

Hilliard Division of Police

Annual Use of Force Analysis 2020

January 26, 2021

Robert A. Fisher, CLEE
Chief of Police



Real People. Real Possibilities.

Division
of Police

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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. 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 purpose of this Use of Force Analysis is to provide HPD information concerning officers' use of force and trends associated with these incidents. The analysis provides information on many factors including the subjects involved, officers, and 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 2020. The review also included companion policies associated with the use of force policy. The purpose of the review was to ensure the policies meet the guidelines established by the Ohio Collaborative Law Enforcement Agency Certification (OCLEAC), the policies meet federal and state laws, the policies are in line with law enforcement best practices, and the policies are consistent with the Division's mission and core values.

In 2020, there was unprecedented, nationwide civil unrest and protests aimed at police reform. In response, Presidential Executive Order on Safe Policing for Safe Communities was signed. This order established specific guidelines for law enforcement use of force. The Division's use of force policy is in compliance with the order and the Division received compliance certification from OCLEAC.

HPD Policy 300 - Use of Force 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 includes 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

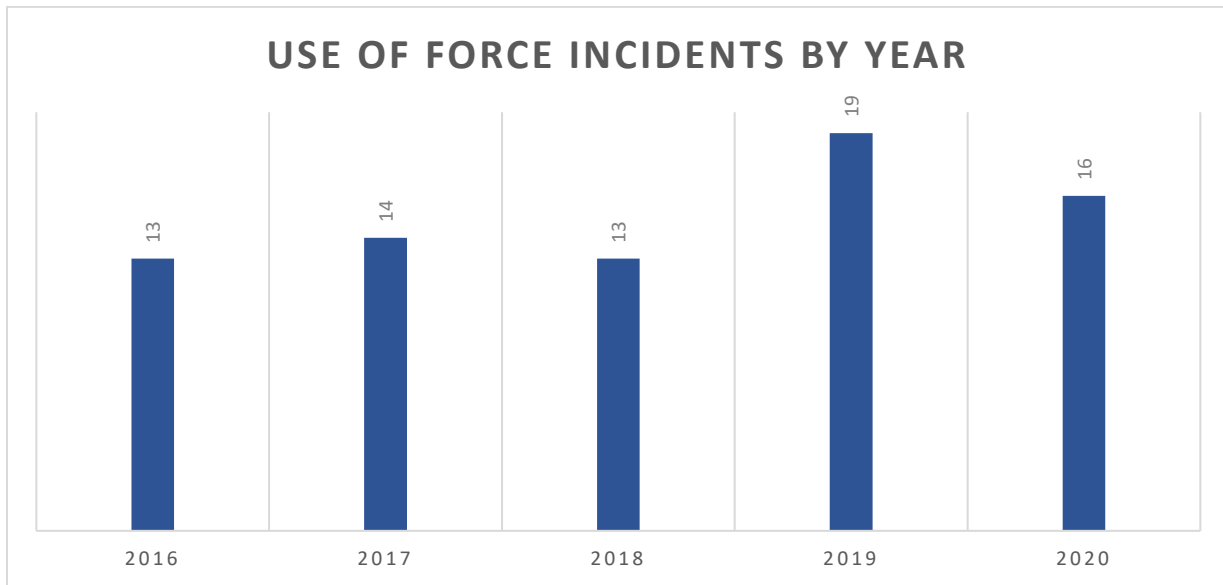
All incidents of force are investigated by the on-duty supervisor. The supervisor forwards the reports and findings to the respective Bureau Commander for a chain of command review and approval.

This report reviews 2020 Use of Force incidents and analyzes force data from 2016 – 2020.

USE OF FORCE FREQUENCY

In 2020, there were 16 reported use of force incidents, three less than 2019.

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, 2020 was consistent with past 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 years 2016 – 2019 the Division experienced approximately one to two force incidents per 100 arrest with an average of 1.65. In 2020, the use of force rate per 100 arrest was 2.25.

	2016	2017	2018	2019	2020
Force Incidents	13	14	13	19	16
Number of Arrest*	784	860	1019	932	708
Use of force per 100 Arrests	1.66	1.63	1.27	2.04	2.25

*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 call for service (CFS) or contact.

Domestic violence (DV) situations have long been understood to be volatile calls for service and HPD data supports this conclusion. In the last five 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), both which involve mental health issues, calls dealing with mental illness are the most frequent type of call involving force.

REASON FOR CONTACT	2016	2017	2018	2019	2020	Total	Percent
Domestic Violence	3	1	3	2	3	12	16%
Disturbance	2	3	1	3	0	9	12%
Suicidal Subject	0	2	3	3	1	9	12%
Investigatory Stop	1	1	3	2	1	8	11%
Emotional Disturbed Person	0	2	1	2	1	6	8%
Disorderly Conduct/Intoxication	1	2	0	2	2	7	9%
Fail to Comply/Obstructing	2	1	0	0	0	3	4%
OVI arrest	1	1	1	1	1	5	7%
Medical Incident	1	0	0	0	0	1	1%
Traffic Stop	0	0	0	0	2	2	3%
Fleeing	1	0	0	0	0	1	1%
Felony Arrest	1	0	0	0	0	1	1%
Misdemeanor Arrest	0	0	1	2	0	3	4%
Fight in Progress	0	1	0	0	2	3	4%
Reckless Driving	0	0	0	2	0	2	3%
Felony In-progress	0	0	0	0	1	1	1%
Assist Another Agency	0	0	0	0	1	1	1%
Case Investigation	0	0	0	0	1	1	1%
Total	13	14	13	19	16	75	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 effectiveness of the officer's 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	2020	Total	%
No Response to Verbal Commands	13	14	13	18	16	74	99%
Verbal / Physical Danger Cues	9	14	10	10	14	57	76%
Physically Refusing to Comply	11	13	9	15	14	62	83%
Dead Weight / Refusing to Move	6	6	5	6	3	26	35%
Fleeing / Attempting to Flee	6	2	8	7	6	29	39%
Pushing / Wrestling	5	5	4	6	5	25	33%
Striking / Kicking / Biting	3	6	2	7	4	22	29%
Use of Weapon(s)	0	1	2	0	1	4	5%
Other	0	1	2	2	0	5	7%
Serious Physical Harm Assault	0	0	0	0	1	1	1%
Rendering Officer Defenseless	0	0	0	0	0	0	0%
Causing Self Harm	0	0	0	1	0	1	1%

Officer Response

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.

OFFICER'S RESPONSE	2016	2017	2018	2019	2020	Total	%
Joint Manipulation	8	10	8	11	9	46	61%
Take Down	10	7	9	12	11	49	65%
Pressure Point	0	3	4	0	0	7	9%
Taser	2	0	3	1	2	8	11%
Striking / Punching / Kicking	0	1	2	1	2	6	8%
Physically Restraining	1	1	1	0	1	4	5%
Chemical Aerosol Use	0	2	0	0	1	3	4%
K-9	2	0	0	0	0	2	3%
SIM (bean bag)	0	0	1	0	0	1	1%
Pushing / Wrestling	0	0	0	0	0	0	0%
Baton Strikes	0	0	0	0	0	0	0%
Vehicle strike	0	0	0	1	0	1	1%
Other	0	0	0	0	1	1	1%
Deadly Force	0	0	0	0	0	0	0%

Conductive Energy Weapons (CEW)

The Division equips officers with a 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 – 2020, officers deployed a Taser® in eight force incidents. This equates to a use of less than 10 percent of force incidents.

Canine (K9) Deployment

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

In 2020, K9 teams were deployed on 267 calls for service, but no K9 bite incidents were reported. For years 2016 – 2020, there have only been two reported K9 bites, both in 2016. This equates to a K9 bite in less than 3 percent of force incidents.

Special Circumstances

Special circumstances are subject/officer factors that are considered 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 – 2020, approximately 59 percent of the subjects were under the influence of some type of alcohol/drugs, and approximately 37 percent of force incidents involved subjects suffering from some type of mental health crisis.

SPECIAL CIRCUMSTANCES	2016	2017	2018	2019	2020	Total	%
Suspected Alcohol / Drug Use	8	8	8	10	10	44	59%
Suspected Mental Health Issues	3	6	6	10	3	28	37%
Special Knowledge of Suspect	3	5	3	6	3	20	27%
Closeness of Weapon	2	2	3	2	5	14	19%
Lack of other Options	3	1	3	1	0	8	11%
Multiple Suspects	3	2	1	0	3	9	12%
Officer on Ground	1	1	3	4	5	14	19%
Suspected / Wanted Felon	2	0	3	1	3	9	12%
Other	0	2	2	2	5	11	15%
Officer Injured or Exhausted	0	0	1	0	0	1	1%

Location of Incident

In 2019, the Division began tracking the location of incident. The majority of force incidents occurred in a residence which is consistent with the high rate of force incidents involving domestic violence.

LOCATION	2016	2017	2018	2019	2020	Total	%
School	0	0	0	3	0	3	9%
Commercial	0	0	0	2	3	5	14%
Residential	0	0	0	7	8	15	43%
Roadway	0	0	0	6	3	9	26%
Other	0	0	0	1	2	3	9%
Total	0	0	0	19	16	35	100%

How Initial Call Received

In 2019, the Division began tracking how the initial call for service was received. Approximately 80 percent of force incidents begin with an officer(s) being dispatched on a CFS.

How Received	2016	2017	2018	2019	2020	Total	%
Self-initiated	0	0	0	2	5	7	20%
Dispatched	0	0	0	17	11	28	80%
Total	0	0	0	19	16	35	100%

Number of Officers Involved

The majority of force incidents involve more than one officer, with two officers accounting for 43 percent of force incidents for years 2016 – 2020.

Number Officers Involved	2016	2017	2018	2019	2020	Total	%
One Officer	3	4	1	9	2	19	25%
Two Officers	5	7	5	6	9	32	43%
Three Officers	1	0	4	2	2	9	12%
Four Officers	2	2	3	2	1	10	13%
Five Officers	2	1	0	0	2	5	7%
Total	13	14	13	19	16	75	100%

Duty Status

For years 2016 – 2020, 97 percent 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	2020	Total	%
On Duty - Uniform	13	13	13	19	15	73	97%
On Duty - Plain Clothes	0	1	0	0	1	2	3%
Off Duty	0	0	0	0	0	0	0%
Special Duty	0	0	0	0	0	0	0%
Total	13	14	13	19	16	75	100%

OFFICER AND SUBJECT INJURIES

Officer Injuries

In 2020, three officers reported some type of injury during a force incident. This is consistent with previous years reports. A review of the injuries reported in 2020 indicates the injuries consisted of bruising and strains, or abrasions.

For years 2016 – 2020, 17 percent of force incidents resulted in some type of injury to the officer. For this period, the injuries were generally reported to be bruising, soreness, strains, lacerations, or abrasion.

Subject Injuries

In 2020, seven subject injuries were reported during a force incident. This is two fewer than reported in 2019. A review of injuries reported in 2020 indicates the injuries consisted of contusions minor cuts/scrapes, and taser probe puncture.

For years 2016 – 2020, 39 percent of force incidents resulted in some type of injury to the subject.

INJURIES	2016	2017	2018	2019	2020	Total	Percent
Officer Injuries	3	3	2	2	3	13	17%
Subject Injuries	5	3	5	9	7	29	39%

USE OF FORCE REVIEW

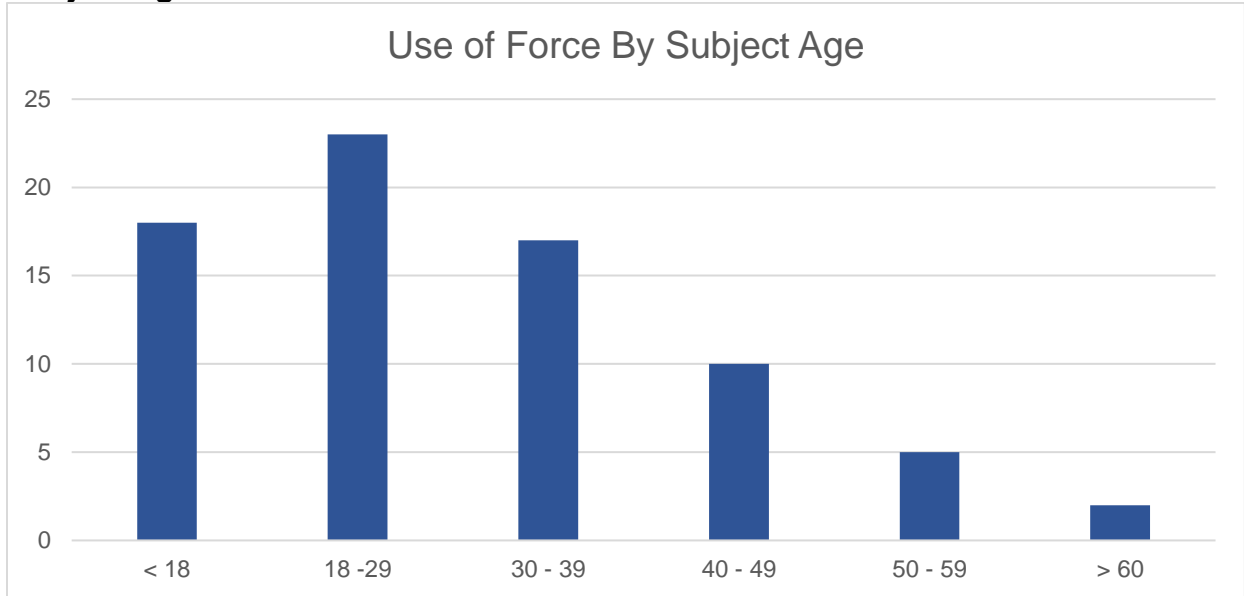
Use of force incidents are investigated by the on-duty supervisor and forwarded to the respective Bureau Commander for a chain of command review. For years 2016 – 2020, only one force incident was found not to be in compliance with Division policy and procedures.

COMPLIANCE	2016	2017	2018	2019	2020	Total	%
In Compliance	13	14	13	18	16	74	99%
Not in Compliance	0	0	0	1	0	1	1%
Total	13	14	13	19	16	75	100%

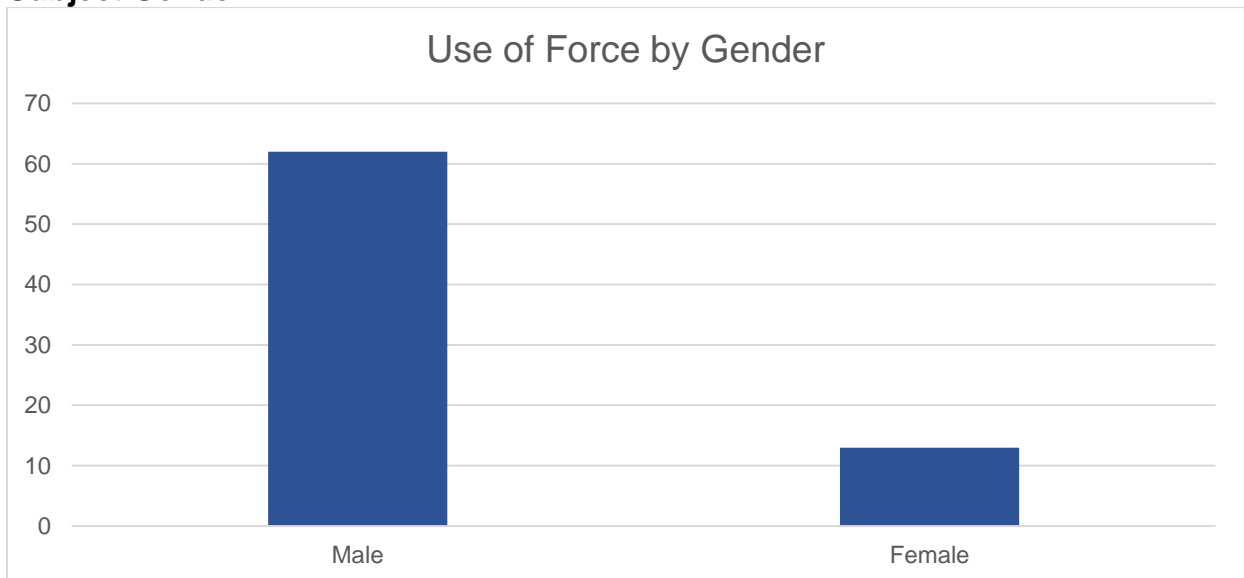
SUBJECT DEMOGRAPHICS

Demographics for 2016 – 2020 include data on subject age, gender, and race.

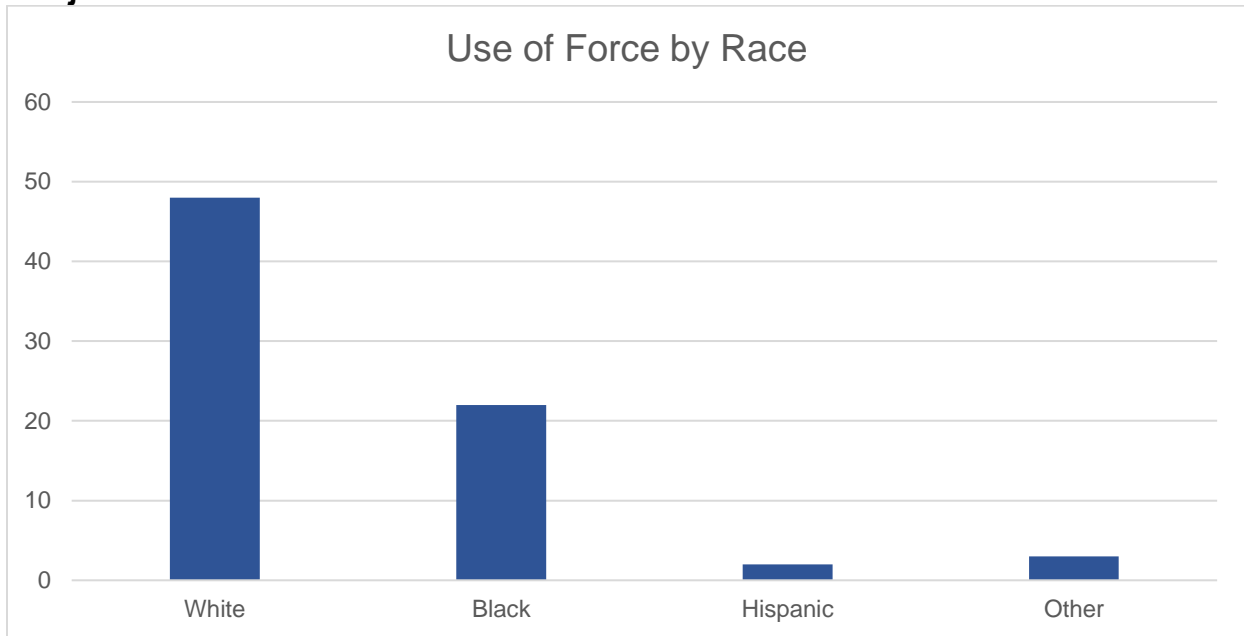
Subject Age



Subject Gender

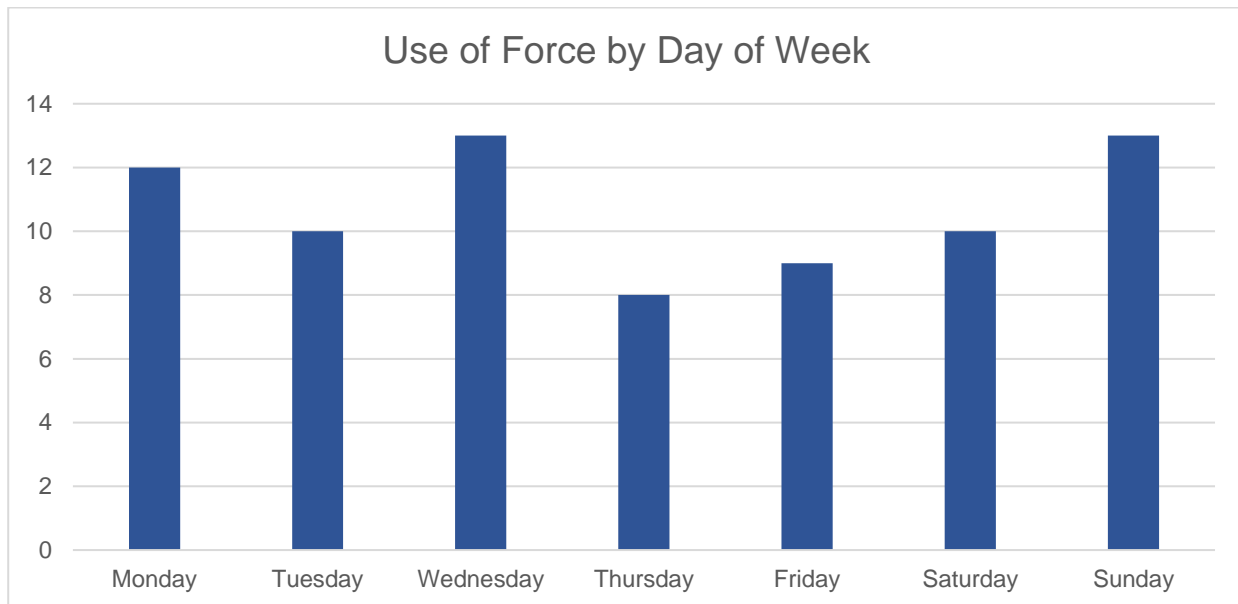
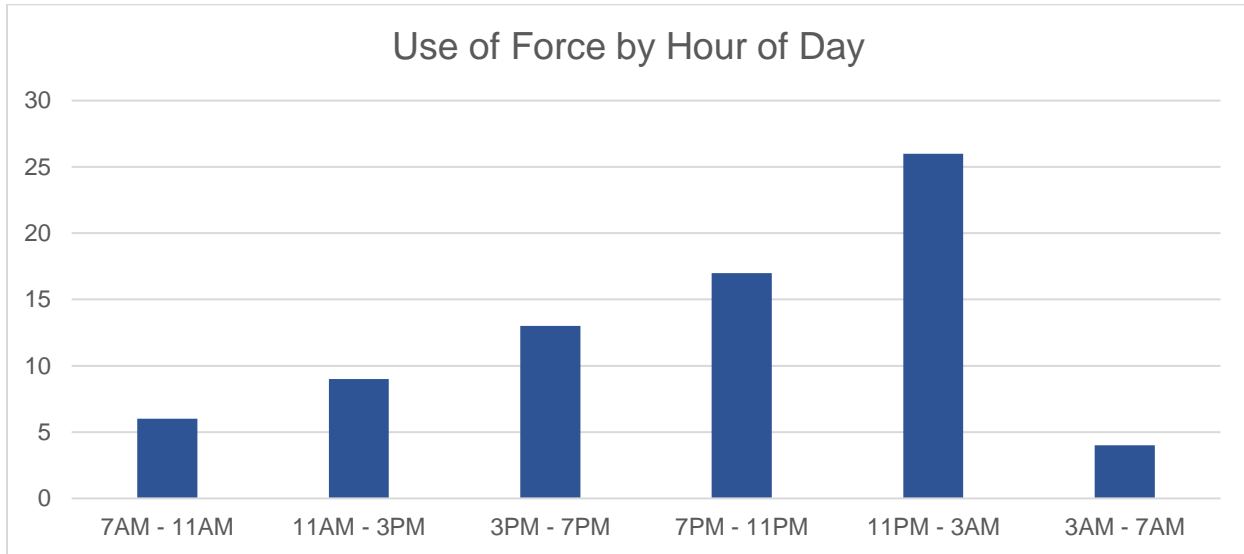


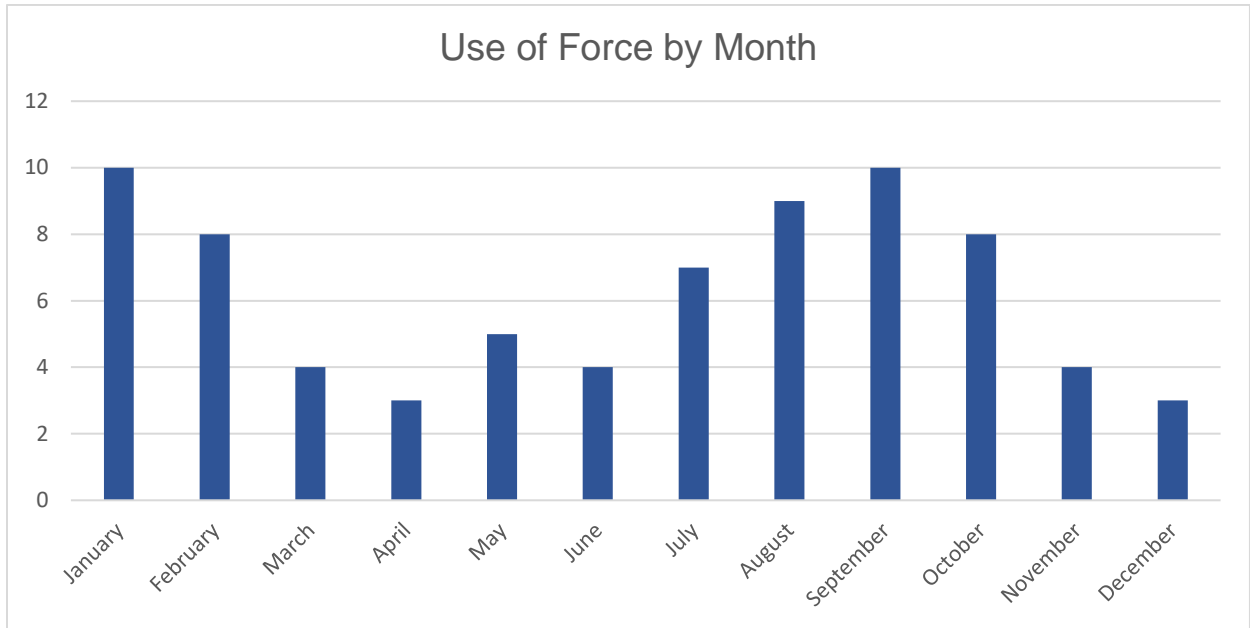
Subject Race



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 – 2020, the majority of force incidents occurred between the hours of 7:00 p.m. and 3:00 a.m.





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.

The year 2020 saw unprecedented nationwide civil unrest and protest aimed at police reform. With the potential for protest, violence and volatile citizen contacts, the Division's force incidents remained consistent with previous years. There are a wide range of reasons for this finding; however, some basic observation may explain this outcome.

- The City of Hilliard is a suburban community and did not see the full weight of violent protest experienced by larger urban areas. In addition, Hilliard did not experience a flashpoint incident to incite a community response.
- The value of strong police - community relations became evident during this time. There were peaceful protests in Hilliard and the Division worked with the protestors to ensure their rights were protected. Generally, the community remained supportive of the Division and the work being done in the community.
- Another variable includes the global pandemic which changed the way society moved about and how the Division delivered police services. This resulted in fewer police – citizen contacts.
- Additional factors included a culture of sound management practices such as hiring, training, accountability, and a focus on best practices with policy and procedures.

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 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 p.m. and 3:00 a.m.

RECOMMENDATIONS

The 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). The focus of this training is dealing with people suffering from emotion issues.
2. Continue use of force training (in-service/roll call) to include scenario-based training and de-escalation techniques.
3. Ensure defensive tactics lesson plans focus on joint manipulation and takedowns. The lessons plans should also include multiple officer response.
4. 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.
5. 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.
6. Training officers in protest response and crowd control techniques. This includes training with the newly acquired pepperball system.

Note: Policy updates that take effect in 2021 include reporting the pointing/display of a firearm and Taser. This data will be added to the next Annual Use of Force Report.

Report submitted by:
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