

ATHENS-CLARKE COUNTY POLICE DEPARTMENT

R. Scott Freeman, Ph.D.
Chief of Police

Justin D. Gregory
Deputy Chief

DATE: February 27, 2017

TO: R. Scott Freeman, Ph.D.
Chief of Police

FROM: Justin D. Gregory
Deputy Chief of Police

RE: 2016 Use of Force Review and Analysis

A. Introduction

1. Analysis Period: January 1, 2016 - December 31, 2016

2. Data Reviewed:

- Use of Force Report Data from Crime Analysis Unit for 2013, 2014, 2015, 2016
- Use of Force Report Data from Excel Spreadsheet for 2016
- CAD Event Data for 2014, 2015, 2016
- Arrest Data for 2014, 2015, 2016
- Use of Force Policy
- Use of Force training for 2013, 2014, 2015, 2016
- Attrition rate for 2013, 2014, 2015, 2016

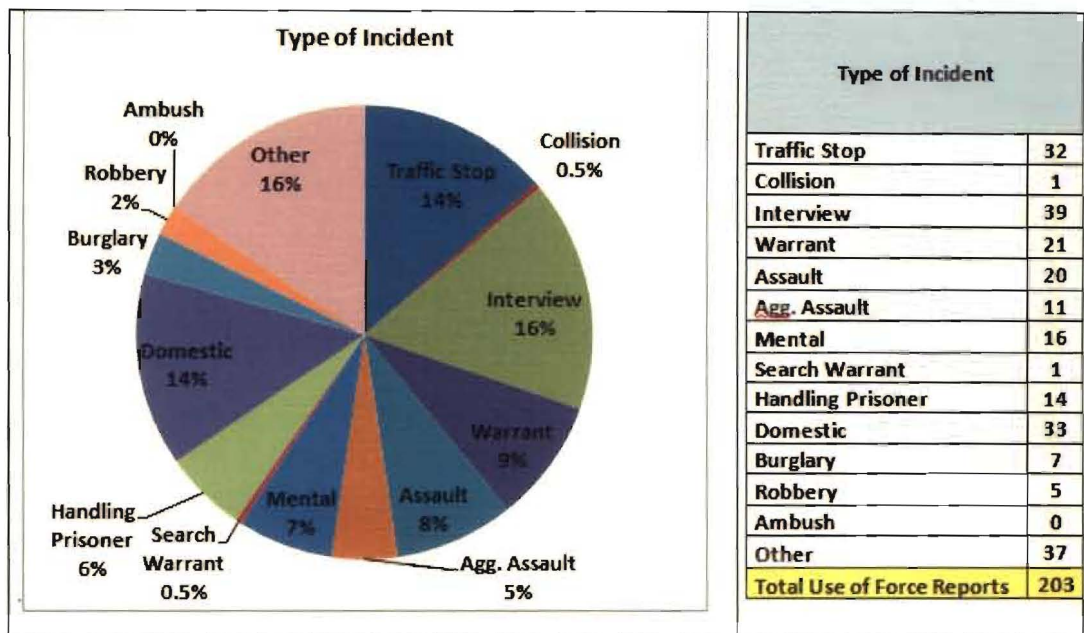
B. Data, Statistics and Charts:

1. Use of Force Data

Total Use of Force Incidents	2013	2014	2015	2016
	273	282	268	204
Firearm Presented	2013	2014	2015	2016
	64	67	65	56

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Compliance Tools	2013	2014	2015	2016
	54	50	35	38
Hard Control/Strikes	2013	2014	2015	2016
	30	27	16	7
Taser (CEW) (Implemented July 2015)	2013	2014	2015	2016
	N/A	N/A	3	17
Soft Control/Empty Hands	2013	2014	2015	2016
	212	221	198	142
Impact Weapon/Baton	2013	2014	2015	2016
	7	5	3	1
Lethal Force	2013	2014	2015	2016
	0	0	0	1
Stop Stick Deployment	2013	2014	2015	2016
	8	4	0	2



*Taser was introduced in July of 2015. In the original and current policy, the committee specifically decided against tracking mere presentation of CEW on the current use of force form. CEW presentation was added in the last quarter of 2016 and there were 7 incidents presentation with no activation. There was one CEW deployment involving an animal.

** The total numbers of each column may add up to more than the total number of reports since some incidents, document more than one single type of force application. Example: A report may document a presentation of a firearm and use of a compliance and control tool.

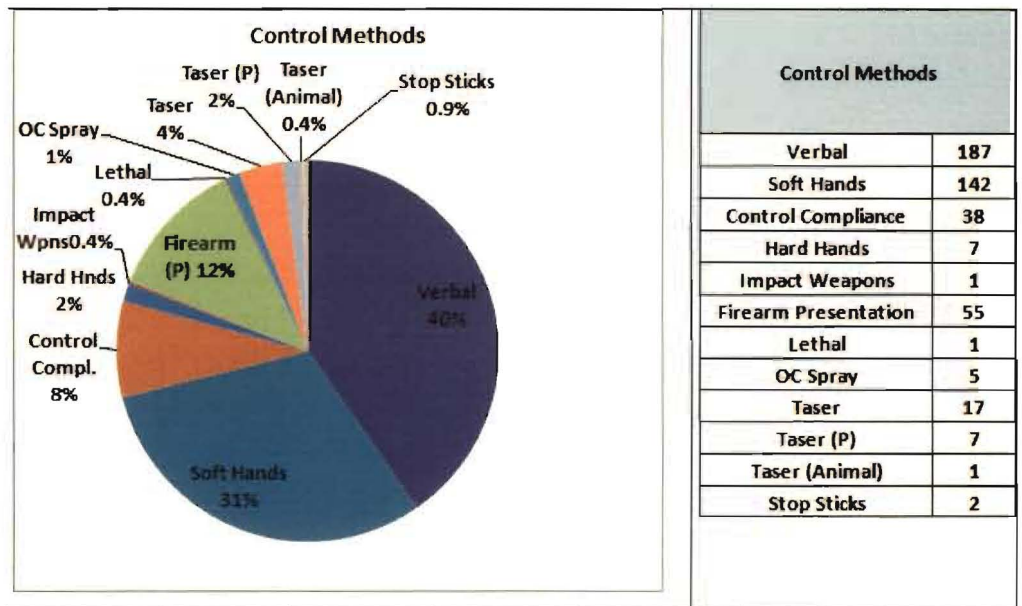
2. Officer Involvement Data

Officer	#	Officer	#	Officer	#	Officer	#
Addison	3	Elder	1	Jones, J.	2	Rivera	1
Banes	1	Emmett	4	Jones, S.	3	Rogers	3
Barnett	4	England	2	Kincaid	1	Sangster	1
Barrick	3	Epps, A.	2	King	3	Schill	1
Blair, S.	1	Evans	2	Kovacs	1	Schulte	2
Bond	1	Fields	1	LaValley	3	Scott, T.	1
Bradford	1	Fortson	2	Lee	4	Shapland	3
Branning	6	Franco	5*	Leedahl	1	Shook	1
Breeden	4	Freeland	4	Leverette	1	Slaney	2
Burgamy	2	Gabriel	2	Lewis	3	Starr	3
Cammenga	1	Gale	2	McFaddin	5	Van Bueren	2
Choudury	2	Gilchrist	2	McGee	2	Villalta	1
Christansen	1	Gipson	4	McIlvaine	1	Ward	1
Cochran	1	Gonzalez	4	Medina	1	Whitney	2
Conner	3	Gordon	3	Meyer	3	Williams, P.	1
Cooper	2	Greenlow	1	Miller	1	Wood	1
Crosby	6	Harrison	1	Mitcham	1	Wright	4
Croxton	1	Heard	1	Moss	1	Young	2
Cook, D.	1	Herron	2	Norman	3		
Cook, J.	1	Higginbotham	1	Norton	3		
Dedrick	4	Hood	1	Odum	1		
Della Fortuna	1	Howard	1	O'Neill	3		
Denis	1	Ian	2	Palmateer	1		
Dewitt	2	Impeduglia	1	Parillo	2		
Dickson	1	Ivey	1	Parker, T.	1		
Dieball	1	Jablonski	3	Patterson	1		
Dunlap	2	Jennnigs	1	Pilgrim	1		
Duranso	1	Kelley	3	Refour	1		

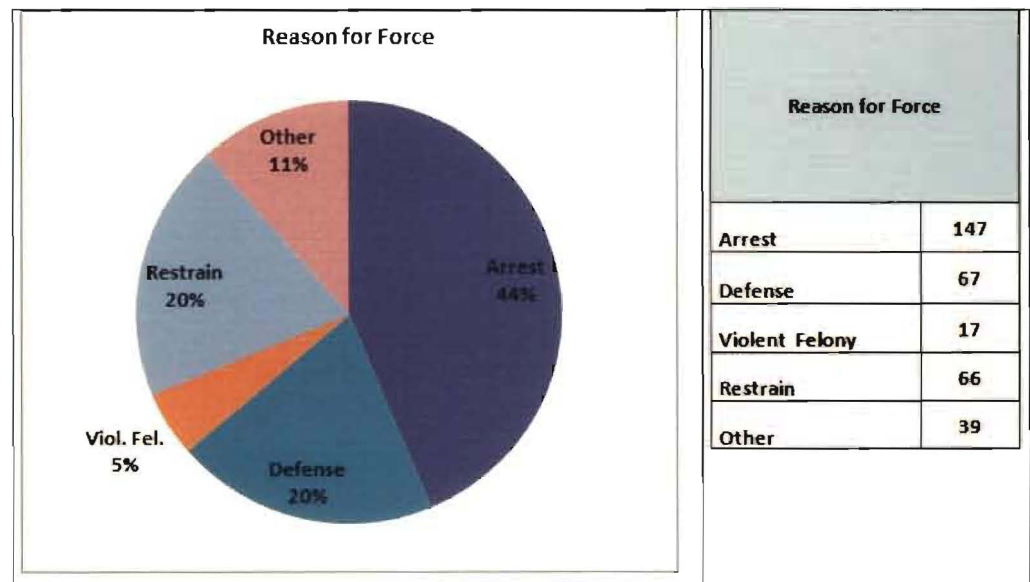
- 102 officers were involved in the 203 recorded incidents.
- Two officers were involved in five or more use of force incidents.

*Denotes an officer with three consecutive years of five or more use of force incidents. Each of these officers and their incidents has been reviewed. These officers are known for a strong work ethic and high levels of activity.

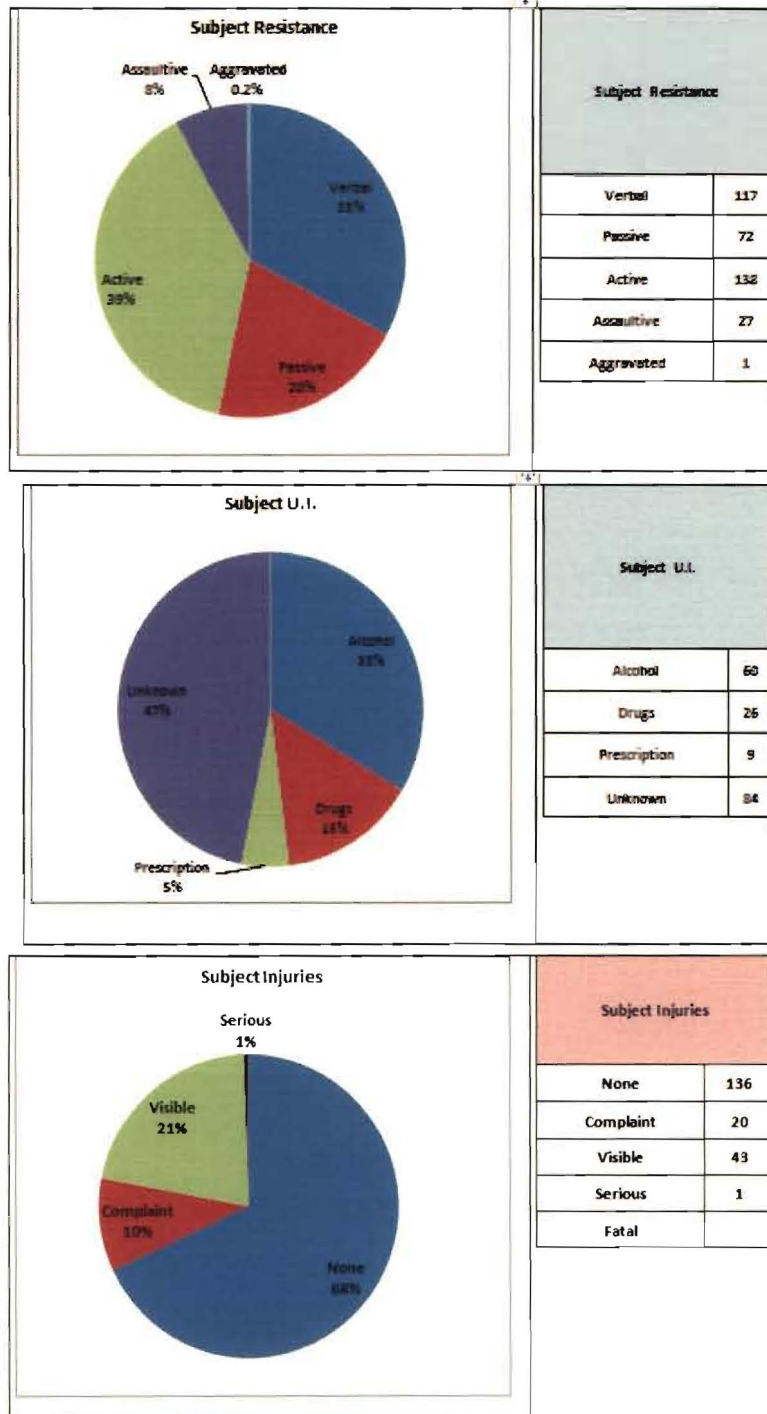
3. Control Methods



4. Reason for Force



5. Subject Information



6. Use of Force Incident Complaints, Discipline or Termination:

There were three complaints filed regarding use of force in 2016, two of which were unfounded, the other exonerated.

The exonerated case was an officer involved shooting that occurred on April 23, 2016. The Office of Professional Standards and the Georgia Bureau of Investigation investigated it as a matter of policy.

The utility and validity of the Axon body worn camera was proven in this incident and further justifies their use to protect the officers and the public. However, the ACCPD also must continually be mindful of the limits of the cameras and our officers when evaluating use of force incidents.

C. Training and Equipment

1. Training Unit Commander Suggestion for Improvements

Lt. Ben Dickerson noted that there has been a continued reluctance to utilize the angle stun method. The technique was emphasized during certification courses and re-certification in 2016. Future courses will continue emphasize the deployment method and the likely common need to use this method to maximize effectiveness of the device. Additional drills will be conducted with this deployment technique.

2. Effectiveness of Current Training

The low percentage of use of force incidents vs. CAD Events (citizen/police contact measure), low percentage of incidents vs arrests and low number of complaints suggest an effective program.

While ACCPD enjoys a successful program, additional ideas, additional training time and improved programs can only enhance performance during use of force situations, reduce severity of events and the frequency of them.

Use of force concepts are covered well from an academic sense. In 2016 additional scenario based training events were conducted via the Use of Force Simulator and in Taser re-certification. A continued increase in this type of training is in order for the upcoming year. Additionally, ACCPD has had a very limited defensive tactics program. This training has only been received in the academy and New Officer Basic Course (NOBC). While NOBC is available to all, few senior officers attend. Increasing skill in taking control quickly and increasing confidence levels can serve to reduce frequency and severity of use of force events. During 2016, four

instructors received their Strategic Self Defense and Grappling (SSGT) Instructor certifications. SPO Ian Bowen offered short blocks of instruction and workout sessions throughout 2016 but attendance was very low. A mandatory defensive tactics training program should be developed in 2017.

The academic use of force training blocks has been effective at installing a very balanced mindset regarding use of force at ACCPD. Constitutional policing foundations, *Graham v Connor*, and use of force modeling are emphasized and valued by department members. Additionally, the idea of using sound tactics, de-escalation, dialogue and a degree of restraint are emphasized and evident in culture.

For 2016, the Building Resilience and Officer Involved Shootings material was reviewed to reinforce concepts. Additional material was provided on officer mental health and all personnel were offered access to a police psychologist.

New for 2016 was an introductory block on Force Science concepts. The short class introduced the base material regarding human physiological and psychological limitations during stressful events.

3. Current Number of Hours

The current number of hours dedicated to use of force training is adequate. However, ACCPD is not defined by adequacy or a minimalist approach. We want to be the best. Currently, new officers receive 4 hours, in house training on use of force. Yearly in-service training provides 2 hours of review.

As mentioned, an hour of simulator training was added to in-service. Additionally; 30 minute blocks were offered on a non-mandatory basis and was well attended.

4. Remedial Training provided

The only remedial training provided in 2016 relating to a use of force related topic was for a single qualification failure.

5. New Training in 2016:

- 4 hour Taser Re-Certification cycle initiated. Emphasized scenario training.
- Defensive tactics sessions offered. Very low attendance.
- Two additional instructors sent to Force Science Institute Instructor

6. New Training Equipment During 2016

- Replacement of flashlights. All personnel issued Surefire Peacemaker duty lights.
- 62 additional Tasers purchased and deployed.
- New mats ordered to create a space for defensive tactics training in vacated old evidence room.

D. Policies and Reporting

1. Was Policy Revised During Reporting Period

No changes to the policy in 2016.

2. 2016 Policy Review

The policy has been reviewed. While adequate, it is verbose and due for revision that will provide clarity. This will be part of a policy replacement that will be completed in the first half of 2017.

3. Use of Force Reporting Process Change

Taser/CEW deployment was added to the Use of Force Report Form.

4. Suggestions for Improvement

- Policy revision and update to ensure best practices and consistency with The President's Report on 21st Century Policing.
- Ensure simplicity and clarity.
- Incorporate use of force policy into one distinct section of the policy for easy reference.

5. Reporting Process

- Will be coordinated by Lt. Don Eckert
- Previous year's recommendation for software will be satisfied by new Tyler/New World CAD/RMS software that has been purchased. The system is expected to be operational in late 2017 or early 2018. It will provide much needed utility and analysis capabilities.

E. Analysis and Practices

1. Training Deficiencies, Policy Failure

Deficiencies - Defense tactics, less lethal practicals. Steps are in place to build the necessary cadre to establish a foundation for the department and provide regular training events for officers to attend. Future budgets will need to give consideration for the work hours necessary to build the highest level of competency possible.

2. Pattern or Trend (Decrease in Use of Force)

For 2016 there was a 23.8% decrease in use of force across all of ACCPD. While there is no distinct indicator as to why, I examined the number of police citizen contacts (all dispatched and self-initiated calls), the attrition rate, and arrest data to see if there was a possible correlation.

The Attrition rate:	2014	2015	2016
	11.2%	9.9%	5.8%

Police/Citizen Contacts:	2014	2015	2016
	160,463	151,563	141,829

*The 2016 Police/Citizen contact data is incorrect. A counting error in the software was discovered at the end of 2016. Actual volume is 20-30% higher than what was recorded. The correct data was unavailable at the time of this report.

Arrests by Year:	2014	2015	2016
	5227	4580	4186

% Change		-12.4%	-8.7%
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Arrests Involving Use of Force:	2014	2015	2016
	5.3%	5.8%	4.8%

Reasons for trend in reduced use of force:

- Ferguson effect? Research is indicating that this is a real possibility.
- ACCPD experienced an almost complete change in leadership in 2016.
- Full year of Taser deployment. This is the most likely reason for the reduction in reported use of force. This may rise in 2017 with the addition of Taser presentation reporting.
- Addition of Crisis Intervention Unit (mental health response).
- Reduced number of arrests.

3. Change of reporting recommendation

As already stated, the ACCPD has purchased a new CAD/RMS software suite that will improve reporting.

F. Recommendations/Conclusions

1. Suggestions

- More frequent simulator training
- Examine more advanced simulator systems and creation of a use of force training arena.
- Integrate FX marking cartridge training with simulator.
- Simmunitions equipment update/upgrade.
- More defensive tactics, control techniques
- Scenario based Taser/CEW recertification.
- Continue focus on building resilience.
- Continue to focus on mental health issues.
- Continue to enhance the balance of use of force with COP, Fair and Impartial, restraint, dialogue, de-escalation and mental health challenges.
- Enhance CIT training, advanced course offering.
- Apply “Force Science” concepts in a balanced manner and continue to attend training courses.
- Make changes to use of force reporting form by adding officer injured section and modify check boxes. Modify narrative reporting.

2. Positive Information

While the ACCPD must continue to self-reflect and improve, there is one data point that stands out:

Only .143% of our contacts in our community end in some type of use of force.

The last Department of Justice study conducted concluded that this figure is around 1% nationwide. While that, in itself, indicates a false narrative in the media, the ACCPD can take pride in having an even smaller percentage of use of force in our community.