



Use of Force Analysis 2023

Overview

This analysis was conducted for the purpose of reviewing the Bellaire Police Department's Use of Force incidents for calendar year 2023. 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 to 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 modulate their level of force in response to the resistance presented, officers have the discretion 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, require that a written report be completed anytime an officer uses force. Supervisors are required to submit a use of force reporting form any time 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; and, 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 incident is reviewed to ensure that the force employed was appropriate and within the guidelines of department policy and the law. If the officer used force inappropriately, a departmental investigation is conducted and the officer may receive correction in the form of 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 to 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

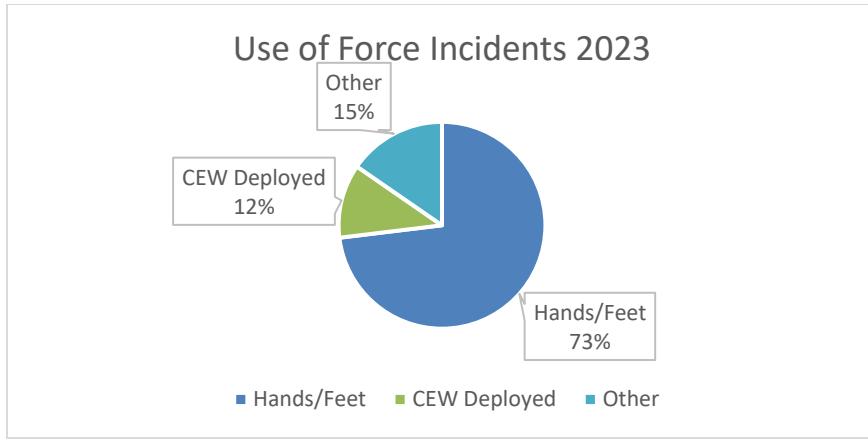
In calendar year 2023 twenty-six use of force reports were completed. The primary uses of force were: Hands/Feet (19); Other (WRAP) (4); and, Conducted Energy Weapon Deployed (3). In thirteen incidents (50%), a secondary force type was used.

Following 7 uses of Hands/Feet, the subject involved was placed in the WRAP device. Following 1 instance of Hands/Feet a CEW was deployed. Following two incidents where a CEW was deployed, Hands/Feet were used once and a Take Down technique was used once. In three incidents where a subject was placed in a WRAP device, Hands/Feet were used to facilitate the application of the device as the subject was actively resisting.

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 19 of the 26 reported uses of force.



Hands/Feet were reported as a secondary type of force used three times following the application of the WRAP device and once after a CEW was deployed.

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 three reported incidents in which a CEW was the primary force used, in two cases a secondary method was employed to successfully restrain the individual. Hands/Feet was used in one and a Take Down technique was used in another.

Other

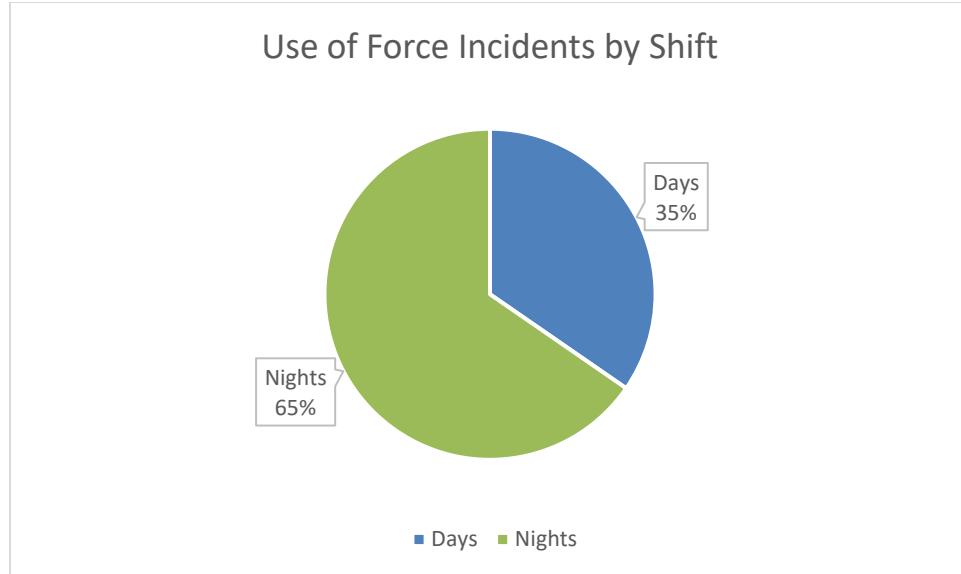
Use of force incidents coded as "Other" indicate the use of a WRAP enhanced restraint device. This device immobilizes the body and prevents a subject from kicking or harming themselves or others. It's designed to be used as a last resort when someone is a danger to themselves, officers, or others. The WRAP consists of a locking shoulder harness and a canvas wrap with three metal bars wrapped around the legs that prevent the subject's knees from bending. When applied, a subject's legs are extended in front of him so he is able to be seated upright and his arms are handcuffed behind his back.

When applied, an individual in the WRAP may be moved by officers using carrying handles affixed to the device. There is no danger of positional asphyxiation as the subject can either be seated with his legs in front of him or laid on his side. In either instance the subject's rib cage is able to move freely and their faces are unobstructed which allows the subject to breath normally.

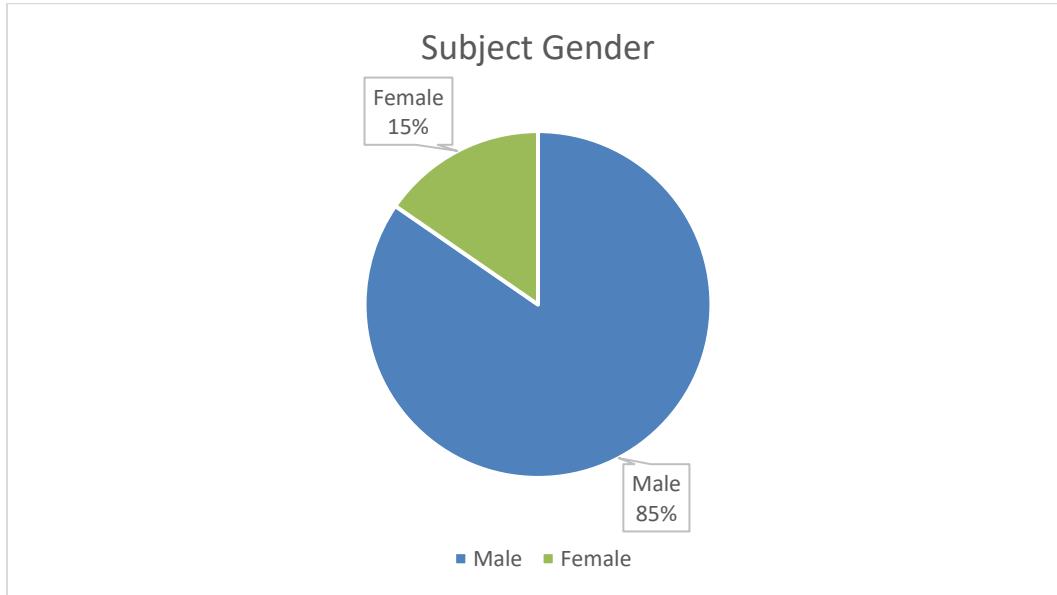
The WRAP was applied in four instances as the primary type of force used and seven times as a secondary type of force.

Data Analysis

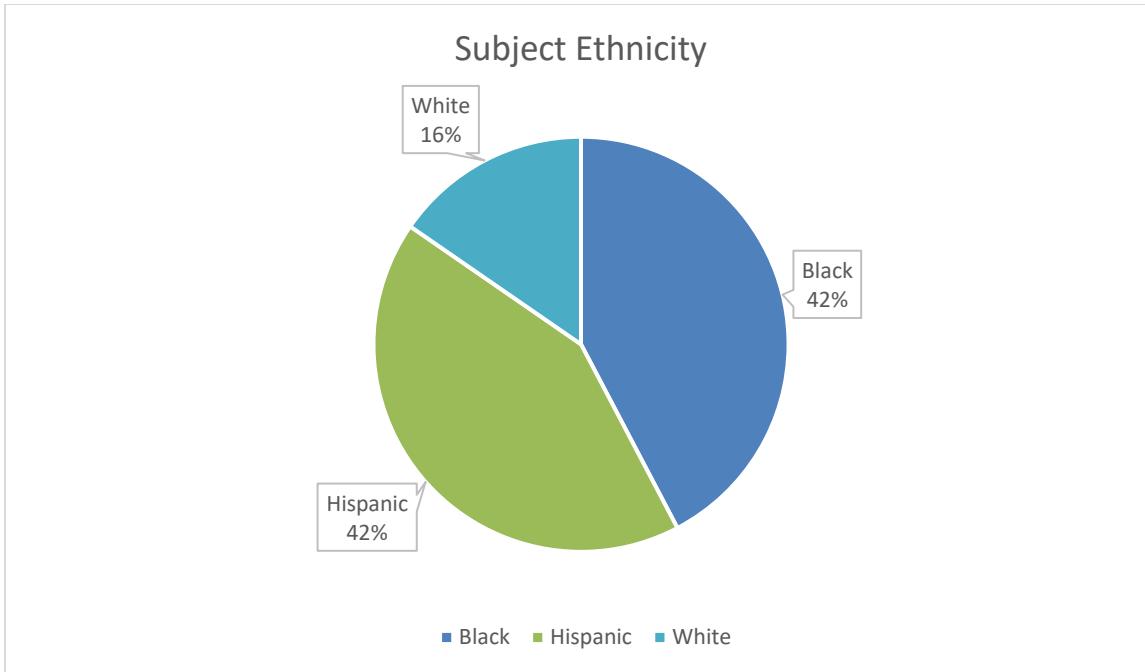
The following charts provide an overview of the 26 reported incidents.



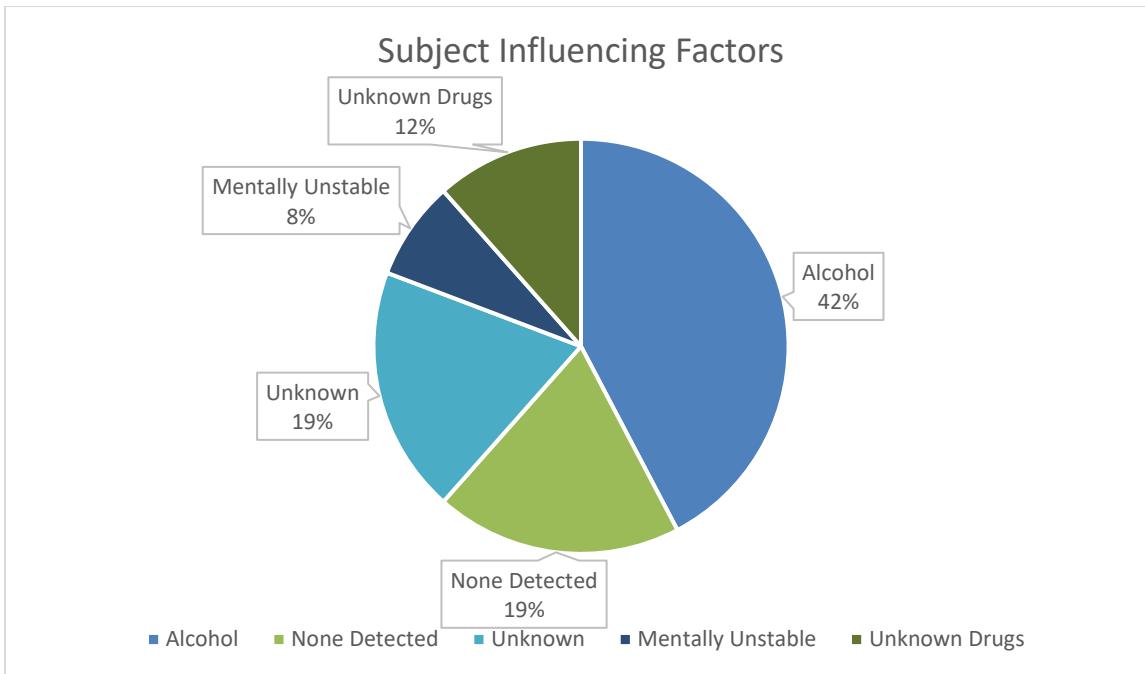
Day Shift reported nine incidents and Night Shift reported 17.



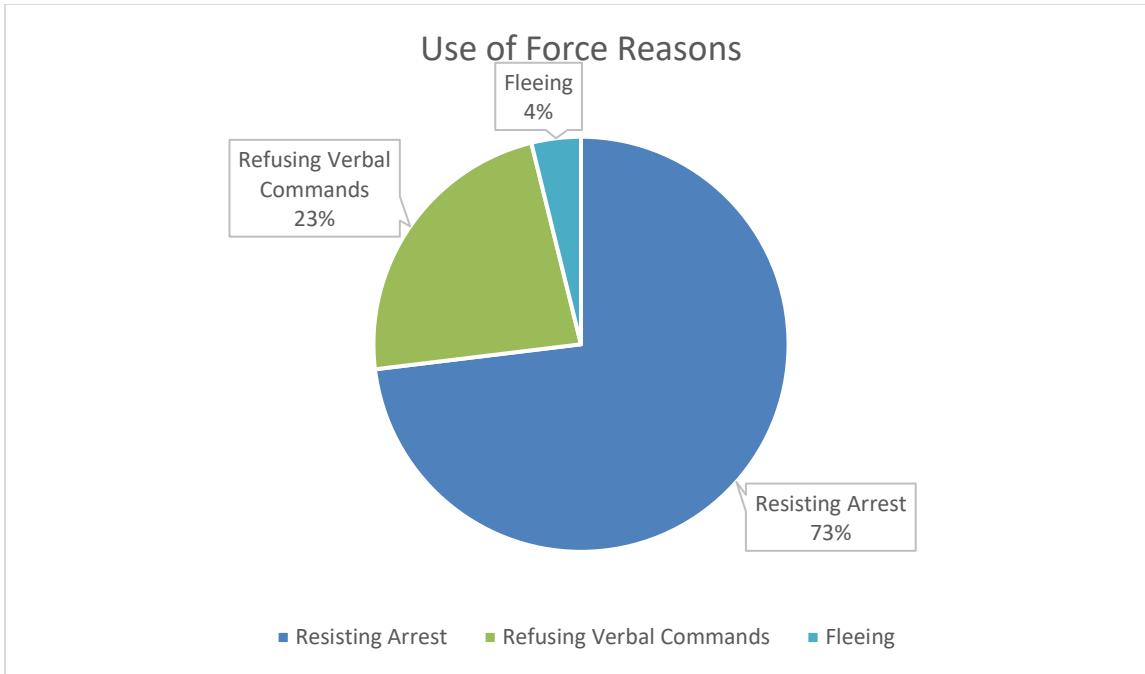
Male subjects accounted for the majority of incidents (22). Females account for four.



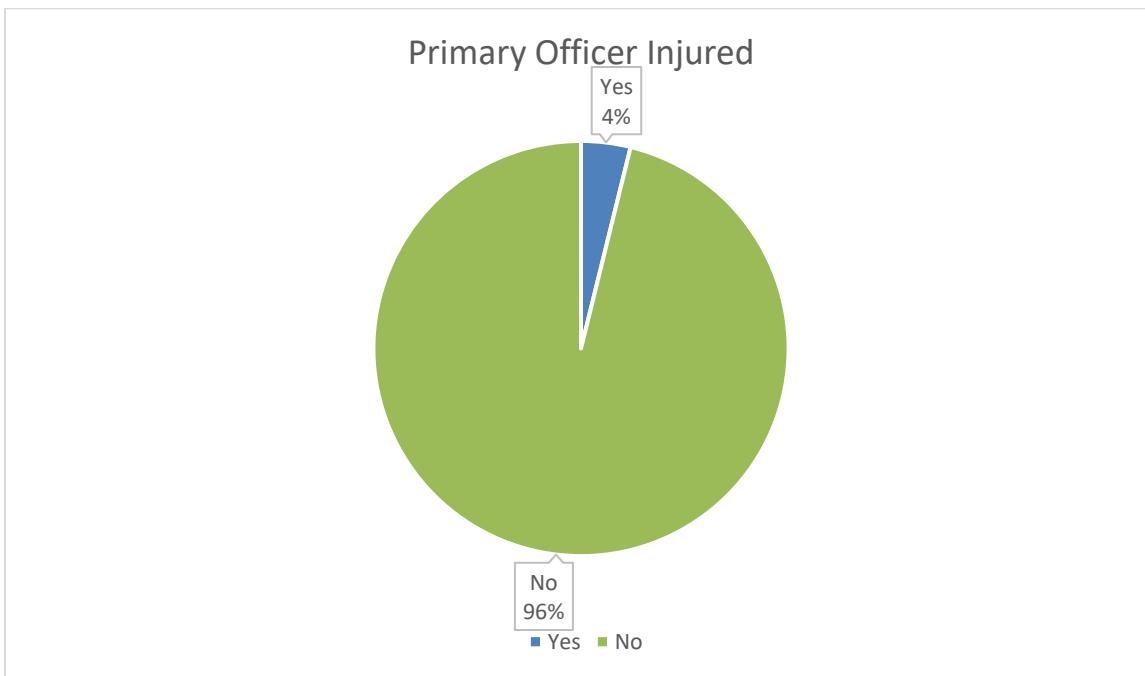
Ethnicity/Sex: White male: 3; White female: 1; Hispanic male: 10; Hispanic female: 1; Black male: 9; Black female: 2.



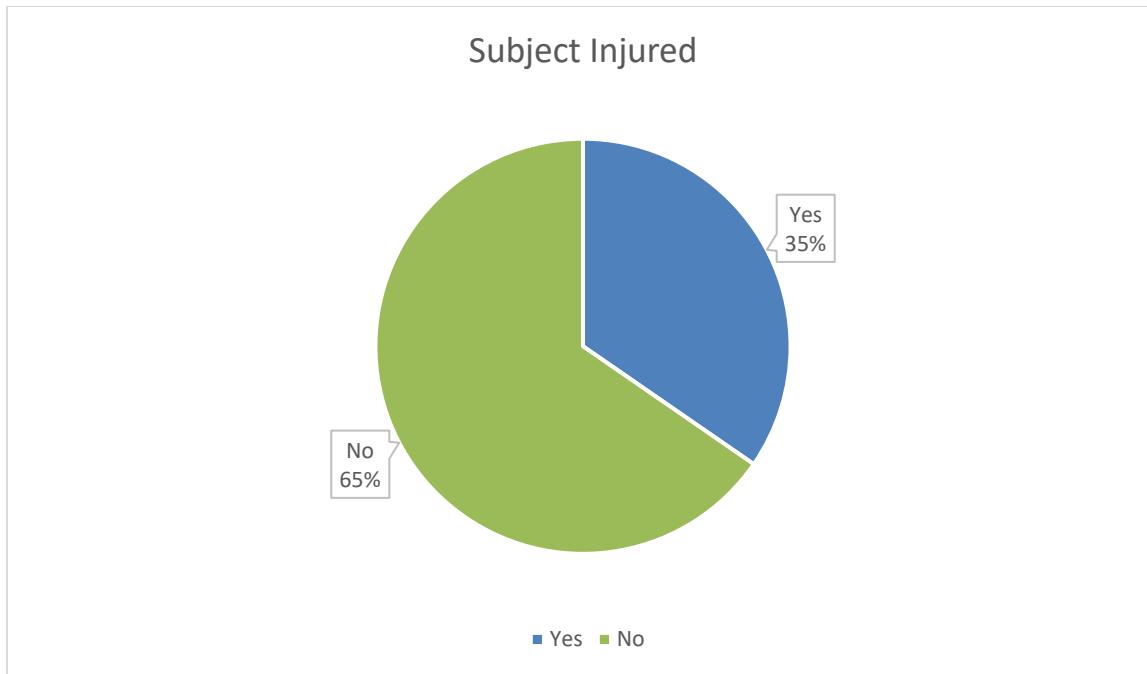
The reporting form asks for judgement on factors that may have influenced the involved subject's behavior. Alcohol was suspected in eleven cases; no impairment noted in 5 cases; unknown influences in 5; unknown drug influences in 3; and mentally unstable was reported in 2 cases.



The reasons force was used were given as resisting arrest (19), refusing verbal commands (6), and fleeing (1).



The primary officer was injured in only incident where the subject's influencing factor was identified as unknown drugs and he was resisting arrest. The injury was minor.



Involved subjects sustained minor injuries in 9 incidents. In two instances the subject was transported to the hospital for treatment. In the first, treatment was for a mental health incident. In the second treatment was for minor injuries only not requiring hospitalization.

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 drugs	Agg Assault PO/Felon Poss Firearm	Hands/Feet		Refuse Verbal Command
Alcohol	Aggravated Assault - Elderly	Hands/Feet	Other	Resisting Arrest
Unknown drugs	Assault/Family Member	CEW Deployed		Resisting Arrest
None Detected	BMV/Crim Misch/Evading	Other	Hands/Feet	Resisting Arrest
None Detected	Disorderly Conduct/Theft	Hands/Feet		Resisting Arrest
Alcohol	DWI	Hands/Feet		Resisting Arrest
Alcohol	DWI	Hands/Feet	Other	Resisting Arrest
Alcohol	DWI 2nd/UCW/Inference w/Duties	Hands/Feet		Resisting Arrest
Alcohol	DWI w/Child Passenger/Evading	CEW Deployed	Hands/Feet	Resisting Arrest
Alcohol	DWI, Interference w/Public Duties	Hands/Feet	Other	Resisting Arrest

Alcohol	DWI, Interference w/Public Duties	Hands/Feet	Other	Resisting Arrest
Unknown	Evading / UCW / Child Endangerment	CEW Deployed	Take Down	Resisting Arrest
None Detected	Evading Arrest M/V	Other	Hands/Feet	Fleeing
Unknown	Evading Arrest/Detention	Hands/Feet		Resisting Arrest
Unknown	Evading/Felon Poss. Firearm	Other		Resisting Arrest
Unknown	HPD: Evading, Fail ID, Warrants	Hands/Feet		Resisting Arrest
Alcohol	Interfering w/Public Duties	Hands/Feet		Refuse Verbal Command
Alcohol	Interfering w/Public Duties	Hands/Feet		Refuse Verbal Command
Alcohol	Interfering w/Public Duties	Hands/Feet		Resisting Arrest
None Detected	Interfering w/Public Duties/Theft	Hands/Feet		Resisting Arrest
Mentally Unstable	None- No charges for Mental Health Incident	Hands/Feet		Refuse Verbal Command
Mentally Unstable	None- No charges for Mental Health Incident	Hands/Feet	CEW Deployed	Refuse Verbal Command
Unknown	Theft - Class C	Hands/Feet	Other	Resisting Arrest
Unknown drugs	Theft, Assault x2, Harassment PO	Hands/Feet	Other	Resisting Arrest
None Detected	Unknown - HPD Case	Hands/Feet	Other	Refuse Verbal Command
Alcohol	UUMV	Other	Hands/Feet	Resisting Arrest

In 2022 the Bellaire Police Department reported 10 use of force incidents. In 2023 the department reported 26.

Conclusions

Data reported shows that Bellaire Police Officers' use of force is objectively reasonable. The use of Hands/Feet as a primary use of force only indicates that officers placed their hands on a subject and used more force than simply a strong grip and was reasonable given the reasons cited for the use of force. Secondary uses of forces, where applied, were also considered reasonable.