

Hilliard Division of Police



2019 Use of Force Analysis

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Executive Summary

The Hilliard Division of Police (HPD) is committed to serving the Hilliard community to enhance the quality of life by working cooperatively with the public to prevent crime, preserve peace and enforce the law with respect to the constitutional rights of all citizens, reduce fear and provide a safe community environment. This mission is carried out based on the fundamental values of integrity, commitment, cooperation and professionalism.

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Daily, officers are involved in numerous and varied interactions with the public and, when warranted, may be required to use objectively reasonable force to carry out their duties. The division recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use objectively reasonable force to protect themselves and the public requires monitoring, evaluation, and a careful balancing of all interests.

The primary purpose of this Use of Force Analysis is to provide HPD information about officers' use of force and trends associated with these incidents. The analysis provides information on many factors involving the subjects and officers, as well as environmental details. The document serves as a resource for HPD Command Staff and division instructors for the development of training topics and lesson plans.

The report also serves to inform the community about the division's use of force statistics, it holds the division accountable for the actions of its officers and ensures transparency.

INTRODUCTION

The division's Use of Force policy was reviewed and updated in 2019. The review also included companion policies associated with use of force incidents. The purpose of the review was to ensure the division's Use of Force policy met the guidelines established by the Ohio Collaborative Law Enforcement Agency Certification (OCLEAC), is up to date with law enforcement best practices and the policy is in line with the division's mission and core values.

The division's policy number system has been updated as well; therefore, the new Use of Force policy is HPD Policy 300. HPD Policy 300 governs officer use of force and provides guidelines to ensure officers only use the degree of force that is objectively reasonable to effectively bring an incident under control while protecting the safety of the officer and others. Officers are permitted to use force to:

1. Protect the officer, the individual, or others from immediate physical harm,
2. Restrain or subdue an individual who is actively resisting or evading arrest, or
3. Bring an unlawful situation safely and effectively under control.

Officers are required to report a use of force when a subject's actions or threatened actions require the officer to respond with a control tactic or weapon. Actions by officers such as handcuffing, searching and escorting compliant subjects generally are not considered a reportable use of force unless injury or complaint of injury occurs. Reportable use of force incidents is outlined in Policy 300, but commonly include officer actions such as:

1. Physical control tactics such as pressure point control, takedowns, joint manipulation, kicks and strikes
2. Chemical aerosol use
3. Taser deployment
4. Impact weapon use
5. Specialty impact munitions (beanbag round)
6. Deadly force

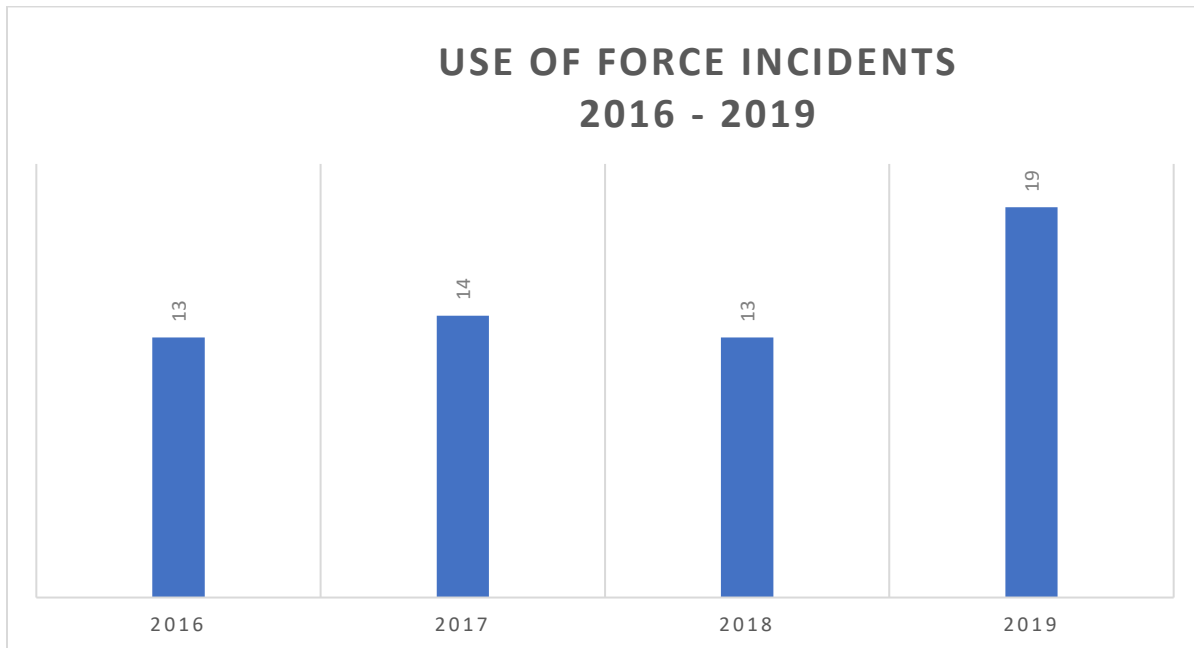
All incidents of force are investigated by the on-duty supervisor. The supervisor forwards the reports and findings to the respective Bureau Commander for a chain of command review and approval.

This report reviews 2019 Use of Force incidents and analyzes use of force data from 2016 – 2019.

USE OF FORCE FREQUENCY

In 2019, there were 19 reportable use of force incidents, six more than 2018.

For the years 2016 – 2019, there were 59 reported use of force incidents, which equates to an average of 15 use of force incidents per year. Based on this information, 2019 saw a slight increase in the number of force incidents.



Use of Force per Arrest

The rate of force incidents can be shown in relation to the number of arrests.

Based on the ratio of force incidents per arrest, for the years 2016 – 2018 the division experienced approximately 1 – 2 force incidents per 100 arrest with a three-year average of 1.65. In 2019, the use of force rate per 100 arrest was 2.04.

	2016	2017	2018	2019
Force Incidents	13	14	13	19
Number of Arrest*	784	860	1019	932
Use of force per 100 Arrest	1.66	1.63	1.27	2.04

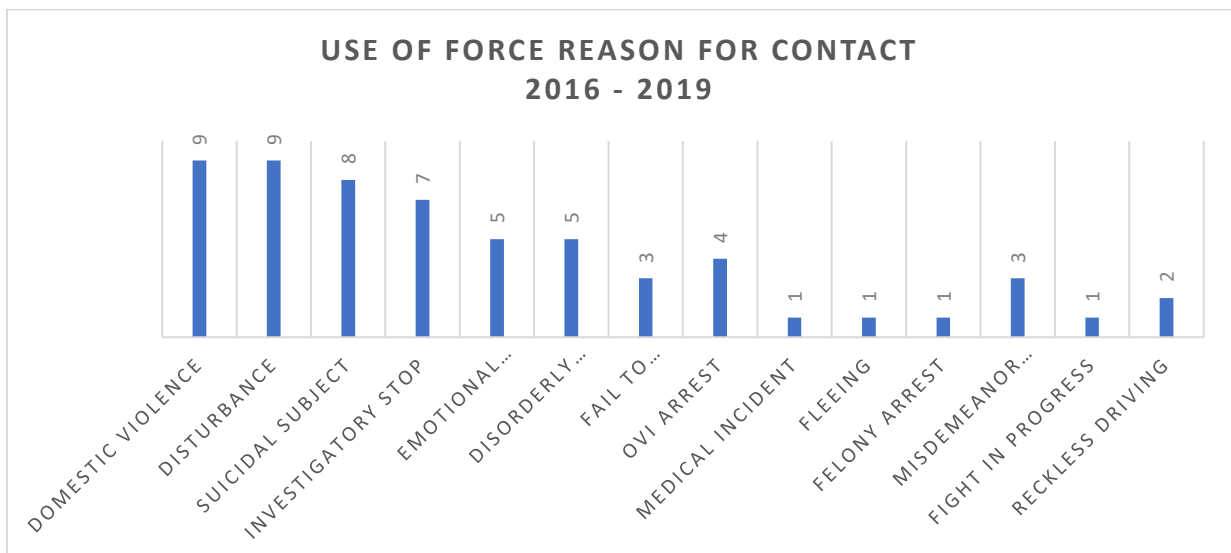
*DATA PULLED FROM RMS INCLUDES TOTAL NUMBER OF ARREST NOT TOTAL CHARGES

REASON FOR CONTACT

While any citizen contact has the potential for escalating into a use of force incident, understanding situations that have an increased likelihood of officers being involved in a use of force is important for developing tactics and training to minimize the risk presented in these situations. For this report, although a situation may fall in one or more “Reason for Contact” category, the data collected focused on the primary reason for the initial CFS or contact.

Domestic violence (DV) situations have long been understood to be volatile CFS and HPD data supports this conclusion. In the last four years, DV related CFS along with disturbances have been the most frequent type of call involving force. However, when combining CFS involving suicidal subjects and emotionally disturbed person(s), which are closely related in terms of being related to mental health issues, calls dealing with mental illness are the most frequent type of call involving force.

REASON FOR CONTACT	2016	2017	2018	2019	Total	%
Domestic Violence	3	1	3	2	9	15%
Disturbance	2	3	1	3	9	15%
Suicidal Subject	0	2	3	3	8	14%
Investigatory Stop	1	1	3	2	7	12%
Emotional Disturbed Person	0	2	1	2	5	8%
Disorderly Conduct/Intoxication	1	2	0	2	5	8%
Fail to Comply/Obstructing	2	1	0	0	3	5%
OVI arrest	1	1	1	1	4	7%
Medical Incident	1	0	0	0	1	2%
Fleeing	1	0	0	0	1	2%
Felony Arrest	1	0	0	0	1	2%
Misdemeanor Arrest	0	0	1	2	3	5%
Fight in Progress	0	1	0	0	1	2%
Reckless Driving				2	2	
Total	13	14	13	19	59	100%



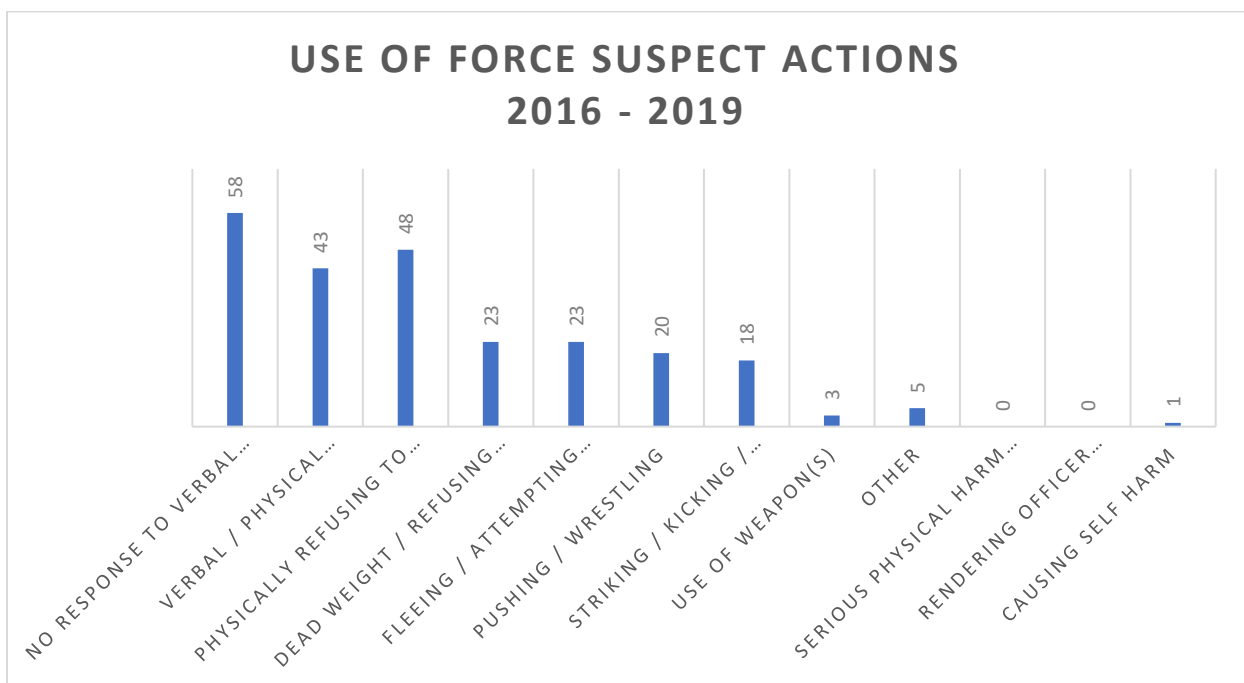
USE OF FORCE ACTIONS

A use of force incident is made up of the subject's actions, an officer's response to resistance and special circumstances involved in the incident. This report dissects these aspects of a force incident in order to get a better understanding of the threats faced by officers, and the type and effectiveness of their response.

Subject Actions

When looking at the subject's actions, a subject may exhibit one or more action throughout the incident. Officers are required to list all of the subject's actions that contributed to the use of force.

SUBJECTS ACTIONS/THREATENED	2016	2017	2018	2019	Total	%
No Response to Verbal Commands	13	14	13	18	58	98%
Verbal / Physical Danger Cues	9	14	10	10	43	73%
Physically Refusing to Comply	11	13	9	15	48	81%
Dead Weight / Refusing to Move	6	6	5	6	23	39%
Fleeing / Attempting to Flee	6	2	8	7	23	39%
Pushing / Wrestling	5	5	4	6	20	34%
Striking / Kicking / Biting	3	6	2	7	18	31%
Use of Weapon(s)	0	1	2	0	3	5%
Other	0	1	2	2	5	8%
Serious Physical Harm Assault	0	0	0	0	0	0%
Rendering Officer Defenseless	0	0	0	0	0	0%
Causing Self Harm	0	0	0	1	1	2%

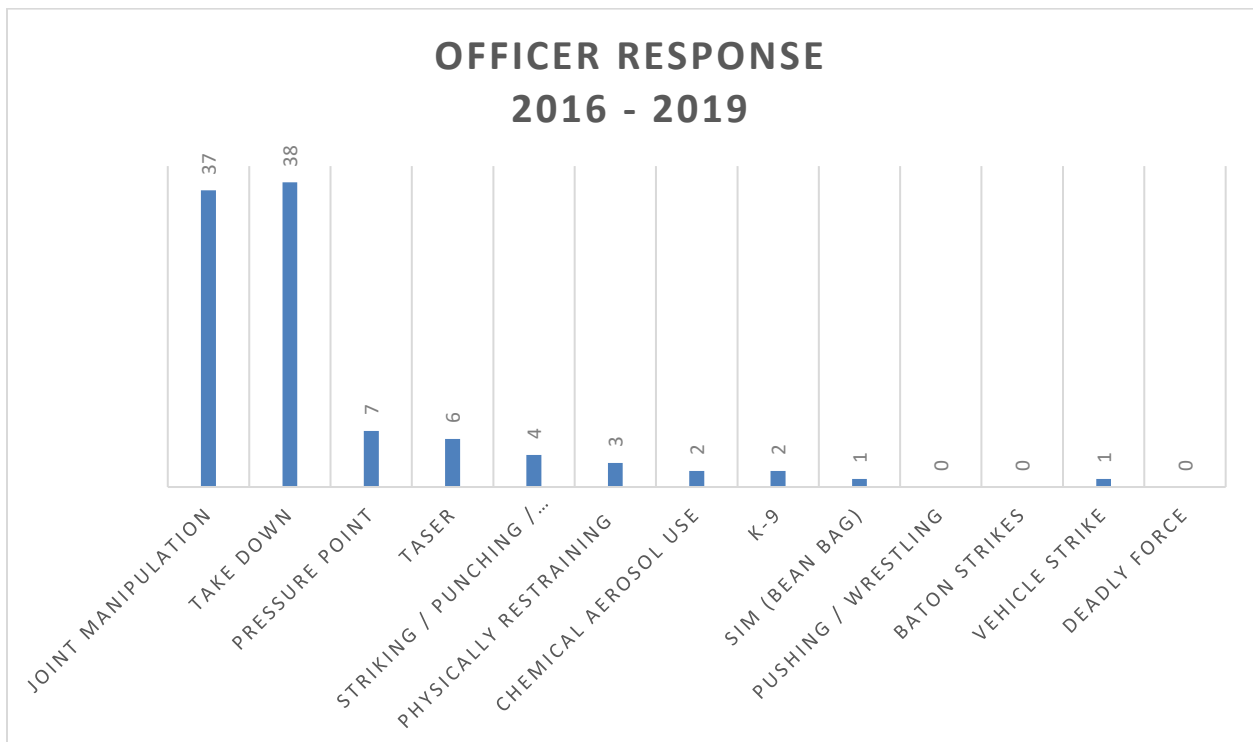


Officer Response

Officer use of force data includes both the primary and secondary officers' responses. In addition, some incidents reflect more than one force application, as an officer may have to progress from one force option to another based on the actions of the subject or effectiveness of the force being applied.

By far, joint manipulation and take downs are the most common applications of force employed by officers.

OFFICERS RESPONSE	2016	2017	2018	2019	Total	%
Joint Manipulation	8	10	8	11	37	63%
Take Down	10	7	9	12	38	64%
Pressure Point	0	3	4	0	7	12%
Taser	2	0	3	1	6	10%
Striking / Punching / Kicking	0	1	2	1	4	7%
Physically Restraining	1	1	1	0	3	5%
Chemical Aerosol Use	0	2	0	0	2	3%
K-9	2	0	0	0	2	3%
SIM (bean bag)	0	0	1	0	1	2%
Pushing / Wrestling	0	0	0	0	0	0%
Baton Strikes	0	0	0	0	0	0%
Vehicle strike	0	0	0	1	1	2%
Deadly Force	0	0	0	0	0	0%



Conductive Energy Weapons (CEW)

The division equips officers with an CEW for the purposes of controlling violent or potentially violent subjects, with the goal of taking the subject into custody while minimizing injury to officers and subjects.

The CEW used by the division is Taser©. For years 2016 – 2019, officers deployed a Taser© in six force incidents. This equates to a use of only 10% of force incidents.

Canine (K9) Deployment

The Division has three K9 teams. Each team consists of an officer and a trained and certified law enforcement canine.

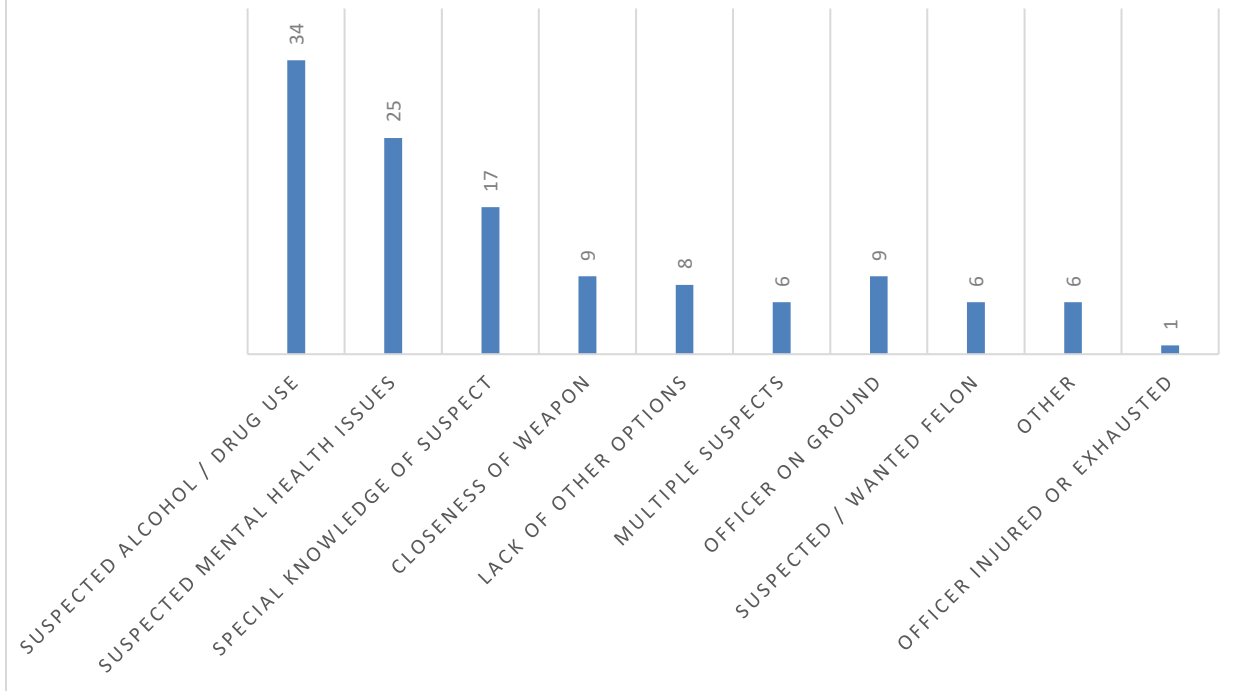
In 2019, K9 teams were deployed on 207 calls for service, but no K9 bite incidents were reported. For years 2016 – 2019, there have only been two reported K9 bites, both in 2016. This equates to a K9 bite in only 3% of force incidents.

Special Circumstances

Special circumstances are subject/officer factors that are taken into account when determining the “objectively reasonable” standard for a use of force. One or more special circumstances may be present in an incident. For the years 2016 – 2019, approximately 58% of the subjects were under the influence of some type of alcohol/drugs, and approximately 42% of force incidents involved subjects suffering from some type of mental health crisis.

SPECIAL CIRCUMSTANCES	2016	2017	2018	2019	Total	%
Suspected Alcohol / Drug Use	8	8	8	10	34	58%
Suspected Mental Health Issues	3	6	6	10	25	42%
Special Knowledge of Suspect	3	5	3	6	17	29%
Closeness of Weapon	2	2	3	2	9	15%
Lack of other Options	3	1	3	1	8	14%
Multiple Suspects	3	2	1	0	6	10%
Officer on Ground	1	1	3	4	9	15%
Suspected / Wanted Felon	2	0	3	1	6	10%
Other	0	2	2	2	6	10%
Officer Injured or Exhausted	0	0	1	0	1	2%

USE OF FORCE SPECIAL CIRCUMSTANCES 2016 - 2019



Location of Incident

In 2019, the division began tracking the location of incident. The majority of force incidents occurred in a residence or roadway. Force incidents in schools is the third leading location.

Location	2016	2017	2018	2019	Total	%
School	0	0	0	3	3	16%
Commercial	0	0	0	2	2	11%
Residential	0	0	0	7	7	37%
Roadway	0	0	0	6	6	32%
Other	0	0	0	1	1	5%
Total	0	0	0	19	19	100%

How Initial Call Received

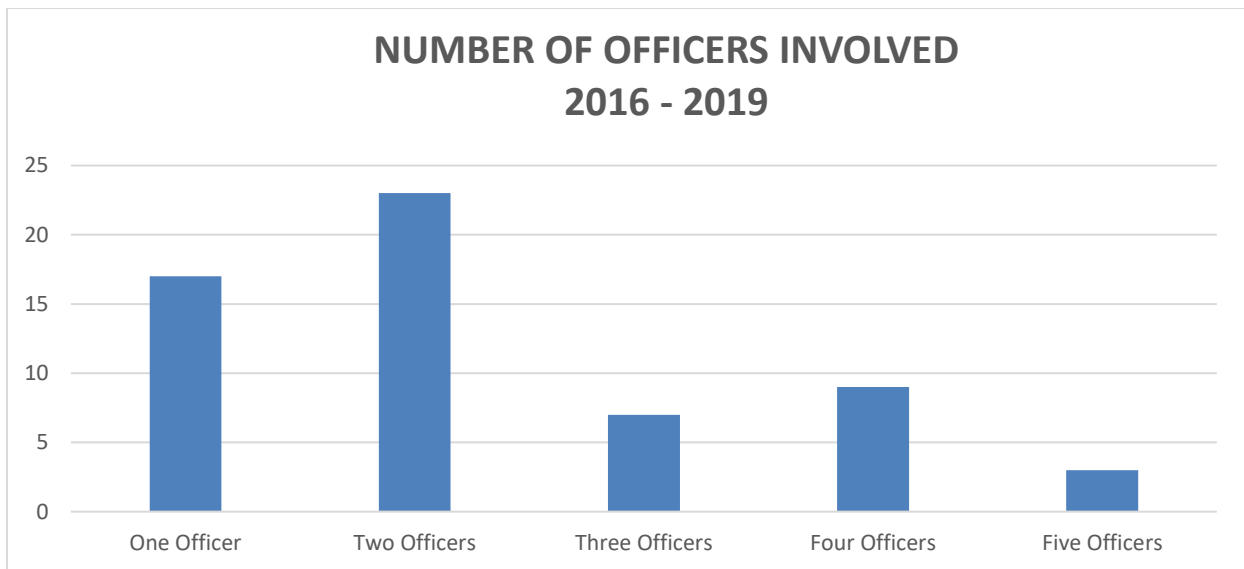
In 2019, the division began tracking how the initial call for service was received. Approximately 89% of force incidents begin with an officer(s) being dispatched on a CFS.

How Received	2016	2017	2018	2019	Total	%
Self-initiated	0	0	0	2	2	11%
Dispatched	0	0	0	17	17	89%
Total	0	0	0	19	19	100%

Number of Officers Involved

The majority of force incidents involve more than one officer, with two officers accounting for 39% of force incidents for years 2016 – 2019. In 2019 there was a sharp increase in the number of incidents that involved one officer.

# of Officers involved	2016	2017	2018	2019	Total	%
One Officer	3	4	1	9	17	29%
Two Officers	5	7	5	6	23	39%
Three Officers	1		4	2	7	12%
Four Officers	2	2	3	2	9	15%
Five Officers	2	1	0	0	3	5%
Total	13	14	13	19	59	100%



Duty Status

For years 2016 – 2019, 98% of force incidents occurred when the officer was on-duty and in uniform. Only one incident occurred with a plain clothes officer. No force incidents were reported while an officer was on special duty or off-duty.

DUTY STATUS	2016	2017	2018	2019	Total	%
On Duty - Uniform	13	13	13	19	58	98%
On Duty - Plain Clothes	0	1	0	0	1	2%
Off Duty	0	0	0	0	0	0%
Special Duty	0	0	0	0	0	0%
Total	13	14	13	19	59	100%

OFFICER AND SUBJECT INJURIES

Officer Injuries

In 2019, two officers reported some type of injury during a use of force incident. This is consistent with previous years reports. A review of the injuries reported in 2019 indicates the injuries consisted of bruising, soreness, lacerations or abrasions.

For years 2016 – 2019, 17% of use of force incidents resulted in some type of injury to the officer. For this period, the injuries reported tended to be bruising, soreness, lacerations or abrasion.

Subject Injuries

In 2019, nine subject injuries were reported during a use of force incident. This is four more than 2018. A review of injuries reported in 2019 indicates the injuries consisted of contusions minor cuts/scrapes, taser probe puncture and chest pains.

For years 2016 – 2019, 37% of use of force incidents resulted in some type of injury to the subject.

INJURIES	2016	2017	2018	2019	Total	%
Officer Injuries	3	3	2	2	10	17%
Subject Injuries	5	3	5	9	22	37%
Total	8	6	7	11	32	

USE OF FORCE REVIEW

All use of force incidents are investigated by the on-duty supervisor and forwarded to the respective Bureau Commander for a chain of command review. For years 2016 – 2019, only one force incident was found not to be in compliance with division policy and procedures.

COMPLIANCE	2016	2017	2018	2019	Total	%
In Compliance	13	14	13	18	58	98%
Not in Compliance	0	0	0	1	1	2%
Total	13	14	13	19	59	

SUBJECT DEMOGRAPHICS

Demographics include data on subject age, gender and race.

Subject Age

AGE	2016	2017	2018	2019	TOTAL	%
< 18	3	6	2	5	16	27%
18 -29	4	3	1	8	16	27%
30 - 39	3	3	6	1	13	22%
40 - 49	1	0	4	3	8	14%
50 - 59	2	1	0	1	4	7%
> 60	0	1	0	1	2	3%
TOTAL	13	14	13	19	59	100%

Subject Gender

GENDER	2016	2017	2018	2019	Total	%
Male	12	9	12	15	48	81%
Female	1	5	1	4	11	19%
Total	13	14	13	19	59	100%

Subject Race

RACE	2016	2017	2018	2019	Total	%
White	7	11	8	12	38	64%
Black	4	2	5	6	17	29%
Hispanic	0	1	0	0	1	2%
Other	2	0	0	1	3	5%
Total	13	14	13	19	59	100%

USE OF FORCE MONTH/DAY/TIME

A force incident may occur at any time of the year, day of the week or time of the day. This data is included in the analysis to ensure the division is adequately staffed when there is an increased likelihood of a force incident to take place. With the relatively low number of force incidents reported each year, coupled with current staffing levels, there is no discernable pattern that warrants staffing changes; however, the data shows that for the years 2016 – 2019, 56% of force incidents occurred between the hours of 7:00 pm and 3:00 am.

BY MONTH	2016	2017	2018	2019	Total	%
January	0	3	2	2	7	12%
February	1	1	2	2	6	10%
March	1	0		2	3	5%
April	0	0	1	1	2	3%
May	1	2	0	1	4	7%
June	1	0	0	1	2	3%
July	2	0	1	3	6	10%
August	0	5	1	3	9	15%
September	2	0	2	2	6	10%
October	2	2	2	1	7	12%
November	1	1	1	1	4	7%
December	2	0	1	0	3	5%
Total	13	14	13	19	59	100%
DAY OF THE WEEK	2016	2017	2018	2019	Total	%
Monday	4	3	2	2	11	19%
Tuesday		4	2	3	9	15%
Wednesday	3	1	2	4	10	17%
Thursday		1	1	5	7	12%
Friday	2	0	0	3	5	8%
Saturday		3	3	2	8	14%
Sunday	4	2	3	0	9	15%
Total	13	14	13	19	59	100%
HOUR OF THE DAY	2016	2017	2018	2019	Total	%
7AM - 11AM	1	1	1	3	6	10%
11AM - 3PM	1	2	3	2	8	14%
3PM - 7PM	3	2	1	3	9	15%
7PM - 11PM	2	3	2	7	14	24%
11PM - 3AM	6	5	5	3	19	32%
3AM - 7AM		1	1	1	3	5%
Total	13	14	13	19	59	100%

MAIN FINDINGS AND TRENDS

Use of force incidents make up a small percentage of police interaction with the public. While officers have thousands of citizens contacts each year, an unfortunate subset of those contacts results in officers having to resort to force to accomplish a lawful objective.

In 2019, there was a slight increase in reported force incidents. Since each incident is reviewed on its own merit, an increase is not indicative of improper behavior and should not be considered a negative finding. Several variables may be in play such as recent policy updates resulting in greater attention to document use of force incidents; societal issues that manifest in the community; a general lack of respect for authority; and mere coincidence. Base on the use of force data, there were no obvious reasons for the increase in 2019.

Additional key findings and trends include:

- Calls for Service involving domestic violence, disturbances and people in emotional crisis are calls with a higher probability for a use force.
- The majority of force incidents involve subjects under the influence of alcohol/drugs, or subjects suffering from an emotional/mental issue.
- The majority of force incidents involve officers performing joint manipulation tactics and takedowns which is indicative of officers using a lower level of force to accomplish lawful objectives.
- The majority of force incidents involve multiple officers; however, this was not the case in 2019. In 2019, nearly 50% of force incidents involved only one officer, while the next highest year is 2017 with only 28% of force incidents.
- The use of the Taser© and K9 only account for a small percentage of force incidents.
- While a force incident may occur at any time, the data shows the highest likelihood is between the hours of 7:00 pm and 3:00 am.
- The Use of Force administrative review process consists of a multi-layer review to ensure policy compliance.

RECOMMENDATIONS

The primary purpose of this review is to identify use of force trends for employing risk reduction tactics, minimize injuries, establish training objectives and reduce liability.

Recommendations include:

1. Continue training all officers in Critical Incident Training (CIT).
2. Continue use of force training (in-service/rollcall) to include scenario-based training and de-escalation techniques.
3. Ensure defensive tactics lesson plans focus on joint manipulation and takedowns.
4. Conduct rapid response training to address active violence incidents. This should include single officer response as well as multiple officer response.
5. Ensure or re-enforce the practice of multiple officers assigned to CFS involving subjects suspected of being under the influence of alcohol/drugs, and subjects suspected of suffering from emotional/mental issues.
6. Ensure or re-enforce the practice of multiple officers assigned to CFS known to present a higher probability of turning into a force incident, such as domestic violence, or any time an arrest is likely.