



Use of Force Analysis 2019

Overview

This analysis was conducted for the purpose of reviewing the Bellaire Police Department's Use of Force incidents for calendar year 2019. The Bellaire Police Department takes seriously its obligations to provide the most effective and efficient police service with the least adverse impact on our community. The Bellaire Police Department is committed to protecting the rights of all persons and in using force only when necessary, and to the extent necessary, to achieve legal objectives. This analysis is conducted each year to comply with Texas Law Enforcement Best Practice 6.10 and to attempt to identify methods for reducing the number of incidents and the inherent risks involved.

Officers are trained by the department to use only the level of force necessary to bring a person under control and complete a legal objective. Police/citizen encounters can, however, change in an instant and officers may be required to react quickly in using force to bring a resisting subject under control. While officers prefer to escalate their level of force in an orderly the response of a subject may limit that ability and force officers to use whatever level of force is immediately necessary to protect themselves and the public.

Use of Force Reporting Requirements

Texas Law Enforcement Best Practice 6.03 and Bellaire Police Department General Order 6.1, Use of Force, requires a written report be completed anytime an officer uses force. Supervisors are required to submit a use of force reporting form any time, during the course of their duties, an officer employs physical force other than the routine use of handcuffs or use of a firm grip to direct the movements of a subject. Reports are also required for the use of an impact, electrical, or chemical weapon as well as the discharge of any firearm.

Each individual Use of Force Report is completed by the involved officer's supervisor and forwarded through the Chain of Command to the Assistant Chief of Police. At the time of the incident, the Use of Force is reviewed to ensure the use was appropriate and within the guidelines of Department Policy and Law. If the officer used force inappropriately, a departmental investigation is required and the officer may receive additional training or in some cases discipline up to and including termination from employment. This analysis is not intended to determine if an officer acted inappropriately, but to identify department wide trends that may suggest changes in policy, training, equipment, or supervision.

Data for this report is submitted via a Use of Force reporting form and logged on a spreadsheet maintained by the Assistant Chief of Police.

Types of Force Reported

The department allows for the reporting of ten types of force. They are:

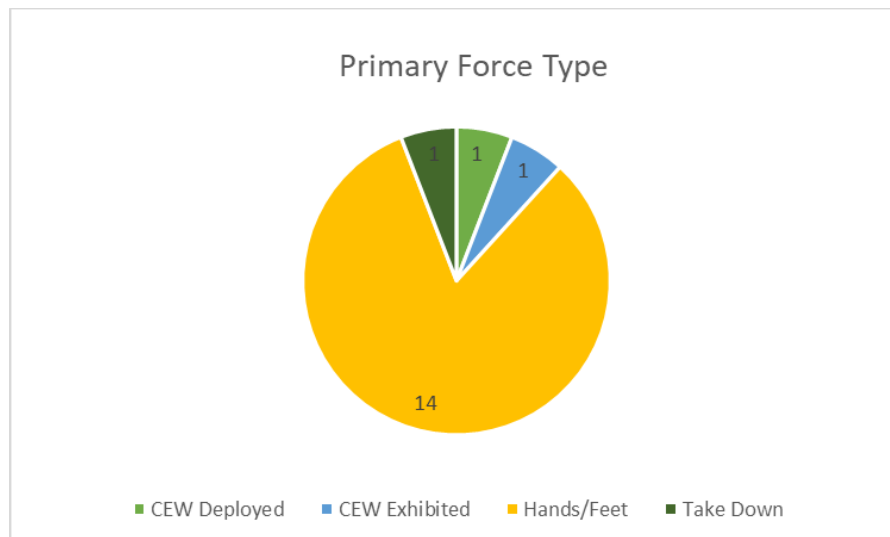
1. Baton
2. CEW Exhibited
3. CEW Deployed
4. Firearm Exhibited
5. Firearm Deployed
6. Defensive Technique
7. Escort Technique
8. Take Down
9. Hands/Feet
10. Other

In calendar year 2019 four types of force were used: Hands/Feet; Conducted Energy Weapon Deployed; Conducted Energy Weapon Displayed; and Take Down.

Hands/Feet & Take Down

Hands/Feet identifies instances when physical control of a subject was required. These are instances where officers place their hands on a subject and use more force than simply a strong grip, must forcibly handcuff a person, the use of pressure point control tactics or other soft hand techniques.

Hands/Feet was most commonly used primary type of force and accounted for 14 of the 17 reported uses of force. Take-down, a similar use of hands intended to place the subject in a prone position to restrict movement, was used once.



CEW Deployed/Exhibited

Conducted Energy Weapons (CEW), commonly called Tasers, are pistol type devices that fire two small darts that are designed to imbed themselves in the skin or clothing of a resisting or combative suspect. The darts are connected to the device by small flexible wires which transmit a short 5-second high voltage/low amperage charge through the darts. This causes disruption of muscle activity which most often temporarily disables the individual. There are usually no long-term side effects of the use of the device on healthy individuals.

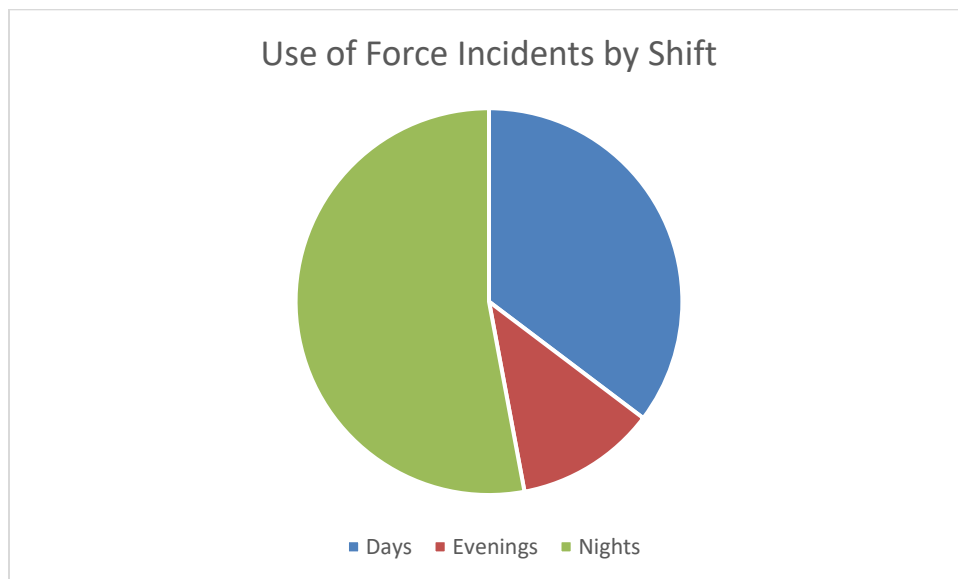
The Bellaire Police Department trains their officers in the proper and appropriate use of Conducted Energy Weapons and has policies designed to only allow its use against active aggression toward officers and not in cases of passive non-compliance or as punishment of any kind.

In four cases when the primary method of hands/feet was unsuccessful officers deployed a secondary type of force, the conducted energy weapon (CEW), three times and displayed a CEW once to gain control of the suspect.

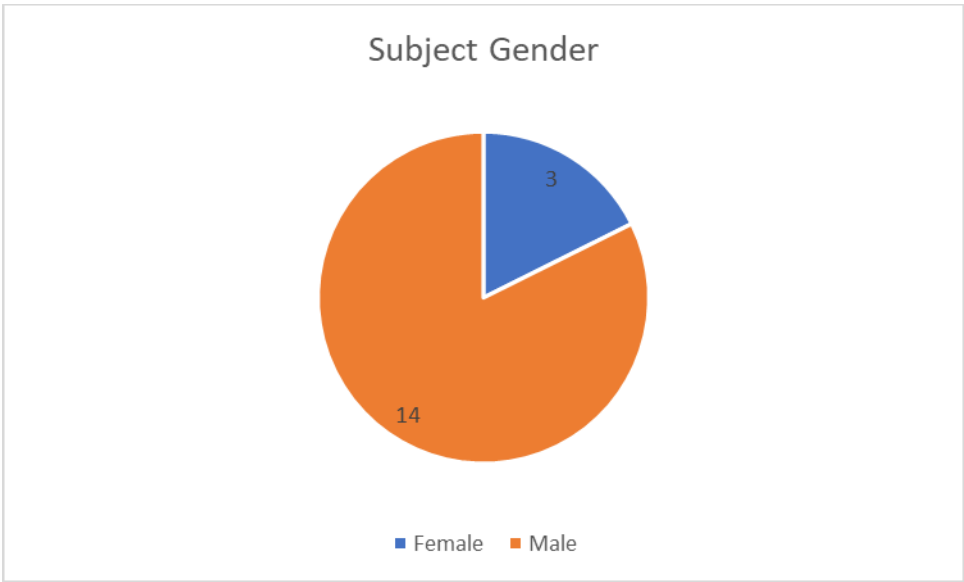
Counting both primary and secondary uses of force, a CEW was deployed four times and displayed twice.

Data Analysis

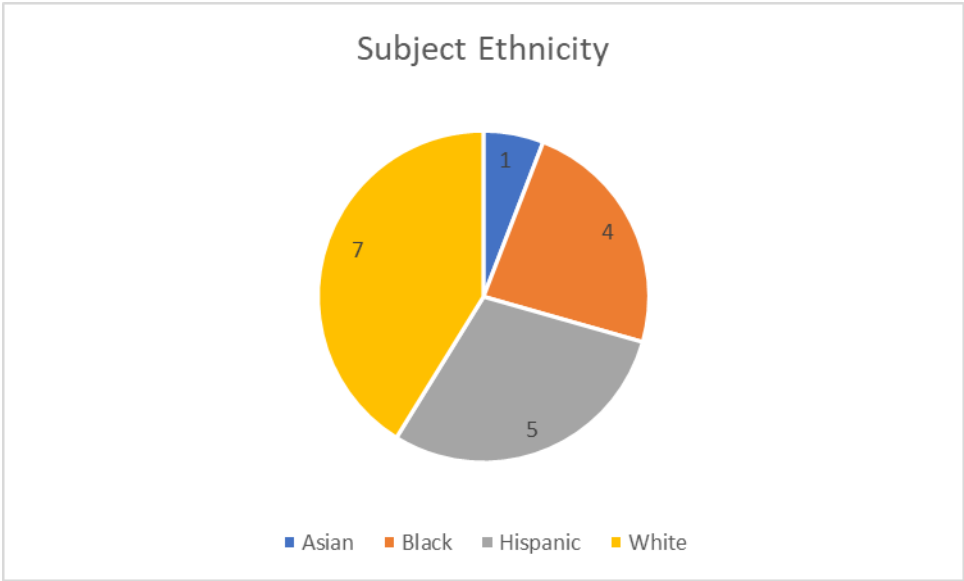
The following charts provide an overview of the 17 reported incidents.



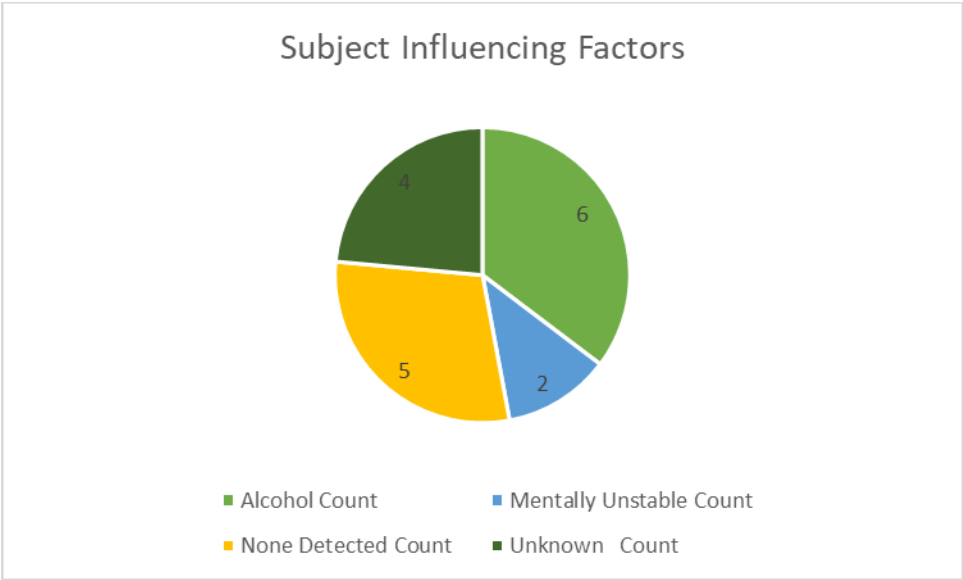
Day Shift reported six incidents; Evening Shift two; and Night Shift nine.



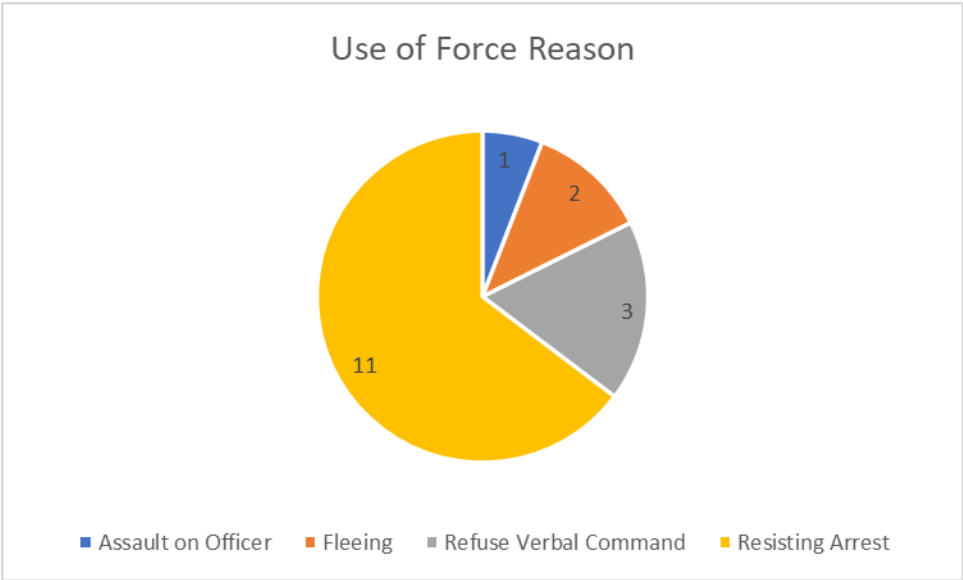
Male subjects accounted for the majority of incidents (14).



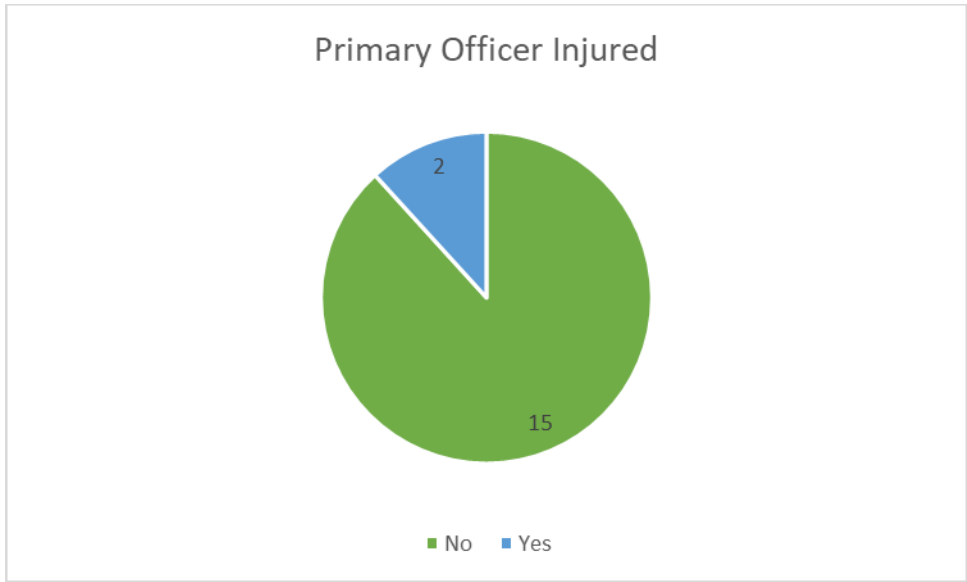
Out of the 17 incidents reported, White Males accounted for four; White Females – 3; Hispanic males accounted for 5; Black Males – 4; Asian Male -1.



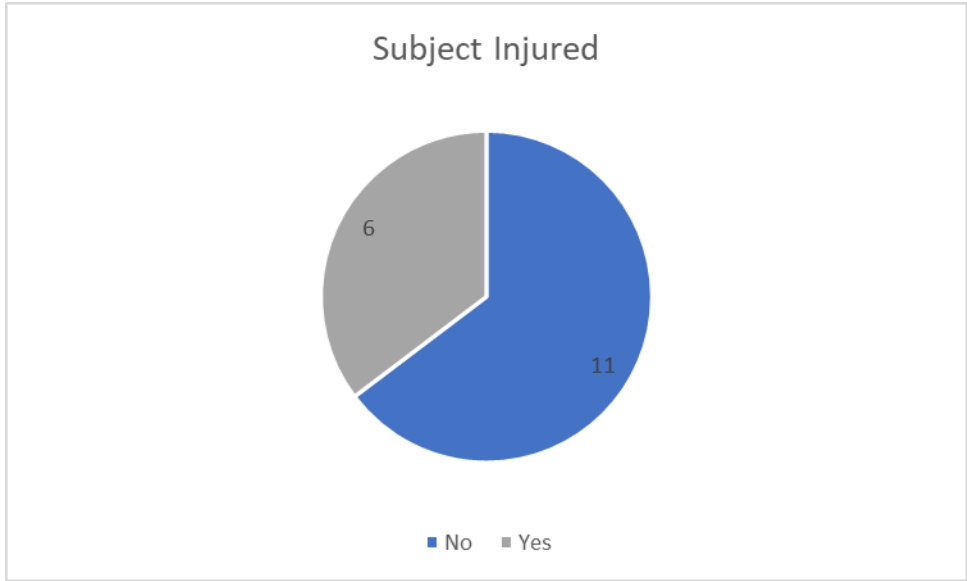
The reporting form asks for judgement on factors that may have influenced the involved subject’s behavior. Alcohol was suspected in six cases; mentally unstable judged in 2 incidents; and none or unknown factors in 9 incidents.



The majority of individuals involved were resisting arrest (11). Three refused verbal commands given by officers; two were fleeing and one was assault the arresting officer.



The primary officer was injured in two of the seventeen incidents.



Involved subjects were injured in six incidents. In three cases those injuries were minor. In three instances the subject was taken to the hospital for evaluation following the incident. The lone hospitalization of the three was not due to injury; the subject was hospitalized for a mental health evaluation.

General Observations

In all but one of the Use of Force cases the involved subject was charged with a criminal offense. The single exclusion was determined to have a mental health issue. The following summarizes the charges filed in connection with use of force incidents:

| Subject Arrest Charges |
|--|
| DWI/Resisting Arrest |
| Interference w/Public Duties |
| Assault P/O/Resisting Arrest |
| Interference w/Public Duties |
| Resisting Arrest |
| Evading/PCS/Class C Warrants |
| Resisting Arrest |
| PCS/Resisting Arrest |
| Escape/Resisting Arrest |
| Evading Arrest/Foot |
| Assault P/O |
| DWI |
| Harassment of Public Servant/Jail Facility |
| Evading on Foot |
| None (Mental Health Incident) |
| Assault P/O |
| Interference w/Public Duties |

Though eleven incidents were reported as being the result of resisting arrest, individuals were charged with the offense of Resisting Arrest in only six cases.

In 2019 there were 16 use of force incidents involving an arrest. That same year Bellaire police officers made 946 arrests. This translates to force being used in only 1.7% of arrest cases. Six subject injuries were reported which accounted for 0.6% of overall arrests.

Conclusions

Data reported does not suggest Bellaire Police Officers are using more force than is objectively reasonable. Even so, in 2020 the department has mandated that all officers undergo a four-hour block of de-escalation training consisting of two hours of classroom instruction and two hours of simulator training. The intent is to increase officer safety, reduce reliance on force to achieve law enforcement objectives, and reduce the possibility of subject injuries in force encounters. It is anticipated that the following year's Use of Force review will show reduced incidents and reduced officer and subject injuries.