



City of Frederick
Frederick, Maryland

Frederick Police Department



Professional Services Division 2015 Annual Report On Use of Force

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Introduction

This Professional Services Division (PSD) annual report is part of a continuing effort to educate the citizens of Frederick in the operations of their police department. The information contained in this report covers:

- 2015 use of force statistics,
- Analyses of various data.

As a support element, the PSD is committed to providing support to operational units in many ways. The PSD includes the following support section, units, and additional functions:

- Records Section
- Internal Affairs Unit
- Planning Unit
- Automated Enforcement

Staff

Lieutenant Bruce DeGrange, Commander

Sergeant John Corbett, Internal Affairs Unit Supervisor

Dana Kelly, Supervisor of Records and Agency Accreditation

Janine Campbell, Internal Affairs Unit Administrative Assistant

Robert Marker, Safe Streets Coordinator

Officer First Class Stephanie Sparks, Planning Unit

Wade Brown, Automated Enforcement Coordinator

Jenny Henneberry, Special Vehicle Coordinator

Use of Force Reporting

The Frederick Police Department's (FPD) use of force reporting requirements are detailed in General Order 705, entitled "Use of Force." This general order is reviewed annually in March by the PSD Commander. With few exceptions, force is required to be reported if an officer:

- Uses any force which causes any visible or apparent physical injury or complaint of injury, or which results in medical treatment for the individual or the officer;
- Uses any object, including but not limited to, a baton, hand, fist, or foot, to strike or attempt to strike a blow to a subject;
- Uses a baton in any manner to control a resistant subject - this includes strikes and blocks as well as control holds utilizing the baton;
- Uses force in such a way as to cause a subject to suffer a blow to the head, even if that blow to the head is accidental;
- Uses O.C. Spray or any other chemical agent;
- Uses a conducted electrical weapon ("CEW", a Taser®);
- Discharges a firearm under circumstances that require a use of force report per general order 720, "Deadly Force Guidelines," i.e., discharge of a firearm at an individual regardless of whether the person is actually struck;
- Utilizes a canine for a physical apprehension;
- Uses force during or after which a subject loses consciousness;
- Uses any empty-hand control technique that does not cause injury or complaint of injury to the officer or the subject the force is applied to and does not result in medical treatment for subject or officer; or
- Points a firearm or a CEW at any person.

Additionally, in most cases, an officer who uses force must notify his supervisor as soon as possible. The supervisor is responsible for an initial inquiry to gather the facts regarding the use of force. The review process for a use of force incident requires the officer's first-line Supervisor, Division Commander, and Bureau Commander to review the circumstances of the incident and the type force used to determine if its application was appropriate or inappropriate.

The Chief of Police reviews use of force reports involving the use of CEWs, batons, firearms, canine bites, and any incident in which any person incurs a serious physical injury. The Chief may, in his discretion, review any other use of force report. This stringent review process—which occurs whether or not the affected citizen makes a complaint—demonstrates the Department's commitment to fair and equal treatment for all citizens, as well as commitment to our policies.

Use of Force

In 2015, **89 use of force incidents** met reporting requirements as mandated by general order 705. The 89 reported incidents **involved 123 applications of force techniques** by officers. The 123 applications of force were **applied to 95 individuals**. See Table 1, (pg. 5). The total number of persons subjected to force in 2015 represents a decrease of 16.4 percent from the 2014 total of 115 persons. For comparison purposes, Graphs 1, 2, and 3 (page 6) show the data for 2010 through 2015.

Table 1
2015 Use of Force at a Glance

89	Use of Force Incidents
95	Persons Subjected to Force
123	Applications of Force Techniques
4432*	Total Arrests
99,090**	Calls for Service

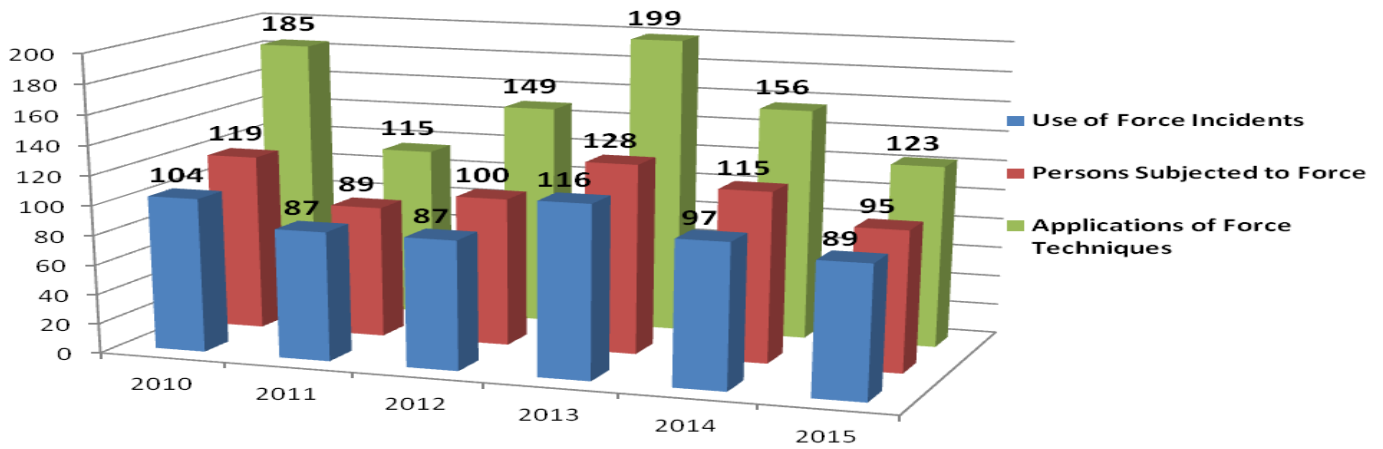
*This figure was obtained from I-Leads, and is not to be confused with the total number of persons arrested in 2015 (3281) as reported by the UCR team. Many people were arrested multiple times in separate incidents throughout the year, which explains the difference between the number of persons arrested and the total number of arrests. Since each arrest represents a possibility that force will be required to effect the arrest, it is more meaningful for this analysis to use the total number of arrests.

**This figure was obtained from the Crime Analyst, and reflects clean data after the elimination of duplicate calls for service or cancelled calls for service.

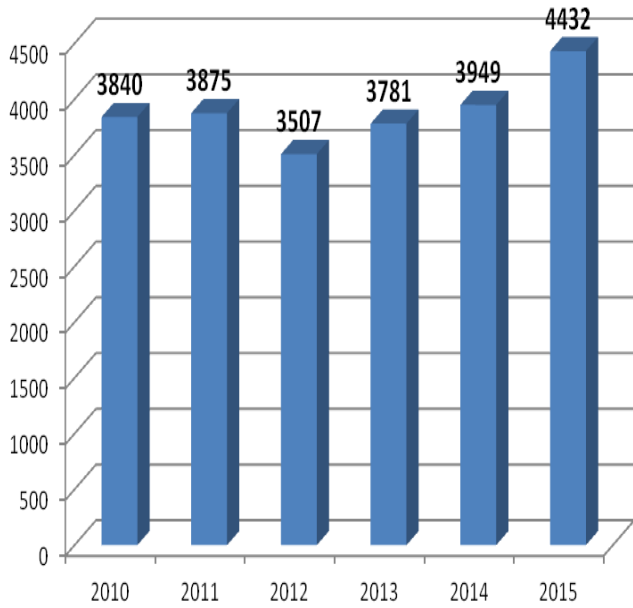
It is important to understand the discrepancy between the number of *use of force incidents*, *persons subjected to force*, and *applications of force techniques*. In many cases, when a person resists arrest, more than one officer is required to use force to gain control of and/or arrest one person. Also, a single incident can involve more than one resistant person who is required to be taken into custody. Officers may need to employ more than one use of force technique to subdue a resistant person.

On the other hand, it is possible that a single officer may be required to use force on more than one person to protect himself or make an arrest. Additionally, not all uses of force result in the arrest or the taking into custody of a person. For example, a pointing of a firearm does not automatically indicate the person at whom the weapon was pointed was arrested. This type of force is often used by officers to protect themselves in potentially dangerous and unfamiliar situations. To be succinct: A single use of force incident may involve multiple officers and/or persons being subjected to one or more force techniques.

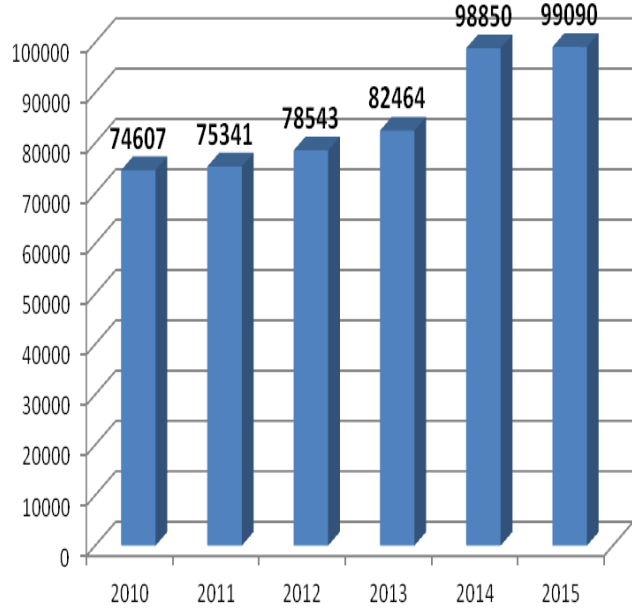
**Graph 1: Incidents, Persons, and Applications
2010-2015**



Graph 2: 2010-2015 Arrests



Graph 3: 2010-2015 Calls for Service



Statistical Analysis—Race/Sex/Ethnicity

Historically, males have accounted for the vast majority of incidents in which police officers have had to use force. This tendency continued in 2015. Males of all races and ethnicities accounted for 91.5 percent of the 95 persons subjected to force. The 2015 totals show decreases from 2014 for uses of force on minority males, with a minor increase in uses of force on white non-Hispanic males (see Table 2):

- 46 black, non-Hispanic males, down from 53;
- 37 white, non-Hispanic males, up from 35;
- 3 white, Hispanic males, down from 4.

Table 2
2014-2015 Race/Sex/Ethnicity Comparison

	2014		2015		+/- (%)
	#Persons	%2014	#Persons	%2015	
Asian Male	0	0	1	.01%	NC
Black Female (H)	1	.09%	0	0	-100%
Black Female (NH)	10	8.7%	4	4.21%	-60%
Black Male (H)	0	0	0	0	NC
Black Male (NH)	53	46.1%	46	48.4%	-13.2%
White Female (H)	0	0	0	0	NC
White Female (NH)	12	10.4%	3	3.16%	-75%
White Male (H)	4	3.5%	3	3.16%	-25%
White Male (NH)	35	30.4%	37	38.9%	+5.71%
Unknown	0	0	0	0	NC
Total	115	100%	95	100%	-17.4%

NC= Not Calculable: Numbers are too small or large and/or will cause large percentage changes that do not aid analysis.
H and NH refer to Hispanic and Non-Hispanic, respectively.

Statistical Analysis – Force Used by Arrests

FPD officers made 483 more arrests in 2015 than they did in 2014. This is an increase of 12.2 percent. Total persons force was used upon decreased 17.4 percent (20 fewer persons subjected to force than in 2014). Again, not all uses of force involve arrests, and in some cases one arrest may require more than one use of force.

In 2015, FPD officers handled 99,090 calls for service. A call for service can be an officer-initiated event, such as a traffic stop, or any type of call from the public. The percentage of use of force incidents per call for service is 0.09% percent. A better way to comprehend this: In 2015, FPD officers used no force in 99.91% percent of the events they handled.

If we assume that the majority of use of force events involves a subsequent criminal arrest, force was used in roughly 95, or **2.14 percent** of the 4432 arrests made by FPD officers in 2015. It should be noted that this is not an exact percentage of force used in arrests, as not all uses of force involve criminal arrests. It is, however, a good barometer to show how often force is used at the time when the potential for resistance, and therefore a need to apply force, is highest. For comparison, this ratio was:

- 2.91 percent in 2014
- 3.39 percent in 2013
- 2.85 percent in 2012
- 2.30 percent in 2011
- 3.10 percent in 2010

When we correlate the number of uses of force to arrests, the percentage of incidents in which force was used is small. So are the differences between black and white racial groups. For males, the percentage of force used to arrests made is approximately:

- 3.51 percent of the arrests of black, non-Hispanic males,
- 2.60 percent of the arrests of white, non-Hispanic males, and
- 0.75 percent of the arrests of white, Hispanic males.

Table 3 (page 9) shows the breakdown of *uses of force* versus *arrests by race* in 2014.

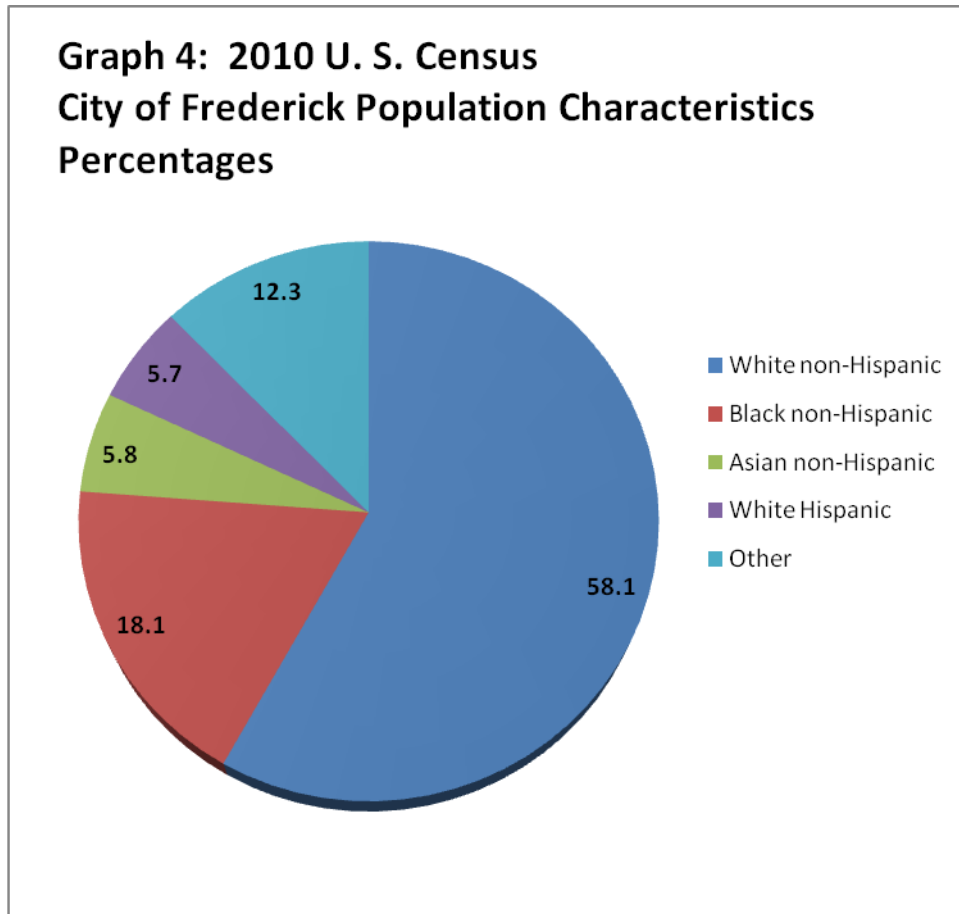
Table 3
2015 Percentage of Arrests Resulting in Use of Force by
Race/Sex/Ethnicity

Race/Sex/Ethnicity	Total Arrests	Uses of Force	Percentage of Arrests Resulting in UOF
Asian Female	6	0	0
Asian Male	21	1	4.76%
Black Female (H)	1	0	0
Black Male (H)	9	0	0
Black Female (NH)	398	4	1.00%
Black Male (NH)	1312	46	3.51%
Black Female Ethnicity Unk.	4	0	0
Black Male Ethnicity Unk.	0	0	0
Indian Female (NH)	1	0	0
Indian Male (NH)	1	0	0
White Female (H)	83	1	1.20%
White Male (H)	402	3	0.75%
White Female (NH)	767	3	0.39%
White Male (NH)	1425	37	2.60%
White Female Ethnicity Unk.	0	0	0
White Male Ethnicity Unk.	4	0	0
Unk. Sex, Race, & Ethnicity	0	0	0
Total	4432	95	2.14%

H and NH refer to Hispanic and Non-Hispanic, respectively.

2010 U. S. Census Data

The 2010 U. S. Census data measured the population of the City of Frederick at 65,239 persons. The racial and ethnic breakdown is illustrated in Graph 4, below.



Traffic stop data, arrest data, and use of force data that are inconsistent with local demographics is not a new phenomenon. The first dynamic affecting the data is the fact that not all arrestees are residents of the City of Frederick, Frederick County, or of the State of Maryland. Many persons arrested by FPD were not city residents, further complicating any meaningful analysis comparing race/sex/ethnicity to the local population. Second, more arrests occur in areas with higher crime rates. These areas tend to be populated by persons with lower income. Third, as each arrest or custodial situation is different, the need for force, if any, is different. A use of force is in response to a person's conduct, not to a person's sex, race or ethnicity.

In PSD's review of use of force data, no troubling trends have been noted based on any particular characteristic, be it race, sex, or ethnicity. FPD's zero tolerance policy for any type of bias based policing, as documented in General Order 702, demonstrates FPD's commitment to ensuring police officer conduct that is ethically, morally, and legally sound.

Statistical Analysis—Levels of Force Used

The most noteworthy statistical changes from 2014 to 2015 were the overall decreases in the use of pointing firearms and empty hand control techniques. The 400% increase in CEW deployments (for a total of 4) is only remarkable because there were none in 2014. The same disclaimer applies to the Impact Weapon numbers. Please note per G.O., any use of an expandable baton constitutes reportable force, even when it is only used to move someone or to pry an arm out from under an arrestee's body.

Empty hand control techniques continue to be a frequent type or level of force used by officers. This low level of force includes simple control holds such as arm bars, pain compliance techniques such as manipulating pressure points, "takedowns," and pushes. Historically, empty hand control techniques and pointing firearms have accounted for the majority of all types of force used. These are considered lower levels of force. See Table 4.

Table 4
2014 – 2015 Total Force Techniques Used

Level of Force Used	2014 (117Persons)		2015 (Persons)		+/- (%)
	Number of Uses	% 2014	Number of Uses	% 2015	
Point CEW ¹	7	4.5%	0	0	-100%
Point Firearm	48	30.8%	32	25.0%	-33.3%
Light Hand Control	0	0	1	0.78%	NC
Empty Hand Control	82	52.6%	70	54.7%	-14.6%
OC Spray	3	1.9%	4	3.13%	+33.3%
Deploy CEW ²	0	0	4	3.13%	+400%
Active Countermeasures	14	9.0%	14	10.9%	0
Canine Apprehension	0	0	0	0	NC
Impact Weapon/Control	0	0	3	2.34%	+300%
Less-Lethal Firearm	1	0.6%	0	0	NC
Firearm Discharge	1	0.6%	0	0	NC
Total Force Applications	156	100%	128	100%	-17.95%

NC= Not Calculable: Numbers are too small or large and will cause large percentage changes that do not aid analysis.

NOTE: The following breakdown for 2013 and 2014 are for *total number of force technique applications*. The number of *persons force was used on* is noted in parenthesis at the top of the each chart.

¹ A TASER® model X 26 was pointed at a person but not deployed. This level of UOF was not required to be reported until 2012.

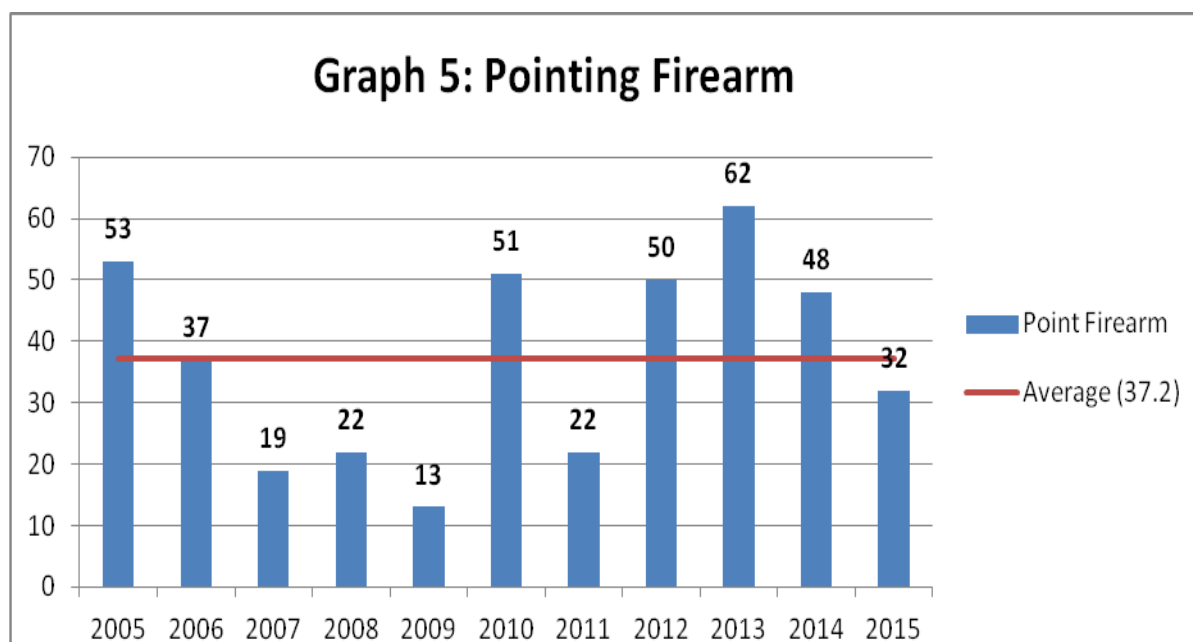
² A TASER® model X 26 use in which probes were deployed or a drive stun was employed.

Statistical Analysis—Pointing Firearm

2015's total of 32 instances of officers pointing their firearms is lower than the 10 year average of 37.2 per year. However, from year to year, there have been wide swings in this particular use of force, and therefore, the standard deviation is high: 17.4. See Graph 5, below.

When reviewing the data in Graph 5, there appears to be odd trends in the use of force of pointing firearms. Years 2007, 2008, 2009, and 2011 averaged 19 pointing of firearms per year. Years 2010, 2012, and 2013 averaged 54.3 pointing of firearms per year. A possible explanation of the higher occurrences of officers

pointing their firearms in these years: A more focused response to prevent and interdict violent crime, and locate and arrest violent criminals as part of our department's data-driven enforcement strategy. This leads to more confrontations with violent criminals and more high-risk traffic stops. A possible explanation for the lower number of officers pointing firearms in 2015, and the reduction in UOF generally: the proliferation of high profile police encounters throughout the nation, and an increased sensitivity toward negative publicity. However, when bearing in mind the fact that our arrest numbers increased by 12.23% from 2014 to 2015, it is clear that productivity in this area has increased, not diminished, despite the lower incidence of UOF generally.



Statistical Analysis—Conducted Electrical Weapon (CEW) Use

The Department initiated the training and use of the Taser® X26 on a limited basis in 2007. The first CEWs were deployed for field use on March 12, 2007, and by year's end, there were 14 in the field, with 13 uses. At the end of 2008, there were 27 CEWs in the field and 12 uses. The increase in officers equipped with CEWs in 2008 did not increase their rate of use. Similarly, in 2009, there were still 27 CEWs assigned Department-wide (25 to patrol officers), and only 10 uses. The 6 CEW uses in 2012 and 2013, and the 0 uses in 2014 are significantly lower than the yearly average uses from 2007 to 2011. See Table 5 (pg. 13).

Table 5
2007-2015 CEW Uses

Year	Total CEW Uses*	CEW Certified Officers
2007	13	14
2008	12	27
2009	10	27
2010	12	27
2011	13	33
2007-2011 Average	12	N/A
2012	6	32
2013	6	35
2007-2013 Average	10.3	N/A
2014	0	29
2015	4	23

*Deployment of probes or a “drive stun”. The mere pointing of a CEW is not listed in this Table.

For much of 2015, the Department assigned 23 CEWs to various Taser® certified personnel as follows:

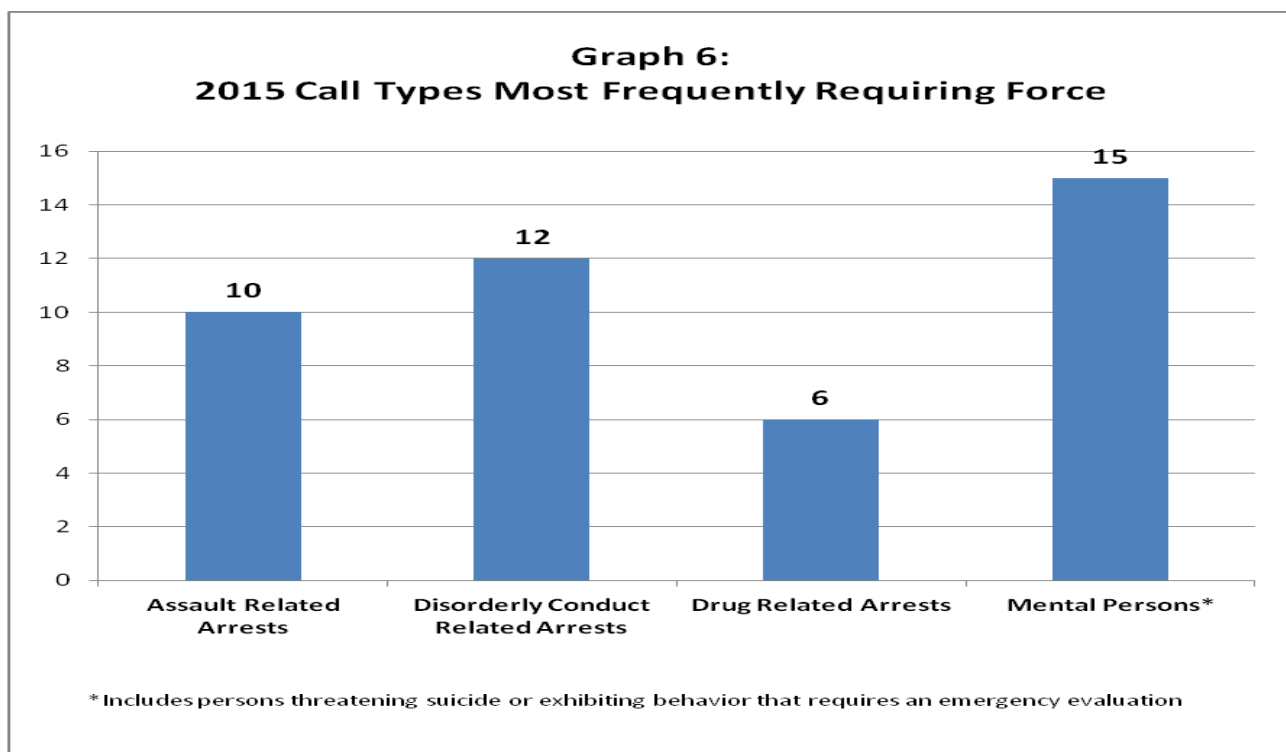
- Criminal Investigations Division.....1,
- Patrol Division.....19,
- Professional Services Division.....2,
- Special Operations Division.....1,
- Support Services Division.....0.

Use of Force by Call Type

In examining the different incident types in which reportable force was used 35 percent occurred in four call types. These call types include:

- Assaults.....8.13 percent (10 incidents);
- Disorderly Conduct.....9.76 percent (12 incidents);
- Drug-Related Arrests.....4.88 percent (6 incidents);
- Mental Persons.....12.19 percent (15 incidents).

This rate is down from 2014, when these call types accounted for two thirds of all uses of reportable force. Historically, these calls for service are those in which a person is most likely to offer resistance to avoid arrest or commitment to a hospital for psychiatric evaluation. In 2015, while our total uses of force declined from 2014, the distribution among call types was broader. However, there was no one type of call in 2015 that exceeded these four in uses of force. The closest other call type was DUI, for which we had 6 uses of force. See Graph 6.



Statistical Analysis—Force by Individual Officers

In examining uses of force by individual officers, 62 different officers used force during 2015. (At the end of 2015, FPD had 144 sworn police officers, including 7 still in the academy, and 2 out with medical issues who have since separated from service.) Six of these 62 officers used force in four or more separate incidents. 10 other officers used force in three separate incidents. The 16 officers who used force at least three times during 2015 accounted for 54 total uses of force, or 43.9 percent of the 123 force applications. All of the force techniques used by the 16 officers were reviewed thoroughly by their chains of command and were found to have been reasonably objective and appropriate.

Out of the total 123 use of force techniques, no applications of force were deemed “inappropriate” by the officers’ chains of command.

The number of use of force incidents an officer becomes involved in is not in itself indicative of any issue requiring action by the Department. Many of the 62 officers who used force in 2015 have shown a high level of self-initiated proactive activity in areas where crime is more prevalent. In addition, these officers typically have assignments in busier areas. The officers who encounter resistance have been exposed to more types of crimes and suspects encountered.

The Frederick Police Department uses an “early intervention” warning system that is activated automatically if an officer uses certain levels of force more than three times in a 24 month period. This causes the officer’s supervisor and commander to assess the officer’s demeanor, appearance, conduct, and performance of duty to try to identify potential problems. Appropriate intervention strategies are implemented if deemed necessary. Please refer to the 2015 Early Intervention report, under separate cover.

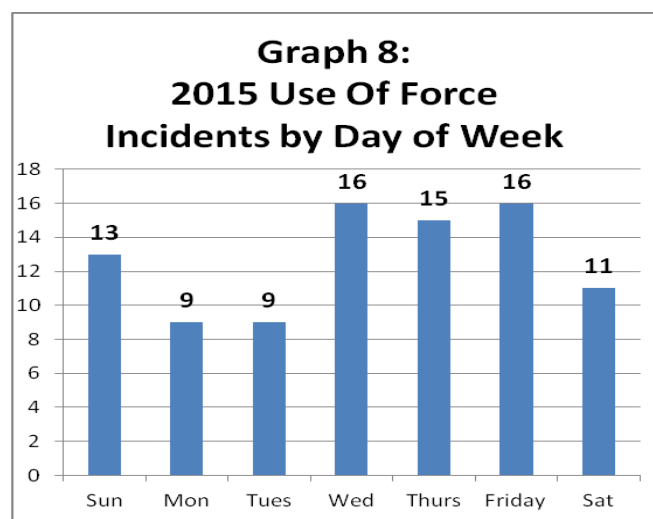
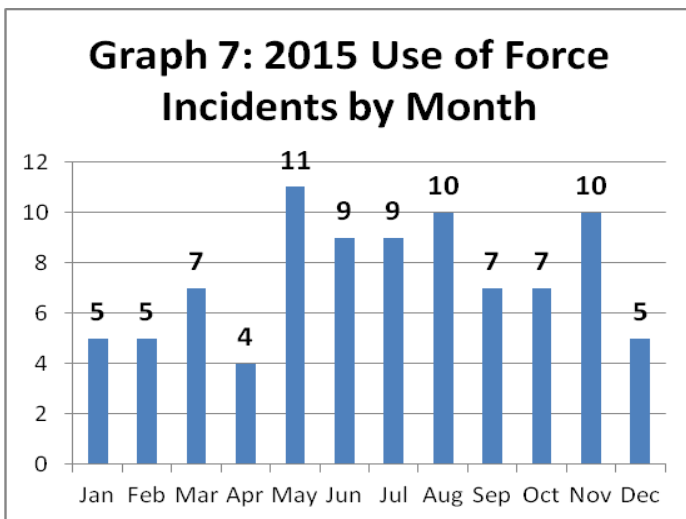
Table 6

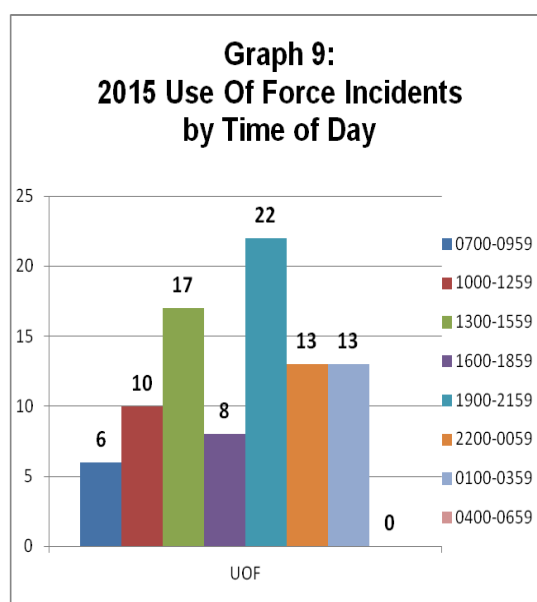
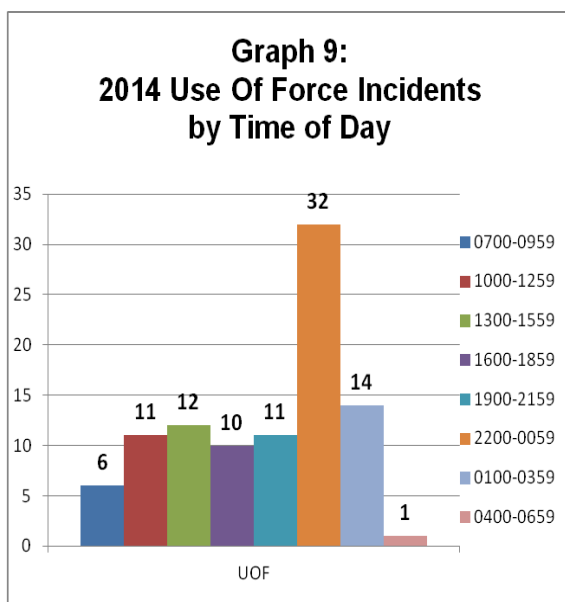
2015 Uses of Force by Officer's Assignment

Squad / Unit / Section	
Patrol Squads	102
Drug Enforcement Unit	1
Special Crimes Units	17
Investigations Section	2
Outreach Unit	0
Professional Services Division	1
TOTAL	123

Statistical Analysis—Force by Month/Day/Time

- Typically, the summer months saw the most force incidents; the cooler months had fewer use of force incidents. However, November had more uses of force in 2015 (10) than in 2014 (7.) The call types associated with the November 2015 uses of force were primarily DUI, Disorderly Conduct, and Emergency Petition. There were no identifiable explanations for this anomaly. See Graph 7.
- The days with the fewest use of force incidents were Monday and Tuesday. As expected, more force incidents occurred late in the week and into the weekend. The high total for Sunday is from very early morning incidents (midnight to 3 a.m.). See Graph 8, page 16.
- A yearly trend continued: Most uses of force occurred at night and into the early morning, between 2200 hours to 0359 hours. However, in 2015 we did experience more uses of force in the hours of 1300-1559 than usual. Please note the scales are different on the 2014 and 2015 graphs. A possible explanation for this anomaly was the increased focus in 2015 on gang activity in the schools and gang related incidents immediately after school dismissal times. See Graph 9, page 16.





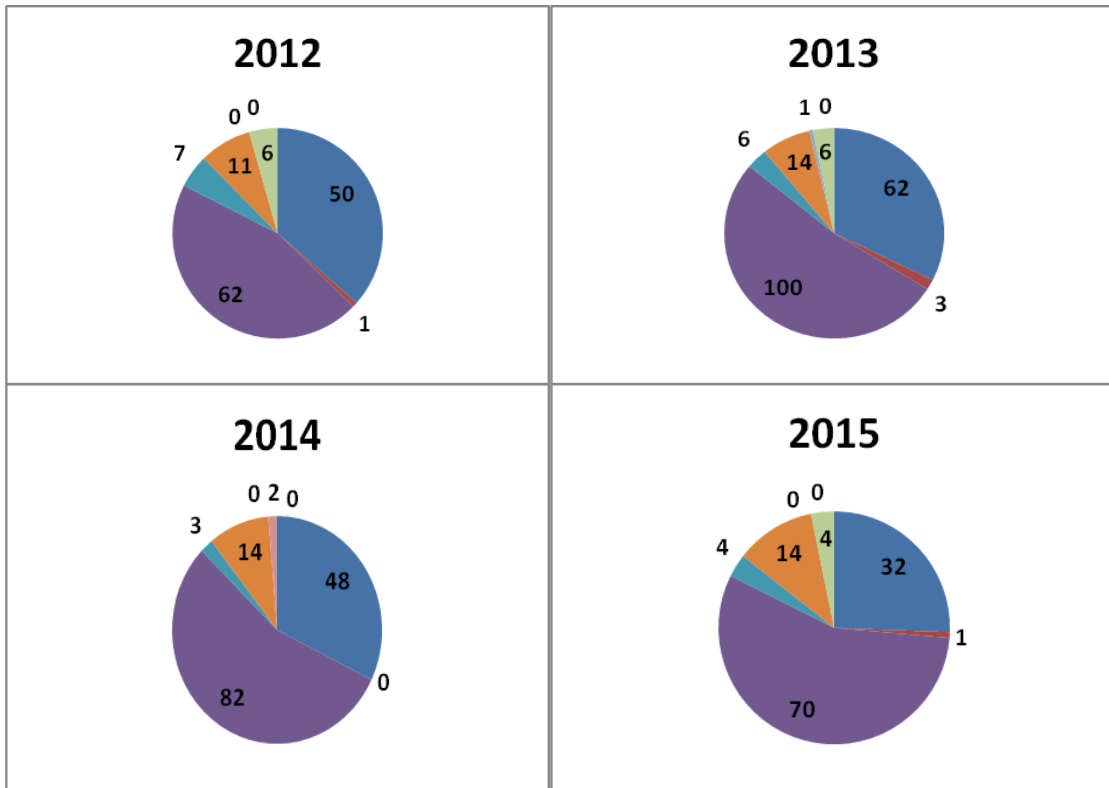
Summary

- In the review of the 2015 use of force data, no troubling trends have been noted based on any particular characteristic of race, sex, or ethnicity.
- No troubling trends have been observed in the types of force used by officers. The majority of force used was low level force such as the pointing of firearms and empty hand control techniques.
- Officers' uses of force have been in response to the resistant conduct of the persons with whom they were interacting.
- The four call types with 35 percent of the uses of force are categories where force or resistance from a suspect is not unusual. However, these four call types accounted for two thirds of uses of force in 2014. The distribution was broader in 2015, with DUI calls accounting for more uses of force than typical. This fact may be worthy of note in a roll call setting.
- Since the introduction of the Taser® X26 in 2007, and up until 2011, there was a decrease in the ratio of use of impact weapons and OC Spray. In 2012, when a more restrictive CEW policy was implemented, the use of CEWs decreased by half (6) of the previous five year average of 12. This trend continued in 2014, decreasing to zero. In 2015, there were 4 CEW deployments.

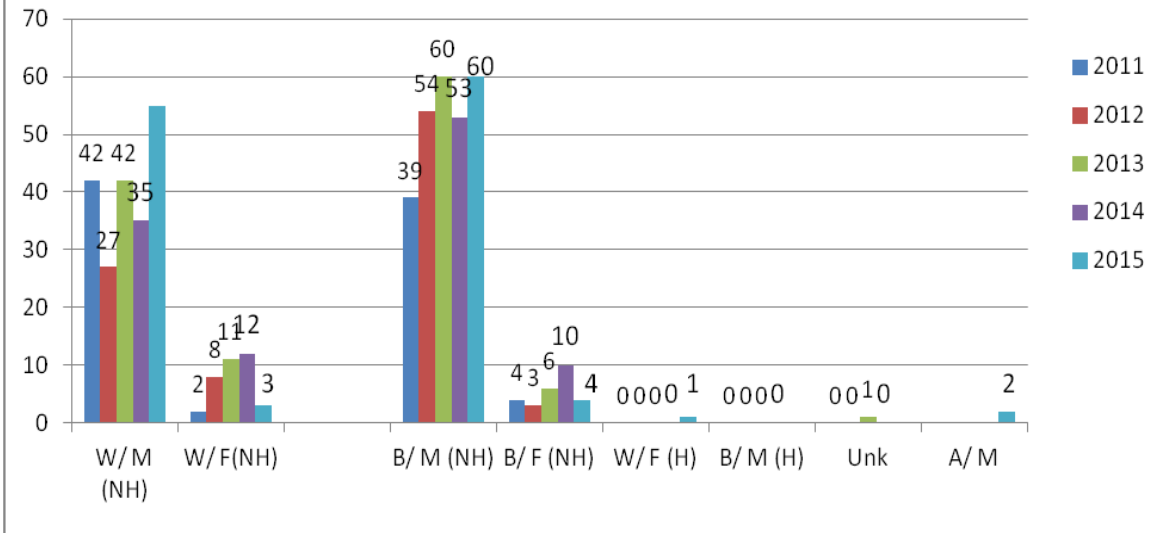
The graphs and tables on pages 17 through 22 provide additional information on levels of force used in comparison with previous years, as well as race, sex, and ethnicity in incidents where force was used.

Graph 10

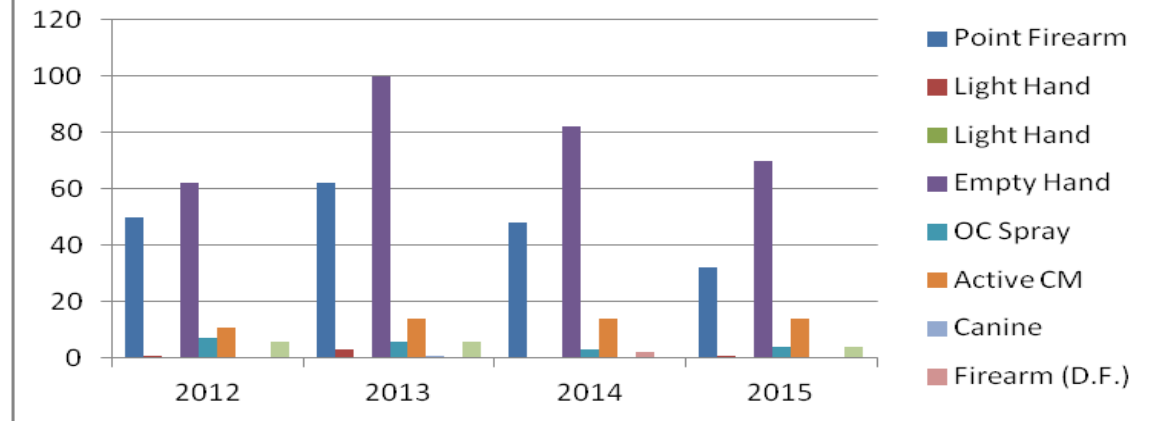
Levels of Force Used- Total Reported Uses 2012-2015



**Graph 11: Total Persons Comparison by Race/Sex/ Ethnicity
2011 to 2015**



**Graph 12: Levels of Force Used
2012 to 2015**



2014-2015 Applications of Force Types Used **Breakdown by Race/Sex/Ethnicity**

While uses of force were generally down in 2015, and down for minority populations, they increased 17% for white non-Hispanic males.

Tables 7-11 show breakdown for race, sex, and ethnicity

NC= Not Calculable Numbers are too small or large and will cause large percentage changes that do not aid analysis.

Table 7

Black Males (NH)	2014		2015		+/- (%)
	Applications of Force	% 2014	Applications of Force	% 2015	
Point CEW	4	6.1%	0	0	NC
Point Firearm	14	21.2%	17	28.3%	+21.43%
Light Hand Control	0	0	0	0	0
Empty Hand Control	36	54.5%	34	56.7%	-5.55%
OC Spray	1	1.5%	2	3.3%	+100%
CEW	0	0	2	3.3%	NC
Active CM	11	16.7%	5	8.3%	-54.5%
Canine Apprehension	0	0	0	0	0
Impact Weapon	0	0	0	0	0
Firearm Discharge	0	0	0	0	
Total	66	100%	60	100%	-9.1%

Table 8

Black Females (NH)	2014		2015		+/- (%)
	Applications of Force	% 2014	Applications of Force	% 2015	
Point CEW	0	0	0	0	0
Point Firearm	5	41.7%	0	0	NC
Light Hand Control	0	0	0	0	0
Empty Hand Control	6	50%	3	75%	-50%
OC Spray	1	8.3%	0	0	NC
CEW	0	0	0	0	0
Active CM	0	0	1	25%	NC
Canine Apprehension	0	0	0	0	0
Impact Weapon	0	0	0	0	0
Firearm Discharge	0	0	0	0	0
Total	12	100%	4	100%	-66.7%

Table 9

White Males (NH)	2014		2015		+/- (%)
	Applications of Force	% 2014	Applications of Force	% 2015	
Point CEW	3	6.4%	0	0	0
Point Firearm	11	23.4%	13	23.6%	+18.2%
Light Hand Control	0	0	0	0	0
Empty Hand Control	29	61.7%	29	52.7%	0
OC Spray	0	0	2	3.6%	NC
CEW	0	0	2	3.6%	NC
Active CM	2	4.3%	7	12.7%	+250%
Canine Apprehension	0	0	0	0	0
Impact Weapon	0	0	2	3.6%	NC
Firearm Discharge	2	4.3%	0	0	NC
Total	47	100%	55	100%	+17.0%

Table 10

White Females (NH)	2014		2015		+/- (%)
	Applications of Force	% 2014	Applications of Force	% 2015	
Point CEW	0	0	0	0	0
Point Firearm	5	35.7%	0	0	NC
Light Hand Control	0	0	1	33.3%	NC
Empty Hand Control	8	57.1%	1	33.3%	-87.5%
OC Spray	1	7.1%	0	0	NC
CEW	0	0	0	0	0
Active CM	0	0	0	0	0
Canine Apprehension	0	0	0	0	0
Impact Weapon	0	0	1	33.3%	NC
Firearm Discharge	0	0	0	0	0
Total	14	100%	3	100%	-78.6%

Table 11

White Male (H)	2014		2015		+/- (%)
	Applications of Force	% 2014	Applications of Force	% 2015	
Point CEW	0	0	0	0	0
Point Firearm	2	33.3%	2	66.6%	0
Light Hand Control	0	0	0	0	0
Empty Hand Control	3	50%	1	33.3%	-66.6%
OC Spray	0	0	0	0	0
CEW	0	0	0	0	0
Active CM	1	16.7%	0	0	NC
Canine Apprehension	0	0	0	0	0
Impact Weapon	0	0	0	0	0
Firearm Discharge	0	0	0	0	0
Total	6	100%	3	100%	-50%

Glossary

APPROPRIATE FORCE: The amount of force which a reasonable, trained law enforcement officer would apply or determine to be permissible to apply in a given situation in order to obtain compliance from a resistant individual, using established departmental and/or judicially accepted standards. Appropriate Force must be commensurate with the actual or potential threat posed based upon the articulable facts of a given situation, in keeping with the policies and procedures of the Department, and recognized by the courts as reasonable.

COMPLAINT: Any report, allegation, accusation or statement in which an individual describes a problem or dissatisfaction with the behavior or performance of any departmental employee or departmental policy/procedure.

COMPLAINT FINDINGS (DISPOSITION): The official result of the Department's inquiry or investigation into a Complaint that will determine whether or not any administrative and/or disciplinary action will be considered.

- **EXONERATED:** The incident complained about did occur but was justified, legal, and proper.
- **NOT SUSTAINED:** There is not sufficient evidence to support the allegation(s).
- **SUSTAINED:** The allegation is supported by sufficient evidence or there is sufficient evidence to show misconduct not based on the original Complaint.
- **UNFOUNDED:** The investigation has determined no facts to support that the incident complained about actually occurred.
- **ADMINISTRATIVELY CLOSED:** The Department has deemed it inappropriate or unnecessary to proceed with further investigation or disciplinary proceedings.

DEADLY FORCE: Physical force which, by its application, causes death or has a high probability of causing death or serious physical injury.

EMPTY-HAND CONTROL: Any weaponless control or technique performed with empty or open hands, such as control holds, joint locks and manipulation, pressure points, take downs and the intentional moving (pushing) of an uncooperative person, as well as instinctive weaponless control techniques used to gain control of a resistant subject. **Empty-hand control does not include any strikes or active use of personal weapons (feet, fists, elbows, knees, etc.) or the mere application of handcuffs.**

EXCESSIVE FORCE: Physical force that is grossly disproportionate to the actual or potential threat posed by an individual, and exceeds the amount of force that a reasonable, trained police officer would deem permissible to apply in a given situation. The application of excessive force either causes or may potentially cause injury to an individual.

FORCE: The amount of effort used by a police officer to gain compliance from a subject while acting in his official capacity, whether on or off duty. This definition includes both physical force and "constructive force" (presence, commands, pointing a firearm, etc.).

INAPPROPRIATE FORCE: A higher level of force than a reasonable, trained police officer would utilize or deem permissible to apply in a given situation using established departmental and/or judicially accepted standards.

INTERNAL INVESTIGATION: The administrative investigation of a Complaint by the Department.

LIGHT-HANDED CONTROL: Any minimal physical hand contact used by an officer to guide, direct or steer an individual in a given direction.

NON-DEADLY FORCE: Physical force which, by its application, is not intended to cause and/or has a low probability of causing death or serious physical injury.

PASSIVE RESISTANCE: Physical actions which do not actively or dynamically oppose an officer's attempt to control a suspect. Actions such as remaining limp or simply refusing to act as instructed are passive resistance. Verbally indicating an intention to actively oppose an officer's attempts at control raises a suspect's resistance above purely passive.

SERIOUS PHYSICAL INJURY: An injury that causes major disfigurement, severe tissue damage, broken bones, internal organ injury, or permanent paralysis.

TASER @ X26: A conducted energy weapon that utilizes compressed nitrogen to shoot two probes. The probes are connected to the weapon by insulated wire. When the probes make contact with the target, the Taser transmits electrical pulses along the wires and into the body of the target. The X26 Taser has a built-in memory to track usage. The Taser is a hand held unit that can be used in two modes:

- **DRIVE STUN:** The Taser acts as a drive stun system when it is brought into immediate or close proximity contact with the subject's body or clothing. Due to the narrow spread of the Taser probes, drive stun application will be less likely to create motor skill dysfunction.
- **PROBE DEPLOYMENT:** Utilizing compressed nitrogen gas to propel two (2) darts on wires from a cartridge. The Taser sends an electrical signal to the probes, via the wires, which can disrupt the body's ability and usually causes motor skill dysfunction.
- **PROBES:** Small metallic pins with a barbed point. The probes are used to transmit the electrical pulse into the target's body.