

NATIONAL CITY POLICE DEPARTMENT



Use of Force/Internal Affairs Statistical Report 2014

Manuel Rodriguez, Chief of Police

NATIONAL CITY POLICE DEPARTMENT STATISTICAL REPORT 2014

Introduction

The Chief of Police and the National City Police Department, are committed to increased organizational transparency and community trust, by making these use of force and internal affairs statistics available. The first part of this report contains the use of force data for the years 2013 and 2014. The data includes the type of force used by members of the Department. By providing this information to the public, we hope to show the infrequency officers use force when compared to the number of calls for service and officer initiated police activities respond to daily.

The second portion of this report contains statistical information from the Internal Affairs Unit. Internal Affairs is the central point for investigating complaints of alleged employee misconduct. The Internal Affairs Unit prides itself in its ability to conduct fair, thorough and impartial internal investigations. All internal investigations are reviewed and approved by the command staff. This collection of data includes the number, types and disposition of investigations. The Department believes this information helps the public understand that police personnel are held accountable for their actions.

Law enforcement agencies across the nation collect use of force statistics in order to review and analyze the reasonableness of force being used by officers. The National City Police Department is committed to reviewing use of force incidents from multiple perspectives, including training, tactics, policies, procedures, and equipment use, with the ultimate goal of identifying problem areas, applying appropriate corrective solutions and making our community safer.

The enforcement of the law and the performance of law enforcement duties at times require the use of physical force and/or physical restraint. The preservation of order and the observance of the law are best achieved through voluntary compliance rather than force or compulsion. The higher the level of voluntary compliance and cooperation, the less need to use force. The use of force must always be considered secondary to the desirability of voluntary compliance. When the need for the use of force arises, officers may use objectively reasonable force to effect an arrest, prevent escape, overcome resistance, or in self-defense or defense of others. It is the responsibility of the Department and all sworn personnel to ensure force and restraint is used in a manner that not only provides for the greater public safety, and provides for officer safety as well.

AB109

In 2011 the State changed the status of felony offenders. Assembly Bill 109 relocated state prisoners who had been convicted of approximately 500 types of crimes that were considered non-serious, non-violent and non-sex related, to local control incarceration. This change may affect how felons react when contacted by police officers and how much resistance these offenders invoke when officers are effecting an arrest.

Overall Activity and Use of Force Incidents

It is important to understand how officers become involved in a use of force incident. An officer either responds to a call for service or makes an observation requiring lawful action. It is equally important to review the overall activity of officers compared to the number of force incidents.

Department activity is categorized and tracked as either calls for service or officer initiated activity. A call for service is a request from a member of the public or another agency for public safety services. Officer initiated activity results from an officer's own initiative or observation and does not require a request from the public or another agency. Examples include: traffic stops, field interviews, transports, or other observations by the officer.

Another category of statistics is comparing the number of arrests made. An arrest is police activity that poses a high risk/high frequency of potential harm to the officer due to the potential subject's resistance during the encounter.

The following table compares overall activity and arrests with total number of use of force incidents. Use of Force totals reflect the number of incidents force was used.

National City Police Department Activity 2013-2014

| | 2013 | 2014 | 2013-2014 % Increase/Decrease |
|---------------------|-------|-------|----------------------------------|
| Calls for Service | 25874 | 20490 | -21% |
| Officer Initiated | 22108 | 16965 | -23% |
| Total Activity | 49122 | 37455 | -24% |
| Arrests | 3628 | 3409 | -6% |
| Use of Force | 56 | 57 | +1% |

Overall, the National City Police Department's activity resulted in a use of force, **0.1%** of the time (Less than 1%). The data also reflects arrests resulted in a use of force, **1.6%** of the time (Less than 2%).

In 2014, there were 57 use of force incidents reported; compared to 56 use of force incidents reported in 2013. Overall, there was a 1% increase in force incidents between 2013 and 2014. Arrests decreased by -6% in 2014.

Use of Force Data

The following table depicts the types of force used by the National City Police Department. Please note the use of force totals may include scenarios where several uses of force were utilized during one incident and on the same suspect. This occurs when officers use a technique that was not effective and resort to another force option to complete the arrest.

| Force Option | Times Used | | % of Total Uses of Force | |
|--|------------|-----------|--------------------------|-------------|
| | 2013 | 2014 | 2013 | 2014 |
| Defense Tactics | 28 | 30 | 50% | 53% |
| Control Hold | 2 | 0 | 4% | -- |
| LVNR (Lateral Vascular Neck Restraint) | 0 | 0 | -- | -- |
| Firearm | 0 | 0 | -- | -- |
| 12 Gauge (Shotgun) | 0 | 0 | -- | -- |
| Baton | 2 | 1 | 4% | 2% |
| Flashlight | 0 | 4 | -- | 7% |
| 37/40mm (Bean Bag/Sting Ball) | 0 | 0 | -- | -- |
| OC Spray | 2 | 1 | 4% | 2% |
| Pepperball | 0 | 0 | -- | -- |
| Taser | 18 | 17 | 32% | 30% |
| K-9 | 2 | 4 | 4% | 7% |
| Other | 2 | 0 | 4% | 5% |
| Total Uses | 56 | 57 | 100% | 100% |
| Total Overall Increase/Decrease | +1% | | | |

*Note: Due to rounding percentages may not always appear to add up to 100%

Definitions of Force Options

(The force options listed above apply to one of the following categories)

Defensive Tactics Defensive tactics are those physical techniques intended for use when weapons are not available or their use is inadvisable or unreasonable under the circumstances.

Control Hold includes grab, push or pull, pressure points and lateral vascular neck restraint (LVNR) techniques

Lethal Force is the intentional discharge of a firearm or other force that causes death or serious bodily injury (Firearm/Shotgun)

Impact Weapons include the use of batons, and flashlights as a means of delivering a strike to a subject

Less Lethal includes the use of non-lethal chemical agents like OC spray and pepper ball launcher. Other less lethal weapons include the use of the bean bag, sting ball grenades, 37 mm and 40 mm hand held, single shot, shoulder fired weapons and Tasers.

Canine is a tool that is used by a K-9 handler to apprehend fleeing or combative subjects

Other includes all other force options not listed above, such as the use of a cord cuff restraint or distraction blows

Internal Affairs Statistics

The Internal Affairs Unit receives complaints that are initiated by a citizen or by the department. Citizen initiated investigations are a result of complaints from the public. Department initiated investigations are a result of Department personnel alleging a violation of policy or misconduct that has been committed by a member of the Department.

In October 2003, the City Council established the Community and Police Relations Commission (CPRC) to serve as an independent, unbiased and impartial board, to improve police community relations. CPRC is authorized to receive, and review citizen complaints regarding National City Police department personnel.

Internal Affairs investigations will fall into two categories; Category I and Category II.

Category I Complaints include: Department initiated confidential or sensitive investigations; Allegations of serious misconduct, i.e. excessive force, corruption, alleged or suspected breach of integrity in a case of moral turpitude; and Allegations of any criminal misconduct;

Category II Complaints include: Complaints of a minor nature alleging discourtesy, disrespect, attitude or perceived rudeness; Complaints alleging abusive or foul language; Complaints that, upon review of the allegations, will not require extensive interviews or lengthy complex investigations.

In those rare instances where the complainant was both the department and a citizen, the complainant is listed as the department.

Internal Affairs Investigation dispositions are as follows:

SUSTAINED: A true finding supported by facts

NOT SUSTAINED: Facts revealed do not substantiate the allegation(s) and/or there is insufficient evidence available

EXONERATED: Allegation is true but actions were lawful and/or justified

UNFOUNDED: Alleged act or incident did not occur

Internal Affairs Unit Overall Statistics

| | 2013 | 2014 | 2013-2014 % Increase/Decrease |
|-----------------------------|-----------|-----------|-------------------------------|
| Department Initiated | 6 | 8 | +33% |
| Citizen complaints | 8 | 10 | +25% |
| All Complaints: | 14 | 18 | +29% |

Internal Affairs Overall Statistics by Type of Alleged Misconduct

| | 2013 | 2014 | 2013-2014 % Increase/Decrease |
|--------------------|-------------|-------------|--------------------------------------|
| Unbecoming Conduct | 9 | 12 | +33% |
| Procedural | 1 | 6 | +500% |
| Use of Force | 4 | 0 | -400% |
| Grand Total | 14 | 18 | +29% |

Internal Affairs Overall Statistics by Findings

| | 2013 | 2014 | 2013-2014 % Increase/Decrease |
|--------------------|-------------|-------------|--------------------------------------|
| Exonerated | 5 | 1 | -80% |
| Not Sustained | 0 | 2 | +200% |
| Sustained | 5 | 6 | +20% |
| Unfounded | 4 | 9 | +125% |
| Grand Total | 14 | 18 | +29% |

Questions regarding this report can be directed to the office of the Chief of Police:

Phone: (619) 336-4411

Email: Chief@nationalcityca.gov
