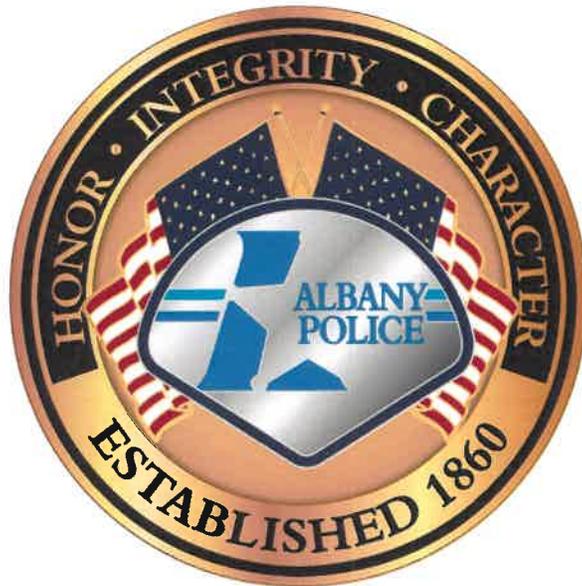


2019 Annual Use of Force Analysis & Assault on Officer Review

Albany Police Department



Report prepared by:

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Approved by: _____

Chief of Police

Date: _____

4/28/2020

Introduction

The Albany Police Department conducts an annual analysis of its use of force activities every calendar year. This report includes an analysis of department policy and practices as well as a review of assaults on sworn officers as required by CALEA standards 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 department's 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 2017, 2018, and 2019. The Albany Police Department used force in 237 incidents in 2017, 216 incidents in 2018, and 263 incidents in 2019. Data graphed and charted include the following:

- Classification of Initiating Call (what officers 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 2019 Use of Force Report was completed using the Albany Police Department's use of force database. The Albany Police Department responded to 45,606 calls, resulting in 7,214 arrests, with only 263 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. This year, the Albany Police Department had 107 instances when 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 263 incidents. 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 3.6 percent of arrests required use of force and .58 percent of all calls for service required use of force.

Officers are trained to use de minimis force whenever possible. De minimis force is defined as a physical interaction meant to separate, guide, and/or control without the use of formal control techniques or other techniques that are intended to, or reasonably likely to cause any pain or injury. The use of force requires notification and report when physical force, except de minimis force, is used.

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 is continuously reviewed for accuracy to ensure department policy aligns with current best practice and updated laws. The policy was last updated November 1, 2019. Some minor changes were made to the policy regarding specific types of weapons officers are authorized to carry and the issuance of those weapons. 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 has been 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 while assisting 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.

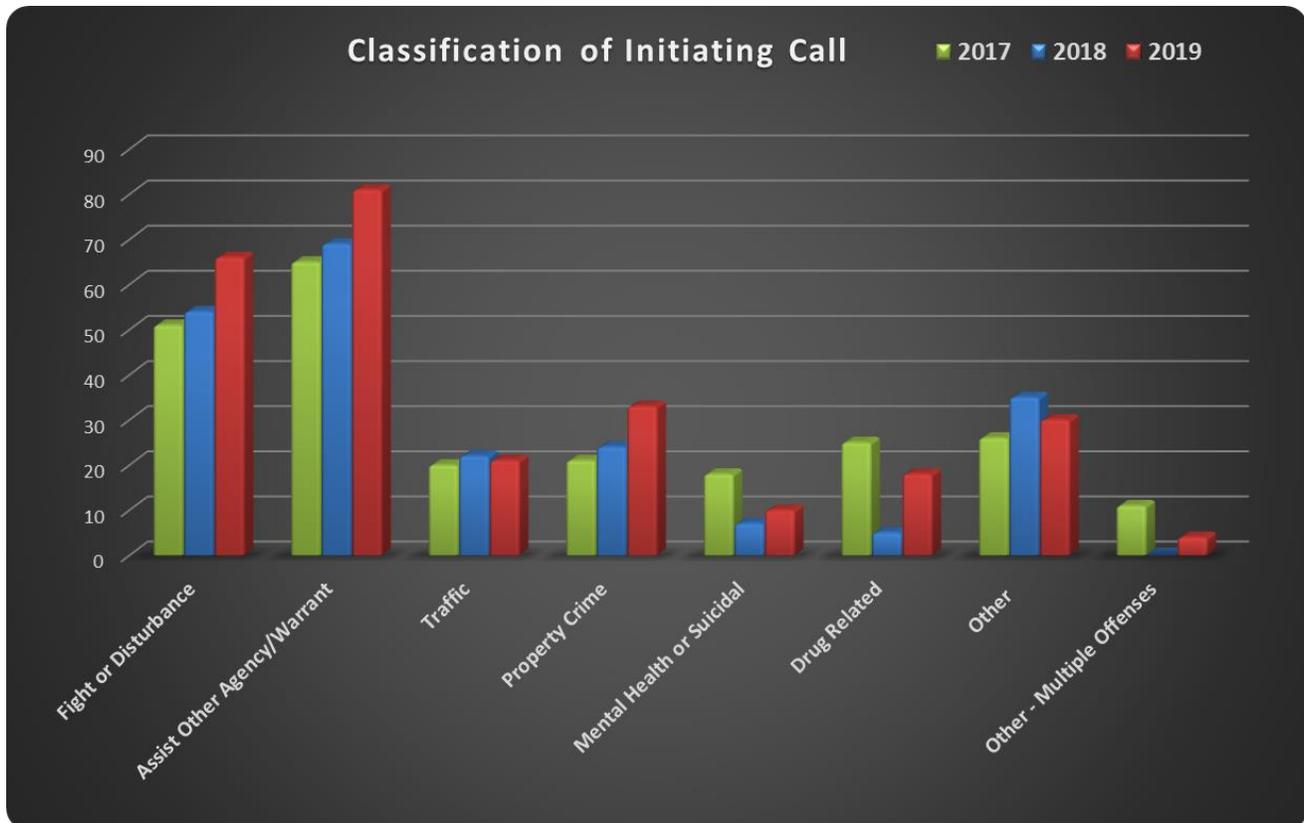
Drug Related: Narcotics warrant or any other incident where drugs were a primary causal factor.

Other: Miscellaneous Crime, Warrant, 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.

Classification of Initiating Call	2017	2018	2019	2017	2018	2019
Fight or Disturbance	51	54	67	22%	25%	25%
Assist Other Agency/Warrant	65	69	80	27%	32%	30%
Traffic	20	22	21	8%	10%	8%
Property Crime	21	24	33	9%	11%	13%
Mental Health or Suicidal	18	7	10	8%	3%	4%
Drug Related	25	5	18	11%	2%	7%
Other	26	35	30	11%	16%	11%
Other - Multiple Offenses	11	0	4	5%	0%	2%
Total Responses	237	216	263	100%	100%	100%

Of the 263 use of force incidents during 2019, 30% were for warrant arrests/assisting other agencies, 25% were the result of a fight or disturbance call, and the remaining six categories were all 13% 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 has been a slight decline in use of force incidents relating to mental health suicidal subjects from 8% in 2017 down to 4% in 2019. This could be due to enhanced mental health training and new de-escalation techniques being used, especially in these circumstances.



Breakdown and Comparison by Gender, Race and Age

There were 263 total incidents of use of force, but some of those incidents involved multiple subjects. In 2019, there were 290 subjects that had force used against them. During 2019, 78% of use of force incidents involved male subjects compared to 22% female subjects. There was an increase of use of force involving female subjects from 15% to 22% between 2018 and 2019.

Gender	2018		2019	
Male	198	85%	225	78%
Female	34	15%	65	22%
Total	232	100%	290	100%

During 2019, 86% of use of force incidents involving persons identifying as White, 8% involving Hispanic, 6% involving Black, and 1% each for both Asian/Pacific Islander and Native American.

Race	2018		2019	
Asian/Pacific Islander	1	0%	2	1%
Native American	0	0%	2	1%
Black	5	2%	16	6%
Hispanic	19	8%	22	8%
White	207	89%	248	86%
Total	232	100%	290	100%

There was a slight decrease in use of force incidents involving persons 17 years old and younger.

Age	2018		2019	
17 and Younger	17	7%	15	5%
18 - 20	8	3%	25	9%
21 - 30	79	34%	100	34%
31 - 40	69	30%	68	23%
41 - 50	32	14%	53	18%
51 - 55	16	7%	13	4%
56 and Older	11	5%	16	6%
Total	232	100%	290	100%

When reviewing use of force by gender, race or age there is no concerning information.

The information from 2017 was removed from this section of the report due to inconsistent data. The 2017 data was not analyzed to include multiple subjects per incident. By comparing 2018 and 2019 data, the information is more accurate to analyze.

Resistance Encountered by Officers

The resistance encountered by officers is broken down into 18 different areas, many of which are seldom encountered. The category 'Other' has been highly utilized over the past three years. In reviewing what factors are listed as other, it was discovered that many instances have multiple resistance factors or variable risk factors such as using a vehicle as a weapon, the incident occurred in the middle of a roadway or in a water source, or if the history of the subject is known. Due to the high number of other resistance, this category will be broken down into subcategories to gain consistency for future analysis. 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.

Resistance Encountered by Officers

Resistance	2017	2018	2019	
Other	106	151	189	22.7%
Verbally Aggressive	92	120	165	19.8%
Passive Resistance	72	82	126	15.1%
Attempt to Escape	66	76	71	8.5%
Push/Shove/Pull	59	50	68	8.2%
Elude on Foot/Bicycle	38	45	57	6.8%
Fighting Stance	23	32	47	5.6%
Elude Vehicle	22	24	30	3.6%
Leg/Knee/Foot Strike	22	12	21	2.5%
Suicidal	12	11	17	2.0%
Hand/Elbow Strike	9	9	11	1.3%
Firearm - Handgun	9	8	10	1.2%
Stabbing Instrument	23	7	11	1.3%
Impact Weapon	1	6	7	0.8%
Firearm - Shotgun	0	0	3	0.4%
Firearm - Rifle	1	0	1	0.1%
OC Chemical Spray	0	1	0	0.0%
Hiding/Barricaded	6	0	0	0.0%
Total	561	634	834	100%

Level of Force Used

The level of force used by officers is broken down into 36 different types, some of which are seldom utilized. Display of a weapon is defined as the pointing or otherwise plain-view display of an officer's firearm or less lethal weapon at a person as a means to gain compliance or in reasonable anticipation of use of force. Due to the relatively low number of some uses, small differences in data points can sometimes indicate large percentage changes in the data. Again, 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 2018 and 2019:

- A significant increase in the Display of Tasers, 7.6% vs. 16.9%
- An increase in Taser Verbal, 9.5% vs. 13.0%
- A decrease in Punch, 2 vs. 0
- A decrease in Bent Wrist Lock, 24 vs. 4

Level of Force Used	2017	2018	2019	
	Times Used	Times Used	Times Used	2019
Taser Displayed	59	40	112	16.9%
Handgun Displayed	63	103	107	16.2%
Taser Verbal	34	50	86	13.0%
Taser Laser	27	32	59	8.9%
Wrap Restraint	41	49	43	6.5%
Taser Deployed	24	31	35	5.3%
Arm Bar Takedown	38	20	26	3.9%
Leg Sweep	8	10	23	3.5%
Knee Strike	3	4	21	3.2%
Carbine Displayed	16	21	20	3.0%
Escort Hold	14	4	19	2.9%
K-9 Presence	14	16	13	2.0%
40mm LL Display	11	14	13	2.0%
K-9 Deploy	7	16	13	2.0%
Arm Bar	12	10	12	1.8%
Elbow Strike	0	9	11	1.7%
Other	27	39	10	1.5%
Taser Drive Stun	10	6	9	1.4%
Hair Hold Takedown	14	7	7	1.1%
Bent Wrist Lock	23	24	4	0.6%
Shotgun Display	4	1	4	0.6%
40mm LL Employed	1	2	4	0.6%
K-9 Bite	1	6	4	0.6%
Mandibular Pressure Point	3	6	3	0.5%
Subclavian/Shoulder Lock	8	2	2	0.3%
ASP Baton Presence	1	0	1	0.2%
Push/Shove	0	0	1	0.2%
Handgun Fired	0	0	0	0.0%
Swarm	1	0	0	0.0%
Focused Blow	3	2	0	0.0%
O.C. Spray Presence	1	0	0	0.0%
O.C. Employed	1	1	0	0.0%
ASP Baton Employed	2	1	0	0.0%
Front Kick	1	0	0	0.0%
Punch	0	2	0	0.0%
Palm Heel Strike	2	0	0	0.0%
TOTAL	474	528	662	100%

Total Arrests Versus Total Use of Force Incidents

During 2017, officers used force 4.0% of the time when making an arrest. During 2019, officers used force 3.6% of the time. This is a slight decrease, but not a significant change.

Percentage of Arrests Requiring Use of Force

Arrests vs. Incidents	2017	2018	2019
Arrests	5,910	6,932	7,214
Use of Force Incidents	237	216	263
Total Percentage	4.0%	3.1%	3.6%

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 three years. Calls for service declined 8% in 2018, mainly because the department transitioned to a new CAD/RMS system in 2017, which completely changed the way calls for service are documented, even though 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 of 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 for data analysis moving forward.

Calls for service increased 5.4% from 2018 to 2019, while use of force incidents only increased by 0.08% of the total calls for service.

Percentage of Calls for Service Requiring Use of Force

Calls for Service vs. Incidents	2017	2018	2019
Calls for Service	47,087	43,266	45,606
Use of Force Incidents	237	216	263
Total Percentage	0.50%	0.50%	0.58%

Number of Officers Responding to a Use of Force Call

In 2019, 68% of use of force incidents involved calls with three or fewer officers. Two officers were involved in 34.2% of the calls which is the highest likelihood. These results are reasonable because more than one officer is typically dispatched to dangerous calls and officers 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	2017	2018	2019	
1 Officer	32	34	51	19.4%
2 Officers	76	62	90	34.2%
3 Officers	47	41	38	14.4%
4 Officers	30	34	40	15.2%
5 Officers	35	34	35	13.3%
6 Officers	10	7	8	3.0%
7 Officers	7	2	0	0.0%
8 Officers	0	0	0	0.0%
9 Officers	0	2	1	0.4%
10 or more Officers	0	0	0	0.0%
Total	237	216	263	100%

Day of Week/Time of Day

The Albany Police Department use of force incidents by day of week in 2019 ranged from 31 to 40 incidents. Most days of the week had similar numbers of incidents, with Friday and Saturday having the highest incidents of 40 each day.

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 1200 hours and 1600 hours at 24%, and the least between 0400 hours and 0800 hours at 5%.

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

Day of Incident	2017	2018	2019
Sunday	44	37	39
Monday	36	33	31
Tuesday	31	25	39
Wednesday	32	24	39
Thursday	21	33	36
Friday	27	32	40
Saturday	46	32	40
Total	237	216	264

Time of Incident	2018	2019	
0001 - 0400	32	44	17%
0401 - 0800	13	12	5%
0801 - 1200	36	37	14%
1201 - 1600	37	63	24%
1601 - 2000	47	48	18%
2001 - 0000	51	59	22%
Total	216	263	100%

Use of Force Training

All sworn personnel receive various use of force instruction during basic police training including case law, defensive tactics, baton, oleoresin capsicum spray (OC), handcuffing, firearms, less lethal, MILO, and more. Continuing education for all Albany police sworn personnel on use of force occurs multiple times each year. The formal use of force training during 2019 consisted of:

March 2019	8 hours	Defensive Tactics/Firearms Training
May 2019	4 hours	Firearms
June 2019	1.5 hours	Use of Force Refresher Training
August 2019	4 hours	Firearms
December 2019	4 hours	Firearms/Night Range

DPSST requires eight hours of ongoing Firearms/Use of Force training each year. The Albany Police Department consistently trains more than the minimum required. Sworn officers also received numerous training bulletins on force issues. De-escalation training occurred during the eight-hour defensive tactics/firearms training in March in addition to several training bulletins related to de-escalation. Training bulletins in 2019 that 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 needs of the department: 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. Each use of force in 2019 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 2019 review, it was noted the Taser was verbalized and displayed significantly more than the preceding two years, but deployment showed no significant increase. There were also no equipment issues noted during the analysis.

Officer Injuries

Most use of force incidents (95.4%) were resolved with no injury to an officer. Of the 389 officers involved in use of force incidents, 17 (4.4%) resulted in a minor injury to the officer and one incident resulted in the officer receiving treatment from a hospital. Officer injuries reduced by 2.8% in 2019. Minor injuries that did not require medical attention include injuries such as a scratch, bruise, or complaint of pain.

Officer Injuries During Use of Force	2018	2019	2019
No Injury	301	371	95.4%
Minor - No Medical Attention	21	17	4.4%
Minor - Medical Attention	2	0	0.0%
Hospital	1	1	0.3%
Fatality	0	0	0.0%
Total	325	389	100%

The 2017 data was analyzed to include all officers involved in use of force incidents. This data was not included in this section of the report.

Other Persons Injured

Most use of force incidents (85.2%) were resolved with no injury to any person. Minor injuries that did not require medical attention include injuries such as a scratch, bruise, or complaint of pain. The number of persons injured has been very consistent over the past three years; however, the number of persons with no injury has increased. In 2017 and 2018, the data does not include multiple suspects per use of force incident. The 2019 data includes all suspects involved. In the future, suspect data will be tracked more diligently.

Person Injuries During Use of Force	2017	2018	2019	
No Injury	148	173	247	85.2%
Minor - No Medical Attention	23	24	26	9.0%
Minor - Medical Attention	17	13	11	3.8%
Hospital	6	6	6	2.1%
Total	194	216	290	100.0%

19-1182

An adult male subject was the passenger of a vehicle that was pulled over for a traffic violation. The subject fled the vehicle and ran across the highway exit ramp and darted in front of oncoming traffic. The male subject continued to flee and attempted to run up an embankment where he slipped and fell back towards the officer. The officer instructed him to put his hands behind his back and the subject resisted arrest. The officer pushed the male subject in order to avoid him fleeing further. The officer controlled the subject's body by placing his hand on the back of the

subject's head to hold the subject down and place handcuffs on him. The subject complained of pain from a small cut above his eye. The officer took the subject to the hospital and he was cleared without any medical treatment.

19-1386

Albany Police Department officers requested permission to assist an outside agency in an active vehicle pursuit. The on-duty K9 officer responded to the pursuit that just terminated and the vehicle was stopped. The suspect fled the vehicle and fell down a steep embankment. The APD K9 officer deployed his K9 to apprehend the suspect. The K9 engaged the suspect by biting him in the upper arms. Once the suspected was apprehended, he complained of an injured ankle from falling down the embankment. The suspect was taken to the hospital for his injured ankle and bite marks.

19-4553

Officers responded to a call of disorderly conduct; two males were in a physical fight on a residential street. When officers arrived on scene, they contacted the two males. Both subjects were bleeding. Subject A was bleeding from his eye, had blood on his shoulder, and was carrying a knife in his pocket. One officer detained subject A with handcuffs who appeared to be intoxicated. Other officers also detained subject B, with no issues. After speaking with the reporting person, officers determined there was probable cause to arrest both men for disorderly conduct. Officers placed subject A into his patrol vehicle. Subject A slammed his head against the metal cage in the back of the patrol vehicle so hard he appeared to lose consciousness. Officers placed subject A in a WRAP restraint to prevent him from hurting himself further. Subject A was taken to the hospital and observed for an hour prior to being released and taken to jail.

19-5080

Officer A responded to a call at a business regarding a male subject threatening to start a fight. Officer A arrived on scene and spoke with two security guards who stated they would like to pursue charges against the male for trespassing. When officer A located the subject, the subject refused to comply with orders to be handcuffed. Officer A performed a double leg takedown and attempted to take control of the subject's arms. The subject continued to resist and rolled away from officer A, which placed the subject in a position to harm one of the security guards. Officer A applied two focused blows to the small of the subject's back. The subject then bit officer A's index finger. The subject continued to bite officer A's finger with great force as if he were trying to bite his entire finger off. Officer A applied multiple focused blows to the subject's head, and the subject finally released officer A's finger. The subject continued to resist arrest. Officer B arrived on scene and both officers were able to gain control of the subject's arms and place him into handcuffs. Both the subject and officer A were taken to the hospital to be evaluated.

19-6034

Officers responded to a report of a male and female fighting on a residential street. When officers arrived, the male and female were engaged in a verbal argument. Officers separated the two subjects to determine the reason for the argument. The male subject was insistent on speaking

with the female subject. Officers allowed the two to have a private conversation; however, the officers were supervising from across the street. The two subject's argument became heated again and the officers separated them. This went on for more than 30 minutes. The male subject refused to go into his house and disengage from the argument. The male subject disobeyed officer orders to remain in the house and the officers placed him under arrest. The male subject resisted arrest and the two officers grabbed the male subject's arms and pushed him against the house before taking him to the ground. The officers attempted to get the male subject's hands behind his back, but he continued to resist and pull away. The officers were finally able to place the male subject into handcuffs. The male subject sustained some abrasions to his face when he was fighting with the officers. The male subject was taken to the hospital and cleared to be transported to jail.

19-9295

A K9 officer performed a routine traffic stop for a vehicle with a traffic violation of expired registration. The driver of the vehicle had a suspended license and a warrant for arrest. The officer explained to the male subject that he had a warrant for his arrest. The officer instructed the subject out of the vehicle to place him under arrest. The subject resisted arrest and began fighting with the officer. The officer called for additional units to respond to the location. The officer was unable to control the subject and unable to utilize his Taser. The officer deployed his K9 partner by releasing the vehicle K9 door and commanded the K9 to bite the subject. The K9 bit the subject on the shoulder while the officer tried to take control of the subject. The subject continued to fight through the K9 bite, and the officer continued to fight with the subject. Sometime during the struggle, the K9 released his bite on the shoulder and bit the subject's calf. With the help of other officers, the officer was able to gain control of the subject and place him into handcuffs. The subject was taken to the hospital, received stitches for the bites, and was transported to jail.

Assault on Officers

During 2019, there were seven reported assaults on officers.

19-0542

Officers were dispatched to a mental health call at a fast food restaurant. An adult female subject was screaming and swearing inside the restaurant and grabbed a customer. The subject was arrested for disorderly conduct and placed in handcuffs. The subject was escorted to the patrol vehicle and became verbally abusive towards the officers. The subject kicked one of the officers in the leg. Three officers grabbed the subject and took her to the ground. The on-duty patrol lieutenant arrived on scene with the WRAP restraint. The subject was placed in the wrap for her safety and a spit hood was placed on her head to prevent her from spitting on the officers. The subject was transported to jail and charged with Assaulting a Public Safety Officer, Harassment and Disorderly Conduct 2.

19-3816

An officer identified a stolen vehicle in the parking lot of a grocery store. The vehicle was occupied by one subject. The officer attempted a traffic stop on the vehicle, but the subject fled the scene in the stolen car. The officer informed dispatch of the vehicle pursuit and other officers responded. The subject rammed one of the officer's vehicles during the pursuit. Officers deployed spike strips and eventually were able to get the subject to stop the vehicle and placed him under arrest. The officer was not injured during the vehicle ramming. The subject was charged with Assault 4, Assaulting a Public Safety Officer, Reckless Endangering, UUV, Possession of Meth, Fail to Perform Duties/Driver, Reckless Driving, Elude Vehicle and 2 Bench Warrants.

19-5080

Officers responded to a call at a business regarding a male subject threatening to start a fight. Officer A arrived on scene and spoke with two security guards, who stated they would like to pursue charges against the male for trespassing. When officer A located the subject, the subject refused to comply with orders to be handcuffed. Officer A performed a double leg takedown and attempted to take control of the subject's arms. The subject continued to resist and rolled away from officer A, which placed the subject in a position to harm one of the security guards. Officer A applied two focused blows to the small of the subject's back. The subject then bit officer A's index finger. The subject continued to bite officer A's finger with great force as if he were trying to bite his entire finger off. Officer A applied multiple focused blows to the subject's head and the subject finally released officer A's finger. The subject continued to resist arrest. Officer B arrived on scene and both officers were able to gain control of the subject's arms and place him into handcuffs. Both the subject and officer A were taken to the hospital to be evaluated. The subject was charged with Resisting Arrest, Assaulting a Public Safety Officer, and Criminal Trespass 2.

19-6284

An officer recognized a female subject standing outside of a restaurant. The officer radioed to dispatch to run the female for warrants. Dispatch confirmed the female subject had seven misdemeanor warrants. Officer A advised the subject of the warrants and told her she was under arrest. The subject began yelling and did not comply with the officer. Officer B arrived on scene to assist. Both officers grabbed the subject's arms and placed her down on the ground. The

subject began kicking at the officers. She kicked officer B in the groin area causing discomfort. Officer B applied pressure to the subject's legs to prevent being kicked again. The officers were able to place handcuffs on the subject and transport her to jail. The subject was charged with seven warrants.

19-8571

Officers were dispatched to a domestic disturbance involving a female subject (subject A), her boyfriend (subject B), and the brother of the boyfriend (subject C). The first officer (officer A) to arrive contacted subject A who was crying. While officer A was speaking with her, subject B became verbally aggressive with the officer. Officer A requested additional officers to respond to the disturbance. Subject B showed signs of preflight indicators by clenching his fists and squaring up to the officer. Officer B arrived on scene and both officers attempted to detain subject B and subject B began throwing his fists at the officers. The officers took subject B to the ground as he continued to fight. Officer A tased subject B in the back and the taser was effective. Subject B attempted to get back up and officer B tased subject B in the front. Subject C came from behind officer B and put officer B in a rear chokehold. Officer B lost his ability to breathe and struggled to get subject C's arm off of his neck. Officer B drew his service weapon and pointed it back towards subject C and was able to tuck his chin to get some air and yelled that he would shoot. Subject C released his grip on officer B's neck and officer B ordered him to the ground. Officer A was still actively fighting subject B, officer B was able to deploy his taser on subject B. Other officers arrived on scene to assist and took both subjects B and C into custody. Subject B was charged with Assaulting a Public Safety Officer, Interfere with Peace Officer and Resisting Arrest. Subject C (juvenile) was charged with Strangulation, Assault Public Safety Officer, Resisting Arrest and Interfere with Peace Officer.

19-8708

Officer A was dispatched to a theft at a convenience store. The reporting person stated the male subject stole \$200 worth of lottery tickets and two packs of cigarettes. Officer A took the report and watched the surveillance video of the suspect. Officer A left the store and noticed a male matching the description of the suspect sleeping on a bus stop bench. Officer A approached the subject and explained he believed he was the suspect in a theft investigation. The subject denied any knowledge of the theft. Officer A commanded the subject to place his hands behind his back several times. The subject continued to not comply with the officer's orders. Officer A called for backup as he noticed the subject was displaying several indicators of fight or flight. The subject attempted to flee, so officer A grabbed his jacket and they both spun around several times. The subject attempted to knee officer A and punched officer A in the ear causing officer A to lose his earpiece. The subject then attempted to pick up officer A and throw him. Officer A landed on top of the subject as they both fell to the ground. Officer A secured the subject in a headlock but had to maintain guard of his duty weapon. Officer B arrived on scene and tased the subject at the request of officer A. Both officers were able to gain control of the subject and place him into handcuffs. Medics responded to the scene and evaluated the subject prior to transporting him. The subject was charged with Assaulting a Public Safety Officer, Resisting Arrest, Interfere with Peace Officer, Theft 2, Possession of Meth, Contempt of Court, Parole Violation, and Probation Violation.

19-10351

Officer A observed two male subjects cross the street without using a marked crosswalk. Officer A engaged in a casual conversation with the two subjects and informed them of the reason for the stop. Officer A asked for identification from both subjects. Subject A was exhibiting signs of pre-assault and pre-flight indicators. Officer B arrived and noticed subject A had his hands in his pocket which contained a knife. Officer B instructed subject A to not touch the knife. Officer A instructed subject A that he was being detained. Subject A began to fight with the officers. Both officers were able to grab subject A's arms and take him to the ground. Subject A continued to fight with the officers and kicked officer B. The officers were able to gain control of subject A and place him in handcuffs. Subject B was interviewed and free to go. Subject A was charged with Assaulting a Public Safety Officer, Possession/Manufactured Controlled Substance and Possession Meth.

Trends and patterns for these incidents are:

- 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.
- Three incidents involved the subject kicking at the officer.
- One incident required medical treatment for the officer with a time loss between 1-3 hours.
- Most incidents mentioned above occurred during a stop or an arrest of a subject. Prior to the detention or stop, most of the subjects displayed some type of fight or flight behavior. Most incidents were rapidly evolving and had little known risk factors.
- Continued defensive tactics training in multiple officer arrests and detentions could help officers prepare for these cases, as well as the continued training in the use of the (WRAP) restraint system.

Conclusion and Recommendations

The review of use of force incidents during 2019 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.

During 2019, the department has continued to train patrol officers in the area of de-escalation and critical incident recognition. The department has 14 patrol officers who have attended and passed a 40-hour Crisis Intervention Training (CIT) course. It is the goal of the department to have as many officers as possible trained in CIT. In 2019, an officer became certified as a Verbal Judo Instructor for the department. This training will be implemented and integrated with defensive tactics and de-escalation in-service training.

The department continually looks for balance between using de-escalation techniques, physical force, and control devices. Officers received situational scenario training during use of force in-service training in 2019. Tactics involving distance, communication, approach, resources, and reasonable force were all included in the trainings. These trainings provided officers tools to adequately and reasonably deal with potential hostile situations or events. Use of force training will continue to emphasize de-escalation techniques, control holds, proper use of control devices, and de minimis tactics.

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.