



Use of Force Analysis 2022

Overview

This analysis was conducted for the purpose of reviewing the Bellaire Police Department's Use of Force incidents for calendar year 2022. 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 manner 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:

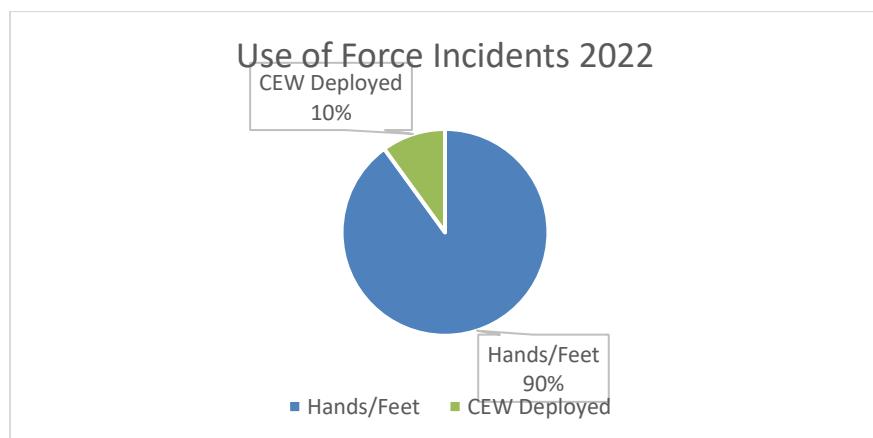
1. Baton
2. CEW Exhibited
3. CEW Deployed
4. Firearm Exhibited
5. Firearm Deployed
6. Defensive Technique
7. Escort Technique
8. Take Down
9. Hands/Feet
10. Other

In calendar year 2022 ten use of force reports were completed. The two types of force were used: Hands/Feet (9); and Conducted Energy Weapon Deployed (1).

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 9 of the 10 reported uses of force.



CEW Deployed

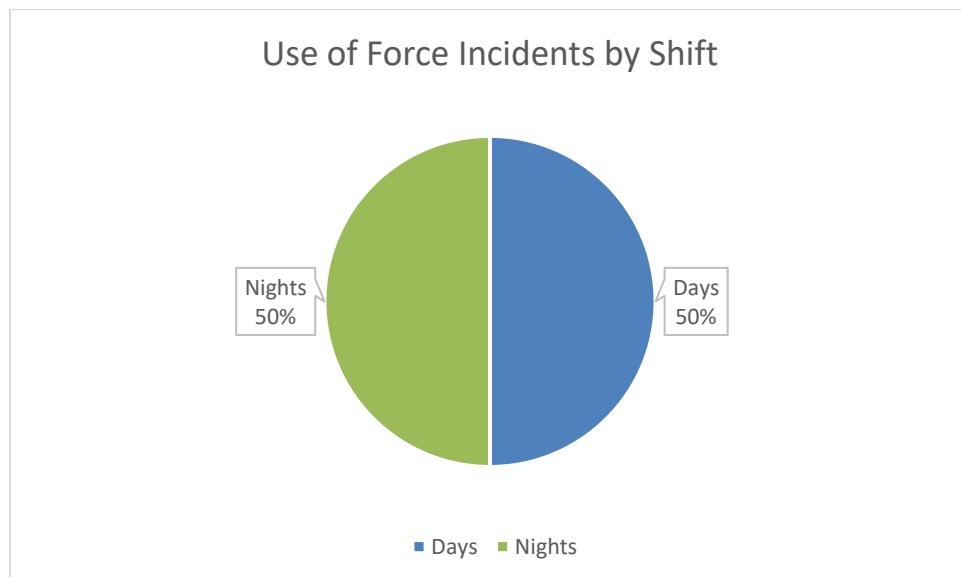
Conducted Energy Weapons (CEW), commonly called Tasers, are pistol type devices that fire two small darts that are designed to imbed themselves in the skin or clothing of a resisting or combative suspect. The darts are connected to the device by small flexible wires which transmit a short 5-second high 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.

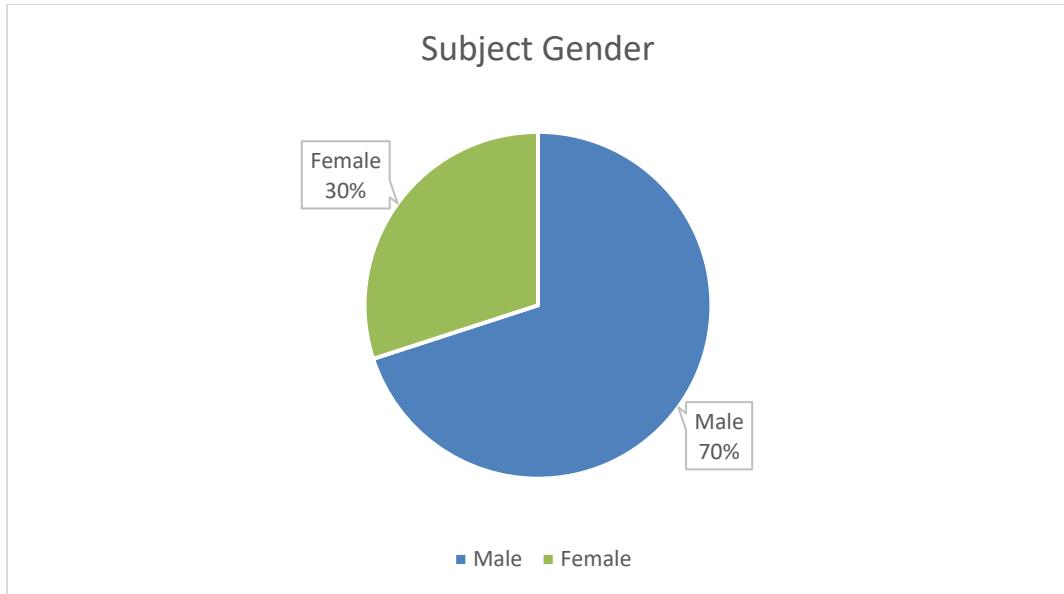
In the one reported incident that a conducted energy weapon was deployed, the secondary method of hands/feet was used to successfully restrain the individual. The subject involved was charged with Aggravated Robbery and Felon in Possession of a Firearm.

Data Analysis

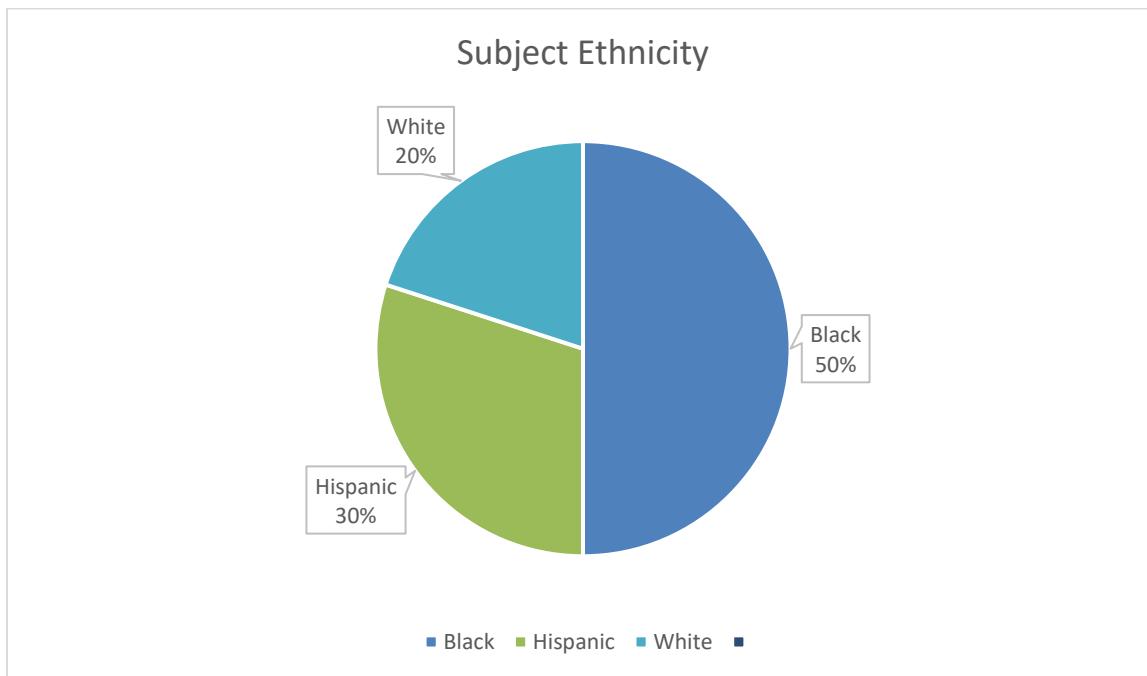
The following charts provide an overview of the 10 reported incidents.



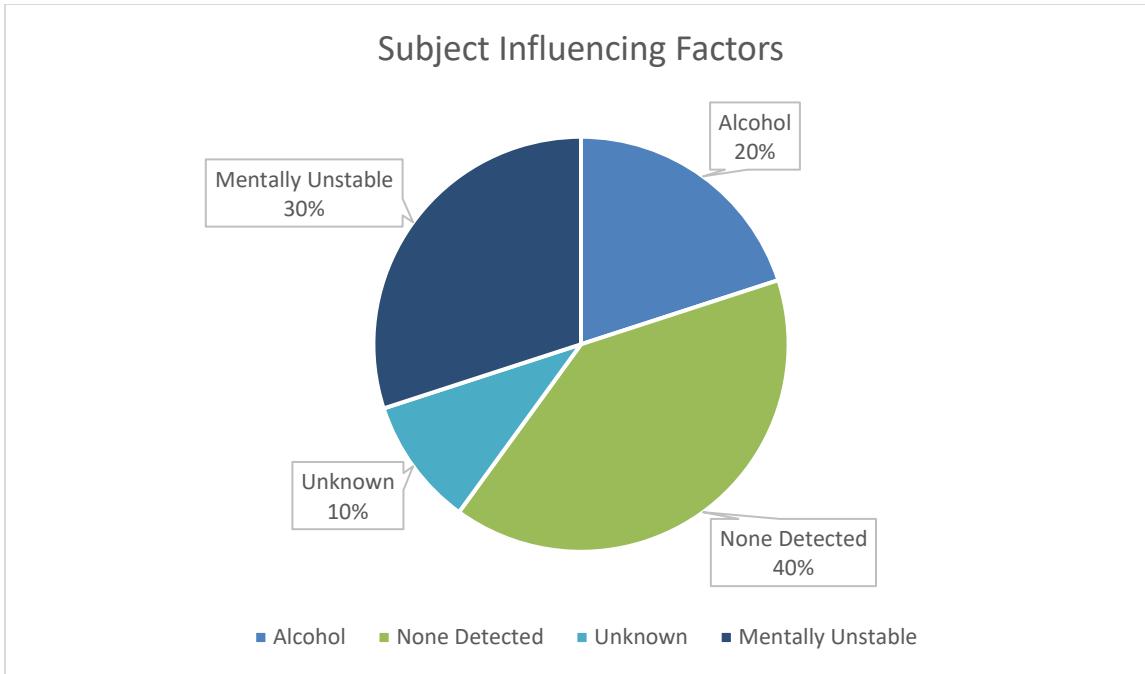
Day Shift reported five incidents and Night Shift reported five.



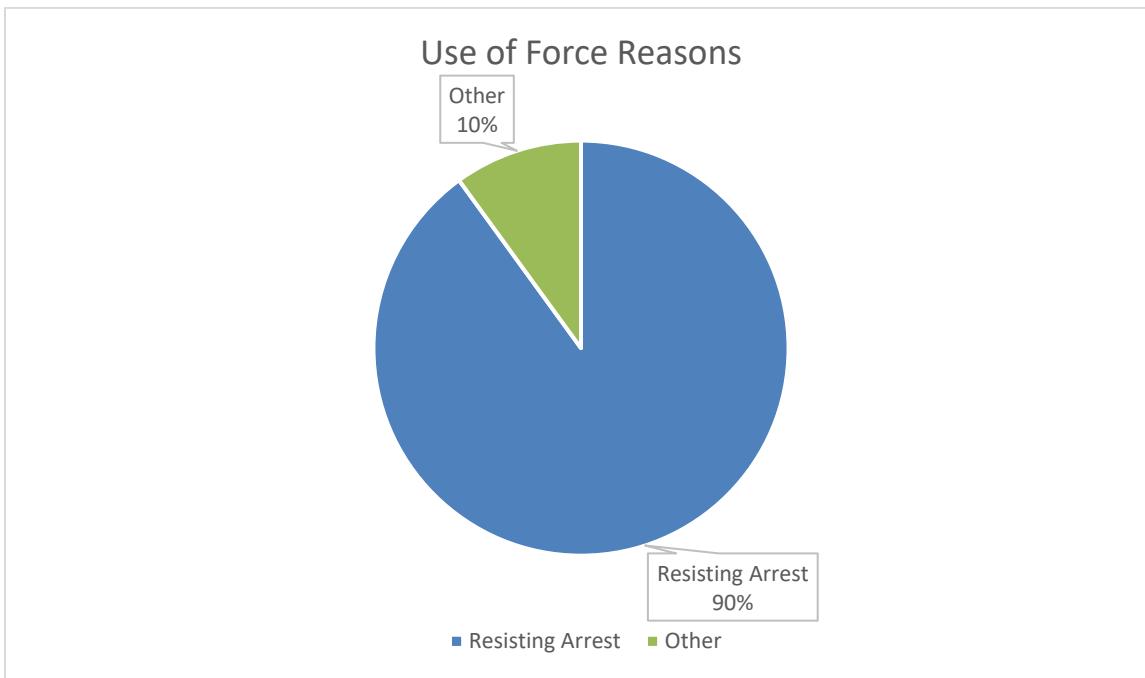
Male subjects accounted for the majority of incidents (7).



Ethnicity/Sex: White male: 1; White female: 1; Hispanic male: 2; Hispanic female: 1; Black male: 4; Black female: 1.



The reporting form asks for judgement on factors that may have influenced the involved subject's behavior. Alcohol was suspected in two cases; no impairment detected in 4 cases; unknown influences in 1; and mentally unstable was reported in 3 cases.



The reasons force was used were given as resisting arrest (9) and other (1).

Primary Officer Injured

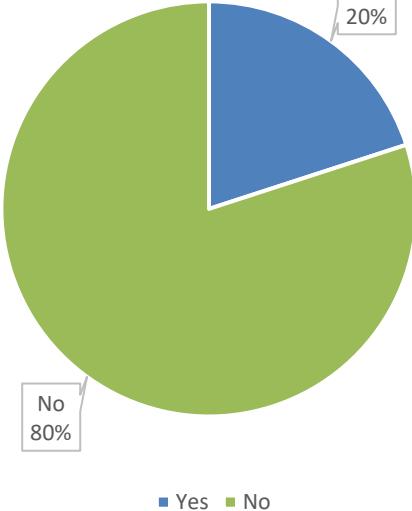
Yes
0%



The primary officer was not injured in any incident.

Subject Injured

Yes
20%



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 (2).

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 as is the Use of Force Reason. .

| Subject Influencing Factors | Subject Arrest Charges | Primary Force Type | Secondary Force Type | Use of Force Reason |
|-----------------------------|--|--------------------|----------------------|---------------------|
| Unknown | Aggravated Robbery & Felon Poss. Firearm | CEW Deployed | Hands/Feet | Resisting Arrest |
| None Detected | Cited and released to parents | Hands/Feet | | Resisting Arrest |
| Alcohol | DWI 3rd, Assault/Retaliation on PO | Hands/Feet | Other | Resisting Arrest |
| None Detected | Evading and Failure to ID | Hands/Feet | | Resisting Arrest |
| Mentally Unstable | Interference w/Public Duties | Hands/Feet | Other | Resisting Arrest |
| Mentally Unstable | None - Transported for EDO in WRAP | Hands/Feet | | Resisting Arrest |
| Mentally Unstable | Pending Assault F/V in WRAP | Hands/Feet | | Other |
| Alcohol | Possession Drug Paraphernalia | Hands/Feet | | Resisting Arrest |
| None Detected | Resisting Arrest/ UCW | Hands/Feet | | Resisting Arrest |
| None Detected | Resisting Arrest/Processing | Hands/Feet | | Resisting Arrest |

In 2021 the Bellaire Police Department reported 18 use of force incidents. In 2022 the department reported 10, a 44.4% decrease.

Conclusions

Data reported shows that Bellaire Police Officers' use of force is objectively reasonable. Even so, in 2022 the department 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 was to increase officer safety, reduce reliance on force to achieve law enforcement objectives, and reduce the possibility of subject injuries in force encounters. This training is largely responsible for the decrease in use of force incidents in 2022 over 2021.