

Use of Force Analysis 2010

This report analysis was completed for the purpose of reviewing the San Angelo Police Department's Use of Force for the calendar year 2010. The data collected for this report was generated from the L. E. A. Data Technologies Administrative/Internal Affairs Suite, Intergraph Public Safety ILeads Records Management System (RMS) and San Angelo Police Department Use of Force Critiques.

This analysis was completed to meet the Texas Police Chief's Association Best Practices 6.03.1 and 6.10.1 (Use of Force).

Use of Force Reporting

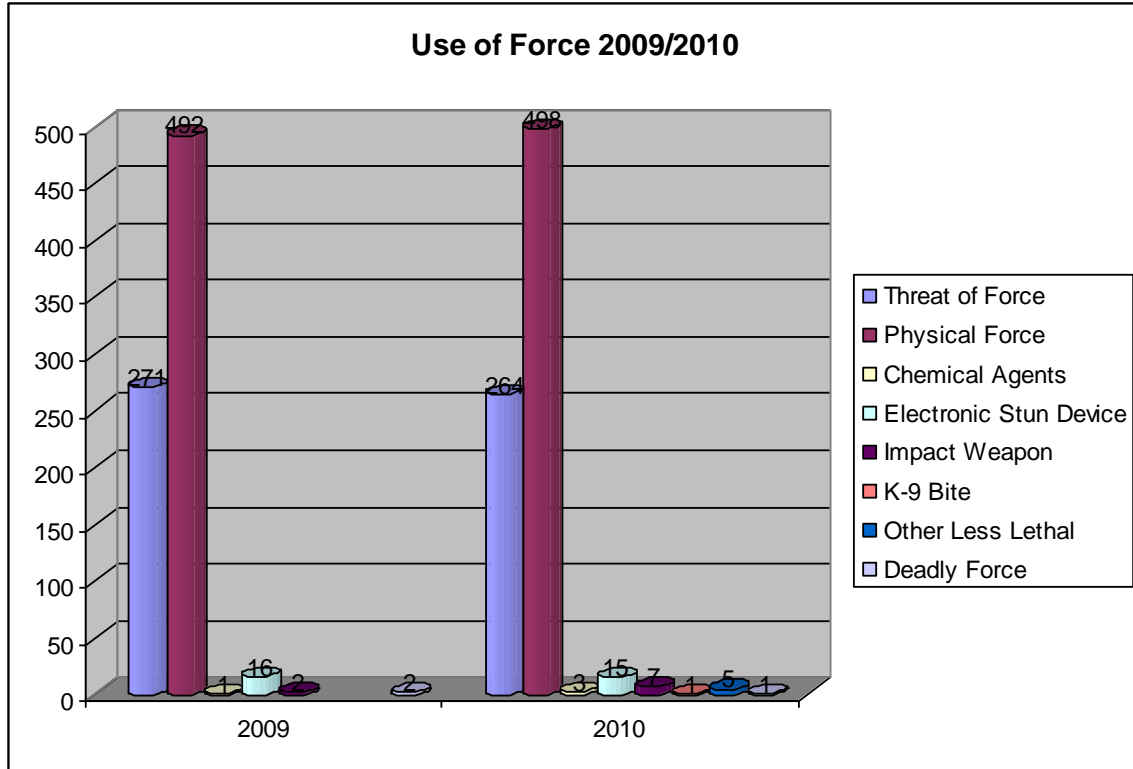
There were no policy changes regarding the Use of Force/Response to Resistance or reporting requirements for the calendar year 2010. It appears that Use of Force training and training in Department policies related to Use of Force and Use of Deadly Force has been effective. It also appears that officers have used good judgment during the year related to what level of force was necessary to complete enforcement objectives.

The statistics used in this analysis were collected directly from the ILeads RMS, the L. E. A. Internal Affairs Suite and San Angelo Police Department Use of Force critiques. These statistics include the following force types: Threat of Force, Physical Force, Chemical Agents, Electronic Stun Devices, Impact Weapons, K-9 Bites, Other and Deadly Force. There were seven hundred ninety-three (793) uses of force reported in 2010 originating from four hundred forty-nine (449) different cases. There were one hundred one (101) officers involved in those uses of force for an average of 3.98 uses of force per officer listed.

There were twenty-eight (28) Use of Force incidents that were reviewed by first line supervisors per San Angelo Police Department policy related to injury incidents as a result of that force being used.

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Use of Force Comparison 2009/2010



	2009	2010	Difference
Threat of Force	271	264	Down 7
Physical Force	492	498	Up 6
Chemical Agents	1	3	Up 2
Electronic Stun Device	16	15	Down 1
Impact Weapon	2	7	Up 5
K-9 Bite		1	Up 1
Other Less Lethal		5	Up 5
Deadly Force	2	1	Down 1

While comparing the Uses of Force recorded by the San Angelo Police Department in 2010, it is apparent that those Uses of Force are quite consistent with the numbers reported for 2009.

There were decreases in three (3) categories of the eight (8) categories of force that were counted in 2010. Of the three categories that showed decreases,

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Threat of Force is down by seven (7), Electronic Stun Device is down by one (1) and Deadly Force is down by one (1).

***NOTE* It should be noted that the one (1) case reported in 2010 as a Use of Deadly Force was not one perpetrated against a person. The incident was reported in an incident report and also a Response to Resistance supplement, apparently erroneously, at the direction of a Patrol Shift Commander. The supervisor that approved the report instructed the officer involved to list the incident, one where the officer put down an injured cow with his department issued shotgun, as a Use of Deadly Force. This incident should not have been reported or tracked as a Use of Deadly Force therefore skewing the reported numbers of that category of Use of Force.**

The other two categories that evidenced decreases were really very consistent with the reported numbers from 2009. A very slight decrease in these categories would indicate that instruction and training in the Use of Force and Deadly Force has been conducted in a consistent manner from years past. It also indicates that the officers are using that information to make quite consistent decisions in the types of Use of Force they are employing to reach their enforcement objectives.

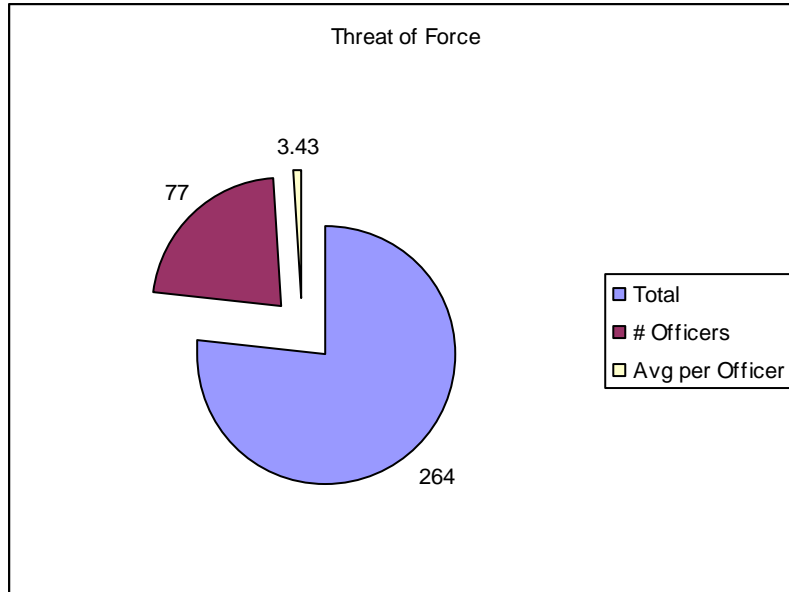
There were increases in five (5) categories of the eight (8) categories of force that were counted in 2010. Two (2) of these categories, K-9 Bite and Other, were not reported for 2009. That accounts for an additional six (6) uses of force that were not tracked in 2009. Of the other three categories that showed increases, Physical Force was up six (6), Chemical Agents was up two (2) and Impact Weapons was up five (5). Those increases were negligible and overall only showed an increase of ten (10) Uses of Force between 2009 and 2010. That increase of ten (10) includes the addition of two categories that were not counted in 2009.

Percent Differences

	2009	2010	Difference
Threat of Force	271	264	-3%
Physical Force	492	498	+1%
Chemical Agents	1	3	+33%
Electronic Stun Device	16	15	-6%
Impact Weapon	2	7	+29%
K-9 Bite	0	1	+100%
Other	0	5	+500%
Deadly Force	2	1	-50%

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Threat of Force



In 2010, San Angelo Police Officers issued two hundred sixty-four (264) threats of force to citizens during incidents they were assigned to deal with.

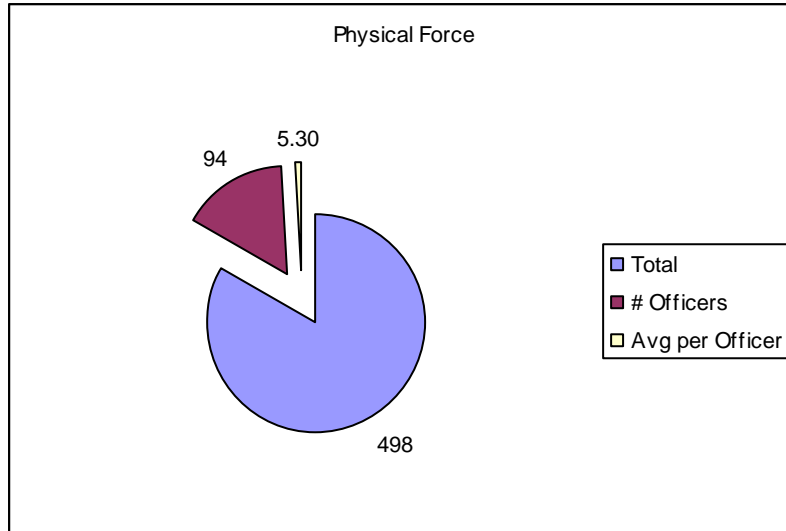
In this category are uses of force that include the following: verbal commands and the display of firearms, TASERs, expandable batons, OC chemical agents or the threat of a K-9 deployment.

Seventy-seven (77) officers issued the two hundred sixty-four (264) threats of force for an average of 3.43 threats per officer.

There were two officers that issued fifteen (15) threats each for the most issued by one officer and several only issued one (1) threat of force.

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Physical Force



In 2010, San Angelo Police Officers used physical force against a citizen four hundred ninety-eight (498) times during incidents they were assigned to deal with.

Included in this category are all those incidents where the simple use or issuance of verbal commands was not sufficient or effective. This use of force requires that the officers place their hands on a person using very minimal force in order to gain compliance. Counted in this category are all those instances where a subject was handcuffed or was restrained using empty hand control techniques.

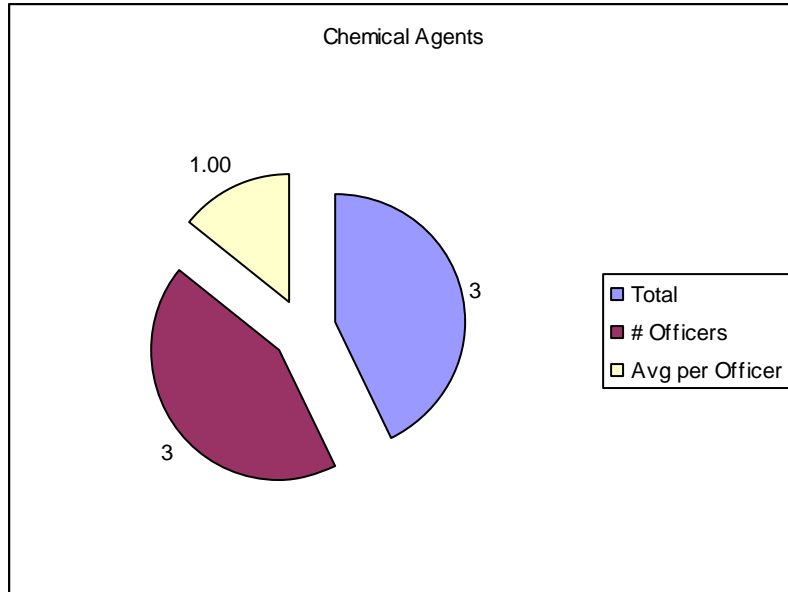
Some of the incidents in which empty hand control was ineffective there was yet another use of force that was used to gain compliance including the use of intermediate force options like the TASER, OC spray or an expandable baton.

Ninety-four (94) officers were involved in using physical force against citizens during 2010 for an average of 5.30 uses of physical force each by those officers.

One (1) officer used physical force twenty-two (22) times, one (1) used physical force twenty (20) times and there were a few officers that used physical force between fifteen (15) and twenty (20) times. There were several officers that only resorted to the use of physical force once.

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Chemical Agents



In 2010, San Angelo Police Officers deployed OC spray chemical agents three times during enforcement encounters with citizens.

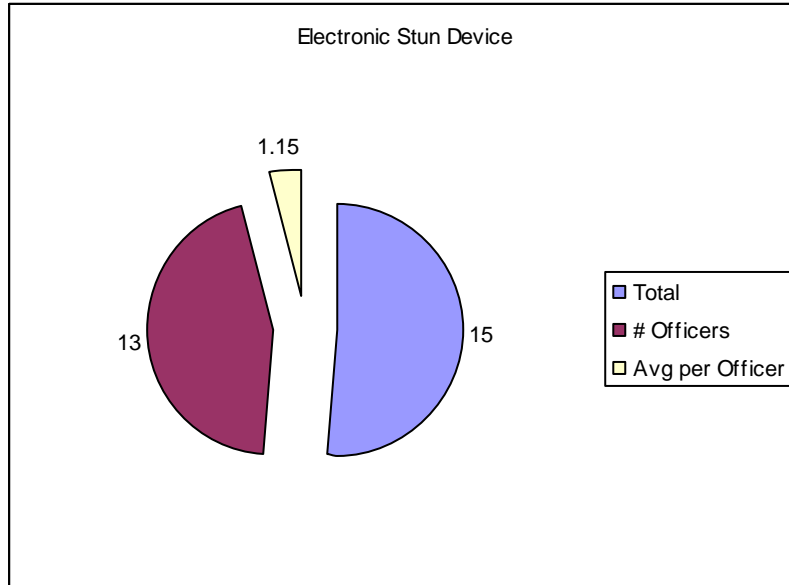
This category includes one (1) incident during which physical force and an impact weapon were also used either prior or after the deployment of the chemical agent. The other two (2) incidents did not list any other uses of force during the enforcement action.

In two (2) of the incidents, the OC chemical agent was dispersed into the face of the suspect. In the other incident the OC chemical agent was dispersed into the air in a crowd.

Three (3) officers each deployed chemical agents during three (3) different incidents for an average deployment of (1) per each officer involved.

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Electronic Stun Device



During 2010, San Angelo Police Officers deployed TASERs as a use of force against citizens fifteen (15) times.

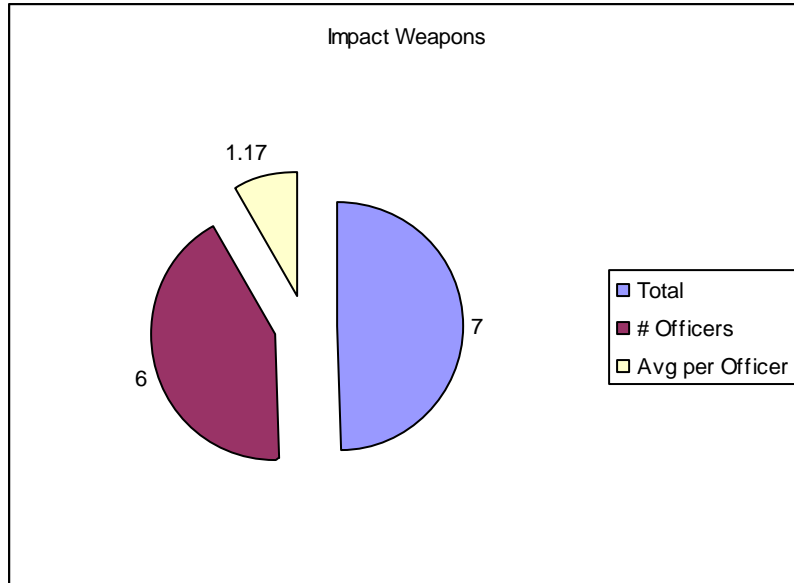
This category includes two (2) incidents during which the TASER was displayed to suspects in successful attempts to gain compliance. Of the other thirteen (13) incidents, one (1) deployment was ineffective because the officer missed the suspect with the TASER probes. Twice (2), the TASER was deployed in the drive stun mode to gain pain compliance from citizens. The other ten (10) deployments involved the TASER air cartridge being deployed with the probes striking the suspects in effective measures to gain the needed compliance in the incidents.

Ten (10) of those incidents included lesser uses of force prior to the deployment of the TASER.

Thirteen (13) officers deployed TASERs a total of fifteen (15) times for an average of 1.15 deployments per officer.

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Impact Weapons



During 2010, San Angelo Police Officers used impact weapons against citizens a total of seven (7) times. Impact weapons in this category included expandable batons or a flash light that were used to gain compliance. This category would also normally include the use of plastic, foam or wood batons deployed from a gas gun or bean bag rounds deployed by a shotgun though no instances using those munitions occurred.

In two (2) cases, an expandable baton was used to break windows out of vehicles at the termination of a pursuit so the officers could gain access to the suspect. In one (1) case, an officer used a deployed/open expandable baton to shove a suspect away from him. In one (1) case, an expandable baton was used as a leverage device to assist in handcuffing a suspect. In one (1) case, an officer used a flash light after deploying a chemical agent to disarm a suicidal subject brandishing a pair of scissors. The subject was struck with the flash light on the wrist.

In all seven (7) of the listed incidents, other lesser uses of force were attempted in conjunction with or before the impact weapon was utilized.

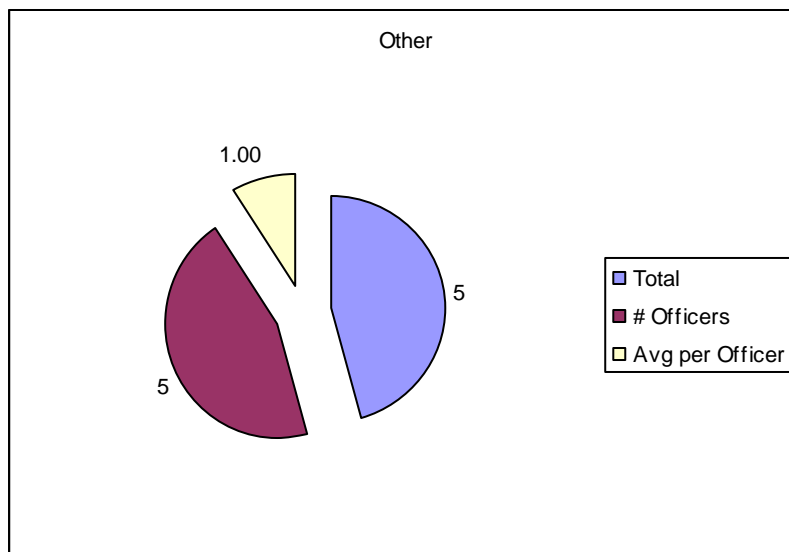
Six (6) officers deployed impact weapons during the seven (7) reported incidents for an average of 1.17 deployments per officers listed.

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K-9 Bite

There was one occasion in 2010 during which a Police Service Dog bit a suspect to gain compliance. The incident involved a pursuit and both the threat of force and physical force at the termination of that pursuit. For purposes of this report, the K-9 bite was listed in the Other category.

Other



During 2010, there were five (5) instances that were reported as Other uses of force. Of those recorded Other uses of force, the following are the circumstances involved:

1. an instance where a Ripp Hobble was applied as a restraint
2. an instance where a person was somewhat wrestled into handcuffs with no injury involved
3. an instance where a person was handcuffed and then later released
4. an instance where spike strips were utilized to terminate a pursuit with no other use of force listed
5. an instance where a Police Service Dog was utilized and then bit a suspect at the termination of a pursuit

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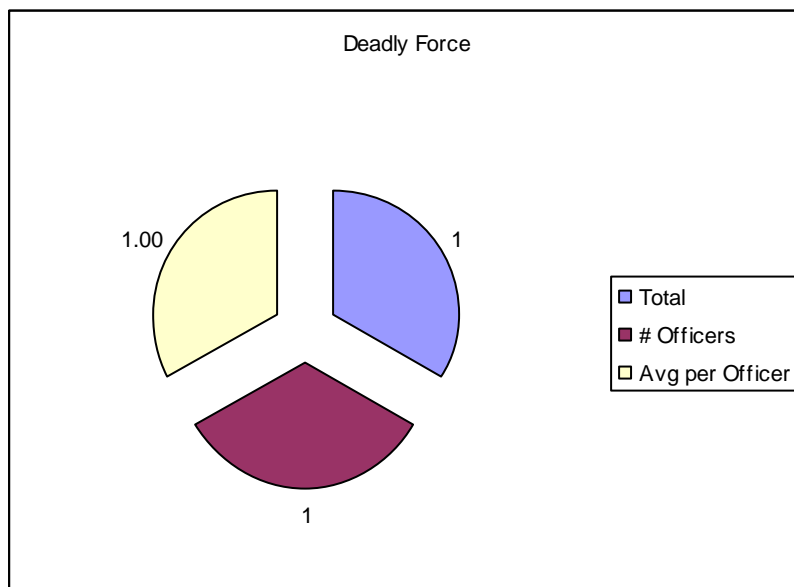
In four (4) of the incidents, the uses of force should have been recorded in one of the other categories.

Of the five (5) incidents reported in this category, five (5) different officers were involved for an average of one (1) incidence per officer.

PIT

This section is covered in the Vehicle Pursuit Analysis portion of this report.

Deadly Force





There was one (1) incident reported in the Deadly Force category for 2010. However, this was not a use of deadly force and was erroneously reported this way. The incident reported involved an officer that put down an injured cow with his department issued shotgun thus was not a deadly force action perpetrated against a person.

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Use of Force Critiques

During 2010, there were twenty-eight (28) incidents of use of force that have been covered earlier in this report that were also critiqued by first line supervisors as San Angelo Police Department Policy dictates.

SAN ANGELO POLICE DEPARTMENT GENERAL ORDER		
SUBJECT Response to Resistance		
SECTION Two	CHAPTER 13	
AUTHORIZING SIGNATURE 	DATE 12/01/2009	

- 13.01 Purpose**
- 13.02 Procedure**
- 13.03 Non-Deadly Force**
- 13.04 Restraints**
- 13.05 Deadly Force**
- 13.06 When Firearms May Not Be Used**
- 13.07 Reporting Use of Force**
- 13.08 Annual Response to Resistance Report**
- 13.09 Annual Use of Deadly Force Training**

13.07 Reporting Use of Force

B. Supervisory Duties

1. Injury Incidents

- a. When a person is injured because of an officer's use of force or a less than lethal weapon is used, (OC Spray, ASP Baton, Electronic Stun

Device) the employee shall notify an immediate supervisor. The immediate supervisor will investigate the use of force. The investigating

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supervisor will submit a Use of Force Report on a memorandum, attach all pertinent reports and submit it through the Chain of Command to the Chief of Police.

- b. During the investigation the supervisor will determine if any policy violations occurred or if there were any training issues that need to be addressed with the officer involved in the use of force.
- c. If policy violations did occur, the supervisor will complete an Internal Complaint form and submit it to the Office of Professional Standards. The Investigating supervisor will notify the Shift Commander of any training Issues that need to be addressed with the officer (s) involved.
- d. In the case of Officer involved shootings, all employees shall follow the guidelines outlined in Chapter 32 of the Policy Manual.

The incidents reviewed included uses of force in the following categories:

• Threat of Force	6	21%
• Physical Force (hands on)	12	43%
• Chemical Agents	2	7%
• Electronic Stun Device	5	18%
• Impact Weapons	2	7%
• K-9 Bite	1	4%

While gathering data for this report and reviewing the data, incident reports and Use of Force critiques, I identified five (5) incidents that should have been subjected to supervisory review but were not. Those incidents fall into the following categories:

• Electronic Stun Device	4	80%
• Chemical Agents	1	20%

Of those incidents that were not critiqued during 2010, four involved the deployment of a TASER. Three (3) of the deployments were successful and caused very minimal injury to those suspects. The other one (1) involved a failed deployment of the weapon. The weapon apparently functioned properly but the officer that deployed the air cartridge/probes missed the intended target.

I reviewed the reports for those incidents and sent the information to the Patrol Lieutenants whose first line supervisors should have completed the Use of Force critiques. As of the printing of this report, I have not received the critiques. But on the surface, it does not appear that there are any policy issues related to the cases.

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The case numbers for the incidents not critiqued are as follows:

1. 2010-0009706 OC Chemical Agent
2. 2010-0001635 TASER
3. 2010-0016354 TASER
4. 2010-0016595 TASER (Deployment ineffective)
5. 2010-0018881 TASER

Use of Force Complaints

For the calendar year 2010, the San Angelo Police Department received four (4) external complaints for Excessive Use of Force from citizens. Those complaints arose from three (3) different incidents with two (2) complaints filed by the same citizen against two (2) different officers.

Complaint Summaries (in chronological order)

10-951 – At the termination of a pursuit, the suspect interfered with the arrest of another individual. She then began to resist attempts by officers to control her and was taken to the ground for handcuffing. There were no excessive force issues identified and no policy violations were observed. **IA case Unfounded**

10-973 – An off duty officer confronted an intoxicated subject at the pool of an apartment complex. The officer reported that the subject became belligerent, grabbed him by the arm and “poked” him in the chest with his finger several times. The officer used minimal force to place the subject on the ground and restrain him until on duty officers could arrive. There were no excessive force issues identified and no policy violations were observed. **IA case Unfounded**

10-975/10-976 – Two officers working off duty at a local bar encountered two individuals involved in a dispute. One was arrested and handcuffed so he could be walked to a location nearby. The subject began to struggle and an arm bar was applied. The other subject then grabbed the officer’s arm so he pushed her away from him and into a brick wall. The other officer detained the first subject against the wall while the female subject was handcuffed on the ground.

10-975 – No excessive force issues were identified and no policy violations were observed. **IA case Exonerated**

10-976 – There was not sufficient evidence to clearly prove or disprove the excessive force allegation. **IA case Not Sustained**

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It should be noted that three (3) of the four (4) external complaints against officers for excessive use of force arose from incidents when the officers were off duty at home (1) or at an approved off duty job (2).

The complaints received by citizens regarding excessive use of force were minimal uses of force in each case for the circumstances the officers were in at the time of the incidents. It appears that the officers involved used good judgment and restraint in dealing with the citizens that complained.

In 2010, excessive force complaints comprised 7.8% of all the recorded complaints, both external and internal, for the year.

General Observations

There were four hundred forty-nine (449) incidents reported to the San Angelo Police Department that resulted in seven hundred ninety-three (793) different uses of force by San Angelo Police Officers. The numbers of uses of force remained quite consistent from 2009 to 2010 with a rise of only ten (10) total uses of force. Also, taken into consideration was the fact that PIT was counted as use of force in 2009 but not in 2010. Two (2) other categories, K-9 Bite and Other, were counted in 2010 but not in 2009.

Officers are remaining quite consistent from year to year in their use of the department's Response to Resistance reporting system. This makes our accounting for the department's use of force issues primarily effective. I have observed some instances where officers failure to provide information in report forms has led to some problems in the department's ability to capture certain information needed for analysis. This also causes issues with Use of Force critiques that are required but not done because it is not readily available for first line supervisors to see when approving reports.

Other issues with the Use of Force critiques that have manifested themselves during the analysis are those related to inconsistencies in how first line supervisors conduct investigations and then report them to department administration. The form used for the reporting of the investigations is the department memorandum form which leaves it up to each supervisor to determine what information is pertinent and then how to report it. This lacks consistency and makes it difficult to have a consistent flow of information that should be tracked for analysis. It is possible that Use of Force critiques should be made mandatory for other specific categories of uses of force that the department tracks.

There are also issues with the ILeads RMS that need to be addressed. Many pieces of information need to be reported so they can later be captured for

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reporting requirements. There are also fields that are included in the program for tracking and capture in which information is erroneously reported.

Since 1996, the National Institute of Justice has noticed consistent numbers in the United States regarding Use of Force complaints against officers. Nationally, there is a steady trend of 11.3 complaints of excessive force per 100,000 people. Of these complaints, there is a consistent **Sustained** finding in 83% of these complaints. To compare the San Angelo Police Department, we conducted official internal investigations on four (4) excessive force complaints in 2010. None of those complaints were **Sustained** therefore showing that the San Angelo Police Department is well below the national average in the Excessive Force category in relation to complaints lodged and sustained findings.

Recommendations

1. Training in the department's Use of Force policy should be continued at the division, shift and section level. The training section should prepare lesson plans that could be used by first line supervisors and command level supervisors to give instruction and guidance in the department's Use of Force policy and Response to Resistance reporting policy.
2. The ILeads RMS reporting module that tracks and captures the categories of Use of Force need to be updated. Suggested changes include the following:
 - Remove the Other check box
 - Remove PIT checkbox
 - Add check boxes for:
 1. Firearm displayed
 2. TASER displayed
 3. Baton displayed
 4. OC canister displayed
 5. K-9 Bite to clothing or skin
 6. Any strike delivered with a weaponless technique, i.e. strike with fist or kick with foot
 7. Handcuffed and later released
 8. Any complaint of pain beyond temporary discomfort during un-resisted handcuffing
3. The Use of Force critique system needs to be assessed for deficiencies. I have identified several areas in which our department lacks consistency in the review and reporting of uses of force that are required by policy to be reviewed. My suggestion is that the Use of Force critique and its related

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information be integrated into the Pursuit Critique database. The Pursuit Critique database tracks needed information for analysis and calculates total numbers of pursuits, officers involved in pursuits and percentages related to how pursuits are initiated and terminated. With the Use of Force critique being integrated into this system it would be easier to train supervisory staff in how to investigate and report both pursuits and uses of force. The format would make all supervisory reviews of both pursuits and uses of force more consistent in content and appearance. Therefore, it would be easier to track whether or not a certain critique is done and would stop issues with investigations and reporting being wholly different depending on how certain supervisors interpret what and how the reviews and reports should be done.

4. A time requirement needs to be set as to when command expects Use of Force critiques to be completed and forwarded up the chain of command for review. I cannot make a suggestion as to what the time requirement should be without further input and assistance from people within the department upon which their work product is required to complete the reviews, i.e. Racial Profiling.
5. Determine if there is a need to expand the number of categories of use of force that should be automatically reviewed whether an individual is injured or not. If it is determined that reviews should be required under more circumstances than the department currently requires, add those other categories to the list of categories that require an automatic review.
6. The Prism Use of Force simulator should be utilized, along with classroom training, to give officers the opportunity to participate in practical exercises related to the various force options they have at their disposal. This would also allow the training staff and supervisory personnel the opportunity to see firsthand their officer's ability to determine what, if any, use of force is needed in a given situation. It would also allow for a training record to be generated that could be compared over time with other training/incidents to identify deficiencies in an officers judgment or actions related to their use of force. This could be used to correct any problems identified or if the officer cannot or will not correct the issues afford the department the ability to discipline the officer accordingly.

Vehicle Pursuit Analysis 2010

This report analysis was completed for the purpose of reviewing the San Angelo Police Department's Vehicle Pursuits for the calendar year 2010. The data collected for this report was generated from the L. E. A. Data Technologies Administrative/Internal Affairs Suite, Intergraph Public Safety ILeads Records Management System (RMS) and the San Angelo Police Department Pursuit Critique Database.

Vehicle pursuits are reported by the officer who initiates the pursuit in each instance in the ILeads RMS Field Reporting module. All other officers who take an active role in pursuits report their actions in a supplemental report in the ILeads RMS Field Reporting module. It is required of each officer on duty while a pursuit is in progress to have their Mobile Video Recording System (MVRS) activated whether they are actively involved in the pursuit or not.

An on duty supervisor then completes a Pursuit Critique in the San Angelo Police Department Pursuit Critique database. After the pursuit critique is completed by the supervisor, both his report and the related incident reports and supplemental reports are forwarded through the chain of command for review. After the command level review is done, the reports and pursuit critiques are filed in the Office of Professional Standards.

There were seventeen (17) vehicle pursuits recorded by officers during the calendar year 2010. All seventeen (17) of those pursuits were initiated by officers assigned to the Patrol Division, either on a Patrol Company or the Canine (K-9) section of the Patrol Division.

This analysis was completed to meet the Texas Police Chief's Association Best Practices 7.14.1 (Vehicle Pursuits).

Pursuit Initiation

• Misdemeanor	9	53%
• Felony	5	29%
• Intoxication	1	6%
• Warrant	2	12%
• Suspicious Activity	0	0%
• Traffic Violation	3	18%

2010-015 - The supervisory review listed Felony, Intoxication and Traffic Violation as the reason for initiating the pursuit.

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Pursuit Termination

2010-008 – The supervisory review listed spikes as a termination tactic used. The Tom Green County Sheriff's Department deployed spikes deflating two tires on the suspect vehicle.

2010-010 – The supervisory review listed a firearm as a termination tactic used. However, the officer initiating the pursuit did not use the firearm to terminate the pursuit. The officer pointed his firearm at the suspect ordering him to submit to authority after the pursuit ended.

2010-012 – The supervisory review listed other as a termination tactic used. The suspect stopped abruptly and the officer's vehicle hit it after it stopped. The suspect exited the suspect vehicle and fired one shot from a handgun striking the pursuing officer in the upper torso which was protected by his bullet resistant vest.

2010-019 – The supervisory review listed spikes as a termination tactic used. Stop Sticks were deployed during the pursuit but the suspect vehicle was able to avoid them.

2011-001 – The supervisory review listed both Spikes and PIT as a termination tactic used. Spikes were deployed twice by the Tom Green County Sheriff's Department deflating three of four of the vehicles tires. The deployment of spikes did not terminate the pursuit so a PIT certified officer attempted twice to end the pursuit using the PIT maneuver. The second attempt was successful.

Property Damage

There were nine (9) pursuits recorded during which a police vehicle, suspect vehicle or private property damage occurred. Six (6) pursuits resulted in a suspect vehicle being damaged either by a crash or due to pursuit termination tactics (spikes and PIT) being utilized. Four (4) pursuits resulted in minor damage to police vehicles because of crashes or pursuit termination tactics

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utilized. One (1) pursuit resulted in private property being damaged due to the pursuit.

2010-008 – Spikes were utilized flattening three tires on the suspect vehicle. A passenger window of the vehicle was broken out by an officer utilizing an expandable baton to gain access to the suspect after the pursuit was terminated.

2010-012 – The suspect vehicle ran over a curb blowing out a tire. The pursuing police vehicle struck the suspect vehicle causing damage to both.

2010-013 – The suspect vehicle crashed while attempting to evade capture during the pursuit.

2010-015 – Two police vehicles struck curbs ruining tires and rims. The suspect vehicle was disabled when it struck a curb causing damage.

2010-017 – The suspect vehicle struck the legally parked, assigned police vehicle of an off duty officer during the pursuit causing damage to both the suspect and police vehicles.

2010-018 – The suspect crashed the suspect vehicle next to a fence during the pursuit causing damage to it. The suspect vehicle was further damaged when a police officer jumped onto the trunk of the suspect vehicle, using it to help get over a fence while in foot pursuit of the suspect.

2010-020 – The suspect abandoned the suspect vehicle while it was still moving and fled on foot. The suspect vehicle continued on until it struck a fence on private property.

2010-022 – Suspect fled on a motorcycle and crashed it prior to further fleeing on foot, causing damage to the suspect vehicle.

2011-001 – Spikes were utilized flattening two tires on the suspect vehicle. There was also minor damage done to both the suspect and police vehicle when a PIT maneuver was utilized to end the pursuit.

Injuries

- | | | |
|-------------|---|-----|
| • Bystander | 0 | 0% |
| • Officer | 1 | 6% |
| • Passenger | 0 | 0% |
| • Suspect | 3 | 18% |

There were four (4) pursuits that resulted in injuries occurring to those involved. One (1) officer was shot with a handgun at the termination of a pursuit, one (1)

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suspect was injured crashing a motorcycle at the end of a pursuit, one (1) suspect was bitten by a K-9 unit Police Service Dog after a pursuit ended and one (1) suspect died from a self inflicted gunshot wound to the head after he fled the scene where a pursuit was terminated.

Case #2010-0002319 – The suspect fled the scene after stopping his vehicle at the end of a pursuit. Moments later, he committed suicide by self inflicted gunshot to the head.

2010-0012 – The pursuing police officer was shot in the upper torso by the suspect as both emerged from their vehicles at the end of a pursuit.

2010-015 – The suspect was bitten by a K-9 unit Police Service Dog shortly after a pursuit was terminated.

2011-001 – The suspect was injured while crashing a motorcycle trying to evade pursuing officers.

Result

- | | | |
|-------------------------|----|-----|
| • Apprehension | 15 | 88% |
| • Non-apprehension | 2 | 12% |
| • Officer Terminated | 0 | 0% |
| • Supervisor Terminated | 0 | 0% |

Of the seventeen (17) total pursuits recorded by officers during the calendar year 2010, fifteen (15) resulted in the offender being apprehended. On the other two (2) occasions, the suspects further fled police on foot and escaped immediate capture.

The offenders immediately apprehended as a result of the pursuits were charged with seventeen (17) felony offenses, fifteen (15) misdemeanor offenses and at least five (5) charges for warrants.

Two (2) of the pursuits ended with non-apprehensions of two suspects but those suspects were later identified, apprehended and charged with at least three (3) felony offenses.

Pursuit Policy

During the calendar year 2010, the San Angelo Police Department transitioned to Sector style policing. The only changes to the Vehicle Pursuit policy were related to changing wording and verbiage within the policy to reflect the transition from delineated districts to a Sector style policing format.

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Policy Violations

Total Pursuits	17	
Policy violations	3	18%

During the review of pursuits conducted in the calendar year 2010, there were no significant issues related to policy violations that arose.

There was one (1) formal, internal complaint filed by a supervisor that conducted the pursuit review for one of the pursuits. The result of that complaint was a letter of counseling to an involved officer that violated policy by not turning on his audio/mic during the pursuit.

Other noted policy violations and some officer safety/tactical issues identified during the supervisory reviews of the pursuits were handled at the shift level by first line supervisors.

2010-012 – A pursuit terminated and the pursuing officer was shot with a handgun as he emerged from his police vehicle. There was no audio of the event being recorded until after the suspect fled from the scene on foot. There was no action taken by supervisors for the officer's failure to audio record the event as it occurred.

2010-013 – The third officer in the pursuit did not have the audio portion of his MVRs turned on for the first fifteen minutes of the pursuit. The pursuit terminated and the officer was involved in subduing the suspect but was not audio recording the event. A Letter of Counseling was given to the officer admonishing him for not audio recording his involvement in the pursuit.

2010-019 – Three officers received verbal counseling for minor violations of the pursuit policy regarding passing another police vehicle actively involved in a pursuit and the number of police vehicles allowed by policy to actively be involved in a pursuit. The errors/violations were attributed to inexperience and lack of knowledge of the pursuit policy and the issues were handled at the shift level by first line supervisors.

The minor policy violations noted during the supervisory reviews did not result in property damage or injury to any person.

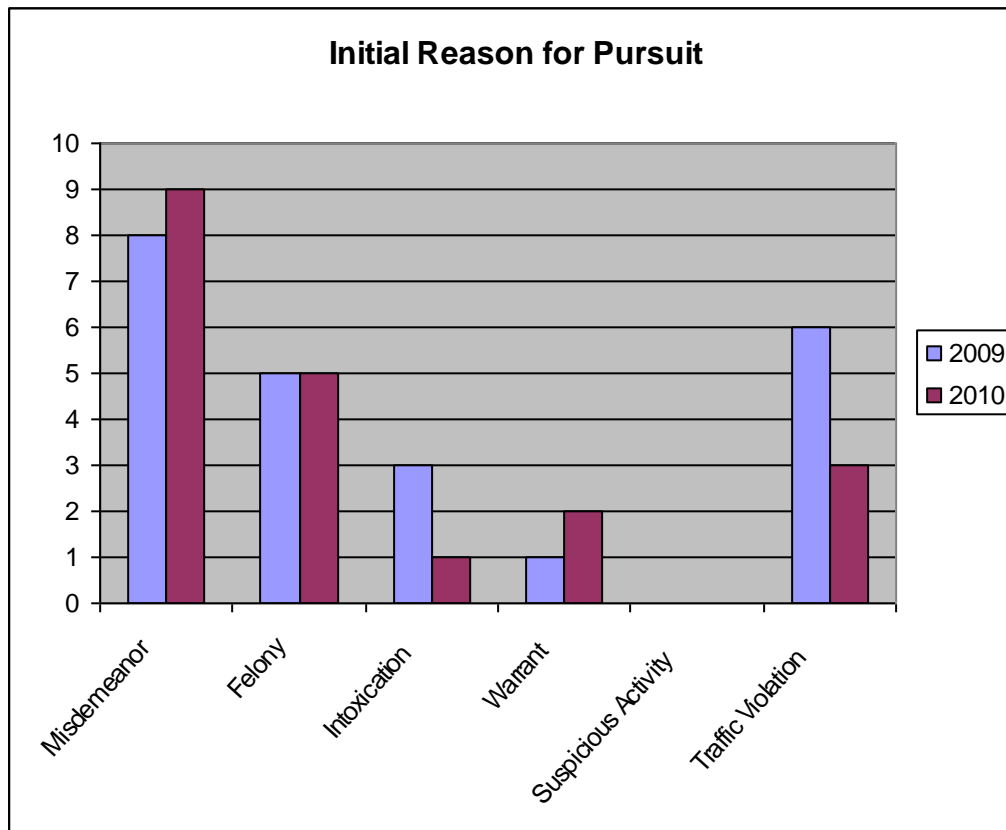
Although none of the recorded pursuits were discontinued by the officers involved or a supervisor for safety or other reasons, it is important that supervisors did observe behavior that might lead to someone being injured during a pursuit if not dealt with. Among issues identified during the pursuits were issues related to driving without due regard for other motorists on the roadway. There were notations in the reviews about officers driving well in

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excess of the posted speed limits and entering intersections without slowing down to determine if it was safe to proceed. Though none of the issues led to a major problem, they were identified and were addressed by supervisors at the shift level in an attempt to correct the behavior before a preventable crash or injury occurs.

Also noted in the supervisory reviews were instances where vehicle pursuit policy violations occurred because of the officer's lack of knowledge or understanding of the contents of the policy itself.

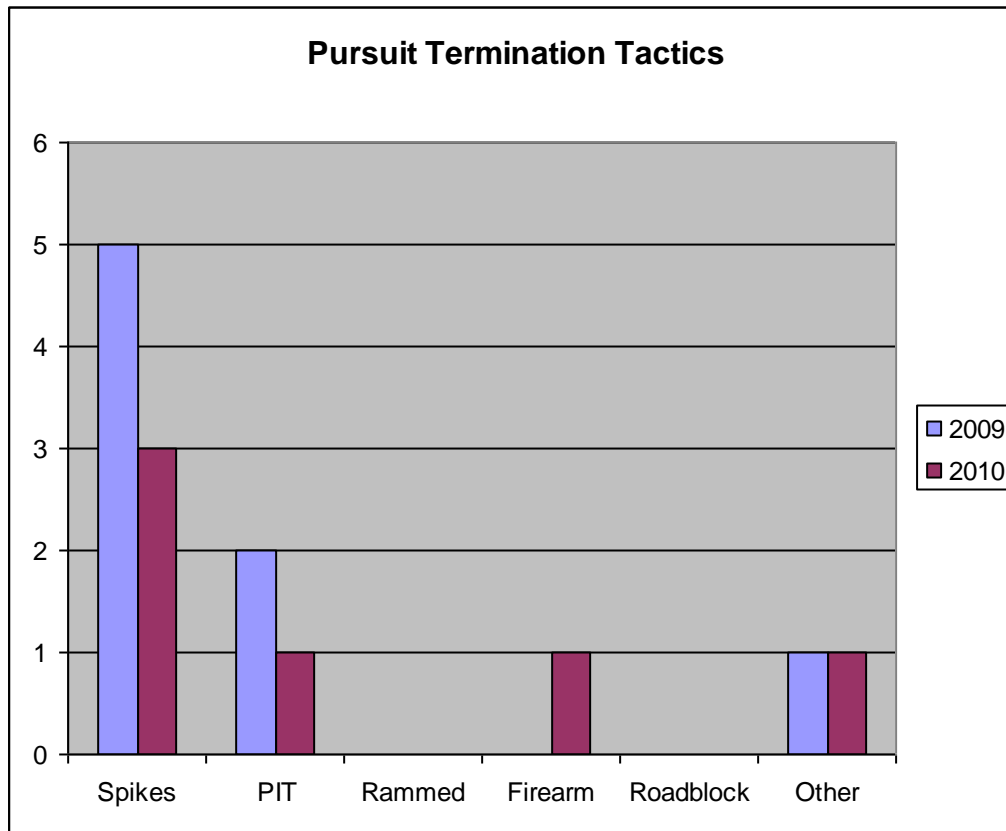
Comparisons 2009 – 2010



The initial reasons for officers initiating a pursuit from Calendar year 2009 to 2010 remained rather consistent. The number of pursuits initiated in 2010 decreased by six (6) from the previous year. The Felony category was exactly the same from one year to the next and the Misdemeanor and Warrant categories only increased by one (1) in 2010. The Intoxication category decreased by two (2) occurrences in 2010.

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In viewing the chart, the data is not exactly reflective of the total number of pursuits in 2010. Remember that there was one pursuit reviewed during 2010 that listed multiple initial reasons for the pursuit beginning thus skewing the total numbers from 2010 from seventeen (17), which is the actual number, to twenty (20).

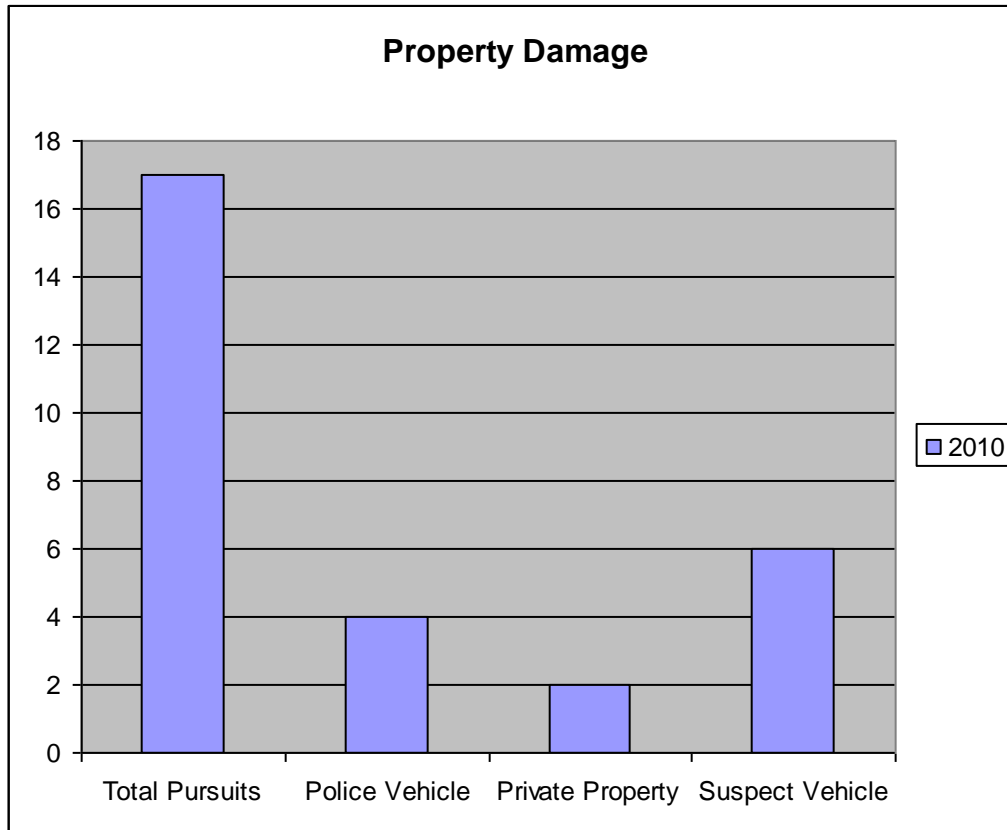


In reviewing data from 2009 and 2010, the number of pursuits terminated by ramming and roadblocks remained at zero. This is important because those two categories are covered more in depth by case law that might further restrict an officer's termination of a pursuit using those tactics to situations involving the increased justification to use deadly force.

There was not a significant increase in any of the other categories. Spikes were used two (2) fewer times in 2010 than 2009. PIT was utilized one (1) fewer times in 2010 than in 2009. In 2010, the Other category had an entry from a pursuit review that listed the officer's vehicle coming into contact with the suspect vehicle after the suspect vehicle stopped. In that case, the officer was shot by the suspect as they both exited their vehicles. The Firearm category showed one (1)

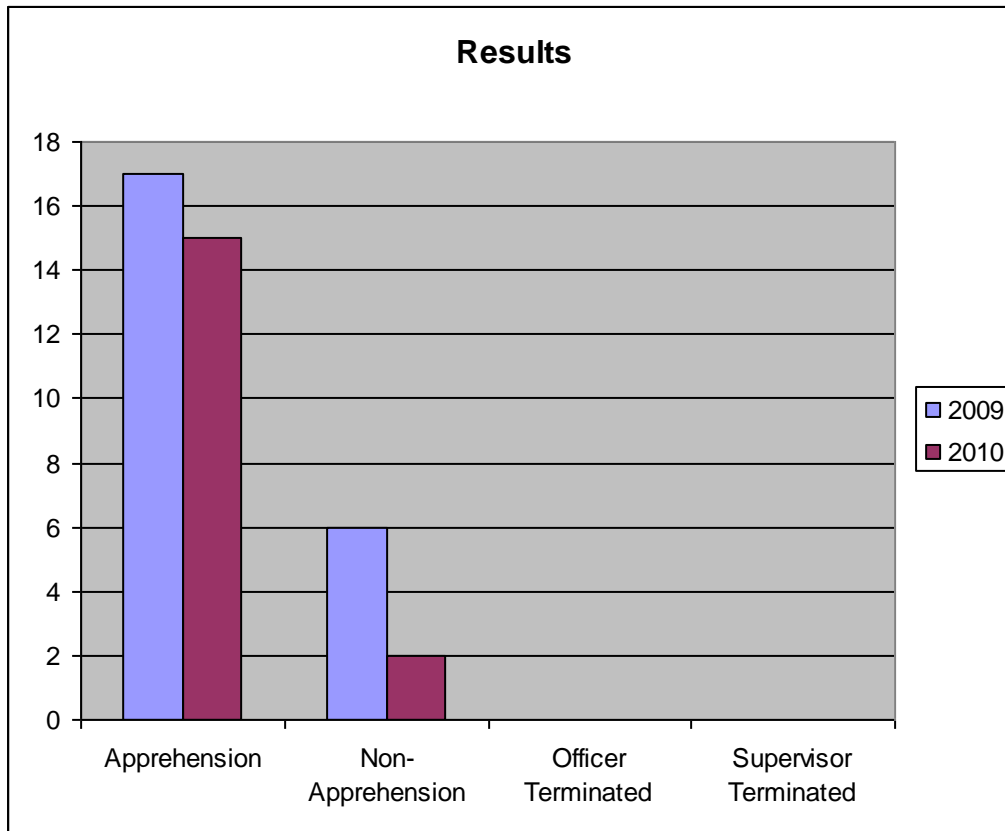
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entry in 2010, up from 2009. However, the firearm was not used to terminate the pursuit. The officer involved made a threat of force with his firearm after the pursuit was terminated as he was attempting to remove the suspect from the suspect vehicle.



This category was not charted in the 2009 Vehicle Pursuit Analysis. In 2010, out of seventeen (17) total pursuits, property damage was listed in the reviews of twelve (12). There were six (6) suspect vehicles damaged, four (4) police vehicles damaged and damage to two different properties owned by private citizens. An example of this was damage to a fence when the suspect exited his vehicle while it was still in motion.

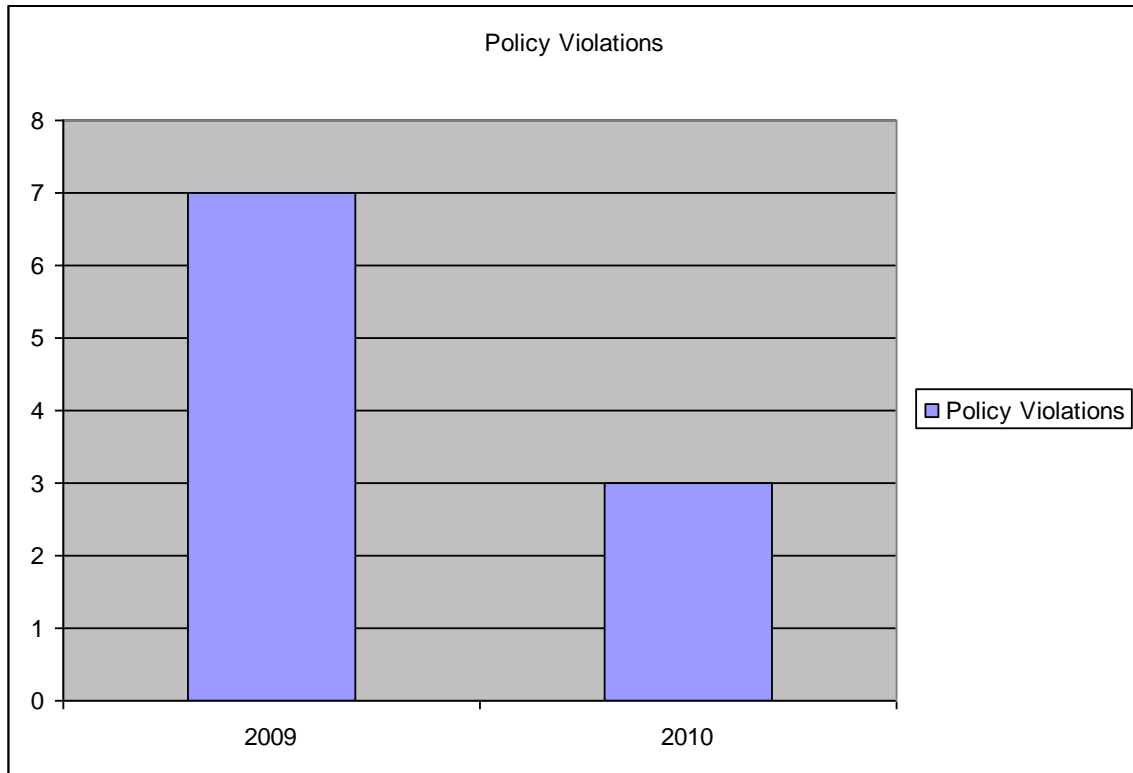
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The results of the pursuits reviewed for 2010 remained very consistent with 2009 based on the lower number initiated. The percentage of apprehended violators rose from 2009 to 2010 and the percentage of non-apprehended violators decreased.

There were no pursuits reviewed during which it was noted that the pursuit was terminated by the officer or supervisor for safety reasons. There was one pursuit that could possibly have been entered into the category of Officer Terminated because the officer was never close enough to the violator to consider himself engaged in the pursuit. So, he stopped activity at that time. That was not reviewed in that manner so it was not listed in that category.

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There were six (6) fewer pursuits recorded in 2010 than in 2009. Along with the decrease in the number of pursuits initiated, the number of policy violations also decreased. The issues listed in 2010 as violations were primarily related to the audio recording of pursuits and activities related to them. There were also listed incidences of lack of experience and lack of knowledge of pursuit policy involved in the reviewed pursuits.

Recommendations

1. Training related to vehicle pursuit policy should be conducted with every new officer hired either at the academy level or during in-service training that follows the academy for those officers that are not certified at the time they are employed.

Training should be conducted for certified officers hired as lateral transfers under contract during some type of employee orientation or in-service training prior to them entering the PTO program or being assigned to a patrol company.

Refresher training can and should be conducted during briefing sessions at the shift level by first line supervisors. All other Divisions or Sections

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should also conduct scheduled refresher training in pursuit policy on a regular basis.

2. Officers that have not been trained in the use of spikes or Stop Sticks as a means to help terminate a pursuit should be given that training. The training section has training kits for the Stop Stick tire deflation system available for use at the shift level. First line supervisors or proficient officers can utilize those training kits in instructing officers that have not had the training or giving refresher training to those that have been trained but have not used the tire deflation devices for a period of time.
3. The department's supervisors have the department's Pursuit Critique database available to them for data entry related to vehicle pursuit reviews. All but two (2) of the pursuits reviewed by supervisors were entered into the database. I recommend that each supervisor reviewing vehicle pursuits be instructed to make use of the Pursuit Critique database. This makes data entry consistent between the supervisors that use the system and makes analysis of the pursuit reviews easier for administration or command level officers.

I also recommend that the database be updated to include information that would make data from the reviews easier to analyze. It is important that consistent and pertinent analysis of vehicle pursuits be done to identify training, tactical, policy or procedural issues that can be corrected or processes that can be refined that would lessen the chances of injury, property damage and liability during those vehicle pursuits.

4. All officers should be given driving refresher training at intervals established by the training section or Administration. The refresher training should not only include the actual operation of a vehicle but cover concepts related to speed, braking, following distances and pursuit termination tactics, etc.