bureau Deputy Chief and is recommended for approval.

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Date: 4-2-20

Signature: 

Unit: Professional Standards Unit


Accepted by: Deputy Chief Allen Teston

Date: 4/2/20

Signature: 

Bureau: Administration Bureau Commander

Approved by: Jim Tobin

Signature: 

Date: 4/2/2020

Interim Chief of Police

Policy

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use force in carrying out their duties.

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 Temple Police Department recognizes and respects the value of all human life and dignity without prejudice to any person. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and careful balancing of all interests.

A police officer's duty is to protect the life and property of persons and to preserve the peace. Officers may use reasonable force to effect an arrest, search, prevent escape or overcome resistance.

Force is defined as: The application of physical techniques or tactics, chemical agents, or weapons applied to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

Training

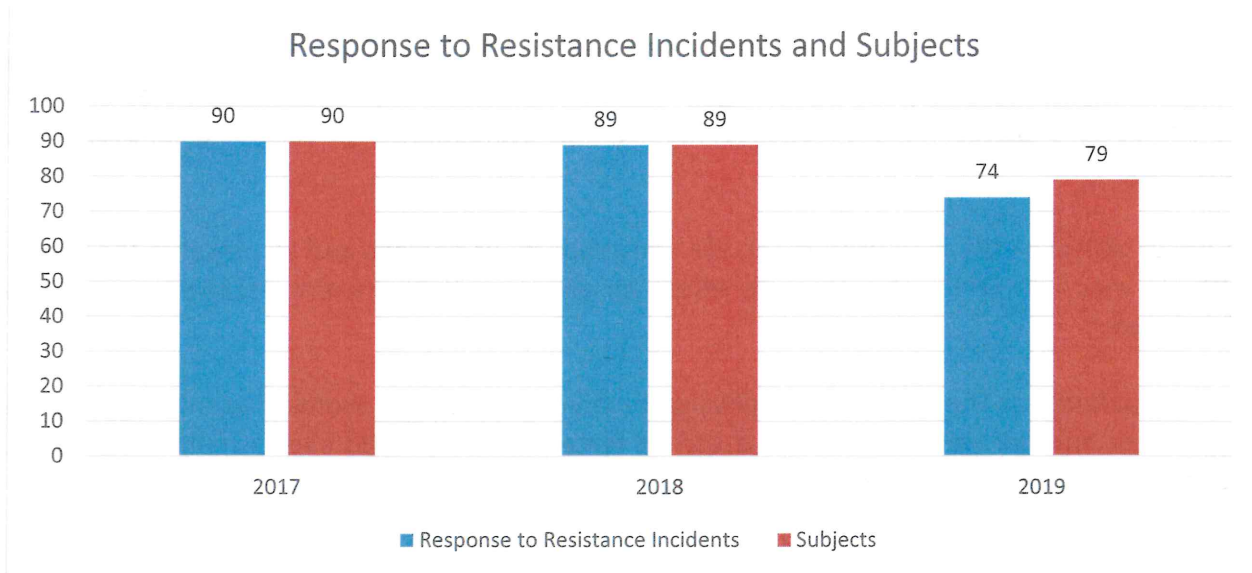
Annual training covering Temple Police Department's Use of Force policy is required and all officers must demonstrate their knowledge and understanding of this policy.

Use of Force Report

This document summarizes the essential data points relating to use of force reporting.

Number of Use of Force Incidents and Subjects

In 2019, there were **74** use of force incidents that involved **79** subjects who were subjected to various levels of force to stop their resistance.



To provide context, the department tracks the total number of official police contacts with the public (108,465 in 2019), and the total number of arrests (3,631 in 2019). For this reporting period, less than **1%** of police contacts with the public resulted in a use of force incident, and **2.17%** of the total arrests involved resistance by the suspect and force applied by the officer.

	2017	2018	2019
Number of Use of Force incidents	90	89	74
Number of subjects where force was used	90	89	79
Total number of contacts *	98,345	110,451	108,465
Total number of arrests	3,671	3,512	3,631

*Total Contacts= number of events minus cancelled events, gone on arrival, and unable to locate.

% of subjects receiving force compared to the total # of contacts	.076%	.081%	.072%
% of subjects receiving force compared to the total # of arrests	1.90%	2.53	2.17%

The above data shows that **99%** of officer/citizen contacts and **97%** of arrests do not result in Use of Force incidents.

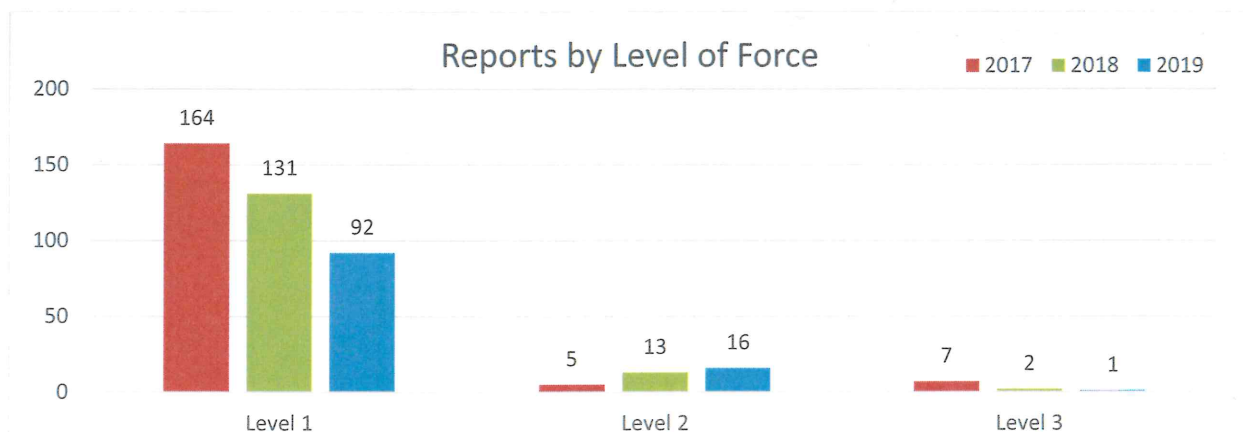
Reports by Level of Control (force) Used

The department identifies three levels of control for reporting purposes that an officer can use to stop resisting subjects. Levels of control are listed from the lowest amount of force (Level 1) to the highest amount of force (Level 3). Each level describes the actions that can be taken by the officer when responding to resistive behavior. When responding to a single use of force incident, and depending on the level of resistance, an officer may have to use more than one type of force to gain control over the subject. In these instances, each technique applied is counted separately. This tracking procedure produces a higher number of force applications when compared to the number of reports.

The levels of force identified below are used for reporting, investigating and reviewing purposes:

Level 1	<ul style="list-style-type: none">▪ Soft Empty hand control (escorts, wrist locks, arm bar, non-striking pressure points)▪ Hand/leg strikes to motor points (<i>excluding the head</i>)▪ Takedowns / Grappling▪ Use of chemical agents
Level 2	<ul style="list-style-type: none">▪ Strikes to the head using empty hand techniques▪ Impact weapon strikes to the motor points in the legs▪ Taser deployments when discharged▪ Less lethal munition deployments when discharged▪ K-9 apprehensions (where there is a bite by the K-9)
Level 3	<ul style="list-style-type: none">▪ Force resulting in death or substantial risk of death▪ Intentional discharge of a weapon (at a subject, building or object)▪ Unintentional discharge of a weapon (at a subject, building or object)▪ Force resulting in serious bodily injury▪ Use of impact weapon to the head, neck, throat, groin

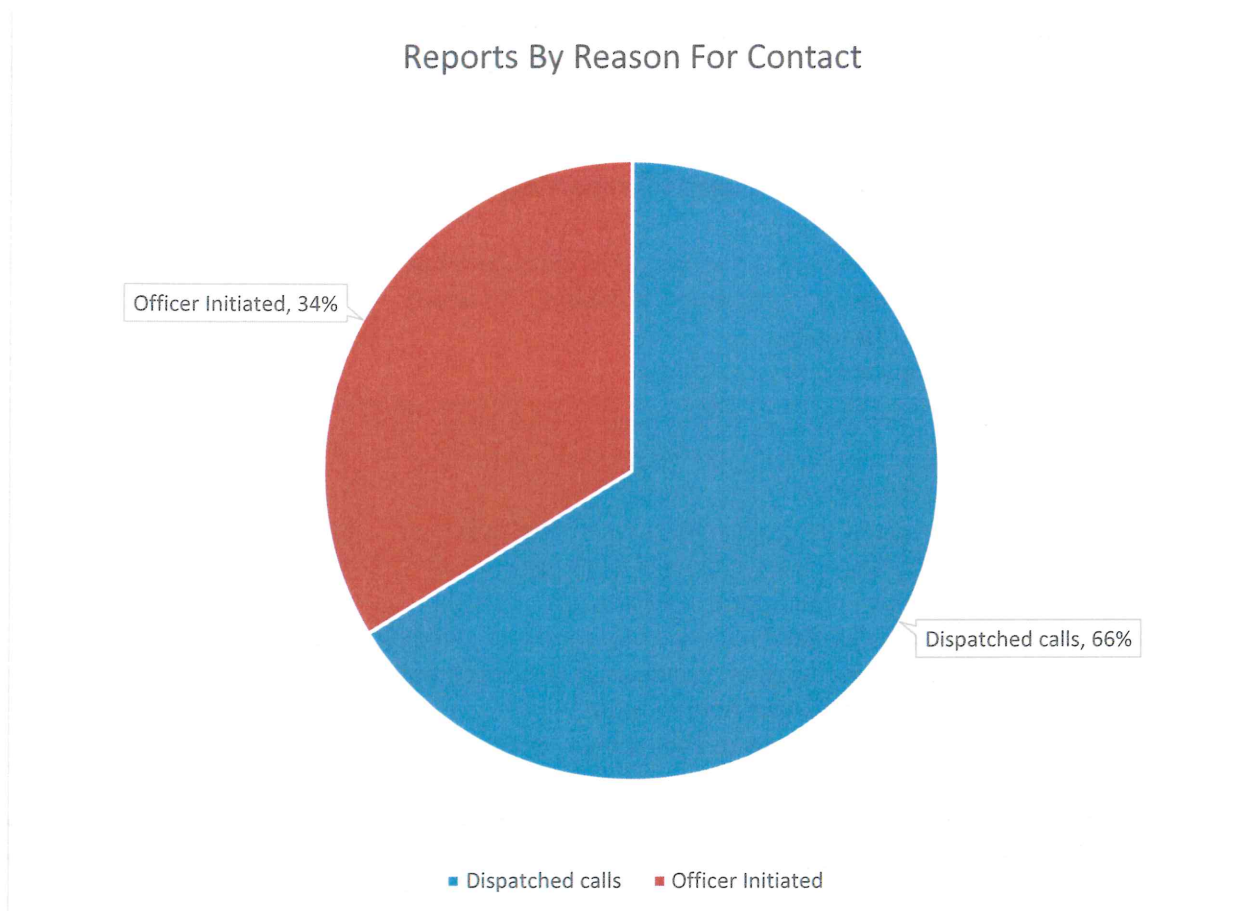
Use of Force applications in 2019 were concentrated in the Level 1 classification, which is the lowest level. Of the **109** use of force applications, officers used Level (1) control methods **84%** of the time, Level (2) **15%**, and Level (3), the highest level, **1%** of the time. A force application consists of each individual use of force technique applied by the officer to counter a specific level of resistance.



(2019 Is Based on 109 Force Applications)

Use of Force Reports by Reason for Contact

In 2019, **49** of the **74** (incidents) use of force reports resulted from dispatched calls for service. Officer initiated activity contacts are made based on the officer observing and responding to suspected criminal activity or a crime in progress. Officer initiated contacts accounted for **25** reports.



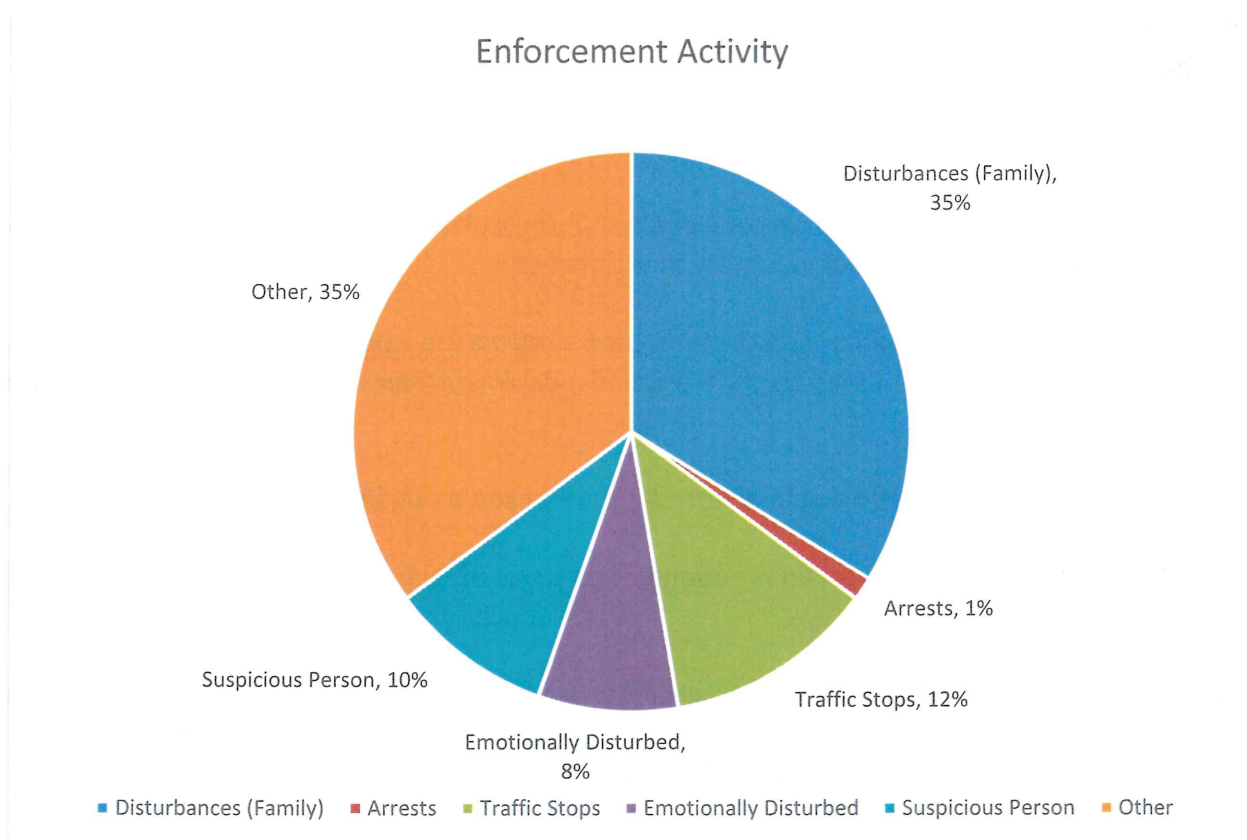
(2019 Is Based on 74 Response to Resistance Incidents)

Reports by Reason for Contact	2017	% of 2017 Reports	2018	% of 2018 Reports	2019	% of 2019 Reports
Dispatched Calls	76	84%	72	81%	49	66%
Viewed Offense	14	16%	17	19%	25	34%
Total	90	100%	89	100%	74	100%

Use of Force by Activity

The chart and graph below show the type of situation the officer was handling when the resistance occurred. In this reporting period **35%** of Use of Force reports were generated while responding to family disturbance calls.

The “other” category includes activities not listed in one of the below categories such as; *civil disturbances, crimes in progress, prisoner transport, accidents and warrant service.*



(2019 Is Based on 74 Response to Resistance Incidents)

Reports by Officer Activity	2017	% of 2017 Reports	2018	% of 2018 Reports	2019	% of 2019 Reports
Disturbances (family)	33	36%	36	40%	25	35%
Arrest	7	8%	2	2%	1	1%
Traffic stop	5	6%	13	15%	9	12%
Emotionally Disturbed	7	8%	9	10%	6	8%
Suspicious Person	11	12%	5	6%	7	9%
Other	27	30%	24	27%	26	35%
Total	90	100%	89	100	74	100%

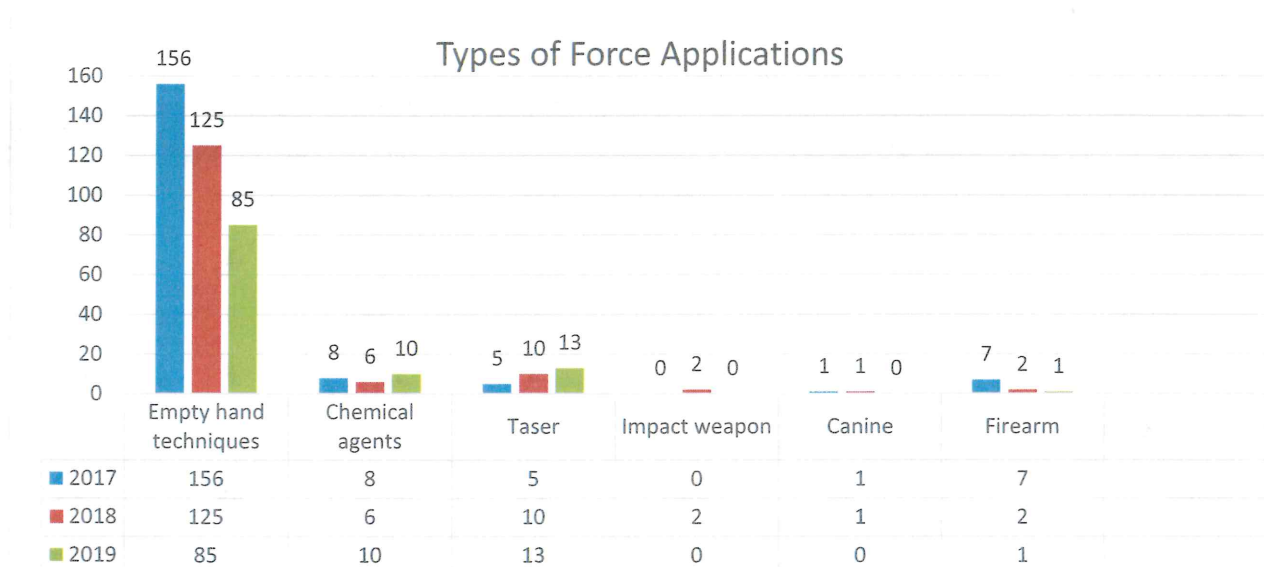
Reports by Type of Force Used

During a single use of force incident more than one officer may be involved. As a result, more than one use of force report may be generated for each incident, and each report may include more than one type of force used.

Below are the types of force used in order from the lowest level to the highest level.

- None: no force was used during the incident.
- Empty hand techniques: includes soft hand control techniques (joint locks, escorts, pressure points) and hard hand control techniques (hand and leg strike).
- Chemical agents: OC (pepper spray), CS (Othro Chlorobenzaimalononitrile).
- Taser: a less lethal device that uses electronic muscular disruption technology that may temporarily cause the loss of voluntary muscle control.
- Impact weapon: a weapon or object that is used to strike the subject such as a straight baton, or less lethal munitions (bean bag/foam rounds) deployed from a weapon (shotgun/40 MM launcher).
- Canine: the use of a police dog in an arrest situation and a dog bite occurs.
- Firearm: the intentional or unintentional discharge of a firearm in the direction of an individual.

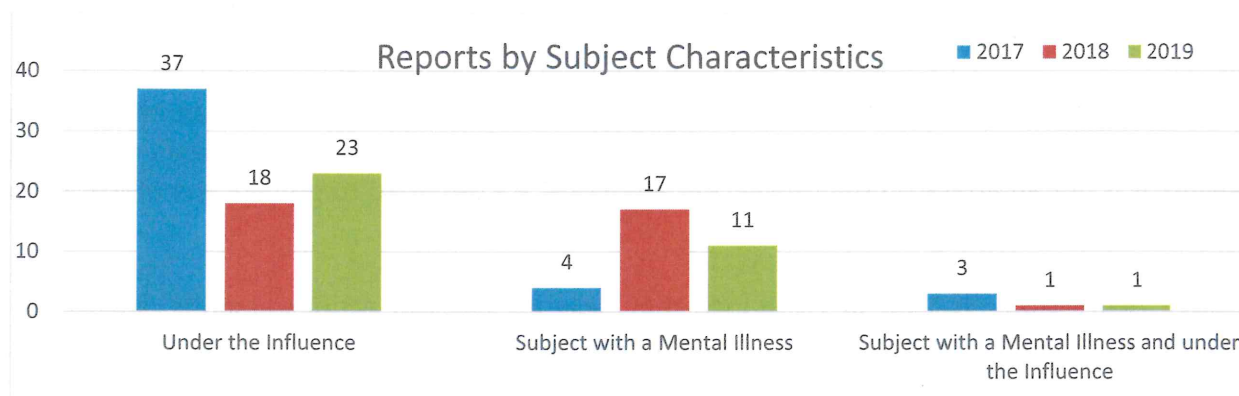
The below chart shows the number of occasions when force was used in each category. In 2019, the most frequent type of force was “empty hand techniques.” These techniques are the lowest level of force that an officer can apply to gain control over a resisting subject.



(2019 Is Based on 109 Force Applications)

Reports by Subject Characteristics

In 2019, **47%** of use of force incidents involved subjects who were under the influence of alcohol and/or narcotics, or involved a person suspected of having a mental illness, **31%** indicate that the subject was under the influence of alcohol and/or narcotics, **15%** were suspected of being a person with a mental illness, and **1%** were suspected of having a mental illness and being under the influence of alcohol and/or narcotics. Fifty-three percent (**53%**) of reports did not fall into these categories.



(2019 Is Based on 74 Use of Force Reports)

Use of Force by Individual Race/Ethnicity

Use of force incidents occur when an officer attempts to make an arrest. In 2019, there were **79** subjects involved in use of force incidents. This number equates to **2.2%** of the **3,631** subjects arrested. The data shows that **97.8%** of arrests did not involve resistance or force. The table below shows the distribution of force based on race/ethnicity.

	White			Black			Hispanic		
	Arrests	Force Used	% of Arrests	Arrests	Force Used	% of Arrests	Arrests	Force Used	% of Arrests
2017	1,487	33	2.21%	1,302	41	3.14%	858	16	1.86%
2018	1,421	24	1.69%	1,308	52	3.98%	745	13	1.74%
2019	1,385	18	1.29%	1,377	44	3.19%	849	17	2.00%

	Other			Total		
	Arrests	Force Used	% of Arrests	Arrests	Force Used	% of Arrests
2017	24	0	0%	3,671	90	2.45%
2018	38	0	0%	3,512	89	2.53%
2019	20	0	0%	3,631	79	2.17%

**** Other includes; Native American, Asian, Hawaiian/Pacific Islander, Middle Eastern**

Reports by Subject Actions

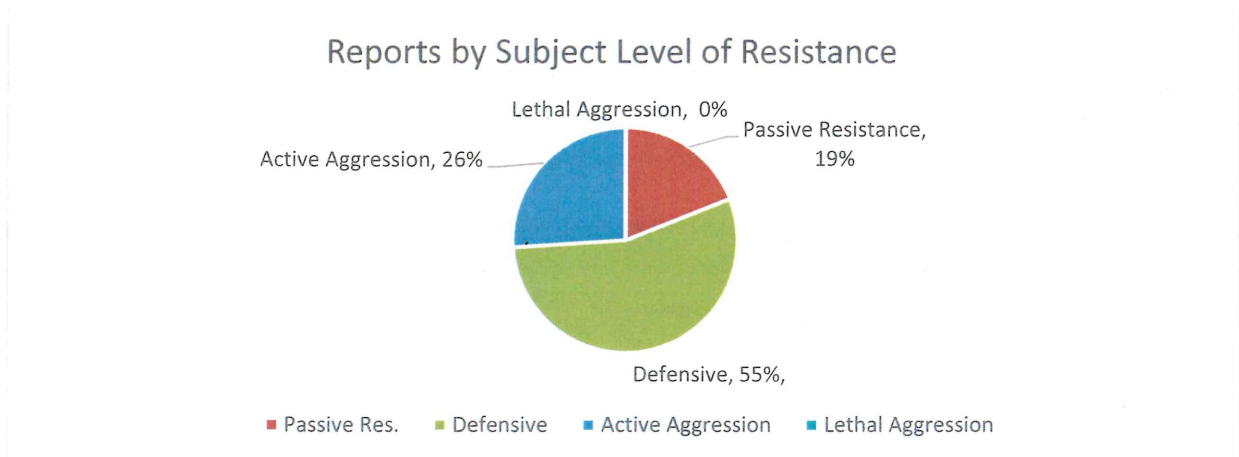
In 2019, defensive resistance was the most frequent form of resistance that officers encountered. On some occasion's subjects exhibited more than one type of resistance. In those instances, only the most severe level is identified on the below chart and table. Levels of resistance are defined and listed from lowest to highest. Reportable levels of resistance begin with passive resistance.

Passive Resistance- Any type of resistance during which the subject does not attempt to defeat the officer's attempt to touch or control him/her, but he/she still will not voluntarily comply with verbal and physical attempts of control. (e.g., dead weight)

Defensive Resistance - Any action by a subject that is an attempt to prevent an officer from gaining control of the subject (e.g., pulling/pushing away to defeat the escort position, running away). It is not an attack on the officer, but a physical act designed to prevent the officer from gaining control.

Active Aggression - A level of resistance that includes physical actions/assaults against the officer, or another person, with less than deadly force (e.g., advancing, challenging, punching, kicking, grabbing, wrestling. etc.).

Deadly Force - Force reasonably anticipated and intended to create a substantial likelihood of causing very serious injury or death.



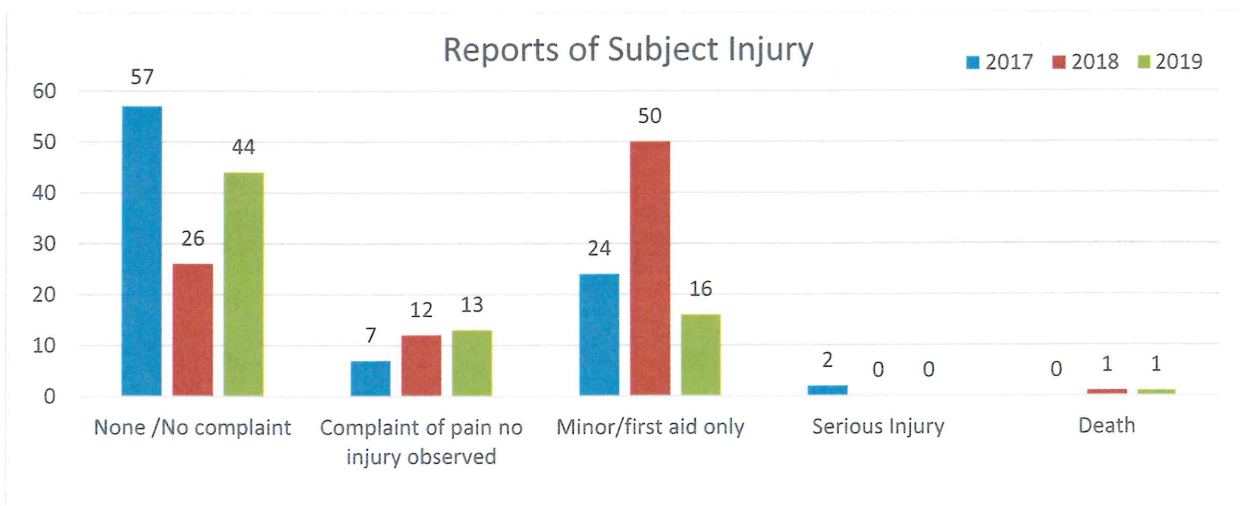
(2019 Is Based on 74 Acts of Resistance)

Reports by Subject Resistance	2017	% of 2017 Reports	2018	% of 2018 Reports	2019	% of 2019 Reports
Passive Resistance	19	21%	27	30%	14	19%
Defensive Resistance	52	58%	32	36%	41	55%
Active Aggression	13	14%	29	33%	19	26%
Lethal Aggression	6	7%	1	1%	0	0%
Total	90	100%	89	100%	74	100%

Report by Subject Injury

In 2019, the most frequent category of subject injury was non injury/no complaint at **59%**, followed by minor injury/first aid only **22%**, and complaint of pain but no injury observed **18%**. Death was **1%** and serious injury was **0%**. Of the reported injuries **99%** consisted of less than serious injury.

- **None/ No Complaint-** Subject makes no verbal complaint of pain and/or injury.
- **Complaint of pain observed no injury-** Subject complains of pain but there are no signs of a visible injury.
- **Minor injury/first aid only-** Subject sustained a minor injury during the event that requires no medical treatment, or receives first aid on scene (scratches, bruising, small lacerations, normal effects of chemical agent, Taser probes).
- **Serious injury-** Subject sustained an injury that is not considered minor and requires hospital treatment. (broken bones, large lacerations, injury that requires surgery).
- **Death-** Subject died as a result of the force applied.

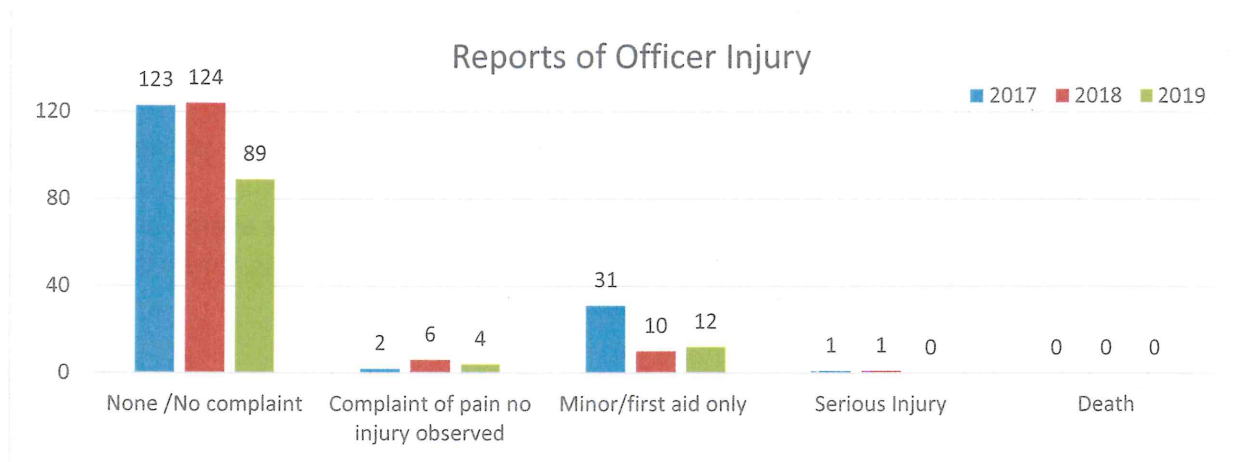


(2019 Is Based on 74 Use of Force Reports)

Reports by Subject Injury	2017	% of 2017 Reports	2018	% of 2018 Reports	2019	% of 2019 Reports
None/ No Complaint	57	63%	26	29%	44	59%
Comp of pain no injury	7	8%	12	14%	13	18%
Minor injury/first aid	24	27%	50	56%	16	22%
Serious Injury	2	2%	0	0%	0	0%
Death	0	0%	1	1%	1	1%
Total	90	100%	89	100%	74	100%

Report by Officer Injury

In 2019, the most frequent category of officer injury was minor injury with **12** (11%), followed by pain with no injury observed at **4** (4%). Eighty-nine (85%) officers reported no injury and there were no reports of officers sustaining serious injury.



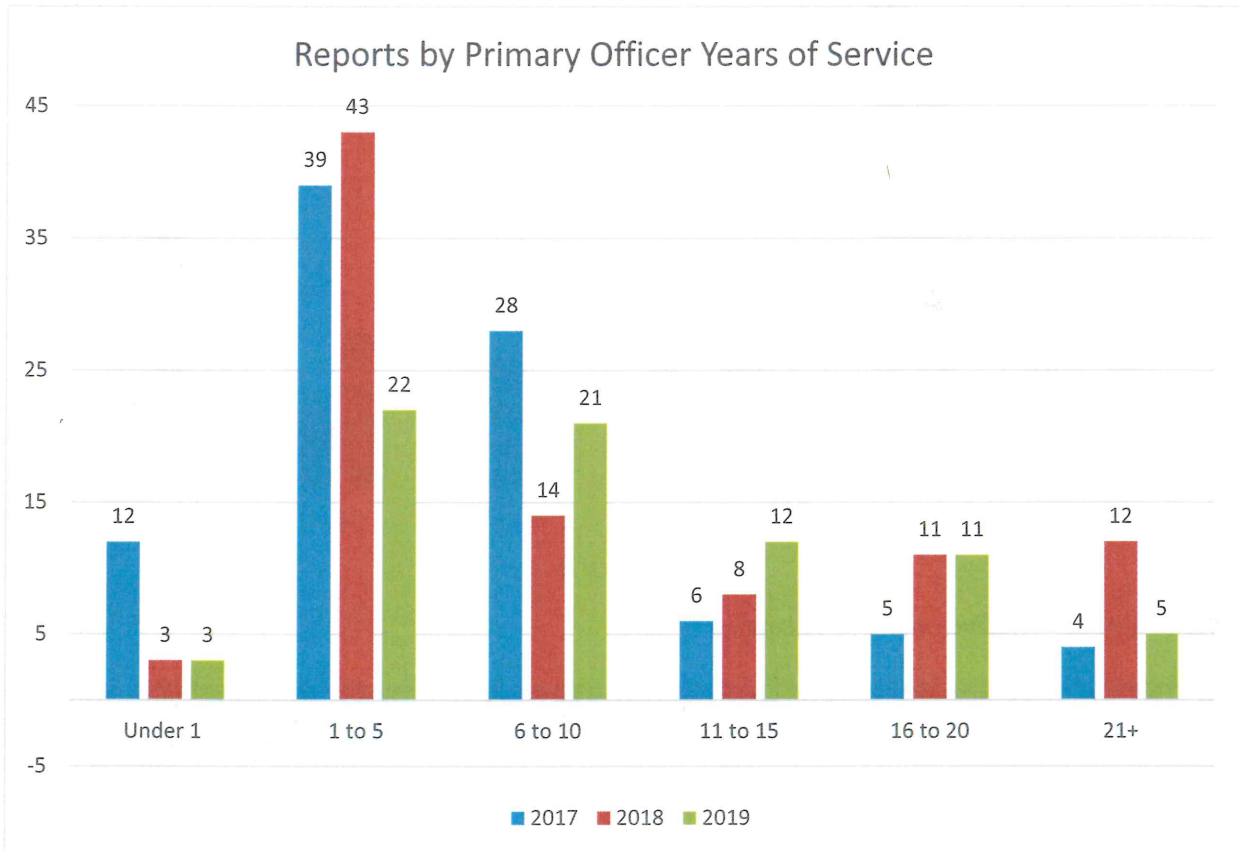
(2019 Is Based on 105 Officer Involvements)

Reports by Officer Injury	2017	% of Officer Involved	2018	% of Officer Involved	2019	% of Officer Involved
None/ No Complaint	123	78%	124	88%	89	85%
Complaint of pain no injury	2	2%	6	4%	4	4%
Minor injury/first aid	31	19%	10	7%	12	11%
Serious Injury	1	1%	1	1%	0	0%
Death	0	0%	0	0%	0	0%
Total	157	100%	141	100%	105	100%

- **None/ No Complaint-** Subject makes no verbal complaint of pain and/or injury.
- **Complaint of pain observed no injury-** Subject complains of pain but there are no signs of a visible injury.
- **Minor injury/first aid only-** Subject sustained a minor injury during the event that requires no medical treatment, or receives first aid on scene (scratches, bruising, small lacerations, normal effects of chemical agent, Taser probes).
- **Serious injury-** Subject sustained an injury that is not considered minor and requires hospital treatment. (broken bones, large lacerations, injury that requires surgery).
- **Death-** Subject died as a result of the force applied.

Reports by Officer Years of Experience

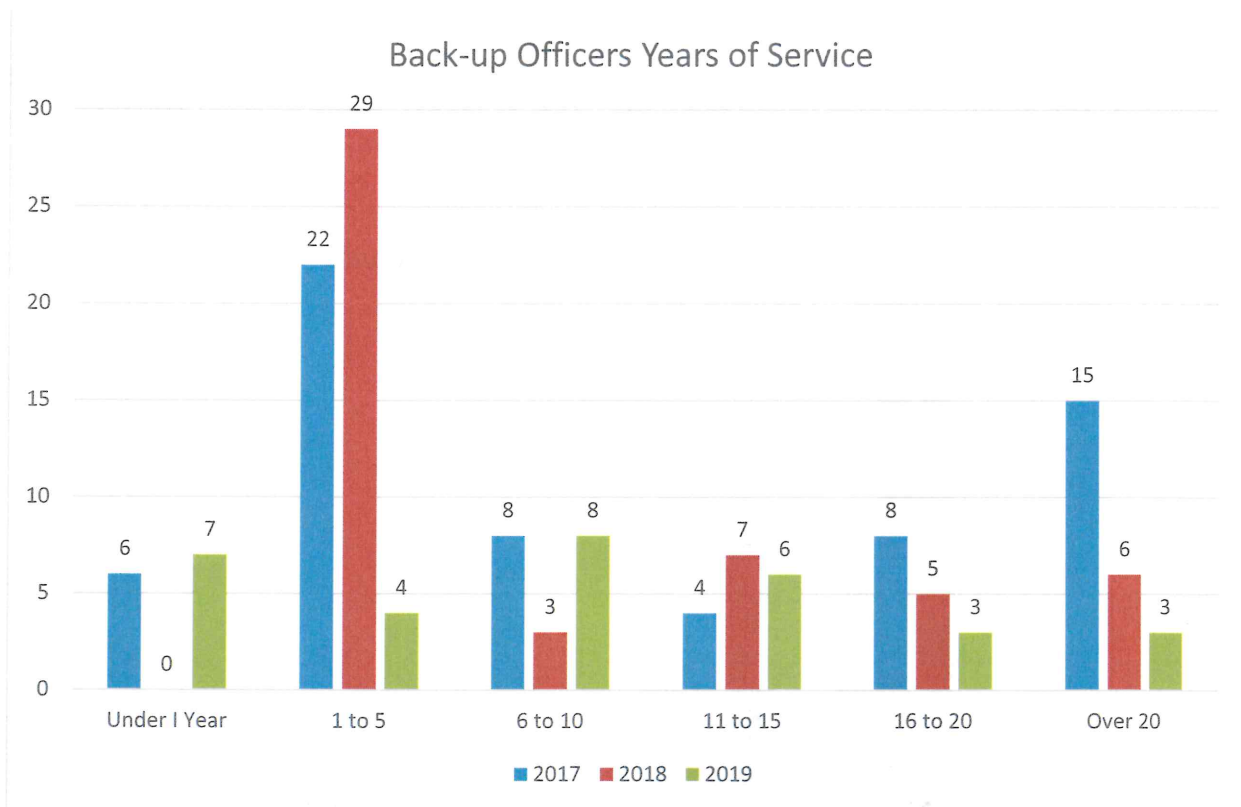
In 2019, there were **105** officers involved in use of force incidents, **74** were primary officers and **31** served as back-up officers. Officers with more than 10 years of service turned in the most use of force Reports with **28** (38%). Officers with less than five years of service turned in **25** (34%) Officers with less than ten years of service accounted for **62%** of the total number of reports submitted. The graph and chart below show the years of service of the primary officers (initial officer on scene) involved in the use of force incident.



(2019 Based on 74 Incidents, Involving 74 Primary Officers)

Primary Officers Years of Service	2017 Reports	% of 2017 Reports	2018 Reports	% of 2018 Reports	2019 Reports	% of 2019 Reports
Under 1 years	12	13%	3	3%	3	4%
1 to 5 years	39	41%	43	47%	22	30%
6 to 10 years	28	30%	14	16%	21	28%
11 to 15 years	6	7%	8	9%	12	16%
16 to 20 years	5	5%	11	12%	11	15%
Over 20 years	4	4%	12	13%	5	7%
Total	94	100%	91	100%	74	100%

The below chart and graph show the years of service of back-up officers assisting primary officers in controlling a resisting subject. In this chart, officers with less than 10-years of service make up the largest group with **19** (61%), followed by the over 10-years of service group with **12** (39%).



(2019 Based on 74 Incidents, Involving 31 Back-up Officers)

Reports by Back-up Officer Years of Service	2017 Reports	2018 Reports	2019 Reports
Under 1 years	6	0	7
1 to 5 years	22	29	4
6 to 10 years	8	3	8
11 to 15 years	4	7	6
16 to 20 years	8	5	3
Over 20 years	15	6	3
Total	63	50	31

To provide perspective, the majority of use of force reports are submitted by patrol officers. The departments patrol officer population is primarily comprised of officers with less than 10 years of experience. The patrol officer's primary responsibility is to respond to calls for service which makes up **49** (66%) of the use of force reports.