

2020 USE OF FORCE ANNUAL REPORT



Definitions defined by department policy, section 300 Use of Force

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. Force includes threatening the use of deadly force by pointing one's firearm at another. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

Imminent - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

This report is being submitted as per department policy Section 300.9. This report is based on “Responding to Resistance and Aggression” (RRA) Guardian entries, which are submitted when force is used to overcome resistance and aggression. This occurs most often during intervention or arrest situations when suspects are uncooperative, refuse lawful instructions, attempt to evade, interfere, or physically resist lawful attempts to detain or arrest them.

In calendar year 2020, there were twenty-four (24) RRA entries. All incidents documented on guardian tracker were reviewed to ensure officers acted reasonably, appropriately and within policy. The reviews were conducted by one or more supervisors. In all incidents, the use of force was found justified and appropriate. In some instances, other policy concerns were identified and addressed separately. Some of the incidents also presented teaching or training opportunities for supervisors to address with those involved or with other officers.

Currently officers complete one RRA entry per incident even if the incident involves more than one suspect or officer, unless time, distance, or other circumstances separate the resistance or necessary force, thereby requiring individual entries. In more than one incident, the assistance of multiple officers was necessary to overcome extreme physical resistance by the suspect.

Considering there were twenty-four incidents reported, some incidents involved more than one level of resistance or aggression from the suspect. Some incidents involved more than one level of use of force by the officer to overcome the resistance and aggression.

In three incidents, suspects injuries which were observed and reported by officers included small cuts, scrapes, abrasions, a laceration and Taser punctures. No serious injuries were documented by officers.

The following information provides a general location and how the contact was initiated:

3 incidents occurred inside.

8 incidents occurred outside.

13 incidents were vehicle related.

Contact initiated from:

Traffic stops: 3

Call for service: 8

Officer stop: 13

Other: 0

The following information was collected from the RRA entries as a result of the analysis of the incidents which occurred in 2020.

Suspect under the influence of alcohol/drugs: 11 Suspect with mental health issues: 6

Officer Force Utilized

Physical: 8

OC Spray: 0

Taser: Drive Stun:0 Cartridge Fired: 4

Impact Weapon: 0

Less Lethal: 0

Deadly Force: 0

Pointed Firearm: 18

Suspect Resistance Utilized:

Resisted Officer Commands: 10

Ran / Evaded: 3

Physically Resisted: 7

Assaulted Officer / Other: 1

Deadly Force: 0

Other: 14

Outcome of events:

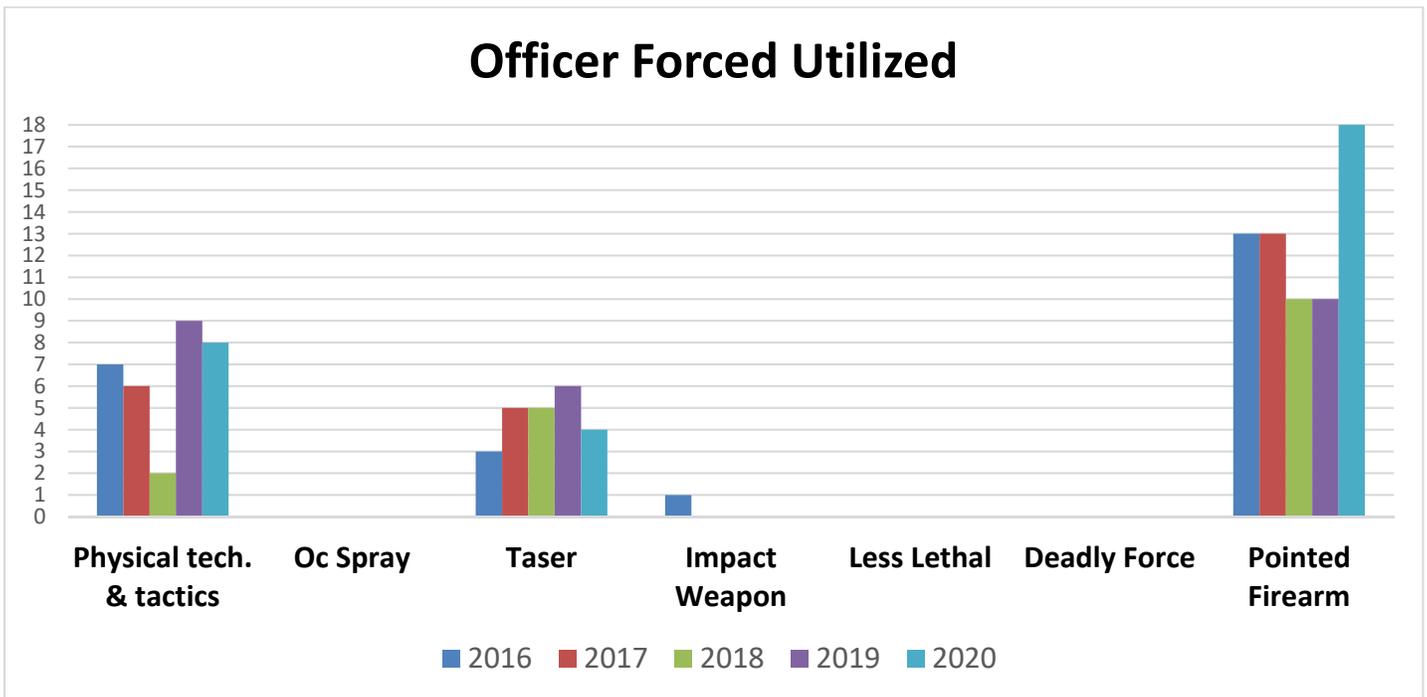
Incidents involving no criminal charges: 2

Incidents involving emergency mental health detentions: 0

Incidents involving one or more felony charges: 12

Incidents involving one or more misdemeanor charges: 11

The graph charts are a comparison from the type of use of force documented from 2016 to 2020. There are categories pertaining to “officer force utilized” and “suspect resistance utilized” which did not occur. Therefore, there is no data displayed under certain categories for the years represented in the bar graphs below.



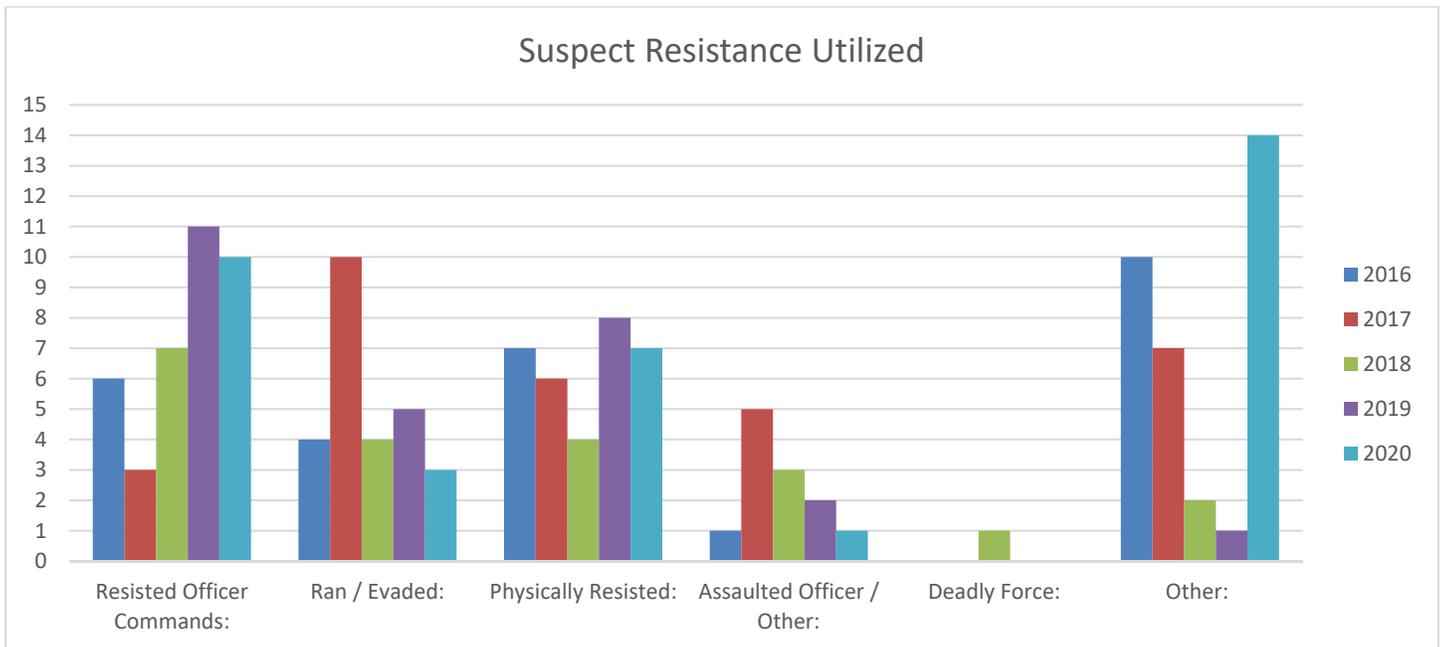
Officer force utilized differences from 2019 to 2020:

There were 8 RRA guardian entries in 2020 reported pertaining to physical tech. and tactics compared to 9 reported in 2019.

The were 4 RRA in 2020 reported pertaining to the use of taser compared to 6 reported in 2019.

The were 18 RRA in 2020 reported pertaining to pointing a firearm by an officer compared to 10 reported in 2019.

There were no guardian entries documented for the use of OC Spray, impact weapon, less lethal or deadly force for 2020.



Suspect resistance differences from 2019 to 2020:

There was a decrease from 11 to 10 RRA guardian entries for subjects who resisting officer’s commands officers this year.

There was a decrease from 5 to 3 RRA guardian entries for subjects who resisting officer’s commands officers this year.

There was a decrease from 8 to 7 RRA guardian entries for subjects who physically resisted officers.

There was a decrease from 2 to 1 RRA guardian entries for subjects who assaulted officers.

There was an increase from 1 to 14 RRA guardian entries for subjects who display “other” resistance towards an officer.

The “Other” category pertains to issues that do not fall under the other categories about the suspect resistance utilized. Thirteen of the “Other” category is where the person complied. During those incidents, the person posed a serious threat to law enforcement or others based on their dangerous behavior, the person had a weapon, or other circumstances that required officers to point their firearms at individuals. In one case, the individual shot themselves in front of officers who pointed their firearms at the person.

Although most incidents had more than one officer present, the RRA Guardian entry is generally entered in the name of the officer who had primary involvement. There were only two RRA entries in guardian tracker in which only one officer was present.

In 22 of the incidents, there were two or more officers present. The following are the numbers of officers present by incident:

- 1 Officers at 2 incidents
- 2 Officers at 6 incidents
- 3 Officers at 2 incidents
- 4 Officers at 10 incidents
- 5 Officers at 1 incident
- 6 Officers at 1 incident
- 7 Officers at 1 incident
- 8 Officers at 1 incident

Recommendations:

I do not have any specific recommendations for changes pertaining to policy. I would still recommend continued physical techniques and de-escalation training.

Officers are currently provided with up to date equipment they need. There was an increase in officers pointing their firearms at people. However, after reviewing the nature of each incident the display of force was justified for each situation.

Respectfully,



David Muniz
Patrol Captain
Aransas Pass Police Department