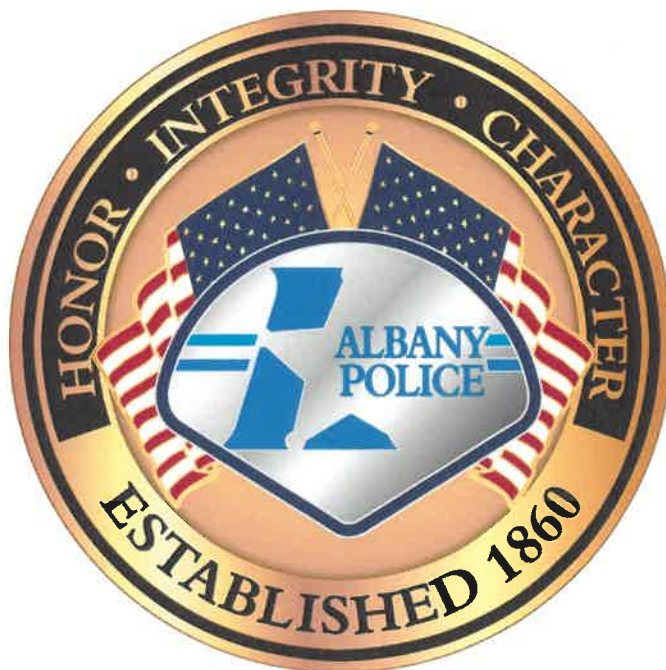


# 2018 Annual Use of Force Analysis & Officer Assault Review

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Albany Police Department

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Report prepared by:

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Approved by: \_\_\_\_\_

*M. CATTAW*

Date: \_\_\_\_\_

*3-18-19*

Chief of Police

## Introduction

The Albany Police Department conducts an annual analysis of its use of force activities every calendar year. This analysis includes a review of policy and practices as well as a review of assaults on sworn officers as required by CALEA 4.2.4 and 4.2.5. The use of force incidents analyzed are officer responses to calls with a display of force requiring a supervisor's review and report per the Use of Force Policy 240.

A review of incidents of force may reveal patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications. The process of collecting and reviewing the reports is also critical to this analysis.

This Use of Force Analysis was completed using Albany Police Department data from 2016, 2017, and 2018. The Albany Police Department used force 229 times in 2016, 237 times in 2017, and 216 times in 2018. The following data was graphed and charted:

- Classification of Initiating Call (what was responded to)
- Breakdown and Comparison by Gender, Race, and Age
- Resistance Encountered by Officers
- Level of Force Used
- Total Arrests and Calls for Service versus Total Use of Force Incidents
- Number of Officers Responding to a Use of Force Call
- Injuries to Any Person Including Officers
- Day and Time of Incident

## Synopsis

The 2018 Use of Force Report was completed using the Albany Police Department's Use of Force database. The Albany Police Department responded to 43,266 calls, resulting in 6,932 arrests, with only 216 incidents requiring use of force as defined by the Albany Police Department. It is important to note that the Department of Public Safety Standards and Training (DPSST) and many agencies across the country do not include "handgun displayed" as a formal use of force for reporting purposes. As an example, this year, the Albany Police Department had 103 instances where a handgun was displayed and was reported as a use of force.

This analysis revealed the uses of force over the past three years is relatively consistent, between 216 and 237. It was determined that when comparing the volume of calls for service and actual arrests made by the Albany Police Department to the number of use of force incidents, only 3.1 percent of arrests required use of force and 0.5 percent of all calls for service required use of force.

The analysis reveals that sworn officers of the Albany Police Department have effectively responded with physical force in compliance with department policy and legal standards.

## Policy Review and Revisions

The Use of Force Policy 240 was last updated September 25, 2018. Some minor changes were made to the policy regarding administrative review of each use of force. In May of 2018, the policy was updated to include language regarding de-escalation techniques. No additional changes are recommended at this time.

## Classification of Initiating Call

The following information outlines the types of calls that initiated the need for use of force by the Albany Police Department. Due to the large number of call types, this information was condensed into eight categories.

**Fight or Disturbance:** Assault, Disorderly Conduct, Interfering, Resisting Arrest, Domestic, Harassment, Menacing, Weapons.

**Assist Other Agency/Warrant:** Warrants served by the Department, or with out assistance, for other agencies.

**Traffic:** Traffic Crime, DUII, Pursuit, Elude, Hit & Run, Careless Driving.

**Property Crime:** Burglary, Theft, Criminal Mischief, Fraud, Shoplifting, Stolen or Recovered Vehicle.

**Mental Health or Suicidal:** Emotionally Disabled Person, Suicidal Subject, Police Officer Hold.

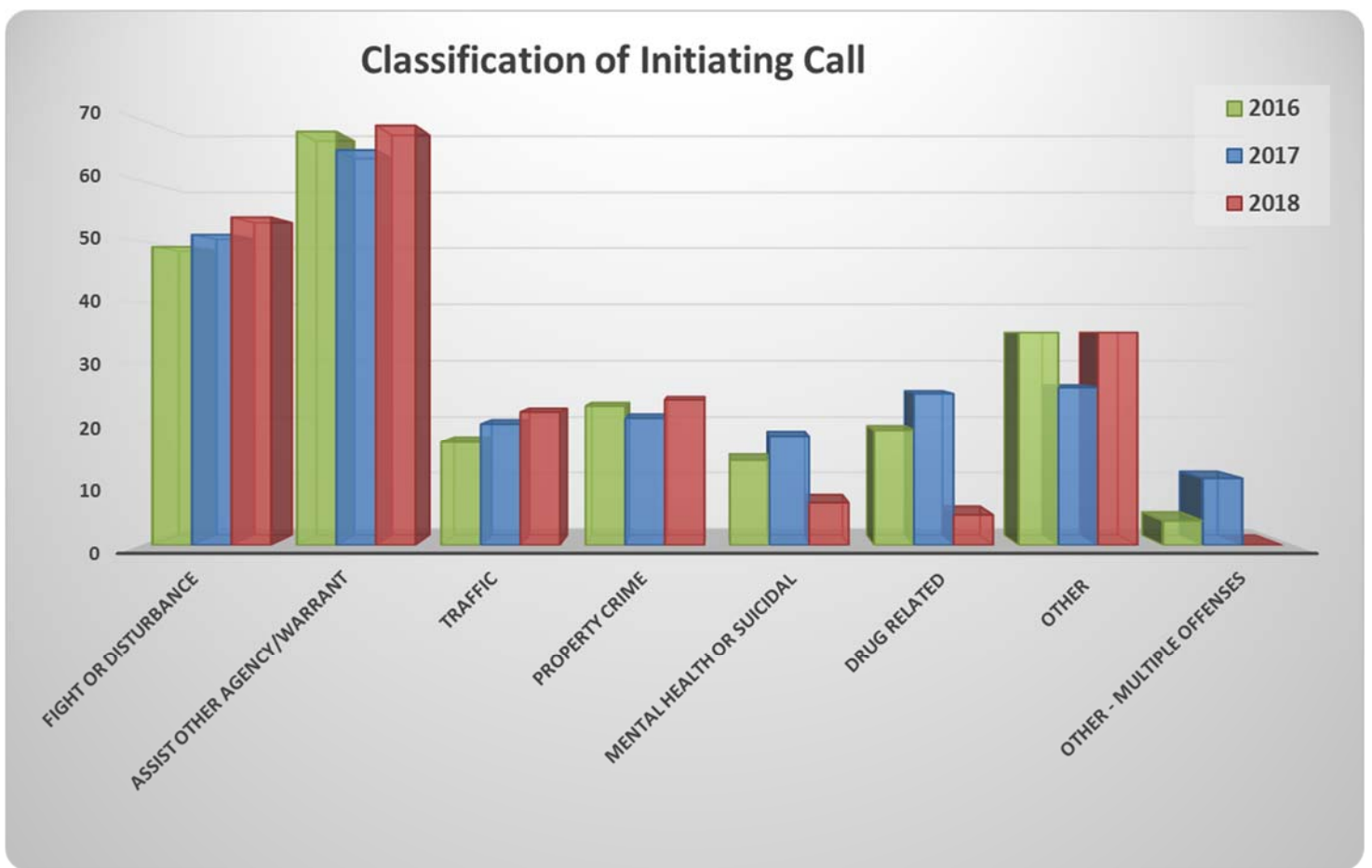
**Drug Related:** Narcotics warrant or any other incident where drugs were a primary causal factor.

**Other:** Miscellaneous Crime, Welfare Check, Public Indecency, Trespass, Curfew, Exclusion, Restraining Order Violation, Sex Offense, Runaway, Suspicious Person, Suspicious Circumstances, Reckless Endangering, MIP, Robbery, Animal Complaints.

**Other - Multiple Offenses:** This category references situations where more than one type of call initiated the use of force. No specific call types are listed here as all fall into another category when separated.

Of the 216 Use of Force incidents during 2018, 32% were for warrant arrests/assisting other agencies, 25% were the result of a fight or disturbance call, and the remaining six categories were all 16% or below. The classification of initiating call where force has been used over the past three years has been very consistent with most categories. There was a noticeable decline in use of force incidents relating to Mental Health Suicidal subjects from 7% in 2017 down to 3% in 2018. This could be due to enhanced mental health training and new de-escalation techniques being used especially in these circumstances. There was also a reduction in use of force incidents initiating from Drug Related calls. There were 25 incidents in 2017 and only 5 in 2018.

<b>Classification of Initiating Call</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Fight or Disturbance	49	51	54	21%	22%	25%
Assist Other Agency/Warrant	68	65	69	31%	27%	32%
Traffic	17	20	22	7%	8%	10%
Property Crime	23	21	24	10%	9%	11%
Mental Health or Suicidal	14	18	7	6%	7%	3%
Drug Related	19	25	5	8%	11%	2%
Other	35	26	35	15%	11%	16%
Other - Multiple Offenses	4	11	0	2%	5%	0%
<b>Total Responses</b>	<b>229</b>	<b>237</b>	<b>216</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>



## Breakdown and Comparison by Gender, Race and Age

During 2018, 86% of use of force incidents were against males compared to 14% female. There was a decrease of use of force against women from 17% to 14% between 2017 and 2018.

During 2018, 65% of use of force incidents were against suspects between the ages of 21 and 40. The Use of Force based on age has been very consistent over the past three years.

During 2018, 88% of use of force incidents were against persons identifying as White, 7% against Hispanic, 2% against Black, 2% against Unknown and 0% each for both Asian/Pacific Islander and Native American. These numbers match very close with the City of Albany population.

There is no concerning information when reviewing Use of Force by Gender, Race or Age.

<b>Gender</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	
Male	202	196	190	88%
Female	26	41	26	12%
Unknown	1	0	0	0%
<b>Total</b>	<b>229</b>	<b>237</b>	<b>216</b>	<b>100%</b>

<b>Age</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	
17 and Under	6	11	15	7%
18 - 20	10	6	8	4%
21 - 30	76	85	74	34%
31 - 40	70	73	66	31%
41 - 50	36	34	28	13%
51 - 55	12	16	14	6%
56 and Over	17	10	11	5%
Unknown Adult	1	2	0	0%
Dog	1	0	0	0%
<b>Total</b>	<b>229</b>	<b>237</b>	<b>216</b>	<b>100%</b>

<b>Race</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	
Animal	1	0	0	0%
Asian/Pacific Islander	1	2	1	0%
Native American	1	2	0	0%
Black	11	9	4	2%
Hispanic	29	24	16	7%
White	182	191	190	88%
Unknown	4	9	5	2%
<b>Total</b>	<b>229</b>	<b>237</b>	<b>216</b>	<b>100%</b>

## Resistance Encountered by Officers

The resistance encountered by officers is broken down into 22 different areas, many of which are seldom encountered. Due to the relatively low number of some encounters, small differences in data points can sometimes indicate large percentage changes in the data. Changes in the data, positive or negative, are not always an accurate indicator of a trend or a result of officer actions.

The resistance encountered by officers over the past three years has been very consistent with no noticeable changes or spikes. The total amount of resistance encountered by officers is a different number than the total incidents per year. Multiple types of resistance can be encountered during one incident.

### Resistance Encountered by Officers

Resistance	2016	2017	2018	
Other	131	106	151	23.8%
Verbally Aggressive	78	92	120	18.9%
Passive Resistance	59	72	82	12.9%
Attempt to Escape	40	66	76	12.0%
Push/Shove/Pull	41	59	50	7.9%
Elude on Foot/Bicycle	48	38	45	7.1%
Fighting Stance	19	23	32	5.0%
Elude Vehicle	16	22	24	3.8%
Leg/Knee/Foot Strike	12	22	12	1.9%
Suicidal	12	12	11	1.7%
Hand/Elbow Strike	5	9	9	1.4%
Firearm - Handgun	5	9	8	1.3%
Stabbing Instrument	4	23	7	1.1%
Impact Weapon	3	1	6	0.9%
OC Chemical Spray	0	0	1	0.2%
Firearm - Shotgun	4	0	0	0.0%
Static	0	0	0	0.0%
Firearm - Rifle	0	1	0	0.0%
Serving Warrant	2	4	0	0.0%
Aggressively Approaching	0	4	0	0.0%
Taser	0	0	0	0.0%
Hiding/Barricaded	25	6	0	0.0%
<b>Total</b>	<b>504</b>	<b>569</b>	<b>634</b>	<b>100.0%</b>

## Level of Force Used

The level of force used by officers is broken down into 46 different types, some of which are seldom utilized. Due to the relatively low number of some uses, small differences in data points can sometimes indicate large percentage changes in the data. Changes in the data, positive or negative, are not always an accurate indicator of a trend or a result of officer actions.

The following changes in level of force used are notable between 2017 and 2018:

- A significant increase in the Display of Handguns, 13.3% to 19.5%
- An increase in Taser Verbal, 7.2% to 9.5%
- A decrease in Arm Bar Takedowns, 38 to 20
- An increase in K-9 Deployments, 7 to 16

Officers are utilizing the Taser or hands on options more frequently, likely in place of displaying a handgun. Tasers and Less Lethal continue to increase in use and can be an excellent option when making a use of force choice.

The data for level of force used gives a total number of types of forces used during the 216 incidents in 2018. The 528 types of level of force account for all actions taken by officers during these incidents. When there are multiple officers on scene, many times there are multiple uses of force in one incident. This data includes all actions and level of force used by all officers involved.

<b>Level of Force Used</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	
Handgun Displayed	85	63	103	<b>19.5%</b>
Taser Verbal	16	34	50	<b>9.5%</b>
Wrap Restraint	30	41	49	<b>9.3%</b>
Taser Displayed	66	59	40	<b>7.6%</b>
Other	32	27	39	<b>7.4%</b>
Taser Laser	21	27	32	<b>6.1%</b>
Taser Deployed	5	24	31	<b>5.9%</b>
Bent Wrist Lock	23	23	24	<b>4.5%</b>
Carbine Displayed	16	16	21	<b>4.0%</b>
Arm Bar Takedown	21	38	20	<b>3.8%</b>
K-9 Presence	11	14	16	<b>3.0%</b>
K-9 Deploy	1	7	16	<b>3.0%</b>
Bean Bag Shotgun/40mm LL Display	3	11	14	<b>2.7%</b>
Arm Bar	15	12	10	<b>1.9%</b>
Leg Sweep	13	8	10	<b>1.9%</b>
Elbow Strike	1	0	9	<b>1.7%</b>
Hair Hold Takedown	5	14	7	<b>1.3%</b>
Taser Drive Stun	1	10	6	<b>1.1%</b>
Mandibular Pressure Point	4	3	6	<b>1.1%</b>
K-9 Bite	0	1	6	<b>1.1%</b>
Escort Hold	25	14	4	<b>0.8%</b>
Knee Strike	3	3	4	<b>0.8%</b>
Subclavian - San Kyjo - Shoulder Lock	9	8	2	<b>0.4%</b>
Focused Blow	2	3	2	<b>0.4%</b>
Beanbag Shotgun/40mm LL Employed	2	1	2	<b>0.4%</b>
Punch	1	0	2	<b>0.4%</b>
Shotgun Display	0	4	1	<b>0.2%</b>
O.C. Employed	1	1	1	<b>0.2%</b>
ASP Baton Employed	1	2	1	<b>0.2%</b>
Handgun Fired	0	0	0	<b>0.0%</b>
Taser Arc	0	0	0	<b>0.0%</b>
Swarm	2	1	0	<b>0.0%</b>
Front Leg Block	0	0	0	<b>0.0%</b>
O.C. Spray Presence	0	1	0	<b>0.0%</b>
ASP Baton Presence	1	1	0	<b>0.0%</b>
Metacarpal Pressure Point	0	0	0	<b>0.0%</b>
Spike Strips	2	0	0	<b>0.0%</b>
Digital	0	0	0	<b>0.0%</b>
Push/Shove	7	0	0	<b>0.0%</b>
Front Kick	1	1	0	<b>0.0%</b>
Sternum Pressure Point	0	0	0	<b>0.0%</b>
Hand Peel Takedown	1	0	0	<b>0.0%</b>
Figure Four Leg Restraint	0	0	0	<b>0.0%</b>
Carotid Neck Restraint	4	0	0	<b>0.0%</b>
Stomp Kick	0	0	0	<b>0.0%</b>
Palm Heel Strike	0	2	0	<b>0.0%</b>
<b>Total</b>	<b>431</b>	<b>474</b>	<b>528</b>	<b>100%</b>



## Total Arrests Versus Total Use of Force Incidents

During 2016, officers used force 4.6% of the time when making an arrest. During 2018, officers used force 3.1% of the time. This is a slight decrease but not a significant change.

### Percentage of Arrests Requiring Use of Force

<b>Arrests vs. Incidents</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Arrests	4,940	5,910	6,932
Use of Force Incidents	229	237	216
<b>Total Percentage</b>	<b>4.6%</b>	<b>4.0%</b>	<b>3.1%</b>

## Total Calls for Service Versus Total Use of Force Incidents

Use of Force based on calls for service have remained at a similar percentage over the past 3 years. Calls for service declined 8% in 2018, mainly due to the transition to a new CAD/RMS system in 2017, which completely changed the way calls for service are documented, even though all indication are actual calls for service did not decline that much while the number of uses of force remained relatively consistent. Due to this CAD/RMS change, it will take a couple years using the new system before calls for service vs. use of force will be valuable information. The total calls for service in 2018 will be the new baseline.

### Percentage of Calls for Service Requiring Use of Force

<b>Calls for Service vs. Incidents</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Calls for Service	57,553	47,087	43,266
Use of Force Incidents	229	237	216
<b>Total Percentage</b>	<b>0.4%</b>	<b>0.5%</b>	<b>0.5%</b>

## Number of Officers Responding to a Use of Force Call

In 2018, 63.4% of use of force incidents involved calls with three or fewer officers. Two officers were involved in 28.7% of the calls which is the highest likelihood. These results seem reasonable based on the fact that more than one officer is typically dispatched to obviously dangerous calls and officers also frequently ask for assistance if they perceive force may be necessary. Examining the incidents revealed no concerning patterns or trends.

### Number of Officers Responding to Call

Number of Officers	2016	2017	2018	
1 Officer	28	32	34	15.7%
2 Officers	72	76	62	28.7%
3 Officers	51	47	41	19.0%
4 Officers	28	30	34	15.7%
5 Officers	31	35	34	15.7%
6 Officers	12	10	7	3.2%
7 Officers	6	7	2	0.9%
8 Officers	1	0	0	0.0%
9 Officers	0	0	2	0.9%
10 or more Officers	0	0	0	0.0%
<b>Total</b>	<b>229</b>	<b>237</b>	<b>216</b>	<b>100%</b>

## Day of Week/Time of Day

The Albany Police Department did not track Day of Week or Time of Day for use of force incidents prior to 2017. The Albany Police Department use of force incidents by day of week in 2018 ranged from 24 to 37 incidents. Most days of the week had similar numbers of incidents, with Sunday being the highest at 37 incidents.

Use of Force Incidents by Time of day were broken down in four- hour increments beginning at midnight. Most use of force incidents occurred between 8pm and midnight at 24% and the least between 4am and 8am at 6%.

There is nothing within the day of week or time of day data which indicates a pattern or reoccurrence which is concerning.

<b>Day of Incident</b>	<b>2017</b>	<b>2018</b>
Sunday	44	37
Monday	36	33
Tuesday	31	25
Wednesday	32	24
Thursday	21	33
Friday	27	32
Saturday	46	32
<b>Total</b>	<b>237</b>	<b>216</b>

<b>Time of Incident</b>	<b>2018</b>	
0001 - 0400	32	15%
0401 - 0800	13	6%
0801 - 1200	36	17%
1201 - 1600	37	17%
1601 - 2000	47	22%
2001 - 0000	51	24%
<b>Total</b>	<b>216</b>	<b>100%</b>

## Use of Force Training

All sworn personnel receive various use of force instruction during basic police training including case law, defensive tactics, baton, OC, handcuffing, firearms, less lethal, MILO and more. Continuing education for all Albany Police sworn personnel on use of force occurs many times each year. The formal use of force training during 2018 consisted in part of:

January 2018	4 hours	Defensive Tactics/Ground Fighting
April 2018	4 hours	MILO
May 2018	4 hours	Firearms
July 2018	4 hours	Defensive Tactics
August 2018	4 hours	Firearms
December 2018	4 hours	Firearms/Night Range

DPSST requires 8 hours of ongoing Firearms/Use of Force training each year. The Albany Police Department consistently trains officers more than the minimum required. Sworn officers also received numerous training bulletins on force issues. Training bulletins in 2018 related to use of force included: de-escalation, stress recognition, mental health, and civil unrest.

## Reporting

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department requires the completion of a Use of Force Report which is reviewed by a supervisor.

The current system continues to meet the department's needs: the officers or supervisors enter their Use of Force data; a supervisor reviews the Use of Force and the Operations Captain completes the annual analysis. During the supervisor review, the supervisor can request the Operations Captain to review significant, questionable, or concerning events. The Operations Captain then specifically reviews those events. Each Use of Force in 2018 was reviewed by a Sergeant or above. The use of force review includes policy adherence, training needs, equipment status and disciplinary issues.

## Equipment Review

During the 2018 review there were numerous times a control hold, taser, displayed weapon, or other force was not successful in resolving the incident; however, there are not any overall equipment failures or issues that need to be addressed.

## Officer Injuries

The Albany Police Department did not track officer injuries during use of force incidents prior to 2017. Most use of force incidents (92.1%) were resolved with no injury to an officer. Of the 216 use of force reports, 14 (6.5%) resulted in an officer injury. The injuries for 2018 were constant with the 2017 data.

### Officer Injuries During Use of Force

Type of Injury	2017	2018	
No Injury	222	192	<b>88.9%</b>
Minor - No Medical Attention	12	21	<b>9.7%</b>
Minor - Medical Attention	0	2	<b>0.9%</b>
Hospital	3	1	<b>0.5%</b>
<b>Total Incidents</b>	<b>237</b>	<b>216</b>	<b>100%</b>

In 21 incidents the officers required no medical attention for things such as a scratch, bruise, or complaint of pain. In one incident the officer went to the hospital for a broken finger after attempting to take custody of a physically resistive suspect.

Most officer injuries occurred while officers struggled to take custody of a resistive suspect. Many times, more than one officer was present and assisting when the injury occurred. There is nothing within the officer injury data which indicates a pattern or recurrence which is concerning.

## Other Persons Injured

Most use of force incidents (80.1%) were resolved with no injury to any person. In 24 incidents, the person injured did not require medical attention for things such as a scratch, bruise, or complaint of pain. Medical attention was given to 13 injured persons, which includes a review by an emergency medical services professional. During 2018, there were 4 reported injuries to persons needing further evaluation at a local hospital, each is detailed below the chart.

### Person Injuries During Use of Force

Type of Injury	2018	
No Injury	174	<b>80.6%</b>
Minor - No Medical Attention	24	<b>11.1%</b>
Minor - Medical Attention	14	<b>6.5%</b>
Hospital	4	<b>1.9%</b>
<b>Total Incidents</b>	<b>216</b>	<b>100%</b>

**18-366**

A juvenile male was being detained for an arrest warrant. The subject resisted arrest. The officer performed an arm bar takedown on the subject, which took him to the ground where he was detained. The male subject complained of injury to his head, he was taken to the hospital for evaluation, released and lodged at the Juvenile Detention Center.

**18-929**

A male subject was acting suspicious in a store. When officers arrived, the subject gave them a fake name. Another officer arrived on scene and recognized the male, who had given a fake name and had a felony warrant for his arrest. The subject resisted arrest and officers struggled with him on the ground in an attempt to gain control. The subject complained of pain to his hands and he was bleeding. He was taken to the hospital, his hand was x-rayed, he was given ibuprofen and medically cleared for jail.

**18-3739**

Officers responded to an assault on a grocery store employee. The male subject was intoxicated, using an object as a weapon and resisting arrest. A K9 officer was first on scene, he tased the subject and deployed the K9 to bite the subject's arm. Several officers arrived on scene and assisted with detaining the male. The subject was taken to the hospital for the K9 bite and a medical evaluation including an x-ray of his arm. He was medically cleared and taken to jail where he was lodged.

**18-4577**

Officers responded to the report of a wanted subject for outstanding felony warrants. The subject ran from police and resisted arrest. The subject was tased and taken into custody by multiple officers. Medics arrived on-scene and cleared the subject to be transported to the hospital by patrol officers. The subject was medically evaluated at the hospital for being tased and cleared to be lodged at the jail.

## **Assault on Officers**

The Albany Police Department started reviewing assaults on officers in 2017. There were two reported officer assaults during 2017, which created the baseline. Due to changing the report writing and record keeping systems during 2017, the 2017 data is likely not as accurate as 2018.

During 2018 there were 6 reported officer assaults and 6 reported attempted officer assaults as follows by incident number:

### **18-199**

Officer A observed a male trespassing at the Bus Station after close of business in the Central patrol area. Officer A contacted the male as he attempted to walk away from the officer. Officer A called for assistance due to the male's behavior and attempted avoidance. After Officer B arrived, they each took a hold of one of the male's arms to detain him and he kicked back at Officer B causing pain and physical impairment. The male was charged with Assault on a Police Officer and Trespass. Officer B did not miss any work. The male subject was under the influence of marijuana.

### **18-1129**

Officer A and Officer B responded to a suspicious person in the NE patrol area involving a male with a confirmed felony warrant. The male was sitting in a chair and refused to show his hands or comply with orders. After numerous commands the male was tased with no effect. The male charged the officers causing a hands-on physical altercation. Pepper spray was used and ineffective. Two baton strikes were delivered by Officer A, one of which struck Officer B on the hand. Officer B punched the male with the same hand hit by the baton. Officer B suffered a broken finger during the incident. The male was charged with Assault on a Police Officer, Resisting Arrest, Assault 4, and warrants. As of this publication, Officer A is still on light duty due to this injury. The subject had a warrant and was upset.

### **18-1253**

Officer A and Officer B responded to a disturbance in the NE patrol area involving a male threatening to kill a female. Both officers contacted the male who immediately armed himself with two baseball bats. Officers requested additional assistance. Officer A tased the male which was only partially effective, and the male was able to pull the probe wires loose. The male advanced on the officers, so the officers retreated outside. The male locked himself in the house. Officer B climbed in an open window to protect a remaining female inside the house. Officer B tased the male with no effect. A hands-on physical altercation ensued between the male subject and Officer B. The male tried to grab Officer B's gun and Officer B punched the male numerous times in the face. The male bit Officer B's hand causing injury. Officer A and additional officers were able to enter the house and assist taking the male into custody. The male was charged with Domestic Menacing, Domestic Harassment, Assault on a Police Officer, Resisting Arrest and two counts of Menacing. Officer B did not miss any work. The subject was having a mental episode and was upset.

**18-4687 (Attempted)**

Officers were dispatched to a disturbance in the Central patrol area. Officer A found parents and family members attempting to hold onto a male juvenile who was yelling and bleeding. Officer A attempted to take custody of the male juvenile with some help from the family. The male juvenile attempted to elbow Officer A in the head during the struggle but was unsuccessful due to Officer A recognizing the threat and blocking it with his shoulder. After additional officers arrived, they were able to take the male juvenile into custody. The male juvenile was charged with Attempted Assault on a Police Officer, Harassment, Criminal Mischief 2 and Reckless Endangering. The subject was having a mental episode and was upset.

**18-5743 (Attempted)**

Officers were dispatched to a reported intoxicated driver in the SE patrol area. The suspect vehicle did not yield during a traffic stop and a pursuit occurred. The male was eventually taken into custody and attempted to head butt Officer A while unbuckled but was unsuccessful due to Officer A recognizing the threat and blocking it with his arm. The male was charged with Attempted Assault on a Police Officer, Reckless Endangering, Criminal Mischief 2, DUUI, Criminal Trespass 2, Fail to Perform Duties, Reckless Driving, Elude in Vehicle and Elude on Foot. The subject was intoxicated.

**18-6308**

Officers were dispatched to a disorderly male in the Central patrol area. After attempting to speak with the disoriented male for several minutes, the male became even more difficult, so officers took him into custody. While taking the male into custody he pulled an arm free and punched Officer A in the face causing pain, a minor laceration, and swelling. The male was charged with Assault on a Police Officer and Disorderly Conduct. Officer A did not miss any work. The subject was having a mental episode and was upset.

**18-6572 (Attempted)**

Officer A observed a naked male walking in the NE patrol area talking to himself. Officers contacted the male who became even more disorderly. While taking the male into custody he attempted to head butt two officers but was unsuccessful. The male was charged with Attempted Assault on a Police Officer, Resisting Arrest, Disorderly Conduct and Criminal Mischief 2. The subject was having a mental episode and was upset.

**18-6615 (Attempted)**

Officers were dispatched to a disorderly male in the SW patrol area. The male was taken into custody for disorderly conduct. While securing the male in the backseat, the male head-butted Officer A in the head and attempted a second head-butt. No injury was sustained. The male was charged with Assault on a Police Officer and Disorderly Conduct. The subject was having a mental episode, was intoxicated and upset.

**18-7201 (Attempted)**

Officers were dispatched to an assault in the NW patrol area. Officer A took the male subject into custody without incident. At the jail the male challenged the officer by



standing up quickly and making a fist in preparation to strike Officer A. Officer A and a Deputy took control of the male. No one was injured. The male was charged with Attempted Assault on a Police Officer and the initial Assault 4. The subject was having a mental episode and was upset.

#### **18-7571 (Attempted)**

Officer A attempted to stop a male juvenile for a traffic infraction that led to a pursuit in the NW patrol area. The vehicle crashed and the male juvenile ran. The male juvenile was caught a short distance away by Officer B who was punched in the face by the male juvenile. Officer B did not sustain an injury. The male juvenile was charged with Attempted Assault on a Police Officer, Reckless Endangering, Resisting Arrest, Elude in Vehicle, Elude on Foot, Fail to Perform Duties and Reckless Driving. The subject was afraid of going to jail.

#### **18-8824**

Officers were dispatched to a DUII/Disturbance in the NW patrol area involving two males and a female. Officer A arrested the intoxicated female for trespass and while trying to forcibly walk her to the patrol car the female kicked Officer A in the knee causing pain. The female was charged with Assault on a Police Officer and Trespass. Officer A did not miss any work. The subject was highly intoxicated.

#### **18-10141**

Officers were dispatched to an out-of-control female juvenile who had harassed some teachers in the NW patrol area. While detaining her and getting her into the back seat of the patrol vehicle she kicked Officer A in the leg, chest and twice in the head. Officer A suffered minor injury. The female juvenile was charged with Assault on a Police Officer and Criminal Mischief 2. Officer A did not miss any work. The subject was having a mental episode and was upset.

#### **Trends and patterns for these incidents are:**

- The calls resulting in Assault or Attempted Assault on a Police Officer stemmed from both self-initiated work and calls for service.
- Every individual who used or attempted to use physical force, used their hands, feet, or head, to inflict injury. No other weapons were used in the assaults or attempts.
- 7 of the 12 incidents involved subjects who were having some type of mental episode and were upset. 3 involved alcohol, 1 involved marijuana, 1 was simply upset, and 1 claimed to be afraid of going to jail.
- 5 incidents took place after the person was handcuffed and not actively fighting.
- 3 incidents involved the subject head butting or attempting to head butt the officer, twice while in the back seat of a patrol car.
- 3 incidents involved the subject kicking at the officer.

- 3 incidents involved juveniles.
- 2 incidents involved females.
- Only 1 incident led to missed work; however, the one incident led to a year plus of time loss with no predicted return to duty date.
- During 2018 officers did a good job attempting to use various use of force options such as OC and taser, which were ultimately not successful in these few cases.

## **Conclusion and Recommendations**

The review of use of force incidents during 2018 revealed the actions by Albany Police Department staff in each incident were justified and within policy. The force used reasonably appeared necessary to bring each incident under control, given the facts and circumstances perceived by the officer at the time of the event.

Caution, restraint, and alternative weapons shall be considered, when possible, before going hands on with people who are upset and show signs of having a mental episode. Utilizing de-escalation techniques, time and distance may provide some other options to successfully deal with a subject. Additional and ongoing Critical Incident Training and De-escalation Training can be helpful to minimize officer and suspect injuries.

Additional training and reminders shall be made during Defensive Tactics training on how suspects are using head-butts and kicks to injure or attempt to injure officers. Officers will be reminded of the dangers while walking with detained subjects and while getting suspects in and out of vehicles.

The Department continually looks for balance between using physical force and control devices. Use of Force training will continue to emphasize de-escalation techniques, control holds, and proper use of control devices.

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding and true appreciation for their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.