



# Use of Force Analysis 2021

## Overview

This analysis was conducted for the purpose of reviewing the Bellaire Police Department's Use of Force incidents for calendar year 2021. 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 enhanced restraint device; an impact, electrical, or chemical weapon, as well as the discharge of any firearm. An 'enhanced restraint device' is a body immobilization device that is designed to restrain an individual's arms and legs and maintain them in an upright and seated position. The device is known as a "WRAP."

Each individual Use of Force Report is completed by the involved officer's supervisor and forwarded through the Chain of Command to the 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 when changes are needed 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 Chief of Police.

## **Types of Force Reported**

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

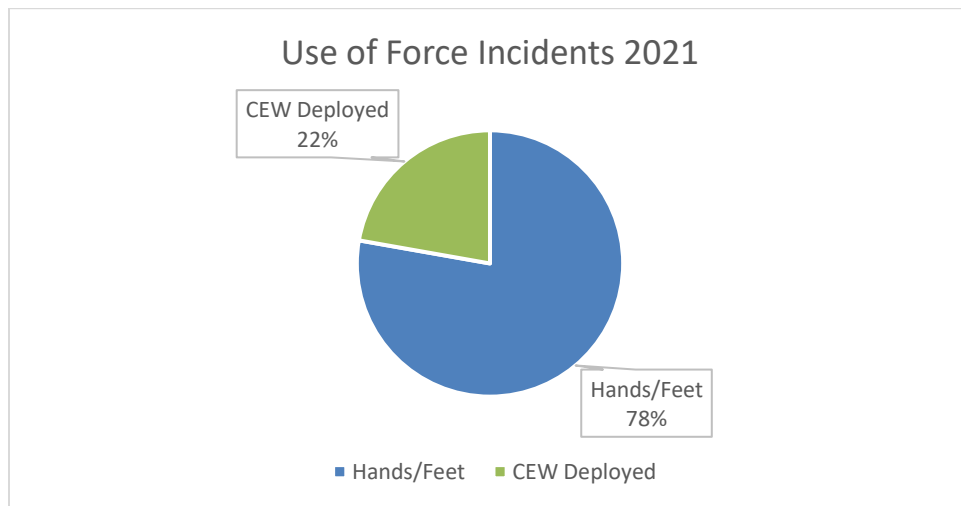
1. Baton
2. CEW Exhibited
3. CEW Deployed
4. Firearm Exhibited
5. Firearm Deployed
6. Defensive Technique
7. Escort Technique
8. Take Down
9. Hands/Feet
10. Other

In calendar year 2021 two types of force were used: Hands/Feet; and Conducted Energy Weapon Deployed.

### **Hands/Feet**

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 the most commonly used primary type of force and accounted for 14 of the 18 reported uses of force.



## CEW Deployed

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.

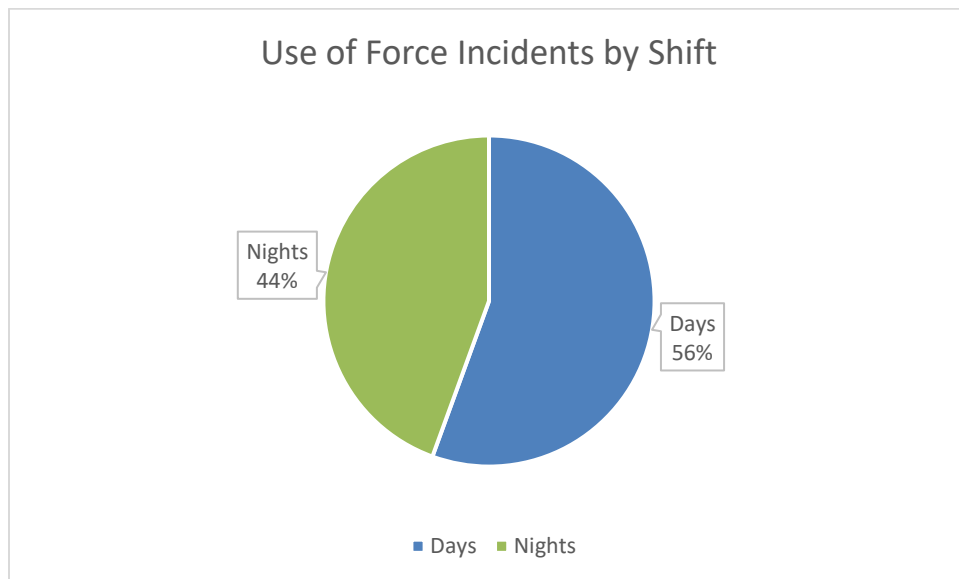
The Bellaire Police Department trains their officers in the proper and appropriate use of Conducted Energy Weapons and has policies designed to only allow its use against active aggression toward officers and not in cases of passive non-compliance or as punishment of any kind.

In one reported incident a conducted energy weapon was deployed twice. In another case when the primary method of hands/feet was unsuccessful officers deployed a secondary type of force, the conducted energy weapon (CEW), to gain control of the suspect. In two cases the conducted energy weapon was displayed/not deployed and this display gained compliance.

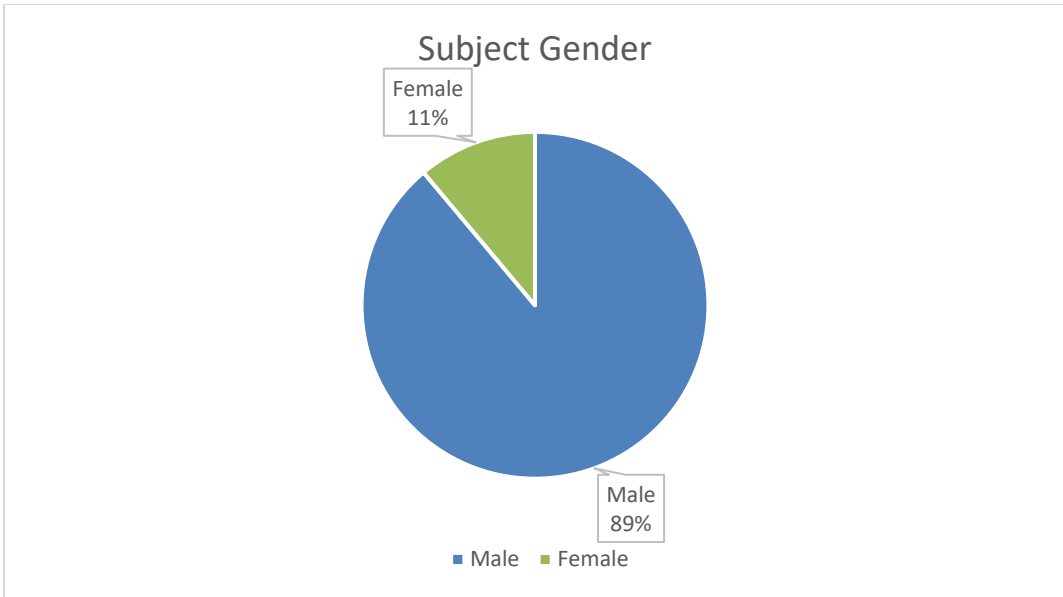
Counting both primary and secondary uses of force, a CEW was deployed 6 times.

## Data Analysis

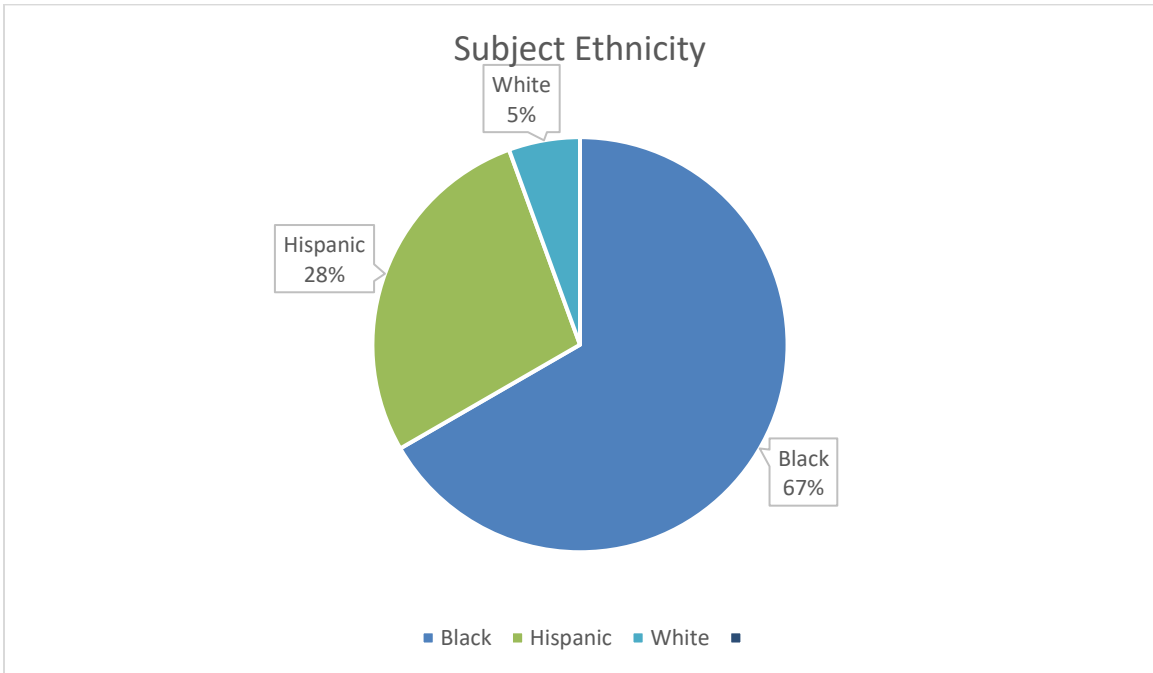
The following charts provide an overview of the 18 reported incidents.



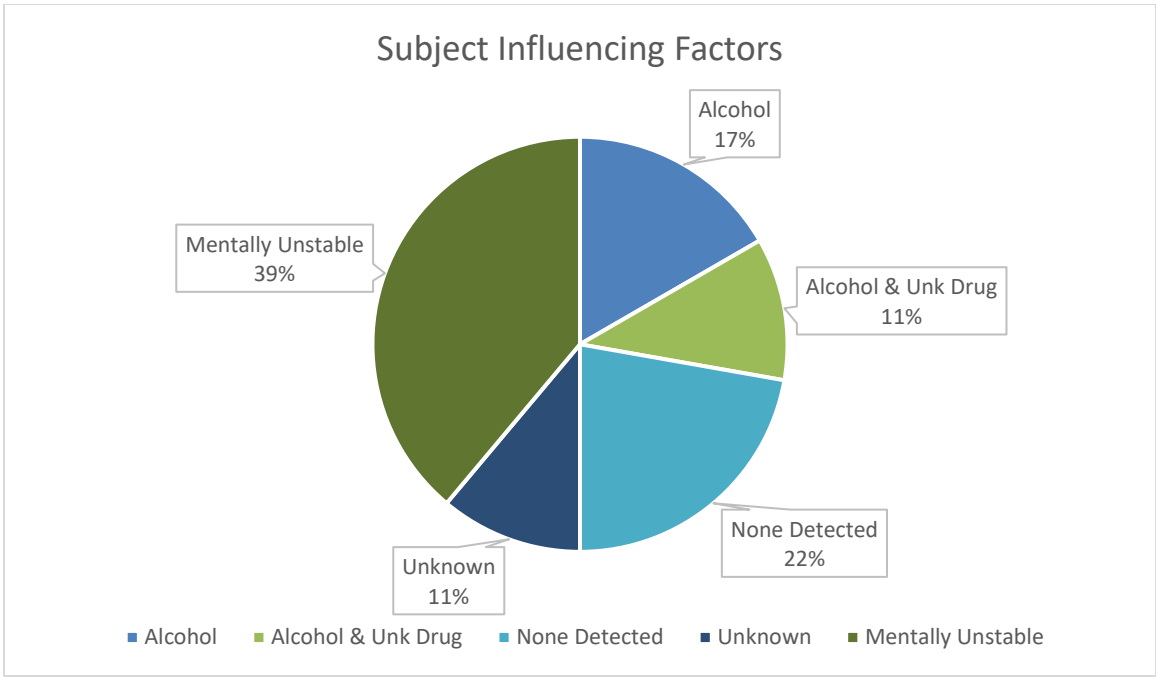
Day Shift reported ten incidents and Night Shift reported eight.



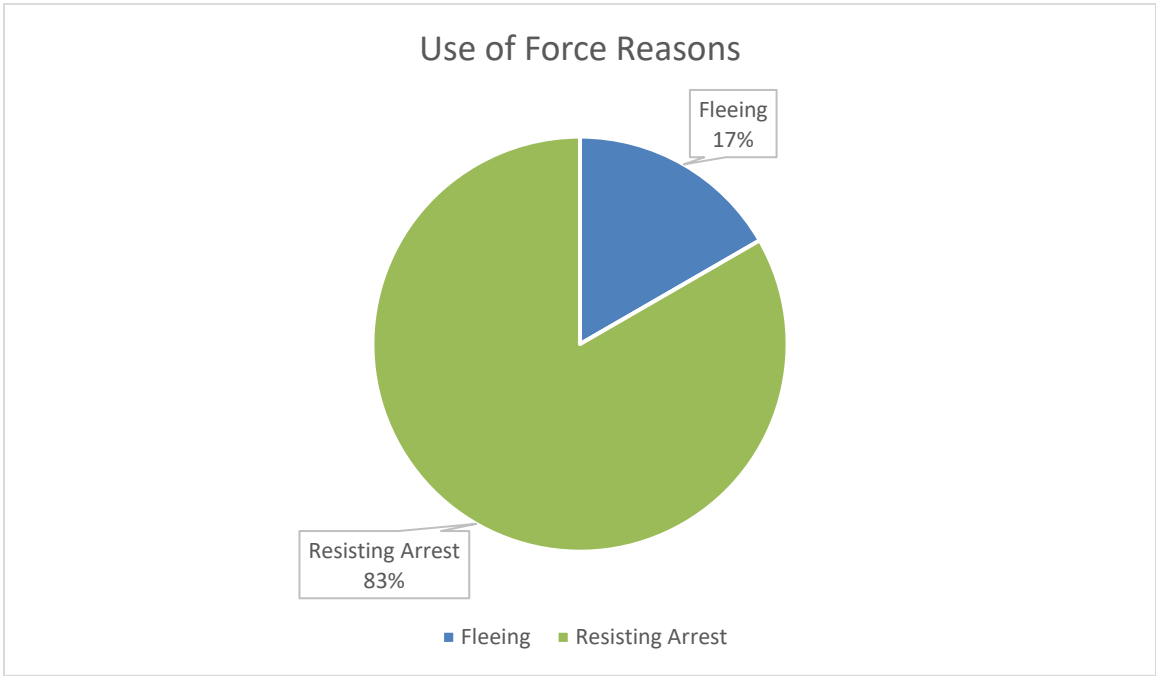
Male subjects accounted for the majority of incidents (16).



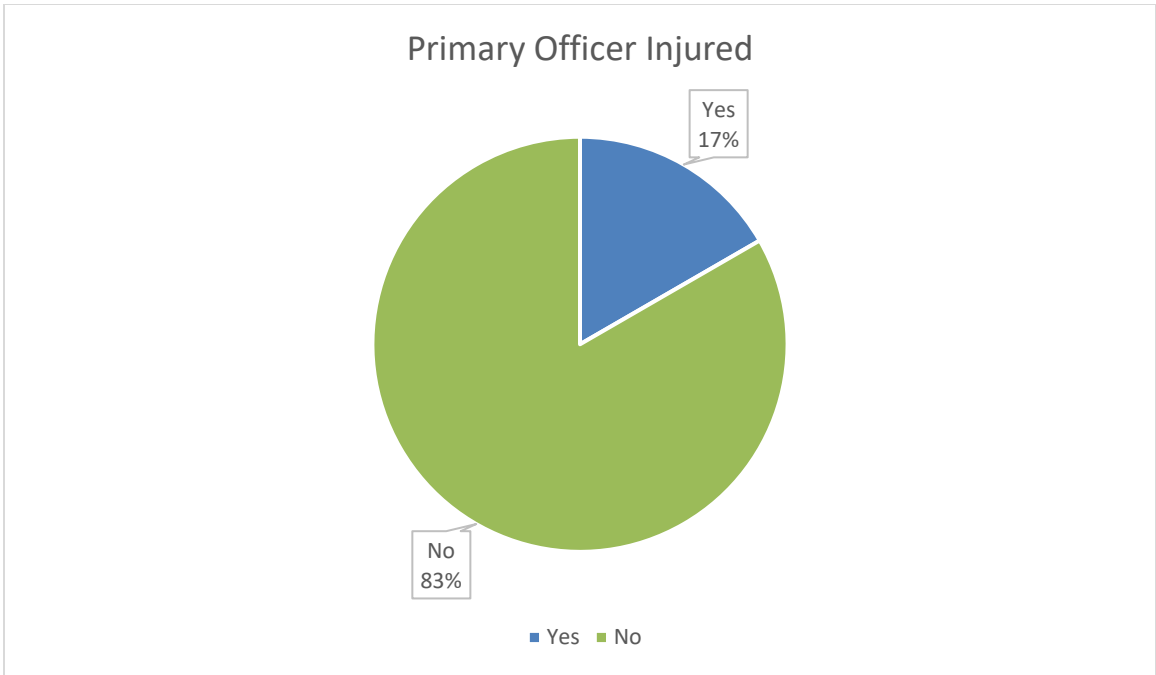
Out of the 18 incidents reported, White Males accounted for one; Hispanic males accounted for 5; Black Males – 10; and Black Females - 2.



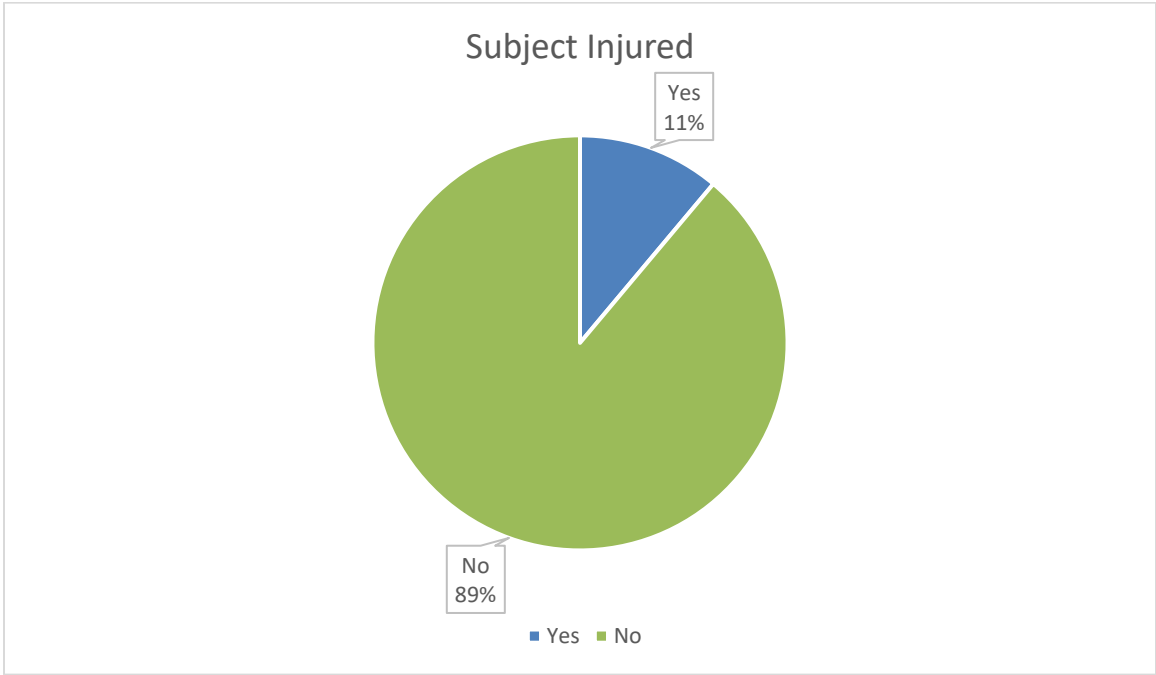
The reporting form asks for judgement on factors that may have influenced the involved subject's behavior. Alcohol was suspected in three cases; alcohol and unknown drugs in two; no impairment detected in 4 cases; and unknown influences in two; and mentally unstable was reported in 7 cases.



The reasons force was used were given as resisting arrest (15) and fleeing (3).



The primary officer was injured in three of the eighteen incidents.



Involved subjects were injured in two incidents with minor injuries only not requiring hospitalization. Department policy requires that subjects that are injured or that are involved in a CEW deployment are evaluated by Bellaire Fire/EMS (6).

## General Observations

Not all Use of Force cases resulted with the involved subject being charged with a criminal offense. The following summarizes the charges filed, if any, in connection with use of force incidents. Additionally, specific influencing factors and primary/secondary force types are shown for clarity.

<b>Subject Influencing Factors</b>	<b>Subject Arrest Charges</b>	<b>Primary Force Type</b>	<b>Secondary Force Type</b>
Mentally Unstable	Assault Class A	CEW Deployed	Hands/Feet
Mentally Unstable	Assault on Peace Officer	Hands/Feet	CEW Exhibited
Alcohol	DWI	Hands/Feet	
Alcohol	DWI	Hands/Feet	
Alcohol	DWI 2nd/Resisting Arrest	Hands/Feet	
Alcohol and unk drugs	DWI 2nd/Resisting Arrest/Evading	Hands/Feet	CEW Exhibited
Alcohol and unk drugs	DWI/Resisting Arrest	Hands/Feet	CEW Deployed
Unknown	Evading	CEW Deployed	
None Detected	Evading	CEW Deployed	
None Detected	Evading	CEW Deployed	CEW Deployed
Unknown	Evading / UUMV - WRAP Deployed	Hands/Feet	
Mentally Unstable	HCSO Felony Warrants - Wrap Deployed	Hands/Feet	
Mentally Unstable	None	Hands/Feet	
Mentally Unstable	None	Hands/Feet	
Mentally Unstable	None - WRAP Deployed	Hands/Feet	
Mentally Unstable	None - WRAP Deployed	Hands/Feet	
None Detected	UCW	Hands/Feet	
None Detected	Warrant	Hands/Feet	

In 2021 the Bellaire Police Department arrested 517 individuals. The 18 use of force incidents accounted for only 3.4% of arrest cases.

## Conclusions

Data reported shows that Bellaire Police Officers' use of force is objectively reasonable. Even so, in 2022 the department has mandated that all officers undergo a block of de-escalation training consisting of classroom instruction and simulator training in conjunction with CEW recertification. 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.