

NATIONAL CITY POLICE DEPARTMENT



Use of Force/Internal Affairs Statistical Report 2016

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Introduction

The City of National City and Police Department are committed to improving organizational transparency by making these statistics available to the public. We hope this information continues to increase trust within our community. The first portion of this report contains the use of force data for the years 2015 and 2016. The data includes the type of force used by police officers. By providing this information to the public, we hope to show how infrequently officers use force when compared to the number of calls for service and officer initiated police activities.

The second part 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. This collection of data includes the number, types and disposition of investigations. The Department believes that 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, along with the Community Police Relations Commission (CPRC) are 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.

Enforcement of the law and the performance of law enforcement duties sometimes 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 public voluntary compliance and cooperation, the less need for force. To that end, the use of force must always be considered secondary to the desirability of voluntary compliance. When the need for 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 are used in a manner that not only provides for the greater public safety, and provides for officer safety as well.

AB109

Assembly Bill 109 was implemented in 2011. It 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 in how felons are categorized may influence how much resistance they invoke when officers are effecting an arrest.

Proposition 47

In November of 2015 voters approved Proposition 47. This proposition reduced sentences for some crimes. Penalties for common drug and theft crimes in California were reduced from potential felonies to misdemeanors, shortening the time some offenders spend incarcerated.

Crimes covered by the measure include, drug possession and the following offenses when less than \$950 is involved: shoplifting, check and credit fraud, forgery, theft and possession of stolen goods. As with other misdemeanors, the new maximum sentence will be one year in jail, down from a maximum of three years.

Overall Activity and Use of Force Incidents

How does an officer 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 important to look at the overall Department activity 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 situations observed 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 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 2014-2015

	2015	2016	2015-2016 % Increase/Decrease
Calls for Service	19734	19421	-2%
Officer Initiated	16028	16127	1%
Total Activity	35762	35548	-1%
Number of Arrests	3379	3232	-4%
Use of Force	68	44	-35%

The data reflects that in both 2015 and 2016, **0.1%** of the overall National City Police Department's activity resulted in a use of force incident. The data also reflects that in both 2015 and 2016, **1.3%** of arrests resulted in a use of force incident.

In 2016, there were 44 use of force incidents reported; compared to 68 use of force incidents reported in 2015. Overall, there was a 35% decrease in incidents between 2015 and 2016. Arrests decreased by -4% in 2016. These changes may be related to AB109 and proposition 47, which reduced penalties and changed certain crimes from felonies to misdemeanors.

Use of Force Data

The following table depicts the types of force used by the National City Police Department. Please note that 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 one technique that has not been effective.

Force Option	Times Used		% of Total Uses of Force	
	2015	2016	2015	2016
Defense Tactics	29	24	43%	54%
12 Gauge	0	1	--	2%
Flashlight	1	2	1%	5%
37/40mm	0	0	--	--
Baton	5	2	7%	5%
Firearm	2	0	3%	--
OC Sprav	3	1	4%	2%
K-9	1	2	1%	5%
Taser	27	11	40%	25%
LVNR	0	0	--	--
Pepperball	0	1	--	--
Control Hold	0	0	--	--
Other	0	0	--	--
Total Uses	68	44	100%	100%
Total Overall Increase/Decrease	-35%			

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

Definitions of Force Options

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.

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, 12 gauge, 37 mm and 40 mm hand held, single shot, shoulder fired weapons and Tasers.

Lethal Force is the intentional discharge of a firearm or other force that causes death or serious bodily injury

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

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

Other includes all other force options not listed above, such as the use of a cord cuff restraint or hand and foot strikes

Internal Affairs Statistics

The Internal Affairs Unit receives complaints that are initiated by members of the community or by the Department. Investigations initiated by community members are a result of complaints from the public. Department initiated investigations are a result of Department personnel alleging a violation of policy or misconduct has been committed by another 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 office. CPRC is authorized to receive, and review complaints from community members 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 community member, the complainant is listed as the Department.

Internal Affairs Investigation dispositions are as follows:

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

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

SUSTAINED: A true finding supported by facts

UNFOUNDED: Alleged act or incident did not occur

Internal Affairs Unit Overall Statistics

	2015	2016	2015-2016 % Increase/Decrease
Department Initiated	6	0	-100%
Community complaints	11	13	18%
All Complaints:	17	13	-23%

Internal Affairs Overall Statics by Type of Misconduct

	2015	2016	2015-2016 % Increase/Decrease
Unbecoming Conduct	6	4	-33%
Procedural	6	5	-16%
Use of Force	5	4	-20%
Grand Total	17	13	-23%

Internal Affairs Overall Statistics by Findings

	2015	2016	2015-2016 % Increase/Decrease
Exonerated	1	1	0%
Not Sustained	1	2	100%
Sustained	5	1	-80%
Unfounded	7	9	-28%
Grand Total	*14	13	*-22%

(*Note: Out of the 17 initial complaints received, two were withdrawn complaints and one is still being investigated. As a result, the 2015 table listed above total reflects 14 and not 17)