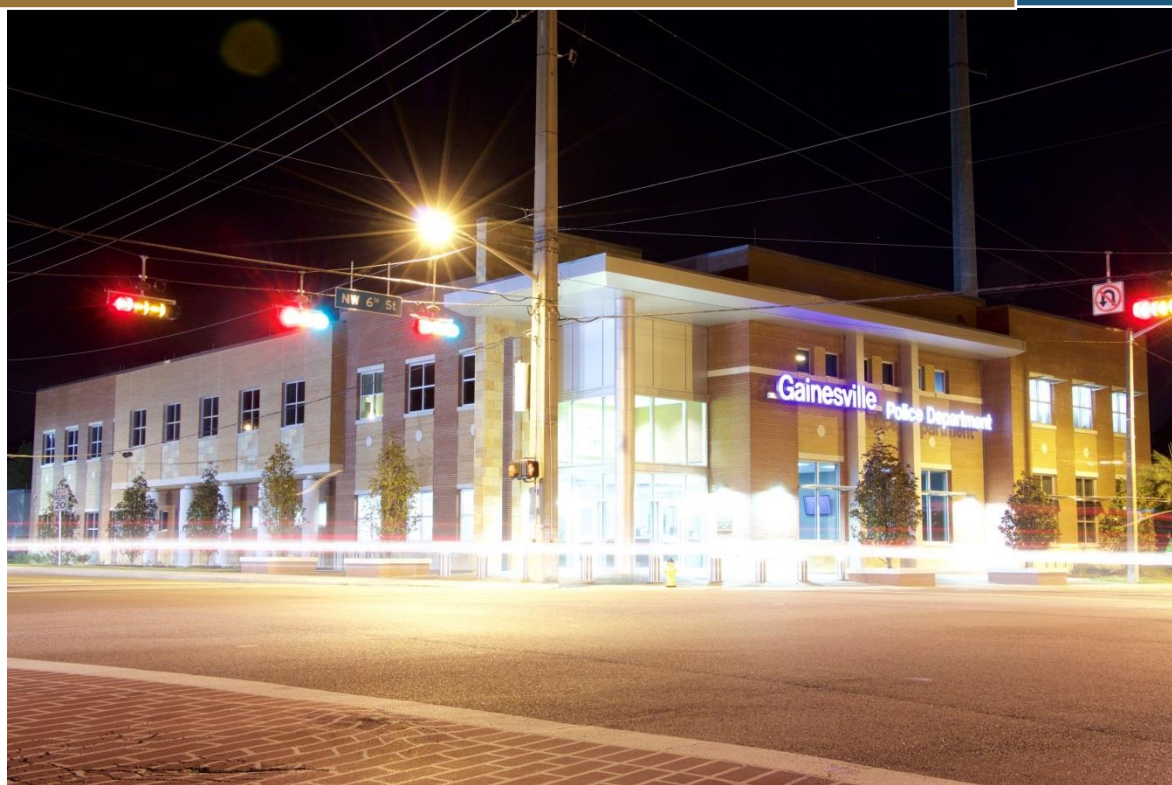


Gainesville Police Department

2018

# 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.**



As a part of following the “3 C’s” it has been implemented that all members of the Department, both sworn and non-sworn, will be attending Procedural Justice training. The Procedural Justice Core principles focus on respect, legitimacy and the concept of fairness in interactions between law enforcement and the community. During 2018, three additional sessions were held with 43 personnel attended the training bringing the total number of personnel up to 227 to date.

These same principles are utilized in the Departments Use of Force Policy. GPD ensures 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.



For over ten years the Gainesville Police Department utilized Pressure Point Control Techniques (PPCT) as the basis for the Department use of force tactics. A Department evaluation of the PPCT system was completed in 2016 by a Use-of-Force committee. Based upon that assessment, a plan was employed to transition from PPCT to a system utilizing tactics in line with both State curriculum Guidelines and principles and pillars that are within the foundation Procedural Justice.

In 2017, every GPD officer was mandated to attend in-service training to receive training regarding the updated use of force guidelines and techniques. In 2018, the new Use-of-Force policy was implemented and the updated guidelines enacted.

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.

Many 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 issued a firearm. The use of firearms constitutes deadly force which is only to be used in life-threatening emergencies.

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 Special Response Group teams to include the Special Weapons and Tactics (SWAT) team, the Negotiations Response Team and the Emergency Services Team. 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.



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. The Training and Education Division, responsible for training all officers, also reviews cases to ensure proper tactics are followed and to potentially identify areas of improvement.

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. Canine Apprehensions are also included.

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 68 uses of force employed by members of the Gainesville Police Department in 2018. The report will also explain the current Use of force continuum and offer some explanations on actions that are taken in these encounters.

In addition, 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 131,591 in 2018 per the US census estimates. 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 over 52,000 students and Santa Fe College adds another 14,500 students to our metropolitan area.

In 2018, GPD responded to 110,377 Calls for Service. Officers and staff wrote 23,569 incident and crash reports. There were 2,615 arrests made in 2018. 2374 were adults and 241 were juveniles.

## **GPD officers used force in 2018 a total of 68 times.**

Of those 68 incidents, 31 ended with felony arrests and 29 resulted in misdemeanor arrests. Additionally, force was employed four times in cases where a person was being taken into custody for an involuntary mental health exam (Florida's Baker Act). Force was also utilized in one case that was determined to be medical related and three resulted in no criminal charges being filed.

There were no Deadly Force incidents in 2018.

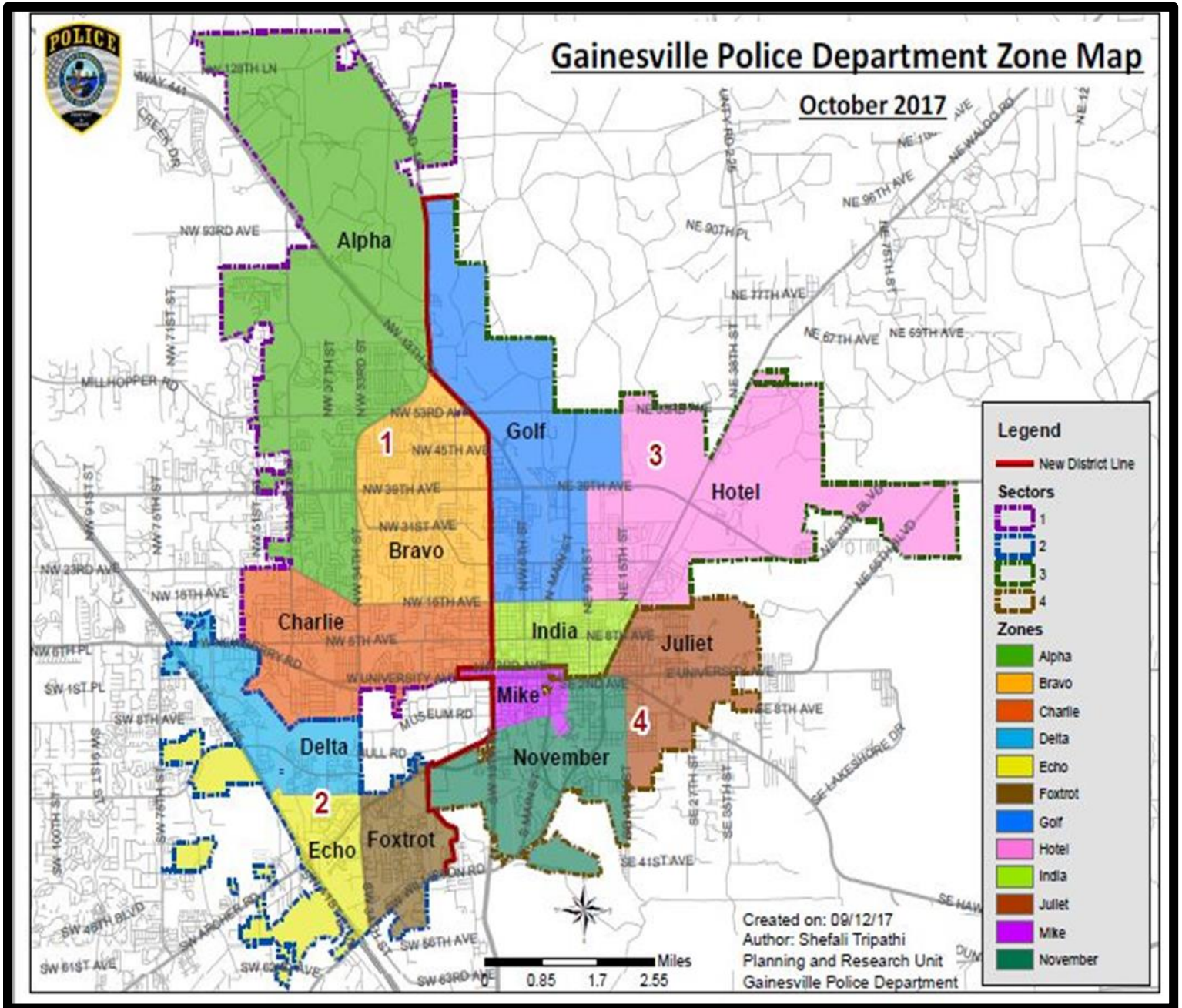
**GPD used force in the 2.3% of the arrests made in 2018. (Excludes 8 incidents that did not result in criminal charges).**



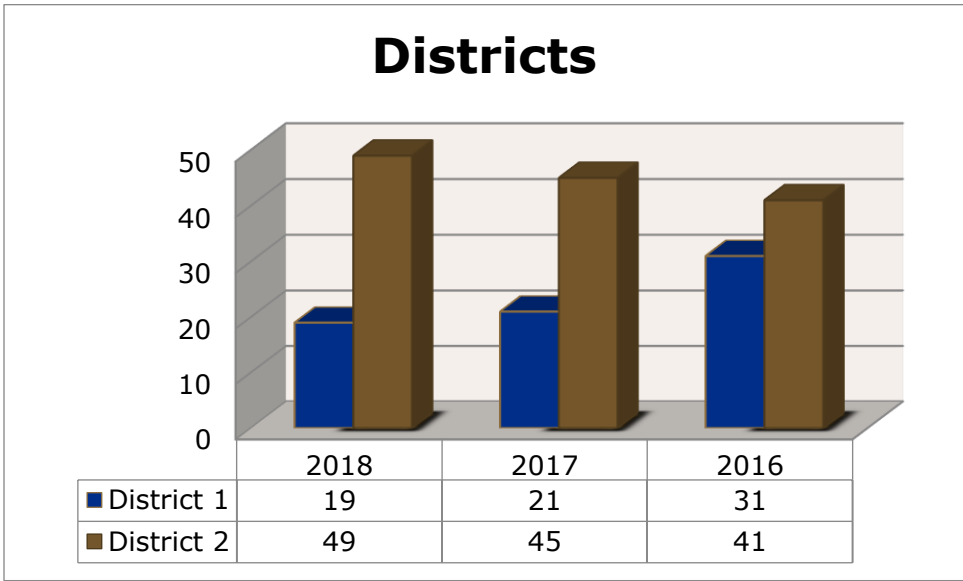
# Gainesville Police Department Patrol Districts

The City is broken up into two Patrol Districts.

District and Zone Boundary Lines are on the map below.



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



	2018	2017	2016
<b>District 1</b>	<b>19</b>	<b>21</b>	<b>31</b>
<b>District 2</b>	<b>49</b>	<b>45</b>	<b>41</b>

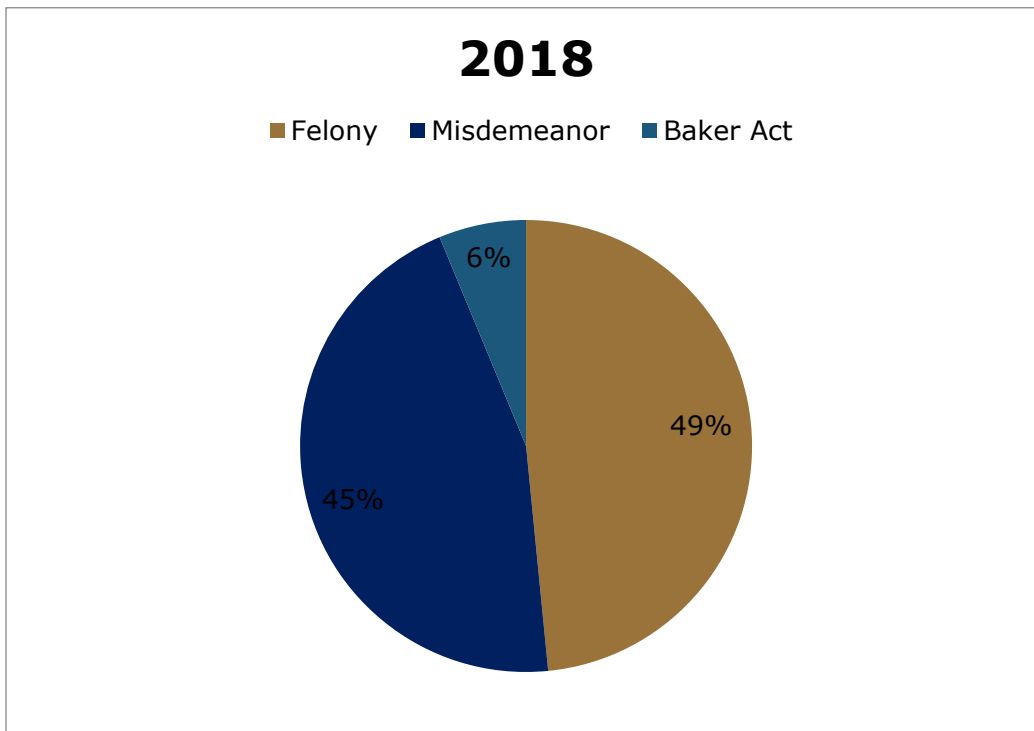
Of note, GPD also answered several calls for service outside of the city as we assisted other nearby agencies. No calls outside the City resulted in a use of force.



# CRIMES COMMITTED BY SUSPECTS IN USE OF FORCE INCIDENTS

60 of the 68 Use of force incidents resulted in arrests.

31 of these arrests were for felony offenses. 29 were for misdemeanor offenses. 4 were a Baker Act.

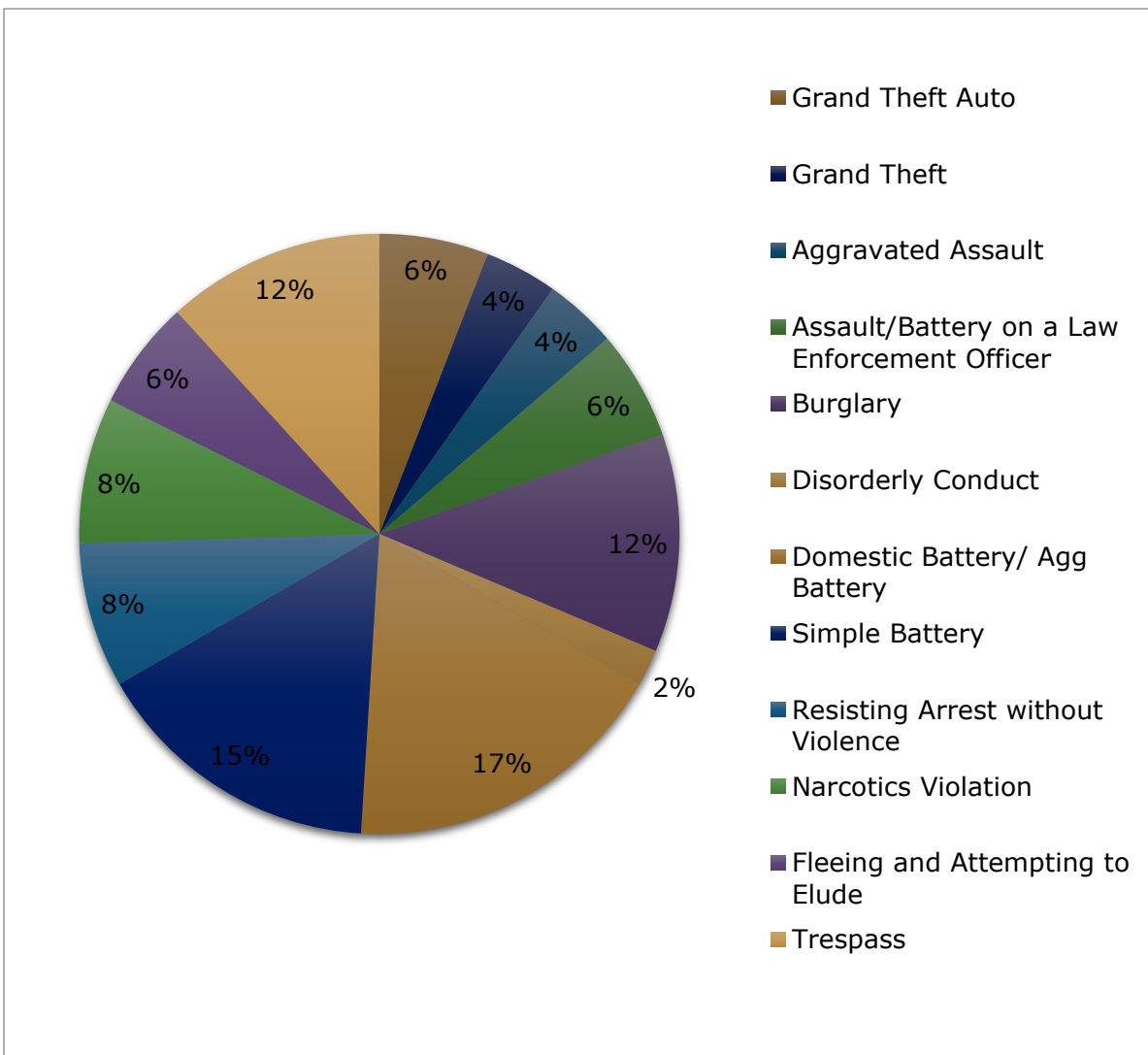


*Most subjects were charged with multiple crimes, but the highest level of offense charged is measured.*





# Breakdown of Crimes Committed by Suspects during Use of Force Encounters



# TYPE OF FORCE USED

**The use of force continuum used by GPD is based on the State Curriculum and recognizes force as falling in one of three levels that can be utilized by officers:**

*(listed from least amount to greatest amount of force)*

- 1) *Physical Control*
- 2) *Non-Lethal Weapon*
- 3) *Deadly Force*

**Subject's resistance can fall into one of four categories:**

*(listed from least amount to greatest amount of resistance)*

- 1) *Passive Resistance*
- 2) *Active Resistance*
- 3) *Aggressive Resistance*
- 4) *Deadly Force Resistance*

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 hierarchy is not required if circumstances clearly show that lower levels would be impractical or ineffective.

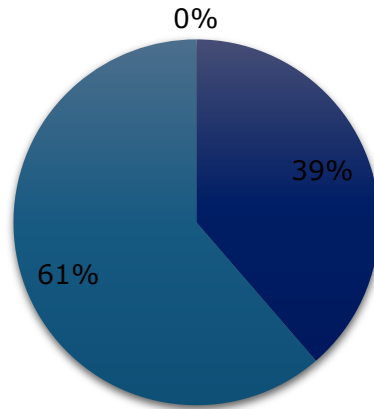
The charts following show the highest level of resistance used in each of the 68 Use of force incidents.

*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 subject.*



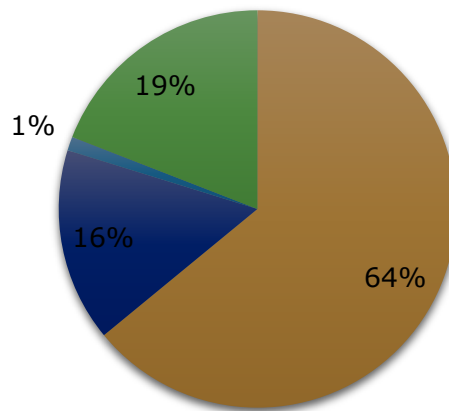
## Level of Force Employed by Officers

■ Deadly Force   ■ Non-Lethal Weapon   ■ Physical Control



## Subject Level of Resistance Offered

■ Active Resistance   ■ Aggressive Resistance  
■ Deadly Force Resistance   ■ Passive Resistance



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, take downs, tackles, joint manipulation, knee strikes and punches fall in the Physical Control category. Taser, ASP Baton, Improvised Weapons, Less Lethal Ammunitions and Chemical Subject Control Spray all fall into the Non-Lethal Weapon category. Police K-9 Apprehensions are included in this analysis but do fall into their own category. K-9 Apprehensions are considered a Use of Force.

A more detailed and specific view of the force officers employed indicates Taser was the most frequently used force mechanism with 28 uses. Strikes and kicks were used 19 times, Police K-9 Apprehensions 14 times, controlled take downs 14 times, three tackles, and chemical subject control spray was used 2 times.

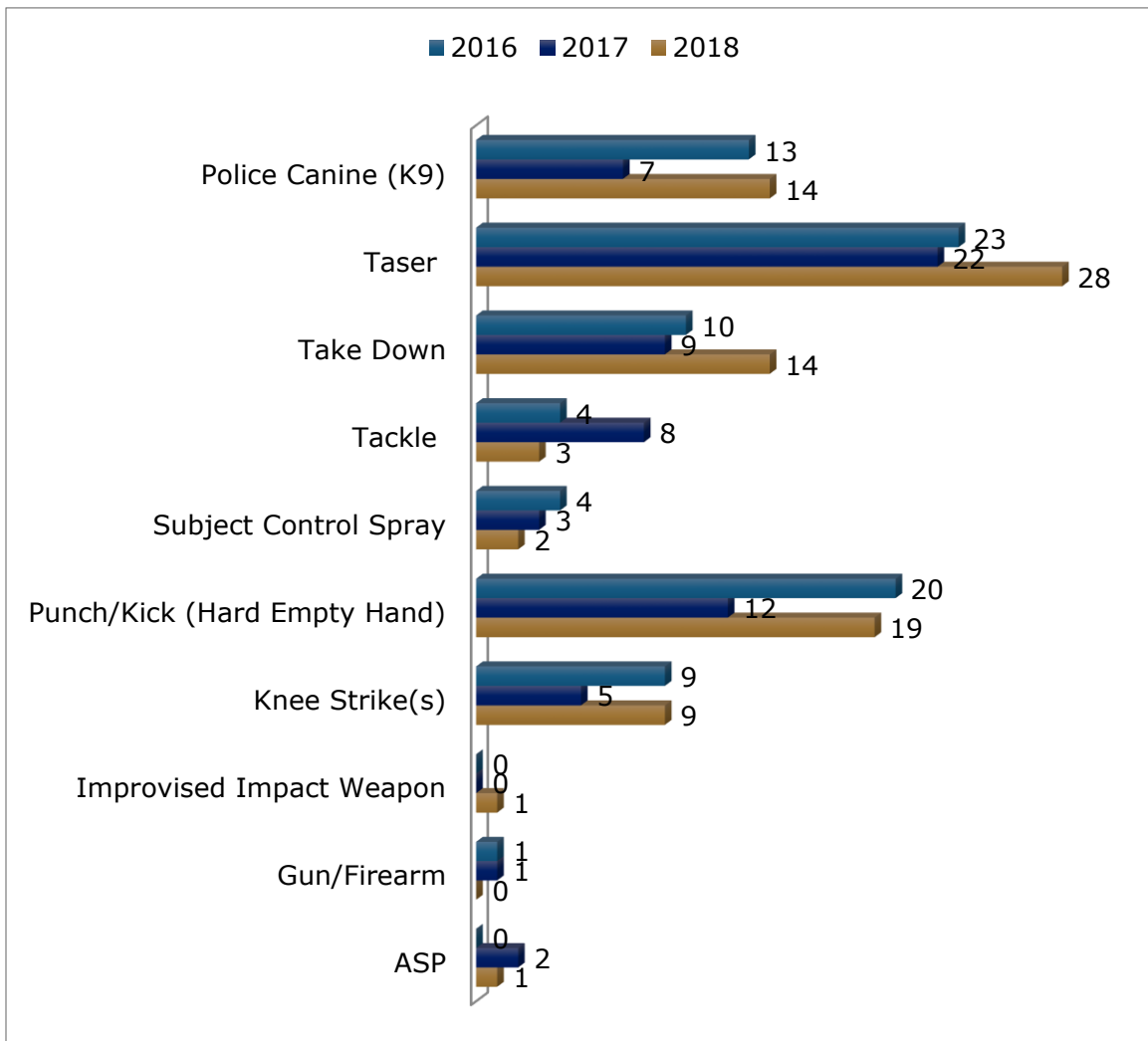
GPD officers used the expandable batons one time and an improvised impact weapon (flashlight) once.

There were no deadly force incident involving firearms in 2018.

**(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. This number may be higher than the total number of use of forces because more than one technique could be utilized in one event.



# 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
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
2017	67	22	53	
2018	68	28	49	



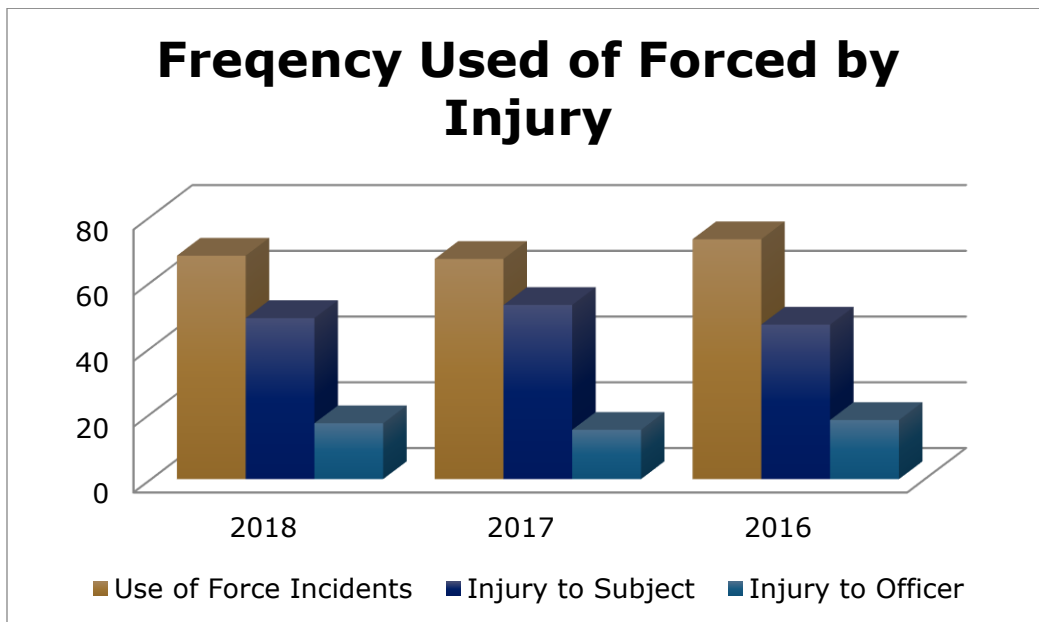
# OFFICER AND SUBJECT INJURIES

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 force utilized on subject can become injured.

In 2018, there were 49 subjects who received injured in the 68 Use of Force incidents. The rate of injury to subjects per use of force incident was 72%. This is a slight increase from 2017 with 61% and 2016 where the rate of injury was 64%. The increase in K-9 Apprehensions and Taser usages directly contributed to this increase in injuries. Although generally minor in nature, the use of the Taser itself will always result in an injury as a result of the probes piercing the skin. Medical treatment is always required in K-9 Apprehension cases.

In 2018, officers were injured in 25% of the cases. Rates of injuries for officers were 22% in 2017 and 25% in 2016. This is relatively consistent.

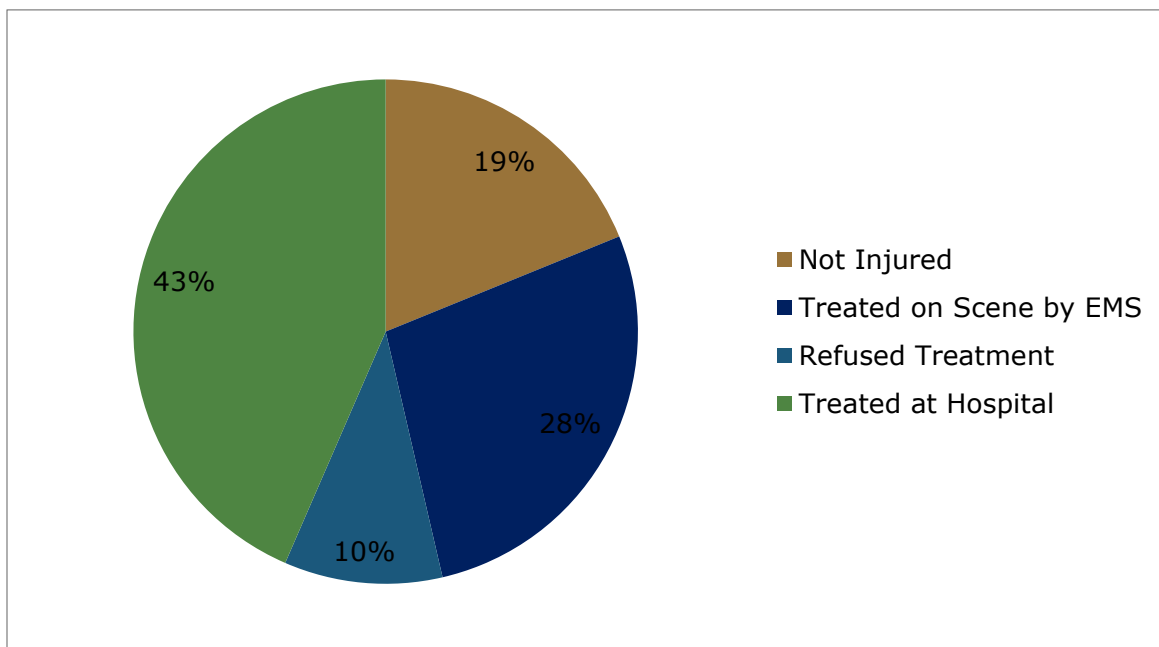


Many factors are considered when considering injury to include the severity of the injury or the potential for injury to the officer.

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 68 Use of force incidents in 2018, 13 subjects sustained no injury, 19 people were treated on scene by EMS, seven refused treatment, and 30 received treatment at an area hospital emergency room. Hospital treatment is sometimes required as a result of underlying issues such as existing medical issues and / or drug or alcohol related conditions that would have required treatment even if force was not implemented.

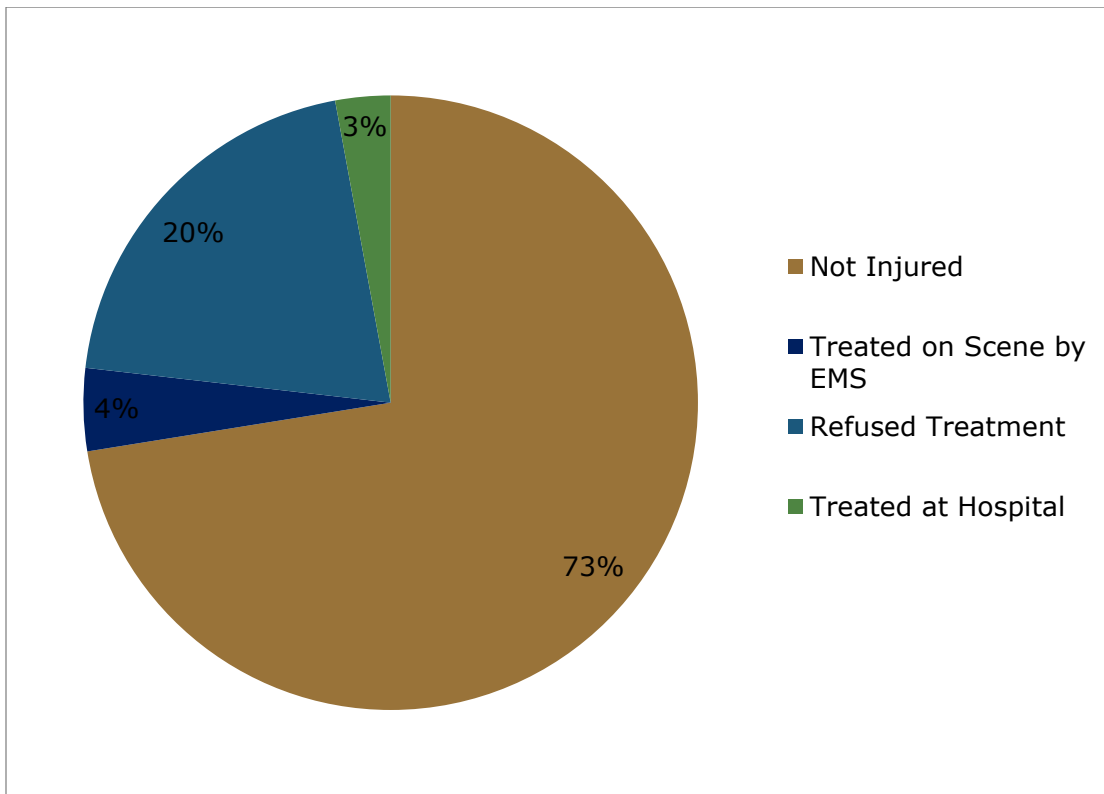
## Severity of Subject Injury in 68 UOF Cases in 2018





In the 68 Use of force incidents in 2018, 50 Officers sustained no injury, 14 refused treatment, 3 officers were treated on scene by EMS, and two received treatment at an area hospital emergency room.

## Severity of Officer Injury in Use of Force Cases in 2018



# ASSAULTS ON POLICE

2018 saw an overall decrease in assaults committed against Gainesville Police Officers with 30 total incidents. De-escalation techniques being reinforced and implemented are likely the reason. There were 45 assaults against GPD officers in 2017 and 51 in 2016.

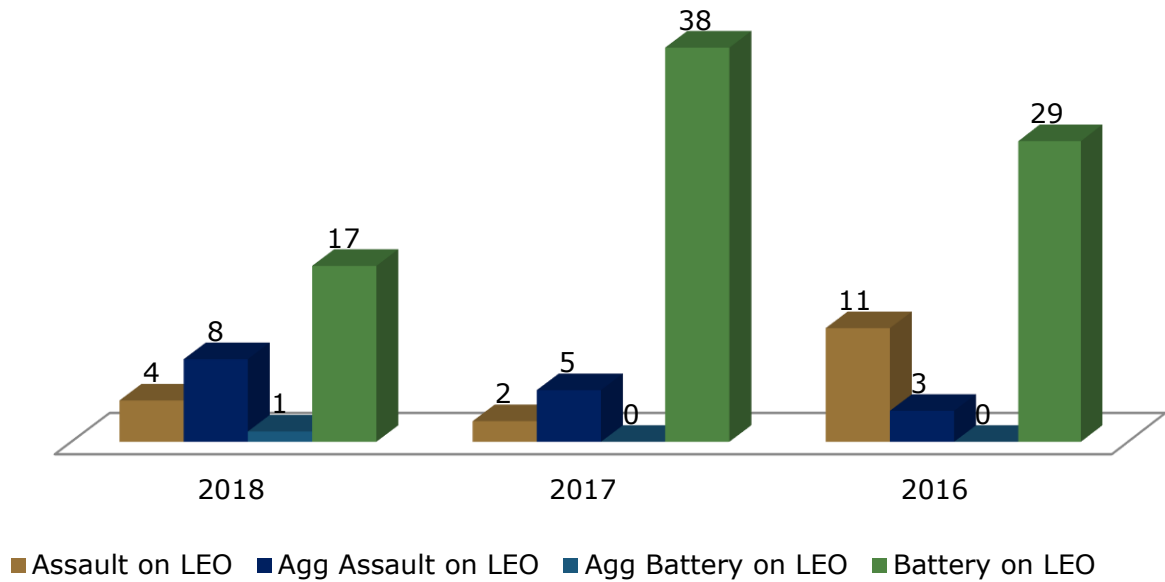
Criminal charges made against those that commit criminal assaults on police vary. The chart that follows represents the most serious final charge levied against assailants.

Different weapons have been used to assault police officers. A break down on the types of weapons used to assault officers over the last three 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.

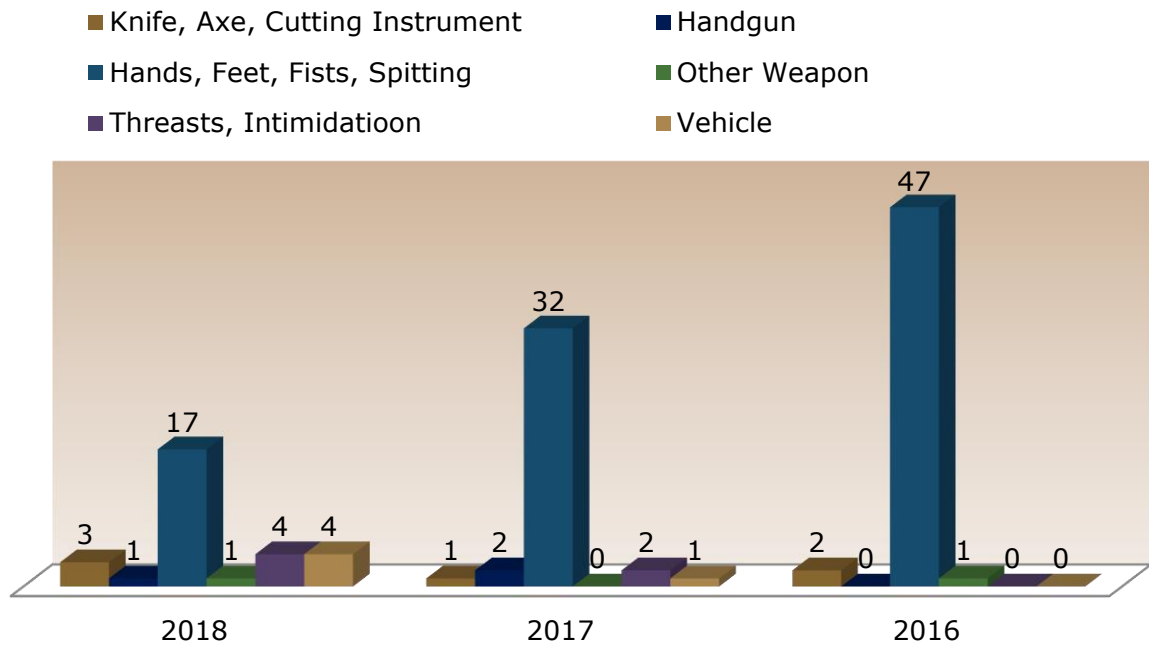
*Note, in cases where a minor assault occurs against an officer, the officer may use discretion and not charge the offender with the crime against the officer and instead only charge the crime that led to the contact.*



## Assault on Police



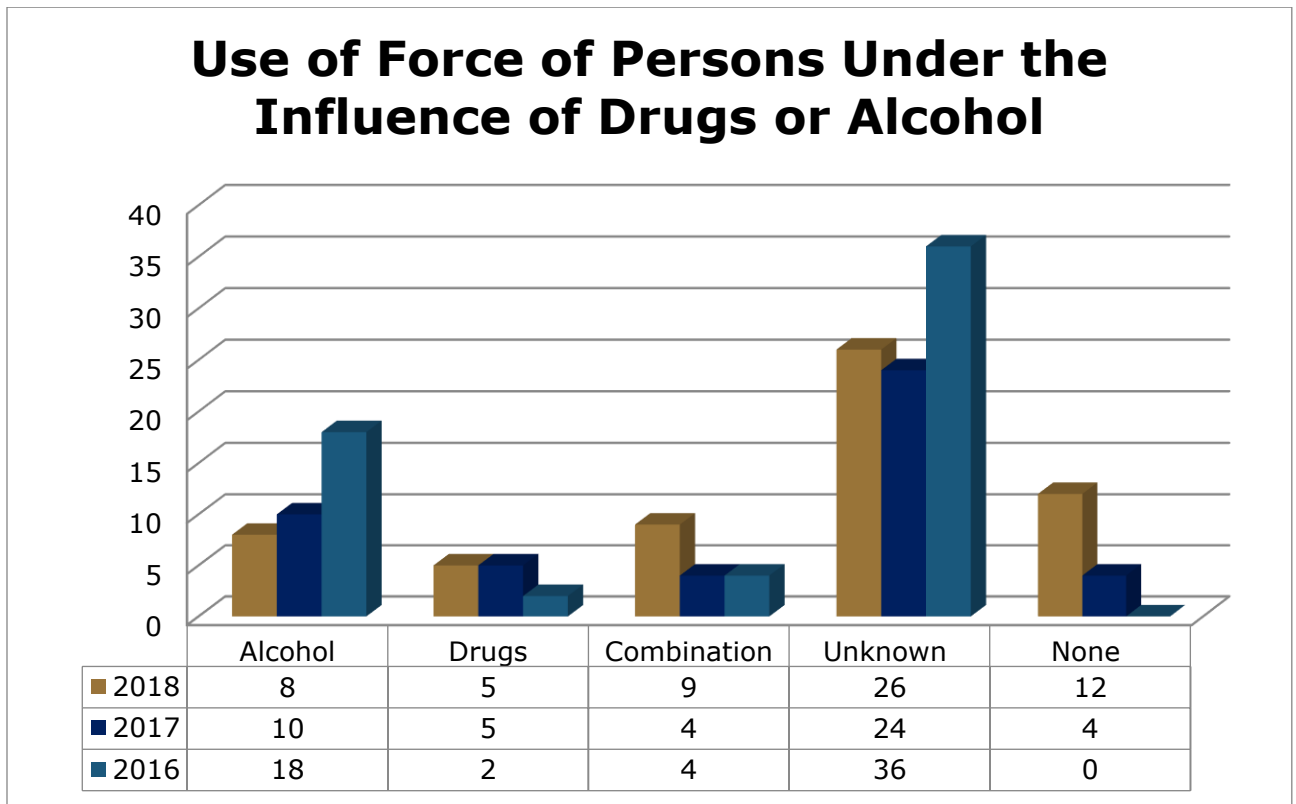
## Weapons Used



# 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. At times there also may be some other underlying condition that is not apparent.

In the 68 cases where force was employed in 2018, eight people were impaired by alcohol, five by illicit drugs or legally prescribed medication, nine by a combination of substances and affected by unknown means in 26 cases.



# MENTAL HEALTH CONCERNS

The Gainesville Police Department has been collaborating with other local law enforcement agencies and mental health care providers since 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. 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.

TO NOTE: Recognizing the impact that mental health has on both law enforcement and the criminal justice system, in 2018 GPD collaborated with Meridian Behavioral Health and implemented a full time Mental Health Co-responder Team made up a GPD Officer and mental health clinician from Meridian. The team works together and proactively deals with persons that are in need of assistance. The team is also forwarded referrals from other GPD personnel when their services can be utilized. The team has been overwhelming successful diverting a substantial amount of persons from the criminal justice system and has had a positive impact on the community and Department overall.



## OFFICER AND SUBJECT DEMOGRAPHIC DATA

In 2018 members of the Gainesville Police Department arrested 2374 adults and 241 juveniles. 30% were Caucasian men, 47% were African American men, 11% were Caucasian women, and 12% were African American women. This number does not include Notice to Appear. There were 702 NTA's issued in 2018.

The table below shows a breakdown of the arrests and use of force incidents related to the citizen demographic.

	Caucasian Male Adults	African American Male Adults	Caucasian Female Adults	African American Female Adults	Caucasian Male Juveniles	African American Male Juveniles	Caucasian Female Juveniles	African American Female Juvenile
Arrested 2018	713	1107	270	277	10	185	7	39
Use of Force 2018	16	33	2	4	0	6	0	1
Arrested 2017	820	1182	330	309	48	186	9	47
Use of Force 2017	16	37	8	1	2	3	0	1
Arrested 2016	927	1255	366	326	26	220	9	47
Use of Force 2016	23	36	1	1	3	6	0	2



The City of Gainesville population is estimated to be 65% Caucasian, 23% African American, and 10% Hispanic 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 72% Caucasian, 20% African American members and 6% Hispanic. 19.6% of the sworn members are women.

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. GPD continues to see a necessity to focus on this issue using various diversion and education campaigns.

## **ALLEGATIONS OF EXCESSIVE OR IMPROPER USE OF FORCE**

In 2018, the Gainesville Police Department Internal (IA) Division received a total of four complaints alleging improper or excessive use of force.

All of the complaints were made by citizens and alleged improper or excessive force during the process of making an arrest.

All of these complaints have been cleared without a finding of excessive or improper force. Although force was utilized it was determined to be appropriate and justified.

IA investigated four complaints of improper or excessive force in 2017 and six in 2016.

## **DEADLY FORCE INCIDENTS**

In 2018, there were no deadly force incidents involving any GPD members.



## USE OF FORCE ANALYSIS

The use of force incidents utilized by Gainesville Police members remained consistent in looking at 2018 and 2017. In 2018 there were 68 incidents compared to 67 in 2017. At the same time, total number of arrests in 2018 decreased with 2,615 in 2018 and 2,954 in 2017.. The data indicates that officers used force in 2.1% of arrests in 2017 and 2.3% in 2018, a slight increase. Although a 0.2% increase in the instances of use of force incidents, this increase is not readily indicative of a disproportionate application of force, as every instance of the application of force is based upon the varied resistance levels of the individual. 71% of all applications of use of force incidents took place on night shifts compared to 29% on day shift. This would be consistent with the greater number of calls for service and arrests that statistically occur during the nighttime hours.

In 2018, there were 49 subjects who received injury in the 68 Use of Force incidents. This is a slight increase in comparison to 2017. K-9 Apprehensions and Taser usages both increased in 2018 which could directly contribute to this increase. Although generally minor in nature, the use of the Taser itself will always result in an injury as a result of the probes piercing the skin. Medical treatment is always required in K-9 Apprehension cases. In 2018, officers were injured in 25% of the cases. Rates of injuries for officers were 22% in 2017 and 25% in 2016. Officer injury was relatively consistent.

A review of the statistical data related to use of force incidents in relation to race and gender, revealed that incidents of use of force were greater for black males and black females in comparison to white males and white females. Officers used force in 2.2% of arrests involving white males and 3.0% of arrests involving black males. Additionally officers used force in .01% of arrest involving white females and 1.6% of arrests involving black females.





This analysis has been forwarded to the Training and Education Division so that specialized training relating to use of force tactics, de-escalation techniques and public engagement could be better addressed. This is in addition the Procedural Justice training that began in 2016 where it was implemented that all members of the Department, both sworn and non-sworn, attend the training. The Procedural Justice Core principles focus on respect, legitimacy and the concept of fairness in interactions between law enforcement and the community. Critical Intervention Training (CIT) also continues to be an asset that is utilized for better communication for people in crisis or other mental health situation.

## **VEHICLE PURSUITS**

Although not technically a Use of Force, 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. It is also required that all initiated pursuits are reviewed and analyzed by a supervisor to ensure incidents are within compliance of Department guidelines.

In 2018, GPD initiated six vehicle pursuits. In 2017, GPD initiated five vehicle pursuits. In 2016, GPD officers engaged in nine pursuits with no policy violations determined in any of those cases.

Of the seven pursuit cases, one was referred to Internal Affairs for review. The subsequent IA investigation resulted in a sustained violation. The sustained violation was not a result of the pursuit itself but was related to a maneuver (Precision Immobilization Technique) that was utilized during it. It was discovered that the officer that used



the PIT had been through the training but was not certified. The officer received corrective action for the violation.

In all of the cases reviewed either the officer whom initiated the pursuit or one of the other involved officers had an in-car video system. The in-car video footage is beneficial in completing the pursuit reviews and identifying potential areas of improvement.

Of the six authorized pursuits in 2018 that were authorized four were for forcibly felonies and two were for impaired drivers. The forcible felonies were the following: Car Jacking, two that were Aggravated Assault on a LEO / Stolen Vehicle cases, and an Armed Robbery.

Of the six pursuits reviewed the top speed was 85 MPH. This was the carjacking incident. The GPD Officer had lost visual contact with the suspect vehicle and the sheriff's office located the vehicle after leaving the city. The vehicle inevitably crashed. The average speed for the six pursuits was 70 MPH. The duration of the pursuits ranged from one to eleven minutes. Four of the pursuits lasted less than three minutes.

Two of the pursuits ended when the suspect driver failed to properly negotiate a turn and ran off of the road. There was damage in both of those instances but no injury. Three of the cases resulted in the suspect driver stopping on their own and one where the driver stopped because the vehicle became disabled. Three cases resulted in suspects fleeing from the vehicle on foot at the conclusion.

A Precision Immobilization Technique (PIT) maneuver was attempted in one of the cases but was unsuccessful. One of the pursuits resulted in an additional Use-of-Force. In that case the suspect fled on foot and was inevitably Tased while being taken into custody.

There were three additional incidents completed as a pursuit review that are not included as part of the six listed above. Pursuit reviews were completed to ensure these incidents were in compliance with the pursuit guidelines. All three cases involved attempted stops on stolen vehicles. In two of those cases, once a traffic stop was attempted the



driver took evasive actions but stopped the vehicle almost immediately once the officer deactivated emergency equipment and fled on foot. In those cases the officer reengaged the contact upon seeing the suspects stopping and fleeing from the stolen vehicles. In the other case it was confirmed that once the stop was attempted and the vehicle fled the officers did not pursue afterwards.

TO NOTE: Vehicular pursuits are inherently dangerous due to high speeds, they take place on public streets with unsuspecting innocent citizens, reckless driving by the suspect, multiple officers driving at high speeds, various weather and road conditions, and a plethora of other reasons. They are dangerous not only to the general public, but are dangerous to the officers, and to the suspect(s) as well. Given this, many agencies now have taken a restrictive stance and allow pursuits only in the most egregious of crimes so as to balance the need to stop the suspect versus the potential treat caused by the pursuit itself. Consitant with these concerns, the GPD Pursuit policy is being reviewed by an internal committee out of these continuing concerns and revisions will likely occur as result in 2019.

