

Annual Use of Force Analysis Report

Instructions

This report form was developed to guide the analysis of Use of Force. The entire document may be edited and no portion is specifically required. The requirement for an Annual Analysis is found in Texas best Practice 6.10 but is designed to facilitate Continuous Improvement within a department. The more information collected and analyzed the greater benefit to the department.

The person doing the analysis should review a number of annual reports from other agencies to clearly understand how to conduct these analyses. This report is designed in the same way that the Sample Policy manual is designed.

The portions in **RED** are instructional and are intended to be deleted prior to finishing the report.

The portions in **BLUE** require the person doing the report to edit or complete that part.

The portion in **BLACK** is provided to assist with the writing of the narrative but may also be edited or changed if it does not assist in making the report easier to read or more complete.

If this is the first time an agency is conducting this type of analysis, then you will not have a prior year for comparison.

If you are a small agency and have fewer than five or six uses of force in a year, a much simpler analysis report can be done and often is just a one-page memo with a summary of each event and any recommendations. Agencies who have few uses of force in a year may want to consider reviewing multiple years together in order to develop meaningful recommendations for continuous improvement.

Once a complete Analysis is done the first time, it will be easy to modify it with new numbers and new information each year.

XXXX Police
Department
(Year)

(Insert Logo, Badge, or Patch Here)

Department
Use of Force
Analysis

Use of Force Analysis for (Year)

This analysis was conducted for the purpose of reviewing the XXXX Police Department's Use of Force for calendar year (Year). The XXXX Police Department takes its obligations seriously to provide the most effective and efficient police service with the least adverse impact on our citizens. The XXXX Police Department is committed to protecting the rights of all persons and in using force only when necessary, and to the extent necessary, to achieve legal objectives. This analysis is conducted each year to comply with Texas Law Enforcement Best Practice 6.10 and to attempt to identify methods for reducing the number of incidents and the inherent risks involved.

Officers are trained by the department to use only the level of force necessary to bring a person under control and complete a legal objective. Police/citizen encounters can however, change instantly, and officers may be required to react quickly in using force to subdue a resisting subject. While officers prefer to escalate their level of force in an orderly manner in order to use the lowest level possible, the response of a subject may limit that ability and force officers to use whatever level of force is immediately available to protect themselves and the public.

(This paragraph is an introductory and may be modified to the Departments Specifications)

Use of Force Reporting Requirements

Texas Law Enforcement Best Practice 6.03 and XXXX Police Department General Order XXXX, requires a written report be completed anytime an officer uses force. Summarize your department's requirements for when Use of Force incidents are to be reported (such as any time any force more than a strong grip or handcuffing, including the use of any less-lethal or non-lethal weapon or firearm. You should state whether you require reporting when an officer pulls and points a firearm or not.)

Each individual Use of Force Report is immediately reviewed by the Officer's Supervisor, and through the Chain of Command to the Chief of Police. At the time of the incident, the Use of Force is reviewed to ensure the use was appropriate and within the guidelines of Department Policy and Law. If the officer used force inappropriately, a departmental investigation is required and the officer may receive additional training or in some cases discipline up to and including termination from employment. This analysis is not intended to determine if an officer acted inappropriately, but to identify department wide trends that may suggest changes in policy, training, equipment or supervision.

Add a paragraph here about how the data is collected or stored and if any software program is used to assist in the analysis of the data.

You should state here if you made any changes this year in policy or in any reporting requirements which might influence the comparison from last year.

Use of Force Comparison Year/Year

There were a total of ___ Reported Uses of Force this year compared to last year. This represents a difference of ___ or a ___ percent **reduction** **increase**. There were a total of ___ citizen contacts this year (calls for service, arrests, citations, field interviews, and other contacts) which creates an index of only one Use of Force for every ___ citizen contacts.

The Use of Force incidents are listed below by type with comparison to the previous year.

	2010	2011	Difference
Physical Control	23	20	-3
OC Pepper Spray	6		
Impact Weapon/Baton	2		
Non/Less Lethal Weapon	2		
Electronic Control Device	8		
Firearm	0		
Total	41		

Use a + or – and the actual numbers in the Difference column instead of percentages.

This table can be edited as needed, however if additional categories are needed, delete this table and build another in Excel and cut and paste it into this document. Once done it can be used from year to year.

Comment here on the types of Use of Force that increased during the year and the types that decreased. If you are aware of any department activities during the year that may have attributed to these increases or decreases (such as training or new equipment) discuss that here.

You can also add a chart or graph that shows the comparison of this year to last by type of force used. The use of bar charts is preferred as opposed to pie charts which are hard to read and interpret.

Individual Officer Use of Force

The average officer used force only ___ times in 2011. A number of officers used force more than the average and these officer's activities and actions were reviewed by the department for appropriateness. While each individual use of force is reviewed immediately after the event to ensure it is in compliance with department policy and law, patterns of behavior can also indicate the need for additional training or supervision. Officers can have significantly different rates in their use of force depending on the crime activity in the part of the city where they are assigned, their type of assignment, the time of day they work and their experience level.

Individual officers in the department which had significantly higher rate of using force were reviewed and found to be in compliance with department directives and their use of force appropriate under the circumstances.

If any officer was found to have violated policy, during the year, consider discussing that incident in general terms without officer names and what training or discipline was enacted.

Physical Control

Now we begin a short discussion of each of the types of force, describing what is included in that category. Then we summarize the numbers and difference between the two years. Also discuss anything that may have influenced the numbers during the year such as new training or equipment. You may choose to put each of these categories on a separate page for ease of reading and reference.

In 2011, XXXX Police Officers used physical control ___ times during incidents they were assigned to deal with.

Included in the category are all those incidents requiring only physical force to complete handcuffing or bring a resisting subject under control. If physical control was insufficient to bring the individual under control and a higher level of force was used, that incident is reported in the highest level used by the officers.

In ___ instances this year, physical control was sufficient to bring the person under control. In ___ instances, physical control was insufficient and a higher level of force was required.

Included in this category are all those instances where simple use of or issuance of verbal commands was not sufficient or effective. It includes those instances where officers place their

hands on a subject and use more force than simply a strong grip, must forcibly handcuff a person, the use of pressure point control tactics or other soft hand techniques. This category also includes taking the person to the ground in order to forcibly handcuff.

In the ___ cases where physical control was insufficient, officers chose a higher level of force to gain compliance.

Discuss in general here the circumstances where physical control was insufficient providing examples if possible from actual events.

OC Pepper Spray

In 2011, XXXX Police Officers used department issued Oleoresin Capsicum (OC) spray chemical agent ___ times during an arrest or other incident.

Oleoresin Capsicum is a chemical compound derived from various pepper plants and is mixed with a propellant that is used by many law enforcement agencies as a less-lethal alternative to higher and more injury producing levels of force. The chemical spray is usually directed at a resisting subject's face and the spray immediately causes a burning of the eyes, nose, and mouth causing the subject to close their eyes and in most cases stops any physical resistance. The burning will usually dissipate within 30 minutes and most often has no long term after effects.

Included in the category are those incidents where OC Spray was the highest level of force needed to complete handcuffing or bring a resisting subject under control. If the use of OC Spray was insufficient to bring the individual under control and a higher level of force was used, that incident is reported in the highest level used by the officers.

In ___ instances this year, OC Spray was sufficient to bring the person under control. In ___ instances, OC Spray was insufficient and a higher level of force was required.

Also included in this category are all those instances where simple use of or issuance of verbal commands was not sufficient or effective and may include other instances where other lower levels of force were used but were ineffective in resolving the issue.

In the ___ cases where OC Spray was insufficient, officers chose a higher level of force to gain compliance.

Consider discussing in general here the circumstances where OC Spray was insufficient providing examples if possible from actual events.

Impact Weapons / Baton

In 2011, XXXX Police Officers used department issued some form of impact weapon ___ times during an arrest or other incident.

Impact weapons include the use of the department issued ASP Baton, the use of a closed fist or any other implement that was used to deliver a strike to a person.

The department issues and trains officers in the use of the ASP collapsible baton. Training is provided to instruct officers in the proper placement of strikes that will temporarily stun an opponent allowing the officer time to complete handcuffing. Batons tactics training provided by the department avoids the use of any strikes directed at the head of an individual. If an officer does not have the time or opportunity to deploy the ASP or other less-lethal options, officers may have to defend themselves with their bare hands. If closed fist strikes were required then those instances are reported in this category.

Included in the category are those incidents where an impact weapon was the highest level of force needed to complete handcuffing or bring a resisting subject under control. If the use of an impact weapon was insufficient to bring the individual under control and a higher level of force was used, that incident is reported in the highest level used by the officers.

In ___ instances this year, an impact weapon was sufficient to bring the person under control. In ___ instances, the use of an impact weapon was insufficient and another level of force was required.

Also included in this category are all those instances where simple use of or issuance of verbal commands was not sufficient or effective and may include other instances where other lower levels of force were used but were ineffective in resolving the issue.

In the ___ cases where an impact weapon was insufficient, officers chose a higher level of force to gain compliance.

Consider discussing in general here the circumstances where an impact weapon was insufficient providing examples if possible from actual events.

Non/Less Lethal Weapon

In 2011, XXXX Police Officers used department issued Non or less lethal Weapon ___ times during an arrest or other incident.

The department has a number of less lethal munitions available that can be fired from specially designed firearms that are designed to inflict surprise, pain or trauma that is less severe than the use of deadly force. These less lethal munitions include bean bag rounds, rubber pellets, wooden baton rounds, as well as pepper-ball munitions fired from guns similar to paintball

guns. While these rounds are designed to be less lethal than regular firearms, they are still able to cause significant damage to an individual and as such are used only as a last resort when time and opportunity permit.

Included in the category are those incidents where a non/less lethal weapon was the highest level of force needed to bring a subject under control. If the use of OC Spray was insufficient to bring the individual under control and a higher level of force was used, that incident is reported in the highest level used by the officers.

In ___ instances this year, non/less lethal munitions were sufficient to bring the person under control. In ___ instances, non/less lethal munitions were insufficient and a different level of force was required.

Also included in this category are all those instances where other lower levels of force were used but were ineffective in resolving the issue.

In the ___ cases where Non/Less Lethal Weapon was insufficient, officers chose a alternative level of force to gain compliance.

Consider discussing in general here the circumstances where Non/Less Lethal Weapon was insufficient providing examples if possible from actual events.

Electronic Control Device

In 2011, XXXX Police Officers used department issued Electronic Control Device ___ times during an arrest or other incident.

Electronic Control Devices, commonly called Tasers, are pistol type devices that fire two small darts that are designed to imbed themselves in the skin or clothing of a resisting or combative suspect. The darts are connected to the device by small flexible wires which transmit a short 5 second high voltage/low amperage charge through the darts. This causes disruption of muscle activity and is accompanied by pain which most often temporarily disables the individual. There are usually no long term side effects of the use of the device on healthy individuals.

The XXXX Police Department trains their officers in the proper and appropriate use of Electronic Control Devices and has policies designed to only allow it use against active aggression toward officers and not in cases of passive non-compliance or as punishment of any kind.

Included in the category are those incidents where the use of an ECD was the highest level of force needed to bring a subject under control. If the use of an ECD was insufficient to bring the

individual under control and a higher level of force was used, that incident is reported in the highest level used by the officers.

In ___ instances this year, the mere threat of the use of an ECD was sufficient to bring the person under control. In ___ instances, the actual use of an ECD was sufficient to bring the person under control. In ___ instances, the actual use of an ECD was insufficient and a higher level of force was required.

In the ___ cases where the use of an ECD was insufficient, officers chose a alternate level of force to gain compliance.

Consider discussing in general here the circumstances where The use of ECDs was insufficient providing examples if possible from actual events.

Firearms

In 2011, XXXX Police Officers used their firearms ___ times during an arrest or other incident.

Firearms are by definition Deadly Force, and their use is very restricted. Officers must comply with not only their intensive training, but with the department's Deadly Force Policy and state law. When an officer fires their weapon in the line of duty, whether or not an individual is hit, a detailed investigation is undertaken to determine if that use was in compliance with both policy and law.

Included in the category are those incidents where Firearms were the highest level of force used to bring a resisting subject under control.

In ___ instances this year, a use of a firearm was sufficient to bring the person under control. In ___ instances, Firearms were insufficient.

Consider discussing in general here the circumstances where Firearms were used and providing details from actual events if possible.

Citizen and Internal Complaints Regarding the Use of Force

During 2011, the XXXX Police Department received a total of ___ complaints of unnecessary or inappropriate use of force. ___ of these complaints were Citizen generated and ___ were Supervisor or internally generated. Each of these complaints were investigated and resolved to the level possible.

A synopsis of each complaint is provided below with the resulting outcome:

Provide a short description of the incident (without names) and what the investigation revealed. Also provide the action taken if the officer acted inappropriately.

General Observations

This section is a narrative that gives an overall impression of the Use of Force by the department and perhaps comparing it to other agencies or national norms. The National Institute of Justice often has national statistics on the Use of Force and may provide an opportunity for comparison.

Statements can be made about specific training presented during the year, any new equipment or policy changes that might have impacted the department's use of force.

Statements can also be made about any community initiatives that were directed toward the department and any departmental responses.

This section should summarize the overall use of force by the department.

Recommendations

Based on your findings during the analysis, you should make recommendations based on trying to fix areas where the Use of Force was insufficient or unnecessary. You should consider the following questions:

Is there any additional training that can be obtained that will make our officers more effective in their use of lower levels of force or in avoiding force altogether?

Are there any training programs that were presented this year that were effective and should be continued. (you should always include the required Deadly Force Policy review as part of recommended training.)

Are there any changes in policy which might increase officer safety and reduce officer's reliance on force to achieve objectives. (Think out of the box)

Is there any new equipment that the department should consider to reduce the reliance on higher levels of force?

Command Review:

Any Actions to be Taken:

The Chief should order any actions to be taken in writing here with personnel assigned for follow-up.

Chief of Police

Date