

Gainesville Police Department

2016

Annual Use of Force Report



OVERVIEW AND REPORT PURPOSE

In 2014, Chief Tony Jones instituted the “3 C’s” philosophy for the Gainesville Police Department.

The 3 C’s stand for Consistency, Compassion and Constitutional Policing.

These concepts apply to every individual and facet of the Gainesville Police Department, but likely have the most gravity when considered in the frame work of incidents involving use of force by police officers.

The United States Constitution and Florida law allow police officers to use force to effect arrests and ensure public order and the safety of citizens and their property.



Members of the Gainesville Police Department understand that this is a massive responsibility and whenever they use force, they do so with an understanding that they must adhere to tenets of compassion, consistency and the constitution.

GPD must also ensure a high level of transparency both within the agency and for the community as it reviews and explains use of force incidents that occur in the course of police work.

Police officers with GPD are directed to use force based on a member’s perception at the time of the resistance and the danger of that resistance. Officers are encouraged to de-escalate when possible and/or practical and are encouraged to never use more force than is necessary to bring a suspect into control and custody.



There are currently numerous cutting edge new theories on use of force that have been proposed by nationally recognized police work groups. GPD is in the process of re-writing its use of force policy to ensure these new concepts are considered and then properly and carefully adopted.

The Gainesville Police Department employs an outside company, Pressure Point Control Techniques (PPCT) which provides the training basis for about 70% of our department's use of force tactics. PPCT ensures that the techniques provided are legally, medically and tactically appropriate so that, when used, they will provide the maximum ability for an officer to control a dangerous subject while ensuring the minimal risk for injury to either the officer using force or the person force is being used against.

In addition to PPCT tactics, most GPD officers are provided dart firing stun guns commonly referred to by the product name, Taser, and chemical subject control spray, also known as pepper spray.

All GPD officers are equipped with at least one firearm which is to be used in only the most extraneous of cases.

Some GPD members have received special, extensive and on-going training in specialized weapons such as impact munitions, which fire less than lethal projectiles. GPD currently has 3 tactical response teams to include the Special Weapons and Tactics (SWAT) team, the Negotiations Response Team and the Emergency Services Unit. Members of these tactical teams have advanced equipment and training and are prepared to respond to critical incidents where standard police techniques may not be sufficient.

GPD additionally has police horses and police canines which can also be deployed as a use of force under certain circumstances.

At least once per year, GPD officers must receive training on use of force and PPCT techniques. Officers also receive a substantial amount of training with firearms and all officers must show proficiency with all



guns they are issued or carry before they are permitted to carry the guns. Officers also receive Taser training at least once annually.

Each time an officer uses force, they are governed by internal policy that is designed with numerous checks and balances:

For each use of force, a supervisor will respond to the scene, ensure medical attention is given if needed and complete a review of the use of force. That review and the facts of the force deployed are then reviewed by several layers of supervisors and commanders and are then sent for review to GPD's Operational Skills Unit which is responsible for training all officers.

The use of force review process is triggered any time an officer uses force that causes an injury (whether verified or alleged), strikes an intentional blow, or applies force through use of any weapon.

In each case reviewed, photographs are taken and a report is completed assessing the force employed, the resistance offered, environmental factors that influenced the scene and the relative factors between the officer and the subject.

This Use of Force report contains a summary of each of the 73 uses of force employed by members of the Gainesville Police Department in 2016. It is designed to show our citizens and community partners when and how force has been employed in the last year and compare it to previous years.

The report will also explain the current Use of force continuum and offer some explanations for what police do and why they do it.

Although not specifically noted as a Use of force by Gainesville Police policy, vehicle pursuits will be discussed as they are an important tool that must be employed from time to time to capture dangerous offenders. Pursuits must be very carefully considered as they also constitute a great risk to the community.



GAINESVILLE POLICE OVERVIEW

Gainesville, Florida encompasses 62.4 square miles and had an estimated population of 130,128 in 2015 per the US census. In 2016, the crime rate per capita was 4.44 % in the City of Gainesville.

The culture and demographics of Gainesville are most certainly influenced by the two large colleges in the area; the University of Florida has a current enrollment of about 52,000 students and Santa Fe College adds another 16,000 students to our metropolitan area.

In 2016, GPD answered 92,193 calls for service. Officers and staff wrote 24,332 incident and crash reports and made 2,905 adult arrests.

GPD officers used force in 2016 a total of 73 times.

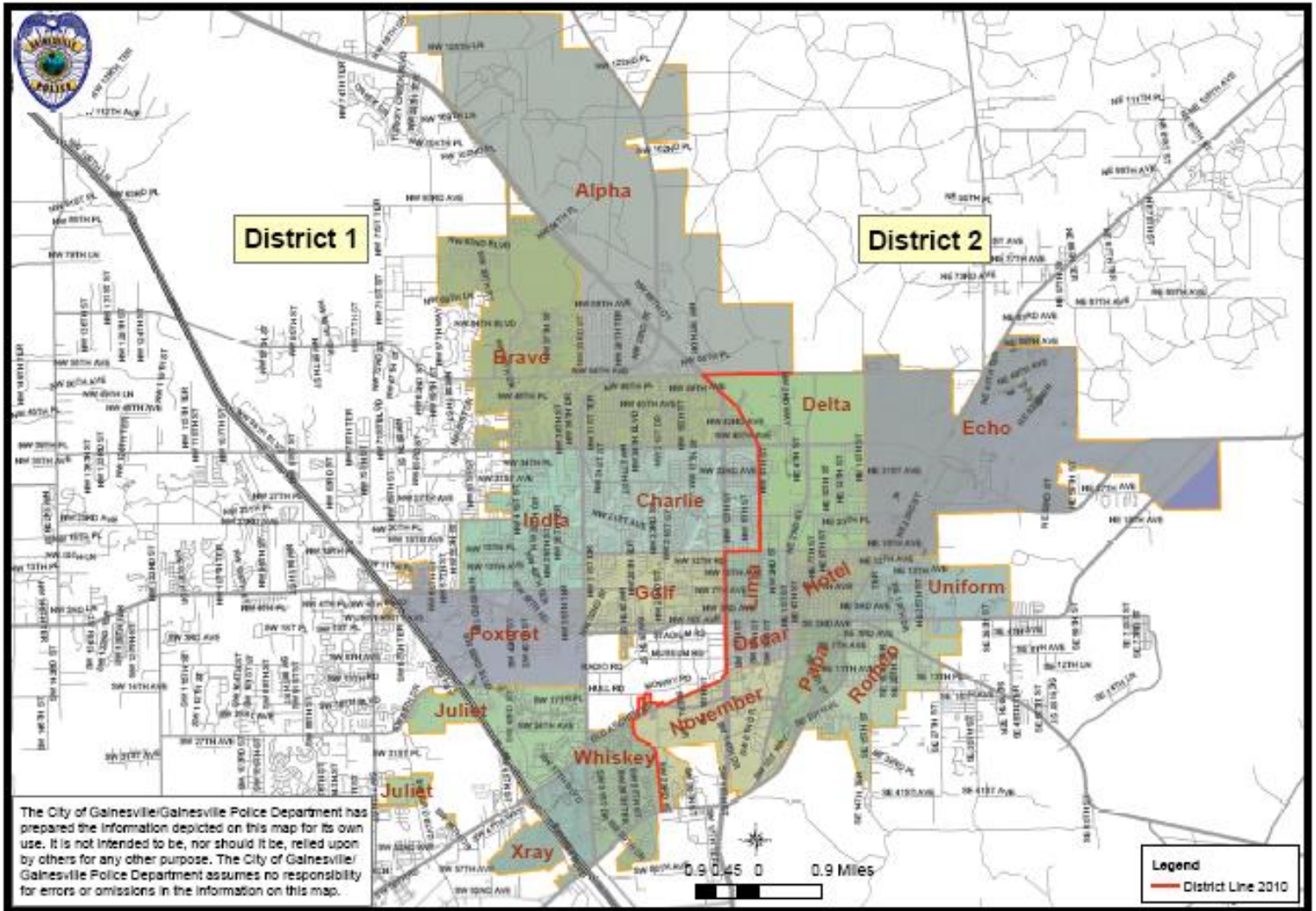
Of those 73 incidents, 49 ended with felony arrests and 19 resulted in misdemeanor arrests. Additionally, force was employed five times in cases where a person was being taken into custody for an involuntary mental health exam (Florida's Baker Act). *Of note, GPD initiated 481 involuntary mental health evaluations in 2016.*

Deadly force was used in a single incident in 2016.

GPD used force in .03 % of the total calls for service, 2.5% of arrests made and 1% of the mental health evaluations initiated in 2016.



Gainesville Police Department Patrol Districts



Prepared by: GPD Crime Analysis Unit - February 20, 2010

The City of Gainesville is broken down into 2 geographic patrol districts. District 1 has 9 zones and District 2 has 10 zones.



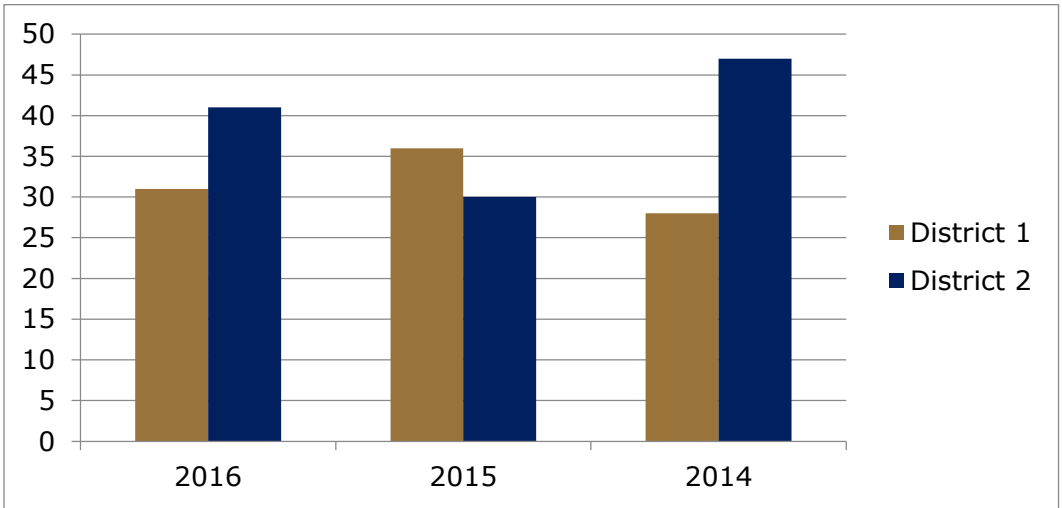
The below chart shows how many calls for service GPD responded to in each patrol zone, the number of arrests made in each zone and the times a use of force was documented in each zone.

2016 Summary of Use of Force by Zone				
District	Zone	Total calls for service	Total Arrests Adults/Juveniles	Total Use of Force
1	Alpha	3836	87/16	1
1	Bravo	5844	96/9	2
1	Charlie	6608	150/40	6
1	Foxtrot	6345	145/21	2
1	Golf	4356	122/8	5
1	India	2301	28/3	1
1	Juliet	7929	286/14	6
1	Whiskey	5776	147/11	4
1	X-ray	2081	48/1	2
2	Delta	6285	160/21	6
2	Echo	6761	141/30	3
2	Hotel	3767	111/9	3
2	Lima	6704	180/28	10
2	Mike	3265	other*	other*
2	November	4777	116/6	2
2	Oscar	4091	163/4	4
2	Papa	2051	68/6	1
2	Romeo	4404	97/29	5
2	Uniform	4856	296/31	10

**Zone Mike is the downtown area of the city of Gainesville. Until May of 2016, Zone Mike was not used for statistical or operational purposes and most of the stats for zone Mike are calculated into the adjacent zones of Oscar, Papa, Hotel and Lima.*



The chart below shows GPD Use of force incidents in each of the 2 districts over the last 3 years.



	2016	2015	2014
District 1	31	36	28
District 2	41	30	47

Of note, GPD also answered several calls for service outside of the city as we assisted other nearby agencies.

On two occasions Use of force incidents were documented outside of the city limits to include the one deadly force incident of 2016.



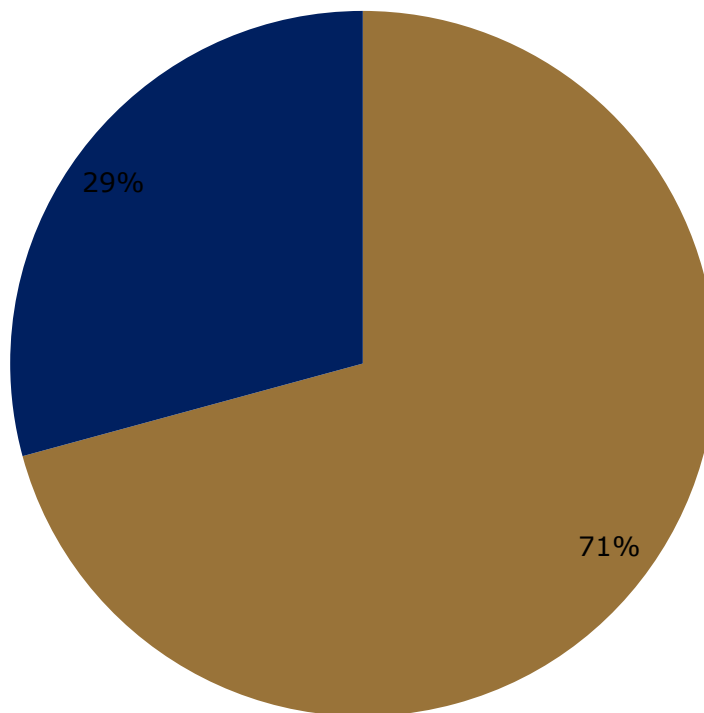
CRIMES COMMITTED BY SUSPECTS IN USE OF FORCE INCIDENTS

68 of the 73 Use of force incidents in 2016 resulted in arrests.

49 of these arrests were for felony offenses and 19 were for misdemeanor offenses.

Felony/Misdemeanor

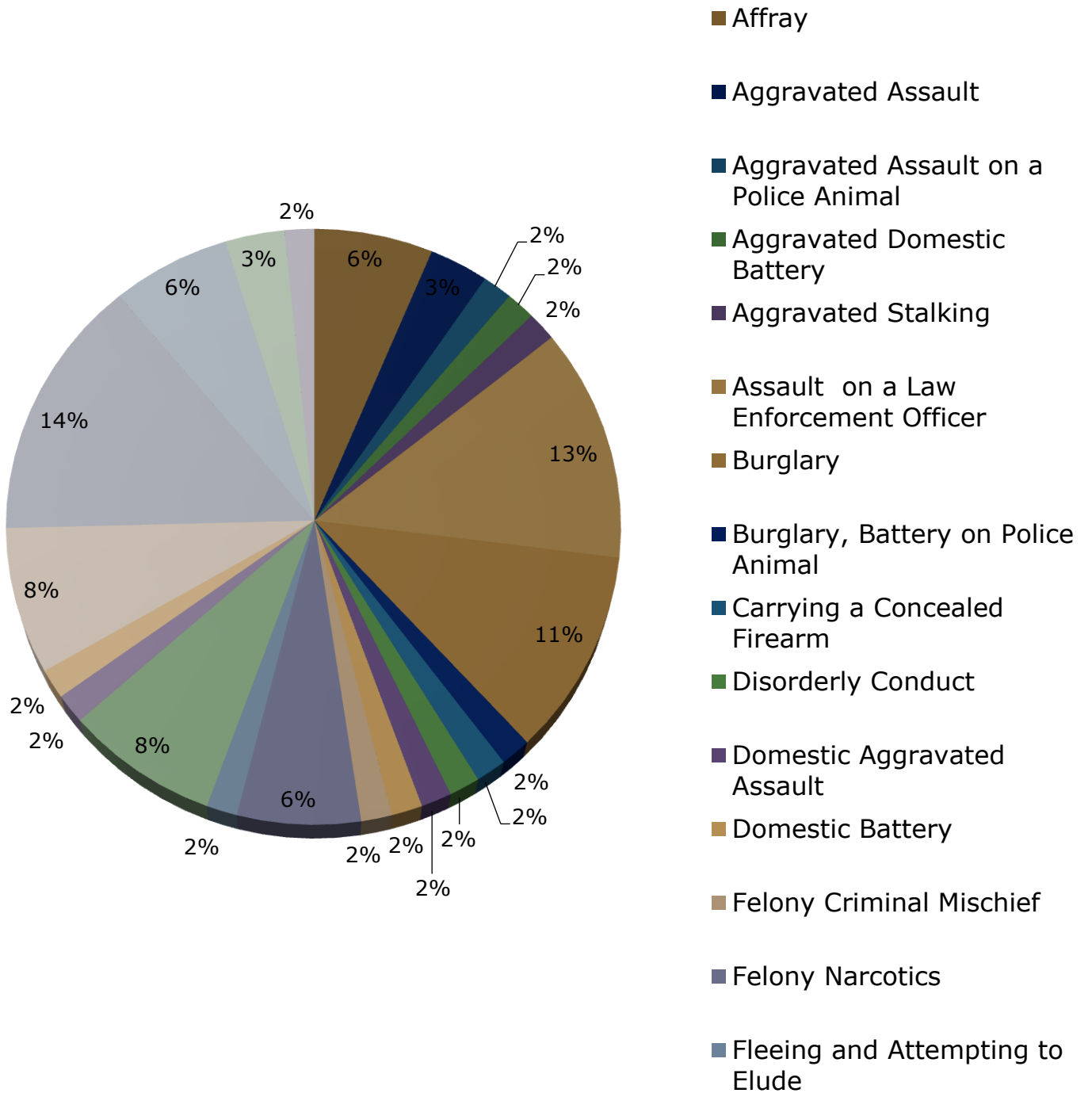
■ Felony ■ Misd



Most subjects were charged with multiple crimes, but the highest level of offense charged is measured.



Breakdown of Crimes Committed By Suspects During Encounters Involving Use of force



TYPE OF FORCE USED

The use of force continuum used by GPD and supported by PPCT recognizes force as falling in one of five levels that can be utilized by officers:

(listed from least amount to greatest amount of force)

- 1) Verbal Direction
- 2) Soft Empty Hand
- 3) Hard Empty Hand
- 4) Intermediate Weapon
- 5) Deadly Force

Subject's resistance can fall into 1 of five categories:

(listed from least amount to greatest amount of resistance)

- 1) Verbal Non Compliance
- 2) Passive Resistance
- 3) Defensive Resistance
- 4) Active Aggression
- 5) Deadly Force Assault

Most subjects will engage in behavior that meets more than one of the resistance categories. Conversely, officers also will generally utilize lower levels of force before escalating to a higher level. This "trial and error" is not required if circumstances clearly show that lower levels would be impractical or ineffective.

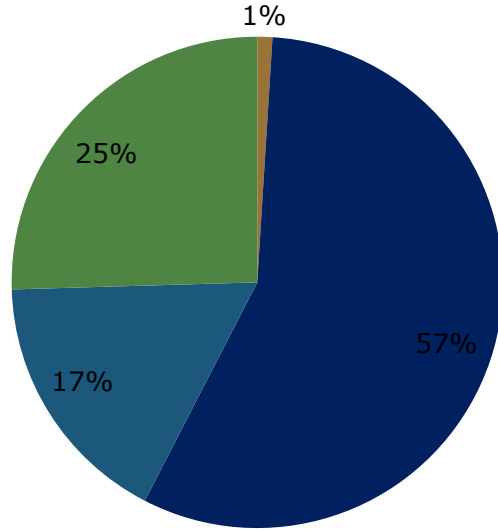
The charts to follow show the highest level of resistance used in each of the 73 Use of force incidents and the highest level of force used in each of the 73 incidents.

Note that the resistance level and force level do not always match. This is because there are often many other factors to consider when applying force, such as environmental considerations, availability of back up and the relative size and age of the officer and subject.



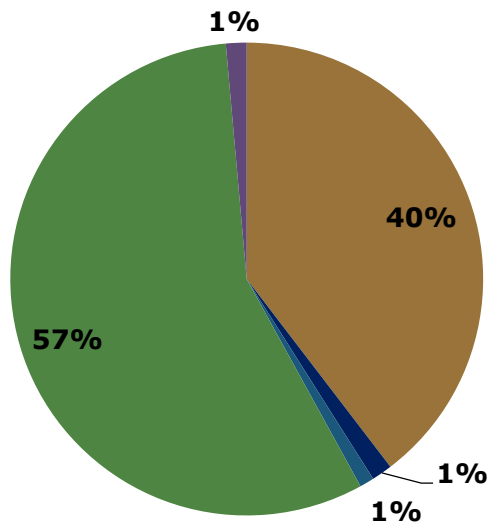
Level of Force Employed by Officers

- Deadly Force
- Hard Empty Hand
- Intermediate Weapon
- Soft Empty Hand



Subject Level of Resistance Offered

- Active Aggression
- Agg Assault
- Deadly Force Assault
- Defensive Resistance
- Verbal Non-Compliance



Different weapons and methods fall into different levels on the force continuum and present a different way of looking at the force employed.

For example, Taser, knee strikes and punches typically (but not always) are Hard Empty Hand Controls. Pressure Points, Take Downs, Tackles, and Subject Control Spray are generally all Soft Empty Hand Controls.

A more detailed and specific view of the force officers employed indicates Taser was the most frequently used force mechanism with 23 uses. Police K-9 was used 13 times, tackles were employed 4 times with controlled take downs used 10 times, knee strikes were used 9 times, other unspecified Hard Empty Hand techniques were used 9 times and subject control spray was used 4 times.

Firearms were used in one case in 2016 (see deadly force section.)

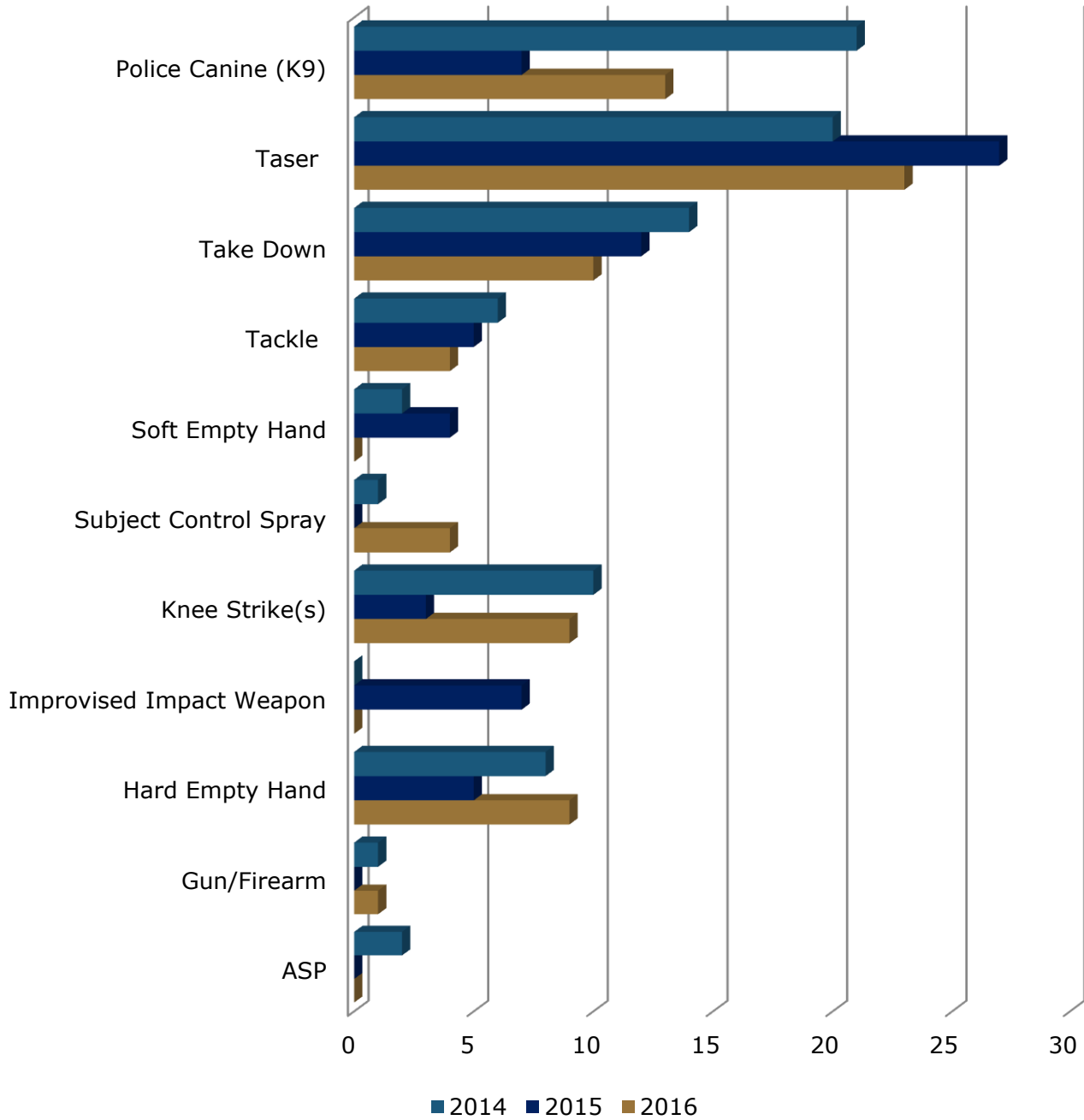
GPD officers did not use the expandable batons in any case.

An improvised impact weapon was used in one case. However, because it was not the highest level of force used in the call for service, (a police K-9 was also used), it is not noted in this representation.

(See chart on next page for comparison data)



The chart below shows the number of times each specified techniques or tools were the highest level of force in each case in a year to year comparison for the last three years.



USE OF TASER



As police equipment and tactics have evolved, the use of the different weapons has evolved. In the last decade, the Conducted Electrical Weapon (brand name Taser) has proven to be a very effective weapon in gaining control of volatile people resisting police in a manner that minimizes the risk of injury to either the subject or the officer.

Tasers were incrementally introduced at GPD beginning in 2008. The table below shows a progression on the use of the Taser at GPD over a 10 year period.

Please note that each time the Taser is used effectively, the subject is injured. However, this may only result in the Taser probe injury to the skin. It is impossible to tell from historical records the severity of the injury that the subjects sustained.

To provide a possible context, the UCR crime rate for the city is also included in the table. Additionally, the severity of the injury can be better understood as injuries are discussed in the next section.

Year	UOF	Taser Use	Injuries to Suspects	Crime rate for Gainesville
2006	72	0	19	0.5481
2007	74	0	34	0.5255
2008	74	22	11	0.4986
2009	131	53	76	0.5004
2010	114	47	95	0.421
2011	115	55	96	0.4249
2012	114	45	72	0.4108
2013	103	36	56	0.3739
2014	87	18	60	0.3625
2015	69	22	49	0.3495
2016	73	23	47	0.4441

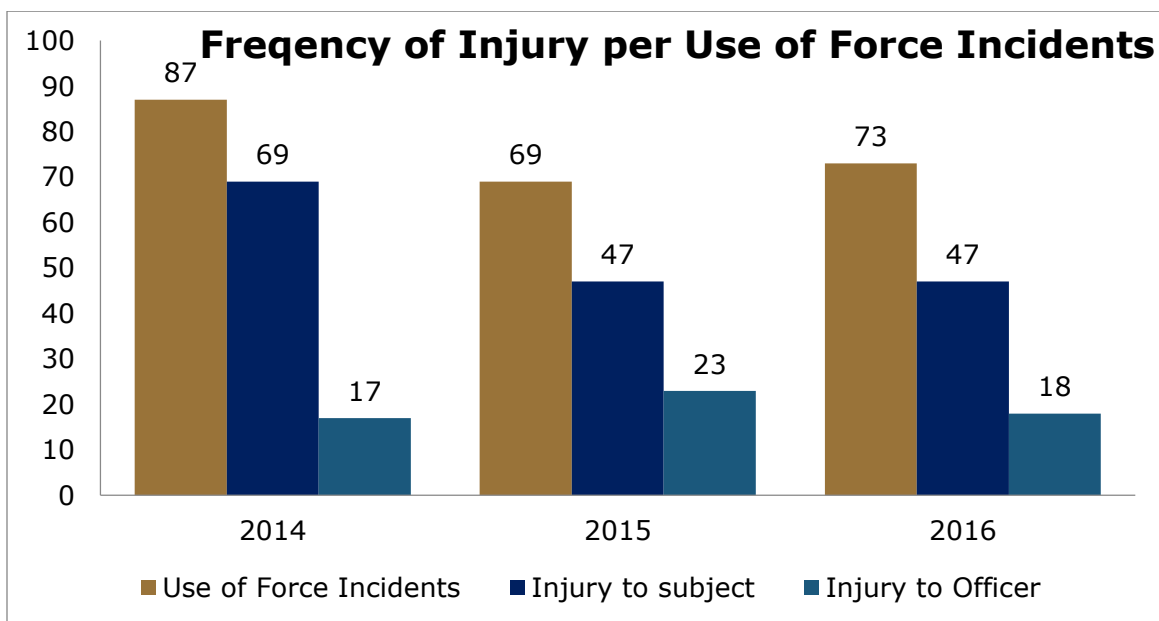


OFFICER AND SUBJECT INJURIES

Although injuries to both officers and members of the public have decreased in recent years, use of force is still inherently dangerous.

Both police officers employing force and the subjects force is used on become injured. Fortunately, there have been no use of force incidents in 2016 where an uninvolved third party has been injured as a result of GPD Use of force.

In 2016, the rate of injury to subjects per use of force incident was 64%. This is a slight decrease from 2015 with 68%, but a substantial decrease from 2014 where the rate of injury was 79%. In 2016 officers were injured in 24 % of the cases. Rates of injuries for officers were 33% in 2015 and 19% in 2014.



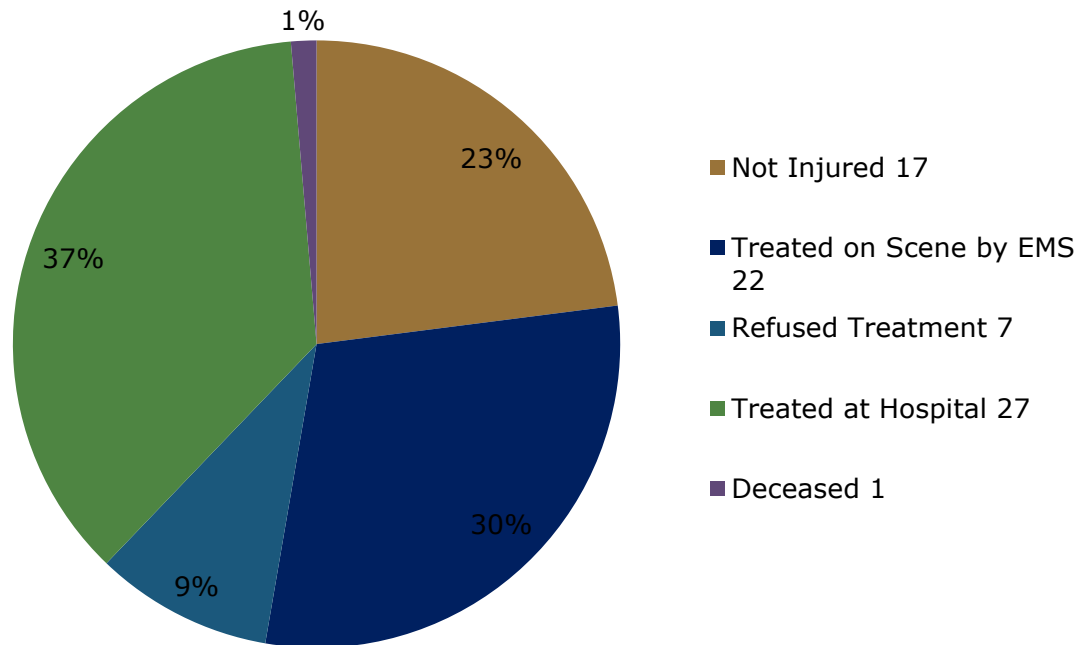
Many factors are considered when considering injury to include the severity of the injury or the potential for injury to the officer.

Potential threat to the officer can be considered with Assault Data which is covered in the next section of this report. The severity is not specifically known, but the treatment obtained in each case may be considered.



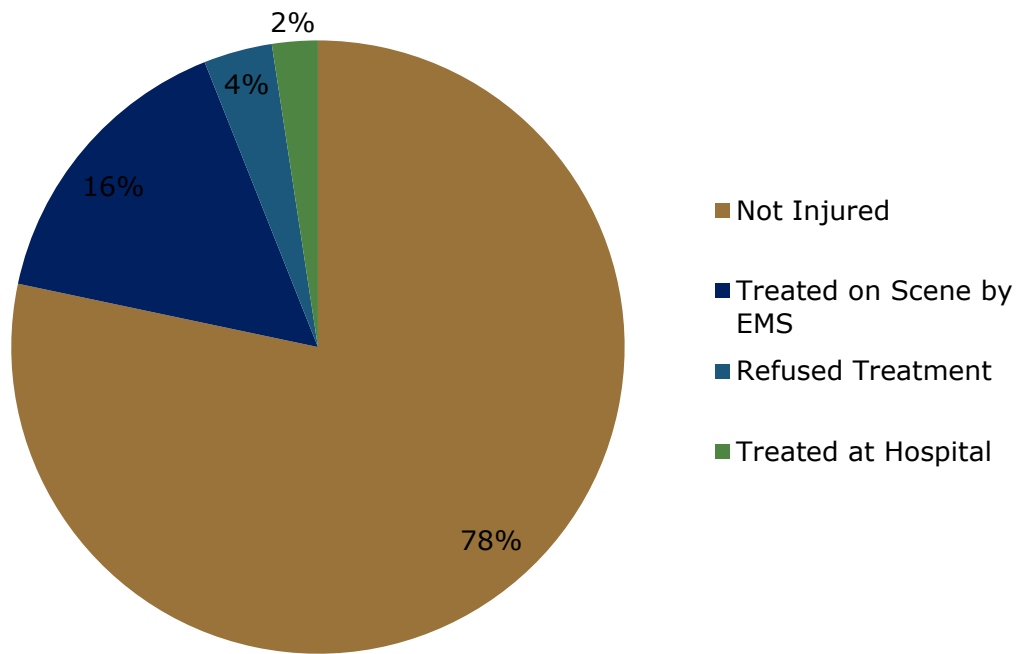
In the 73 Use of force incidents in 2016, 17 subjects sustained no injury, 22 people were treated on scene by EMS, seven refused treatment, 27 received treatment at an area hospital emergency room and one subject died as a result of force employed by GPD officers.

Severity of Subject Injury in 73 UOF Cases in 2016



In the 73 Use of force incidents in 2016, 65 Officers sustained no injury, 13 officers were treated on scene by EMS, three refused treatment, and two received treatment at an area hospital emergency room.

Severity of Officer Injury in Use of Force Cases in 2016



ASSAULTS ON POLICE

2016 saw a slight decrease in assaults committed against Gainesville Police Officers with 51 total incidents. There were 72 assaults against GPD officers in 2015 and 56 in 2014.

Criminal charges made against those that commit criminal assaults on police vary. The chart that follows represents the most serious final charge levied against assailants.

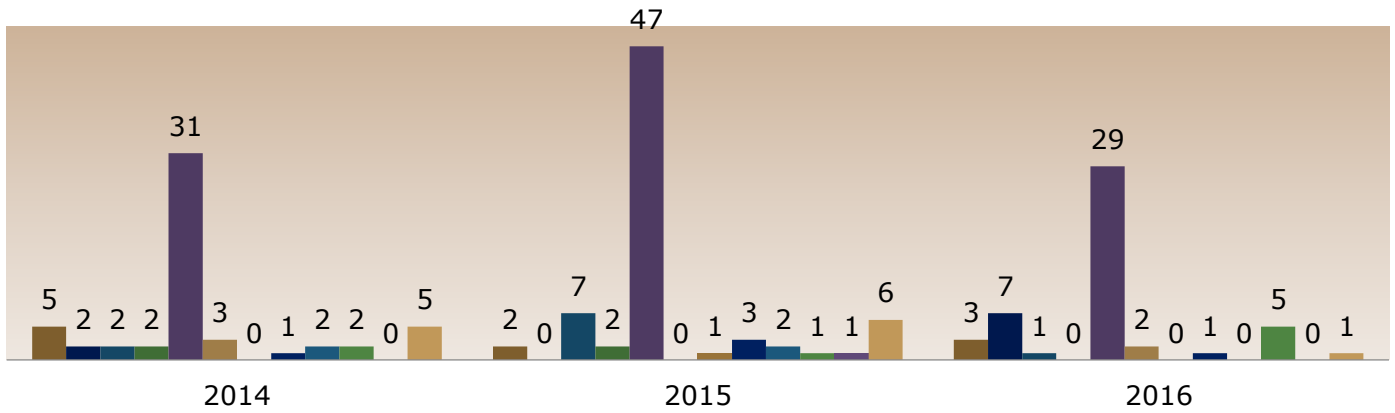
Different weapons have been used to assault police officers. A break down on the types of weapons used to assault officers over the last 3 years is also displayed. It is clear that we are most commonly assaulted with “hands, feet and spitting” and also most often charge the parallel crime of Battery on a Police Officer.

Note, in cases where a minor assault occurs against an officer, the officer may use discretion and not charge the offender with the crime against the officer and instead only charge the crime that led to the contact.



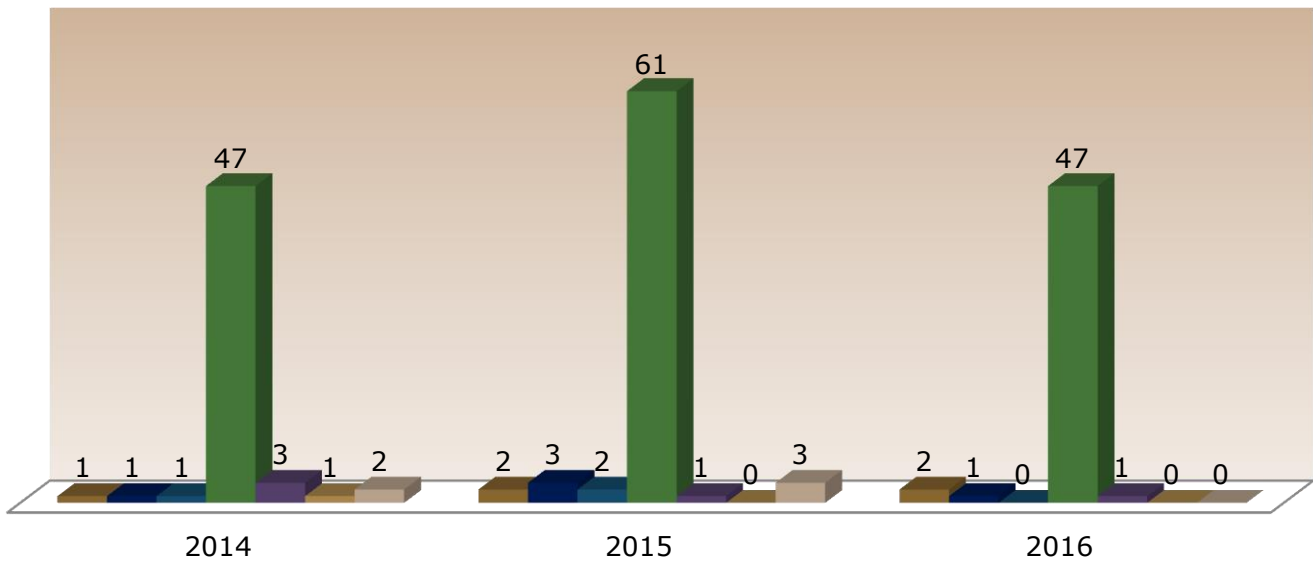
Assault on Police

- Agg Assault on LEO
- Felony Assault/ Battery on Other
- Battery on LEO
- Battery on School Official
- Domestic Felony
- Robbery
- Misdemeanor Assault/Battery on Other
- Agg Battery on LEO
- Battery on Medical Provider
- Burglary
- Domestic Misdemeanor
- Retail Theft



Weapons Used Against Police

- Knife, Axe, Cutting Instrument
- Handgun
- Other Weapon
- Vehicle
- Blunt Object
- Hands, Feet, Fists, Spitting
- Threats, Intimidation

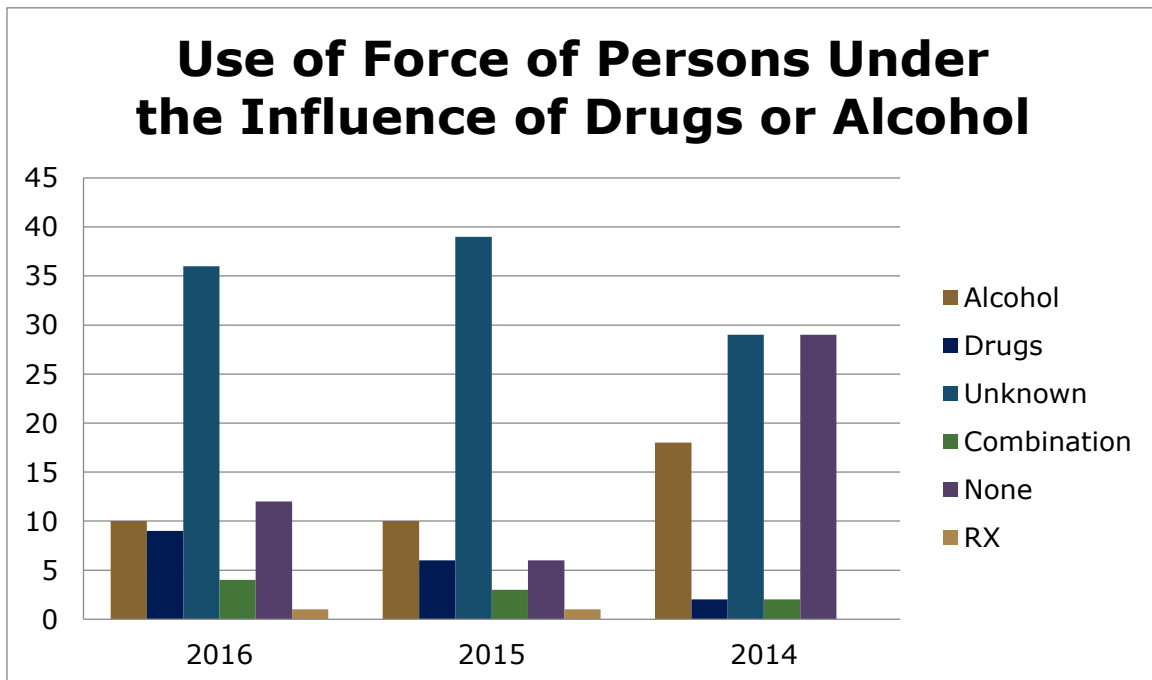


SUBJECTS UNDER THE INFLUENCE OF DRUGS OR ALCOHOL

Many subjects on whom force is used are under the influence of alcohol, drugs, a combination of both or an unknown substance.

In the 73 cases where force was employed in 2016, 10 people were impaired by alcohol, nine by illicit drugs, one by legally prescribed medication, four by a combination of substances and by unknown means in 36 cases.

In 12 cases, it was determined that chemical substances played no role.



MENTAL HEALTH CONCERNS

The Gainesville Police Department began collaborating with other local law enforcement agencies and mental health care providers in 2004 to bring Crisis Intervention Team (CIT) training to local law enforcement officers.

CIT training covers a wide variety of topics concerning mental health issues to include etiology, medicines, co-occurring issues, stigma, community resources, the Baker Act and de-escalation.

In 2016, 19 Gainesville Police Department members took the 40 hour Crisis Intervention Team (CIT) class bringing the total number of GPD staff with CIT training to 83 sworn members.

Six personnel took Mental Health First Aid bringing GPD sworn staff with this training to 65 members. **GPD continues to strive to de-escalate calls involving those with mental health concerns.**

There is no means of tracking how many times GPD personnel truly uses force on those suffering from mental illness as it is often an underlying issue in other criminal cases.

Police are becoming much more adept at recognizing mental health issues, de-escalating when possible, and trying to get persons with mental illness help instead of incarcerating them whenever possible.

According the Alachua County Sheriff's Office Department of the Jail, 33 % of the jail populations are diagnosed with some sort of mental health issue. This number fluctuates between 30-35%, but has steadily increased since 2009.



OFFICER AND SUBJECT DEMOGRAPHIC DATA

The Gainesville Police Department continues to work on issues related to disproportionate minority contacts through numerous community based programs and well established youth intervention programs.

Although GPD received national recognition this year with a Department of Justice award for strides made in this area, GPD continues to see a need to work towards improvement.

Of the 2,905 adults GPD arrested in 2016, 32 % were Caucasian men, 43.2% were African American men, 12.6 % were Caucasian women, and 11.2% were African American women.

	Caucasian Male Adults	African-American Male Adults	Caucasian Female Adults	African-American Female Adult	Caucasian Male Juvenile	African-American Male Juvenile	Caucasian Female Juvenile	African-American Female Juvenile
Arrested 2016	927	1255	366	326	26	220	9	47
Use of force 2016	23	36	1	1	3	6	0	2
Arrested 2015	1042	1493	397	389	38	264	15	48
Use of force 2015	26	33	4	3	0	3	0	0
Arrested 2014	1157	1741	432	461	56	438	16	109
Use of force 2014	22	49	5	0	2	6	1	0

The city of Gainesville population is estimated to be 65% Caucasian, and 23 % African American per the most recent US Census. The Gainesville Police Department strives to hire police officers to reflect the diversity of the community.

Currently, sworn demographics reflect 17.3 % African American members and 74.5 % are Caucasian. 21.7 % of the sworn members are women.



ALLEGATIONS OF EXCESSIVE OR IMPROPER USE OF FORCE

In 2016, The Gainesville Police Department Internal Affairs (IA) Division received a total of ten complaints about improper or excessive use of force.

One of these complaints was made by command members of the agency and the others were made by involved citizens.

As of this date, six of these complaints have been cleared with findings favorable for the officer. Four are still under review.

IA investigated six complaints of improper or excessive force in each year 2015 and 2014. 11 of these cases resulted in a favorable finding for the officer and in one of the cases, the force was found to be improper and the officer was disciplined.



DEADLY FORCE INCIDENT

In 2016, four GPD members were involved in a single deadly force incident:

On March 20th, numerous GPD personnel responded to a request for assistance from the Alachua County Sheriff's Office (ASO) at a location in the county jurisdiction regarding a subject armed with a rifle.

After approximately 20 minutes of attempted negotiations with the subject, 4 GPD members and 5 ASO members discharged firearms during the call resulting in the death of 16-year-old Robert Dentmond.

Dentmond's gun was later determined to be a toy gun that looked very much like an AR-15 rifle.

The involved officers were immediately placed in an administrative assignment and remained in those administrative jobs until the case was completely and fully reviewed. All reviews were concluded by November 30th, 2016.

The FDLE investigation showed that all GPD and ASO personnel acted within state and federal legal parameters. The case was taken to a grand jury by 8th Judicial Circuit State Attorney Bill Cervone.

The grand jury returned "No True Bill" but did make recommendations for each agency. Those recommendations are currently under review for proper implementation by the GPD Operational Skills Unit.

GPD IA conducted a review of the incident and determined that the Use of force was appropriate by all involved GPD employees and that no policy violations occurred during the incident.

A police use of deadly force is never routine. The officers involved and the entire department feels the gravity of these tragic situations.



VEHICLE PURSUITS

Vehicle pursuits are an important means of apprehending fleeing felons. The Gainesville Police Department's policy permits pursuing cars that flee from us while continuing to violate other traffic laws only in cases where a forcible felony has occurred or the driver displays recklessness that is so egregious it would be more dangerous to allow them to continue without an attempt to stop them. All GPD officers receive pursuit and driving training at least once a year.

In 2016, GPD initiated nine vehicle pursuits. Two of these pursuits were referred to IA for possible policy violations. Those two cases are still being reviewed as of this writing. In 2015, GPD officers engaged in six pursuits with no policy violations determined in any of those cases and in 2014, GPD had six pursuits. Three of the 2014 cases were determined to have policy violations and resulted in employee discipline.

Of the nine pursuits in 2016, the top speed was 120 MPH and the average top speed was 88.14 MPH. Seven authorized pursuits were initiated for impaired drivers (two cases), a bank robbery, an occupied residential burglary/stolen car, a felony domestic crime, aggravated assault with a firearm and armed robbery.

Two incidents terminated when the fleeing cars struck an uninvolved citizen's car (neither case involved injury), four ended with the fleeing car striking a fixed object. One was stopped after the effective use of Stop Sticks (a tire deflation device), and two were stopped after the effective use of the Precision Immobilization Technique (PIT) maneuver. Five of the pursuits were captured on in-car dash cameras and four were not because those officers were not equipped with the cameras.

