



## POLICE DEPARTMENT

### **2007 Use of Force Report**

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**&**

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## Executive Summary:

The Rockford Police Department is completing its self-analysis phase of an internal and external improvement process through the Commission on Accreditation for Law Enforcement Agencies. Every accredited law enforcement agency must perform an internal use of force analysis. The analysis is a systematic, structured process for dissecting an event (s) into its basic parts to identify any patterns or trends. Analysis should reveal patterns or trends that could be predictive or could indicate use of force training needs, equipment upgrade needs and or policy modification needs.

The 2007 use of force analysis provided for a critical process review of Department policies and practices. The analysis provided for process improvement in our policy language, records management system – capturing additional data in offenses, and improved supervisory oversight in use of force incidents.

The Department has implemented an early warning system, which will better track officer conduct and improve supervisory oversight. The Department responded to over 120,000 calls for service, which could be a traffic stop domestic disturbance; shots fired incident, or any other 911 responses or self initiated activity. This analysis determined Use of Force beyond gripping or holding; frisking; handcuffing; or escorting accounts for **.9%** of the Rockford Police Department's total response to calls for service. This means that officers are resorting to the use of force in less than 1% of interactions with our citizens.

The Department strives for improvement through personnel development, policy enhancement and responsiveness to citizens in order to provide effective and efficient police service to all.

### Introduction:

Commission on Accreditation for Law Enforcement Agencies (CALEA) requires a law enforcement agency to conduct a documented annual analysis of the reports required by CALEA. A written police report is submitted whenever an employee:

1. Discharges a firearm, for other than training or recreational purposes;
2. Takes an action that results in, or is alleged to have resulted in, death or injury of another person;
3. Applies force through the use of lethal or less lethal weapons; or
4. Applies weaponless physical force as a level as defined by this agency.

Rockford Police Department General Order 1.09 provides our officers with guidelines on the use of force. This Department recognizes the value of human life, which is immeasurable in our society. It is the policy of this Department that officers shall use only the amount of force that is reasonably necessary to achieve the officer's lawful objective, while protecting the life of the officer or another person.

### Per Rockford Police Department General Order 1.09, Section VII, Part A:

A written report is required *whenever* any officer:

1. Discharges a firearm for other than training or recreational purposes;
2. Takes any action that results in, or is alleged to have resulted in, injury or death of another person
3. Applies force through the use of lethal or less lethal weapons; or
4. Applies weaponless physical force at a level beyond the following thresholds;
  - a. Gripping or Holding;
  - b. Frisking;
  - c. Handcuffing; or
  - d. Escorting

### Policy Enhancement:

The CALEA process has prompted a full review of all operating policies of the Department. Policy enhancement and creation of new policies have provided a process that is reflective of agency benchmarks and best practices. Current use of force policy and other policies pertaining to force are regularly subjected to review in order to maintain the highest levels of professionalism and performance throughout the Department.

### Records Management:

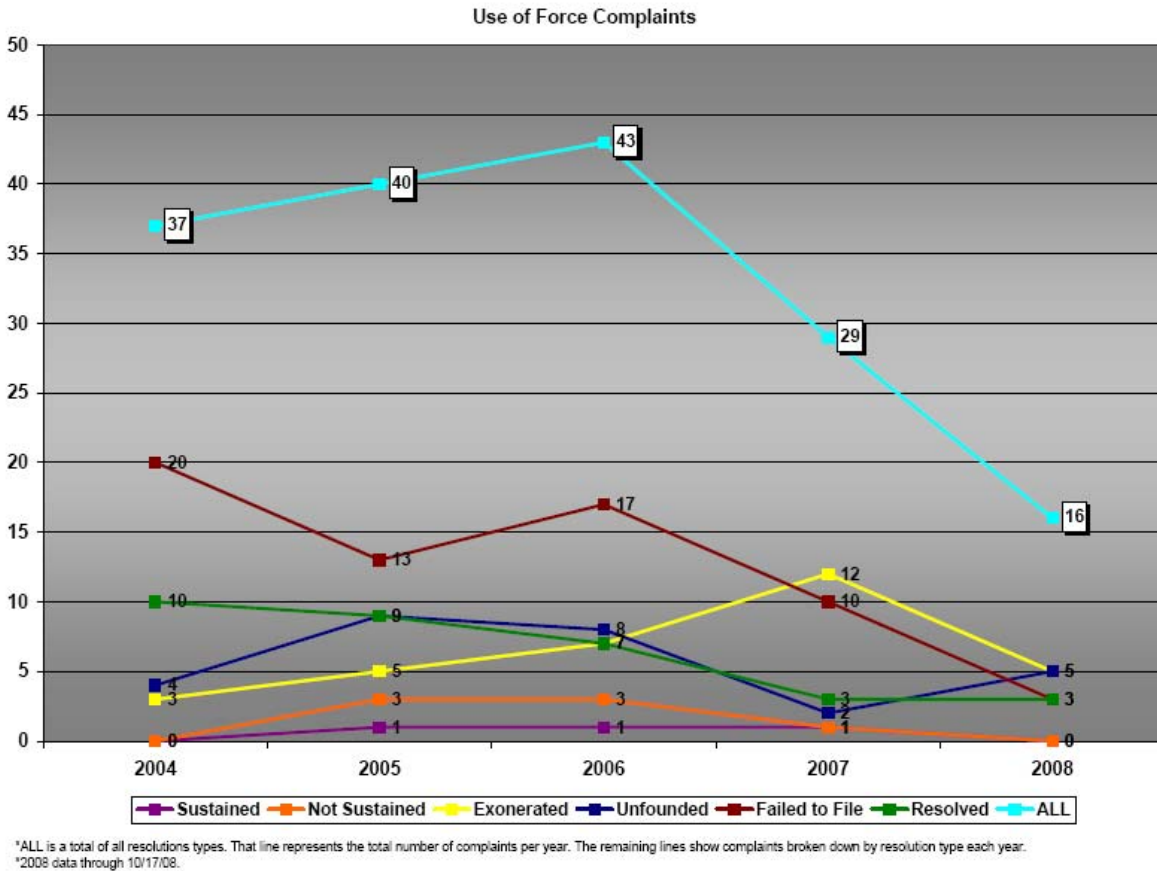
The use of force review recognized some needed improvements with data collection. Our systems analyst and crime analysts are working internally to improve the process of gathering the correct data from police incident reports. Staff is also working with our vendor, Motorola Net Record's Management to ensure our data collection system can mirror the standards in our accreditation process.

### Supervisory Oversight:

The use of force analysis indicates the crucial process of supervisory oversight at the use of force incident. Our policy will now reflect the requirement of supervisory oversight and command at qualifying use of force incidents. This enhancement will potentially lessen City and agency risk exposure, while enhancing process improvement in policy, training, and equipment.

### Use of Force Complaints:

The Office of Professional Standards (OPS) reviews practices and procedures of the Department in order to ensure compliance for its policies. OPS investigate all internal and external complaints of police misconduct. OPS works closely with the City Department of Law. OPS reviews use of force incidents in order to determine if appropriate force was utilized. OPS self-audits the Department for compliance.



Graph 1

Graph 1 illustrates Use of Force Complaints from 2004 thru October, 2008, and the outcome for each complaint. The top horizontal line indicates the total number of complaints from 2004 thru October 17, 2008. The bottom horizontal lines indicate the outcomes for each of the complaints.

An excessive force complaint will have six outcomes: sustained, not sustained, exonerated, unfounded, failed to file, and resolved.

- **Sustained:** (allegation proven)
- **Not Sustained:** (insufficient evidence exists to clearly prove allegation)
- **Exonerated:** (alleged facts were justified)
- **Unfounded:** (alleged facts did not occur or officer was not involved)
- **Failed to File:** (complainant did not follow-thru on initial complaint)
- **Resolved:** (incident handled without a formal investigation)

Since 2006, there is a significant downward trend in the number of Use of Force Complaints. The downward trend is indicative of the commitment of our officers to follow the policies and procedures of the Department, which define the appropriate use of force.

2007 Use of Force by Type:

Table 1 demonstrates the type of force was used by a Rockford Police Officer by each month. The total number of monthly types of force is listed. Note this is a raw number and does not necessarily signify the level of force was effective. For example, a Taser® could be deployed, but the outcome did not have the intended result – the suspect kept fighting, holding a knife, etc.

<i>2007</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>June</i>	<i>July</i>	<i>Aug</i>	<i>Sept</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Total</i>
<b>C/T</b>	113	84	122	64	78	86	114	105	117	102	78	101	1165
<b>Stuns</b>	15	6	9	8	6	8	6	2	5	6	2	3	76
<b>T/D</b>	47	32	47	44	41	43	29	30	29	29	22	27	420
<b>Taser</b>	5	3	9	10	14	5	24	61	25	32	24	19	231
<b>OC</b>	14	8	22	20	20	13	14	10	7	2	4	4	138
<b>Strikes</b>	29	18	42	17	23	20	32	19	11	21	9	12	253
<b>Kicks</b>	3	0	0	1	2	2	1	1	0	0	0	0	10
<b>Asp/Baton*</b>	0	1	4	2	1	0	2	0	1	2	0	1	14
<b>B/B</b>	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>K9</b>	2	0	0	0	1	1	0	1	0	0	0	0	5
<b>Firearms</b>	3	0	0	1	2	0	0	0	0	2	0	0	8
<b>Headpins**</b>	7	1	0	0	0	0	0	0	3	2	2	1	16
<b>Totals</b>	<b>238</b>	<b>152</b>	<b>255</b>	<b>167</b>	<b>189</b>	<b>178</b>	<b>222</b>	<b>229</b>	<b>195</b>	<b>194</b>	<b>139</b>	<b>167</b>	<b>2319</b>

Table 1

C/T = Compliance Techniques

T/D = Takedowns

OC = Oleoresin Capsicum (SCS/Subject Control Spray)

B/B = Bean Bag

\* = May include other objects used as impact weapons

\*\* = Counted as part of compliance techniques, not added into totals

### Taser® Usage:

Tasers® may be used in the Rockford Police Department's Use of Force Continuum against an active resister. This is the same level of suspect conduct at which we may deploy OC (Pepper) spray.

Prior to July of 2007, Tasers® were essentially limited to Supervisors. In June of 2007, the Rockford Police Department purchased sufficient Tasers® to be distributed to patrol officers, traffic investigators and special operations personnel. The training on the use of Tasers® began Department wide in July of 2007.

Prior to the implementation of the Taser® at the officer level, use of force options were limited to empty hand techniques (compliance techniques, pressure points, stunning techniques, striking techniques, and takedowns), OC, ASP/Baton, and firearms. force options were limited because they relied on causing either pain or injury in order to be effective. Our officers had no way of delivering less lethal force from a safe distance.

These prior force options also exhibited a direct correlation between effectiveness and injury potential. In essence, the more force an officer used to overcome a suspect, the more likely that the force resulted in injury to the officer and/or suspect.

### Calculating Use of Force Incidents:

According to the Report Management System (RMS), Rockford Police Department handled 122,230 calls for service. These calls for service involve only those calls for service where officers made contact with citizens. Of those calls for service, Rockford Police documented 1,542 incidents involving some use of force excluding:

- a. Gripping or Holding;
- b. Frisking;
- c. Handcuffing; or
- d. Escorting

Use of Force above the aforementioned levels accounts for **.9%** of our total response to calls for service (1,542 Use of Force Reports - 389 Use of Force Reports, which had No Use of Force according to the narrative = 1,153 incidents involving the Use of Force / 122,230 Calls for Service = .9%). It is important to note that 99.1% of the time, Rockford Police Officers is not using force when interacting with our citizens.

Of the 1,153 documented incidents involving officers' use of force, officers engaged in 2,319 separate applications of force, or an average of 2 applications of some level of force per use of force incident. The Rockford Police Department has no previous Use of Force Analysis to use as a benchmark for these figures.

Future analysis will allow for the Rockford Police Department to monitor its Use of Force per call for service, in order to establish a baseline and monitor within reasonable limits, on either side of that baseline.

## Conclusion:

The 2007 Use of Force Analysis is an effort the Department has undertaken to ensure compliance, transparency, and process improvement. The analysis is a building block for our Department to improve and at the same time enhance in our strengths. The Department has taken significant steps this year to improve its Use of Force process:

**Personnel Early Warning System** – an intervention system designed to examine certain events and assist to identify patterns that may alert supervisors and commanders of employees experiencing performance and/ or stress related issues. The system is designed to assist Department employees in their efforts to perform their duties in an effective, efficient and professional manner as well as ensure employee accountability.

**Supervisor Oversight Consultation/ Training** – all supervisors, command, and Union Board Officers have participated in an *Investigation Use of Force For Field Supervisors Training* sponsored by John E. Reid Associates and instructed by Chief Charles A. Gruber (Ret.). Chief Gruber is a national expert and current federal monitor in Oakland, California Police Department. Chief Gruber continues to provide support, dialogue, and communication to the Department on force related issues.

**Professional Standards Software** – the Department is pursuing the purchase of law enforcement software, which will assist in our accreditation process in Use of Force, Bias-Based Policing, and overall process improvement reporting.

The Department is making significant steps in policy development, training, and supervisory oversight on use of force issues. Rockford Police Officers have exhibited tremendous restraint in force decisions. The Department is improving in its overall ability to provide the most responsive law enforcement protection to its community and at the same time ensure all actions, responses, and overall ability rests in the community policing philosophy of openness of operations.