



USE OF FORCE ANNUAL REPORT

This document contains an analysis of the Aurora Police Departments' Use of Force for activity occurring
October 1, 2015 – September 30, 2016

Data Source: Administrative Investigations Management



Prepared by: Ivannia Navarrete

Reviewed & Edited by: Professional Standards Division Contributors



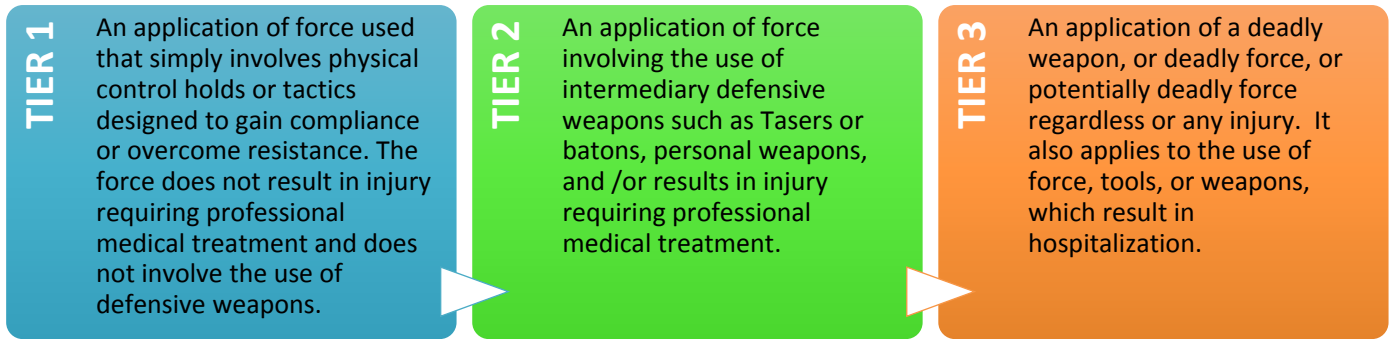
Table of Contents

Table of Contents	2
Introduction.....	3
Figure 1. New Tier System.....	3
Executive Summary	3
Figures & Graphs	4
Table 1. Use of Force Report Configuration Fields.....	4
Demographics of Incidents.....	5
Figure 2a. Use of Force Incident & Population Comparison – Data includes new Tier System	5
Figure 2b. Use of Force Incident & Population Comparison – Assuming Old Tracking (<i>no Tier system</i>)	5
Table 2. Use of Force Incident & Population Comparison	5
Figure 3. Use of Force Gender Breakdown	6
Figure 4. Use of Force Gender Breakdown by District	6
Table 3. Gender Breakdown.....	6
Table 4. Gender Breakdown by District	6
Figure 5. Use of Force by District & Beat	6
Figure 6. Use of Force Pie Chart of Incident Percentage per District.....	7
Table 5. Use of Force Race Subject Count.....	7
Figure 7. Use of Force Race Percentage Breakdown	7
Figure 8. Racial Percentage Comparison: Use of Force Racial Population vs. City Population	8
Figure 9. Use of Force Age Breakdown by Gender Count.....	8
Use of Force Characteristics	9
Evaluation of Action Taken.....	9
Figure 10a. Disposition of Use of Force – Incident Count	9
Figure 10b. Percentage of Disposition Breakdown	9
Figure 11. Use of Force Breakdown by Tier	10
Table 6. Use of Force by Tier to Policy (<i>Action Taken</i>).....	10
Force Effectiveness Analysis.....	10
Figure 12. Use of Force Effectiveness by Occurrence	10
Table 7. Use of Force Used Effectiveness Count by Entry.....	11
Force Effectiveness Three-Year Comparison.....	11
Figure 13. Three-Year Use of Force Comparison	11
Type of Offense	12
Table 8. Type of Offense Count.....	12
Figure 14. Type of Offense Percentage Distribution.....	12
Reason for Force	12
Figure 15. Count by Reason for Force	12
Figure 16. Reason for Force Percentage Distribution	12
Recommendations.....	13
Appendix A – Use of Force Tiers.....	14
Appendix B – Use of Force Incident by Beat	15

Introduction

Aurora Police Department’s mission statement is to make Aurora safer every day. Making Aurora safer requires ongoing evaluations of the Department’s policy and procedure to best serve the needs of the community and reduce crime. Consequently, The Department conducted a significant restructure of its use of force directive effective January, 2016. Use of force incidents are categorized into three tiers as follows:

Figure 1. New Tier System



Further, the Aurora Police Department has created the Force Review Board; a body of sworn officers which convenes to review Tier 2 and Tier 3 cases. These cases are reviewed for compliance with applicable state statues and department directives.

This report will account for the current reporting period which may be analyzed in comparison to reporting periods prior to 2016. Due to the differing types of force categories captured for analysis completed prior to 2016 as well as the change in procedure, there will be some differences with how the information is analyzed; nonetheless, all efforts were made to best incorporate and compare the Department’s use of force. **Refer to Appendix A for Use of Force Matrix**

Executive Summary

The Department’s Administrative Investigations Management (AIM) software current report settings for the reporting timeframe of 10/01/2015-09/30/2016 yielded the following data:

- Total of 277 incident reports
- Officers = 232 | Average age =40 | Average years with the Department = 12
 - Gender Breakdown:
 - ◆ Male – 206 (89%)
 - ◆ Female – 26 (11%)
 - Race Breakdown:
 - ◆ American Indian or Alaskan – 1 (0.4%)
 - ◆ Asian – 3 (1.3%)
 - ◆ African American /Black - 9 (3.9%)
 - ◆ Hispanic or Latino – 24 (10.3%)
 - ◆ Two or More Races – 6 (2.6%)
 - ◆ White – 189 (81.5%)
- Subjects = 290 | Average age = 28
 - Gender Breakdown:
 - ◆ Male – 244 (84%)
 - ◆ Female – 46 (16%)
 - Race Breakdown:
 - ◆ African American/Black – 156 (53.7%)
 - ◆ Asian – 2 (0.6%)
 - ◆ Caucasian/White – 89 (30.6%)
 - ◆ Hispanic – 43 (14.8%)

- Incidents by Districts:
 - ◆ District 1 – 151 (54.5%)
 - ◆ District 2 – 79 (28.5%)
 - ◆ District 3 – 41 (14.8%)
 - ◆ Outside City Jurisdiction – 4 (1.4%)
 - ◆ Not provided – 2 (0.7%)
- Tier Breakdown:
 - ◆ Pre-2016 – 49 (17.7%)
 - ◆ Tier 1 – 152 (54.9%)
 - ◆ Tier 2 – 70 (25.3%)
 - ◆ Tier 3 – 6 (2.2%)
- The majority of incidents (50) occurred the month of January 2016
- The highest number of incidents occurred on Fridays and the lowest number occurred on Wednesdays.
- Use of force effectiveness:
 - All Occurrences
 - ◆ Successful – 438 (74%)
 - ◆ Somewhat Successful – 91 (15%)
 - ◆ Unsuccessful – 61 (10%)
 - Total = 590¹**

Figures & Graphs

The figures and tables presented in this report are all conclusions based on the use of force reports produced from AIM. Due to software configurations, the report creation functionality limits the number of fields in any given report. The Use of Force reports have been broken up into two reports. **Table 1** provides the two naming conventions automatically assigned to each report and the fields that were included in each extraction. The extraction associated to the information presented in this report experienced some problems. In some instances, the information was mismatched or the information could not be obtained from AIM for the report. These issues were brought up to our AIM Administrator who is working with the vendor to identify the problem and address it accordingly.

Table 1. Use of Force Report Configuration Fields

Report 1: “Year End UOF report”		Report 2: “Year end UOF 2”
Incident number	Personal Weapons Type <input type="checkbox"/>	Incident number
Employee Name	Other Launch-able Munitions* Type <input type="checkbox"/>	Employee Name
Subject Name	Other Launch-able Munitions* # Hits <input type="checkbox"/>	Subject Name
Action	Subj Injured <input checked="" type="checkbox"/>	Officer Injured – Employee <input checked="" type="checkbox"/>
Incident Date	Subj Injured Nature <input checked="" type="checkbox"/>	Officer Injury Type – Employee <input checked="" type="checkbox"/>
Time	Subj Serious Bodily Injury <input checked="" type="checkbox"/>	Officer Role – Employee <input checked="" type="checkbox"/>
Day of Week	Subj Obvious Less Lethal Injuries Desc <input checked="" type="checkbox"/>	Officer Treatment – Employee <input checked="" type="checkbox"/>
District	Subj Treatment <input checked="" type="checkbox"/>	Subject Sex
Beat	Subj Rendered Unconscious <input checked="" type="checkbox"/>	Subject Race
Type of Offense <input checked="" type="checkbox"/>	Sub Alcohol Impairment <input checked="" type="checkbox"/>	
Reason for Force <input checked="" type="checkbox"/>	Subj Drug Impairment <input checked="" type="checkbox"/>	
Other Reason for Force <input checked="" type="checkbox"/>	Subj Drug Overdose <input checked="" type="checkbox"/>	
Type of Force/Effectiveness	Subject Age	<input checked="" type="checkbox"/> = field did not extract
Other Weapon Desc <input type="checkbox"/>	Subject Sex	<input type="checkbox"/> = fields primarily blank with a few “N/A”
Deadly Force Type <input type="checkbox"/>		

¹ Some incidents contain multiple uses of force

* Launch-able Munitions is actually labeled “Lnchble Mntns”

Demographics of Incidents

This section is an analysis of the Aurora Police Department’s use of force reports that were completed and submitted for the time period of October 1, 2015 through September 30, 2016.

Figure 2a presents a three-year comparison of the Departments’ use of force incidents with 2016 totals reflecting the new Tier system effective January 1st 2016. **Figure 2b** presents a three-year comparison based on previous use of force policy (removing the 152 incidents that were categorized as Tier 1). Prior to utilizing the Tier System, Tier 1 incidents would not be documented. Therefore it’s important to note that although there seems to be a 30% increase in incidents from 2015 to 2016, if the Department measured use of force in the same fashion, there would have been a 41% decrease.

Figure 2a. Use of Force Incident & Population Comparison – Data includes new Tier System

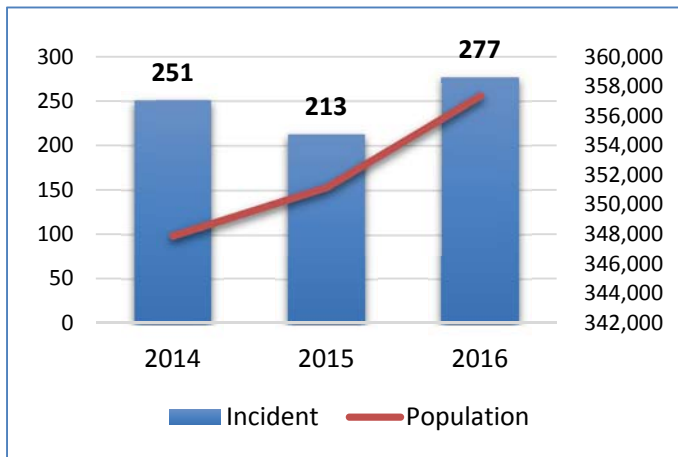


Figure 2b. Use of Force Incident & Population Comparison – Assuming Old Tracking (no Tier system)

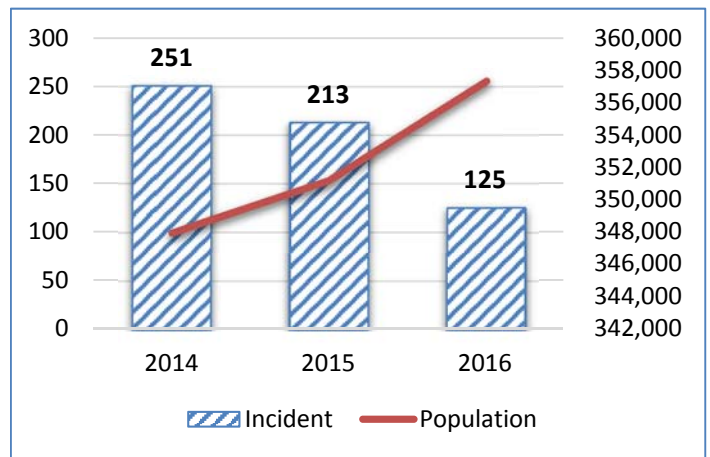


Table 2 provides the ratio of Aurora’s use of force incident to population², percentage of population change from year-to-year and the percentage change of incidents year-to-year. For 2016, the Department had a 30.5% increase in use of force incidents compared to last year.

Table 2. Use of Force Incident & Population Comparison

Year	Incidents	Population	Ratio (per 1000)	% Change in Population	% Change in Incidents
2014	251	347,953.00	0.72136179	+ 2.3% ↑	+ 67.3% ↑
2015	213	351,200.00	0.60649203	+ 0.9% ↑	- 15.1% ↓
2016	277	357,346.00	0.77515909	+ 1.8% ↑	+ 30.0% ↑

² K. Krogulski’s 2014 & 2015 original population counts have been updated with information provided via J. Schneebeck’s monthly staffing report data.

Table 3 and **Table 4** provides a demographic analysis of the Department’s use of force incidents. Gender breakdown is represented via **Figure 3**, and shows us that out of the 290 subjects, 46 were Female (15.8%) and 244 were Male (84.2%). **Figure 4** provides a bar graph that shows us the gender breakdown of our subjects as it relates to our Districts.

Figure 3. Use of Force Gender Breakdown

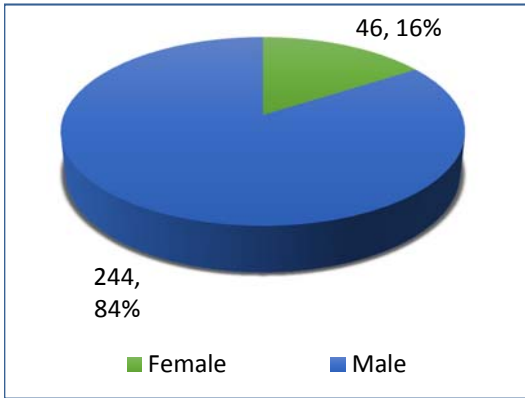


Figure 4. Use of Force Gender Breakdown by District

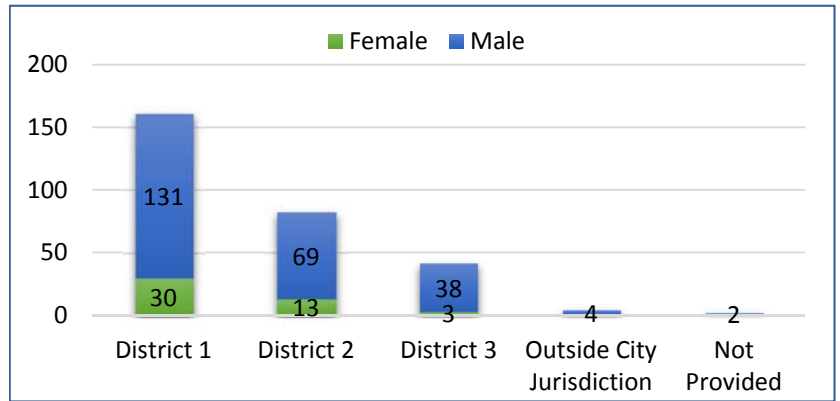


Table 3. Gender Breakdown

Subject Sex	Total
Female	46
Male	244
Total	290

Table 4. Gender Breakdown by District

District	Female	Male	Subject Total	Incident Total
District 1	30	131	161	151
District 2	13	69	82	79
District 3	3	38	41	41
Outside City Jurisdiction (OCJ)	0	4	4	4
Not Provided (NP)	0	2	2	2
Total	46	238	290	277

District 1 experienced the highest use of force: 151 incidents (54.5%) and 161 subjects (55.5%), despite the fact District 2 - Beat 16 had the overall highest number of incident occurrences totaling 20. To see how each incident count is tied to a Beat, go to **Appendix B**.

Figure 5 below provides a graphical summary of incidents by Beat, with the exception of six privatized incidents.

Figure 5. Use of Force by District & Beat

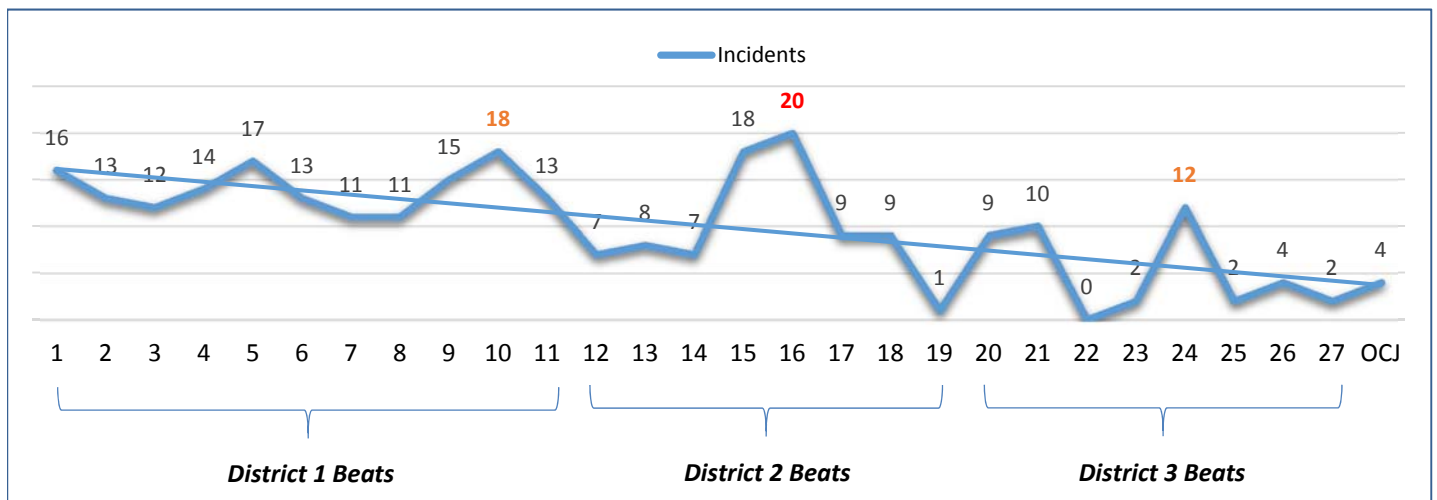
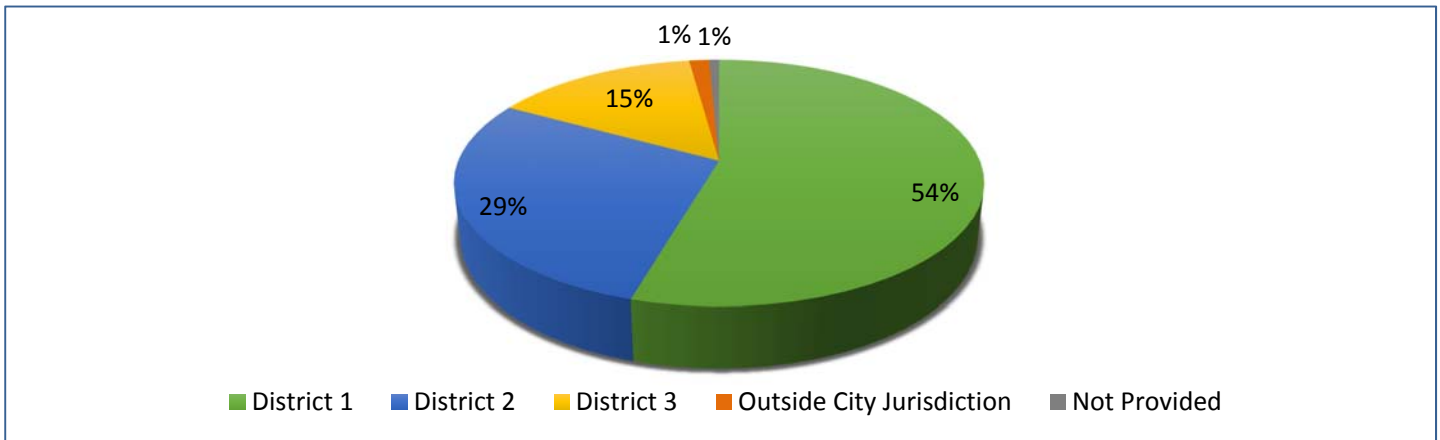


Figure 6 pie chart provides a percentage breakdown by District to include outside city jurisdiction and blank entries. Knowing the ethnic component of subjects in use of force incidents is critical in identifying if the Department’s UOF would differ based on a deeper understanding of how to best communicate with subjects:

“Police departments have to work hard to become familiar with the various ethnic and racial groups that they serve, to understand their languages, customs and traditions, and to establish mechanisms for communicating with them. A component of such communication ought to be in the department's articulation of its values in interacting with the community.”³

Figure 6. Use of Force Pie Chart of Incident Percentage per District



Figures 7 outlines the UOF subjects’ race presented in the form of percentage breakdowns and **Table 5** provides numeric count by race.

Figure 7. Use of Force Race Percentage Breakdown

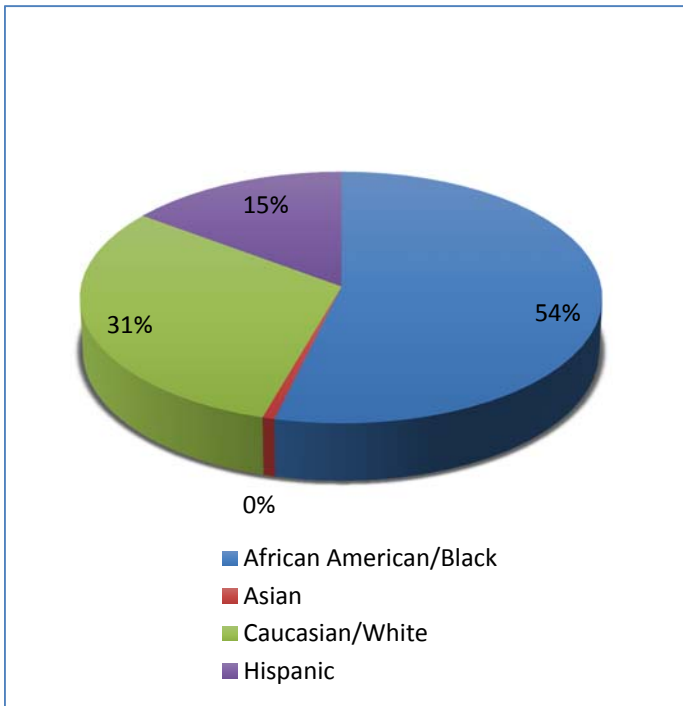


Table 5. Use of Force Race Subject Count

Race	Count
African American/Black	156
Asian	2
Caucasian/White	89
Hispanic	43
Grand Total	290

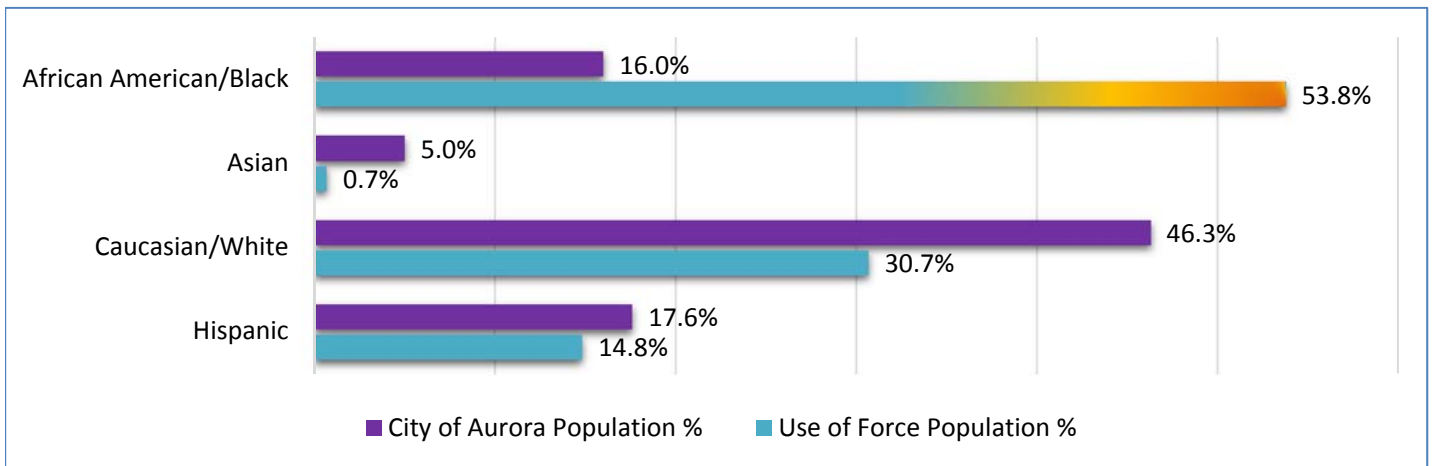
Observation 1: Race & Gender Discrepancy

The subject’s gender and race was not consistently identified in AIM. A subject’s missing age and gender was taken from information entered in the records management system (Versadex). Due to this observation, efforts were made and in the majority of incidents, the race was updated in AIM accordingly.

³ <https://www.justice.gov/archive/crs/pubs/pdexcess.htm>

Figure 8 shows the Department’s use of force racial breakdown and how that compares with the city’s statistics reported via “Who is Aurora 2016 Demographic Report”. It is interesting to note that with the exception of African American/Black, the remaining racial groups were within sixteen percentage points of the city’s population.

Figure 8. Racial Percentage Comparison: Use of Force Racial Population vs. City Population

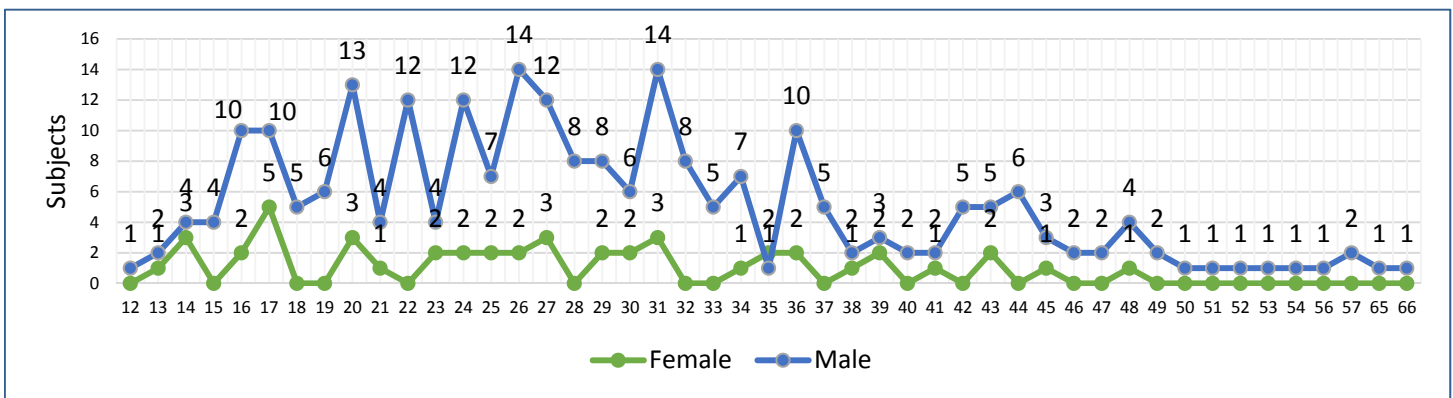


Observation 2: Age Discrepancy

The “Subject Age” from Report 1 did not always match “Subject Age” from report 2. Some of the discrepancies were due to subjects’ age not being entered and/or populated in either report or subjects’ age that was entered did not match. It appears that one report was showing age based on the UOF occurrence –incident date; and the other report was showing subject’s age based on their date of birth –DOB. In an effort to report the most accurate information, a random selection of subjects’ age was selected and their age was verified against Versadex. Per the results, a conclusion can be drawn that using the “Subject Age” from Report 1 is most accurate. In an effort to address this discrepancy, a meeting was held with the department’s AIM Administrator to address this issues. The AIM Administrator confirmed that subjects’ age should only be included in one report and the field selected should be “Subject Age at Incident”.

The average age for all UOF Incidents for the reporting period of 10/01/2015 – 09/30/2016 is 28 years old with the exclusion of six privatized incidents. Female subjects’ average age is 27 and male subjects’ average age is 29. **Figure 9** is a line graph that shows the total count of subjects based on their age at the time of the incident.

Figure 9. Use of Force Age Breakdown by Gender Count



Use of Force Characteristics

Evaluation of Action Taken

Figure 10a and 10b has data associated with the “Action Taken” by a supervisor, review board, chief, etc., based on the employee’s conduct, but where no allegation was made. Ninety-six-point-eight percent (96.8%) of incidents were reported as being *Policy Compliance*⁴, two-point-two percent (2.2 %) were referred to Internal Affairs, zero-point-seven percent (0.7%) were classified as PAE – Neutral and zero-point-four percent (0.4%) to training⁵.

The following are some notes corresponding to original categories:

- ◆ Although there were 50 incidents that did not specify “Action Taken” under the assigned field. All incidents that had a blank field were reviewed and an ‘action taken’ was properly assigned. In 48 incidents, the action was “Policy Compliance” and the other two incidents (2016-UOF-0202 & 0250) were “Policy Compliance” and “Referred to Training”. To ensure an incident was not counted twice, all 50 incidents have been counted as “Policy Compliance”.
- ◆ There were 36 entries that had selected “No Further Action Taken” and these entries were also reviewed by an officer from the Professional Standard Division and confirmed that the classification should be “Policy Compliance”

Figure 10a. Disposition of Use of Force – Incident Count

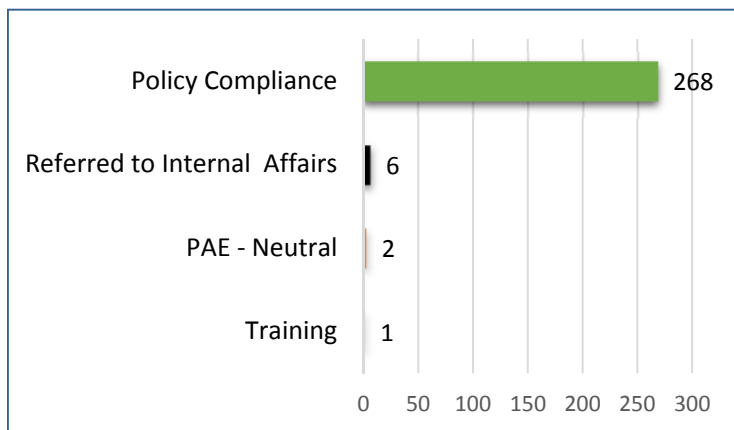
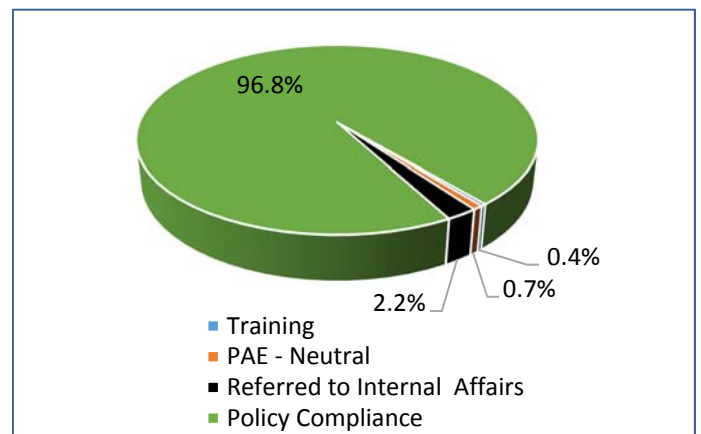


Figure 10b. Percentage of Disposition Breakdown



Observation 3: Officer Involved Shooting (OIS) UOF Reports Missing from Extraction

There were a couple of observations:

- 1) 2015 UOF incidents: 0154, 0159, 0161 and 0158 were not extracted and therefore not included in the results when a report was produced. The cause of this issues remains unknown, and will be followed up with the AIM administrator to determine a cause.
- 2) AIM recognized three reports but due to privatization, there was insufficient data for analysis. However, some information is available if the individual incident is pulled up in AIM. All privatized incidents were reviewed in an effort to include any available information throughout this report.

⁴ There were 36 entries that especially entered: “No Further Action Taken”

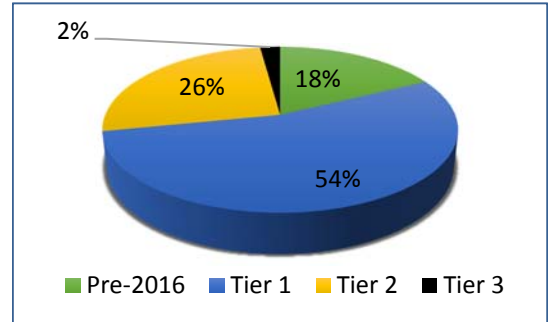
⁵ Two (2016-UOF-0202 & 0250) of the 268 incidents were also referred to Training and to void double counting, they were not included in the Training figures.

Table 6 and Figure 11 show that the disposition of use of force and the correlation between the “Action Taken” and its assigned Tier. The majority of use of force incidents were classified as Tier 1 – 150 incidents (54%) and the remaining incidents classified as follows: Tier 2 – 72 incidents (25.9%), Pre-2016 – 49 incidents (17.6%) and Tier 3 – 6 incidents (2.1%).

Table 6. Use of Force by Tier to Policy (*Action Taken*)

Action	Pre-2016	Tier 1	Tier 2	Tier 3	Total
Policy Compliance	45	147	70	6	268
Referred to IA	4	1	1		6
PAE - Neutral		2			2
Training			1		1
Grand Total	49	150	72	6	277

Figure 11. Use of Force Breakdown by Tier



Force Effectiveness Analysis

Some incidents had only one use of force entry and others had up to thirteen entries associated to one incident. Altogether, there was a total of 590 Use of Force entries: 438 were ranked successful, 91 were ranked somewhat successful, and 61 were ranked unsuccessful. **Figure 12** shows the percentage breakdown of its effectiveness and **Table 7** provides a summary count of each entry.

Figure 12. Use of Force Effectiveness by Occurrence

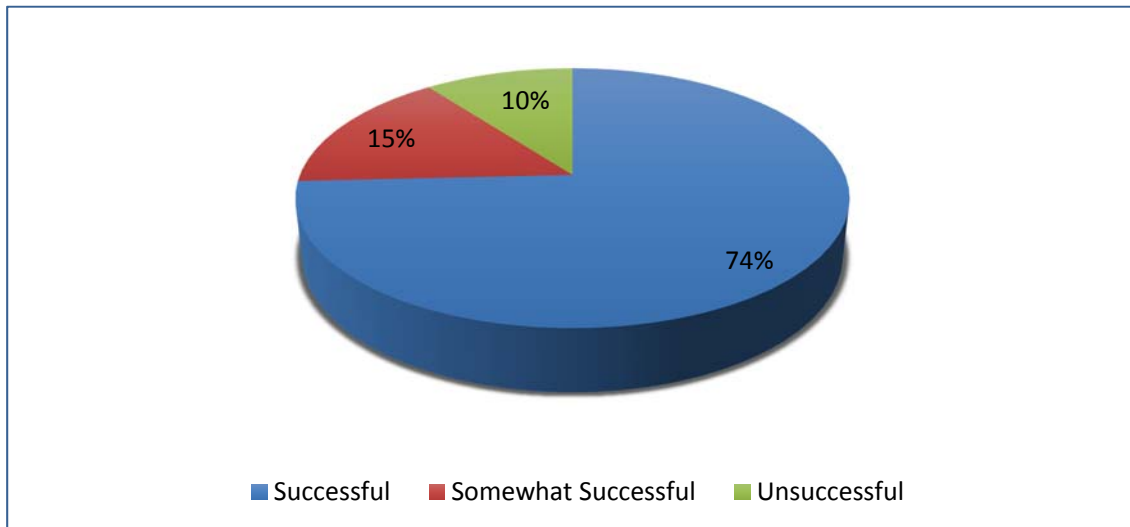


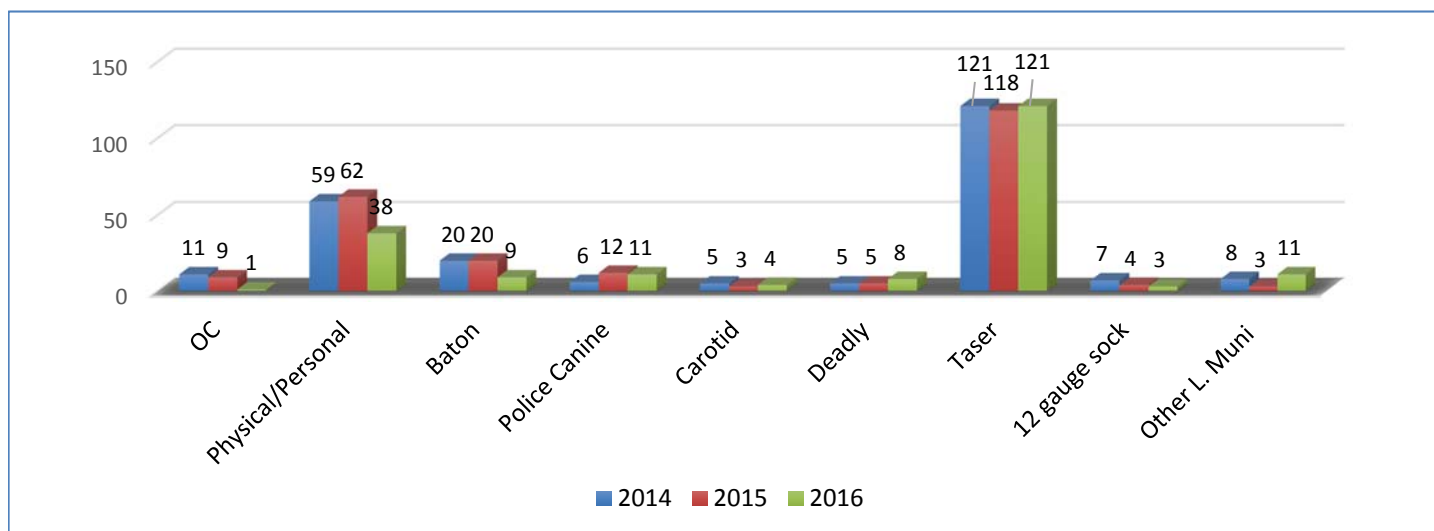
Table 7. Use of Force Used Effectiveness Count by Entry

Force Used Effectiveness Count & Percentage	Successful		Somewhat Successful		Unsuccessful		Total	%
	#	%	#	%	#	%		
12 Gauge Sock Round	2	67%	0	0%	1	33%	3	0.5%
Baton	5	56%	2	22%	2	22%	9	1.5%
Carotid Control Hold	0	0%	2	50%	2	50%	4	0.7%
Control Techniques (Twist locks, takedowns, throws, etc.)	234	82%	37	13%	14	5%	284	48.4%
Deadly Force	7	88%	0	0%	1	13%	8	1.4%
Hobble	42	100%	0	0%	0	0%	42	7.2%
Other Restraints	20	65%	9	29%	2	6%	31	5.3%
Other Launch able Munitions	4	36%	5	45%	2	18%	11	1.9%
Pepper Spray (OC)	1	100%	0	0%	0	0%	1	0.2%
Personal Weapons/Punches, strikes etc.	32	84%	5	13%	1	3%	38	6.5%
PIT Maneuver	1	100%	0	0%	0	0%	1	0.2%
Police Canine	7	78%	2	22%	0	0%	9	1.5%
Taser	69	57%	20	17%	32	26%	121	20.6%
Taser-Stun Gun	11	46%	9	38%	4	17%	24	4.1%
Twist Lock	1	100%	0	0%	0	0%	1	0.2%
Grand Total	438		91		61		590	100.0%

Force Effectiveness Three-Year Comparison

Figure 13 is a three-year comparison of use of force categories based on previous reporting submission. Please note that the count for 2014 and 2015 is directly taken from the bar graph on page four of the report submitted for the 10/01/2014 – 09/30/2015. It is only a comparison of nine types of use of force and does not reflect all the categories.

Figure 13. Three-Year Use of Force Comparison



Type of Offense

Figure 14 provides a percentage breakdown by offense classification and **Table 8** shows the count distribution.

Figure 14. Type of Offense Percentage Distribution

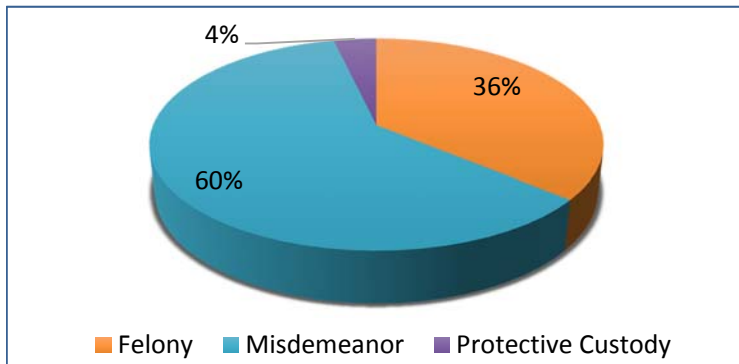


Table 8. Type of Offense Count

Type of Offense	Incidents
Felony	100
Misdemeanor	167
Protective Custody	10
Grand Total	277

Reason for Force

Figure 15 shows us a count of all entries associated to why force was used. Note that the total count does not equal the total number of incidents nor the total number of subjects. Multiple reasons were listed per incident to support why a use of force was delivered to the subject(s) corresponding to each incident.

Figure 15. Count by Reason for Force

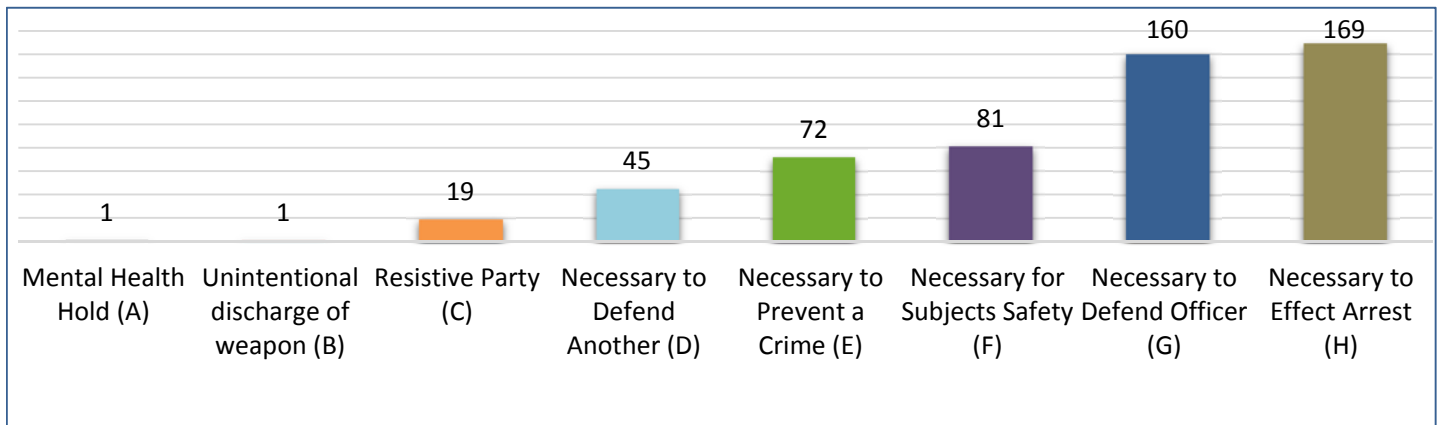
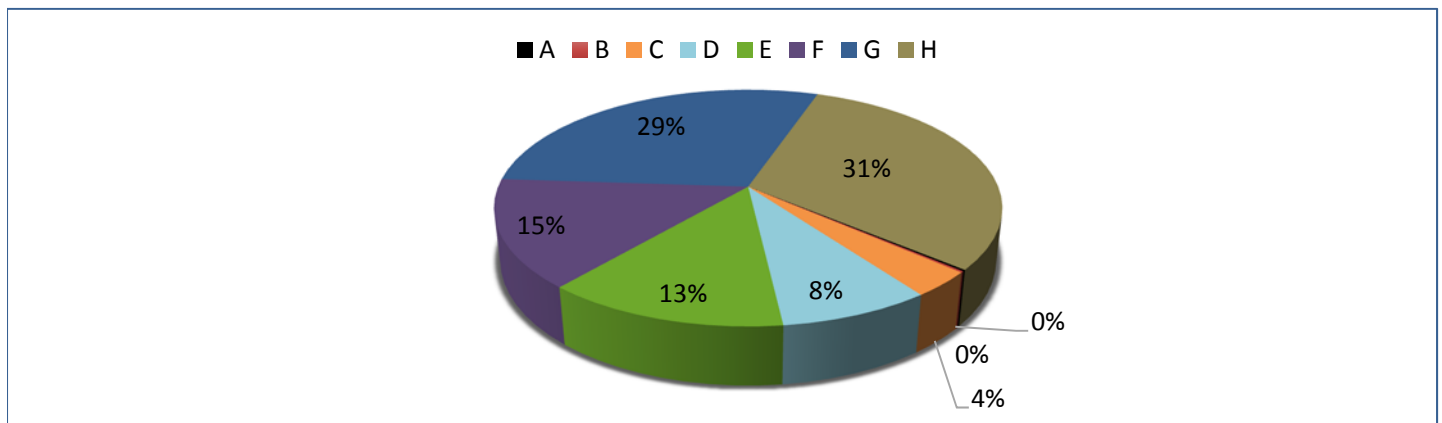
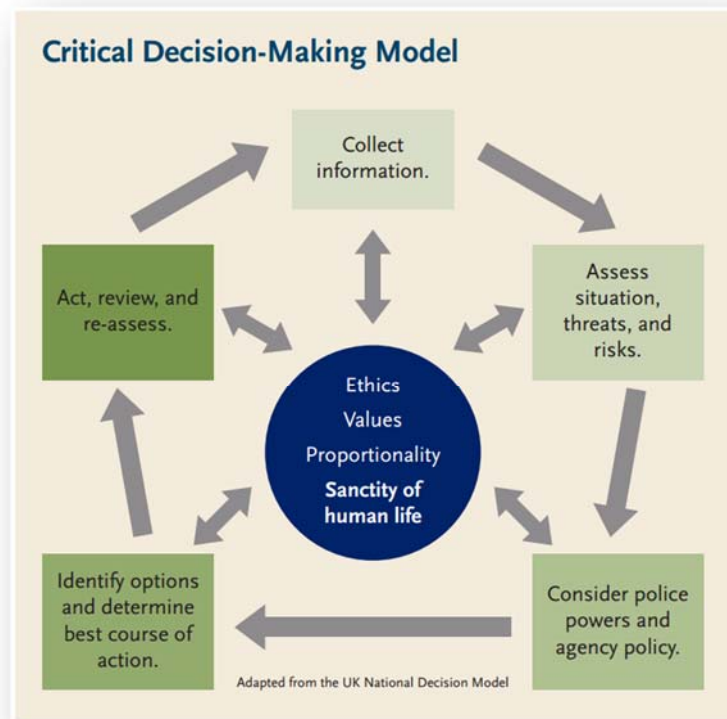


Figure 16. Reason for Force Percentage Distribution



Recommendations

1. A meeting with the decision makers should be held to re-evaluate the current reporting structure and determine what information should be captured that is missing in this report and/or confirm the fields that the Department wants to capture.
2. When reporting use of force, all efforts should be made to have all AIM field completed. Blank entries may provide incorrect analysis and have negative consequences that reflect poorly on the Department's actual use of force tactics.
3. If the tool is available in AIM, consideration should be made to make certain fields a requirement.
4. It may be beneficial for training personnel/academy staff to evaluate the less successful techniques and whether the tactics were matched to the severity of the incident or if escalation of techniques were appropriately performed.
5. It is good practice to be aware of any recent studies and reports related to use of force. This allows the Department the opportunity to consistently evaluate its policies and procedure with other police departments and see how Aurora's results compare with those around the nation. In March 2016, the Police Executive Research Forum (PERF) published *Guiding Principles on Use of Force*⁶ and it discusses 1) "Why We Need to Challenge Conventional Thinking on Police Use of Force", 2) "PERF's 30 Guiding Principles on Use of Force", 3) "PERF's Critical Decision-Making Model" and 4) "Lessons Learned from Police Scotland". Below is the *Critical Decision-Making Model* referenced in the study that provides a nice visual for critical thinking and determining use of force steps.



⁶ <http://www.policeforum.org/assets/30%20guiding%20principles.pdf>

Appendix A – Use of Force Tiers

Tier Zero - This is NOT considered to be a use of force per APD policy.

- Firearm Gun Point - @TZG
- Less Lethal Shotgun or Projectile Launcher Weapon Point - @TZL
- Handcuff & Release - No Charges - @TZH

Reporting Requirements: One CAD Entry per call no matter how many officers point weapons. No additional supervisor action required. CAD notes added to depict why weapons were pointed or a cuff and release was conducted.

Tier One - Use of Force with No or Minor Injury/ Use of Restraint. Make sure to offer medical assistance.

- Control Techniques used to overcome physical resistance with No injury/Minor Injury
- Take Down No Injury/Minor Injury
- Use of control weapon (Baton or SD-1) for leverage or control purposes (no strikes or thrusts)
- Use of restraints, capture pole or restraint chair to overcome resistance

Reporting Requirements: Determination to be made by supervisor, based on treatment status at time of release, if such use of force did not result in injury requiring professional medical treatment. A GO is required, notification of supervisor and Use of Force in Electronic Tracking System is Required. Supervisor to document injuries (no injury) & investigation to be completed by supervisor and tracked through the chain of command. Photographs of injuries or lack thereof must be taken.

Tier Two - Use of weapon other than a deadly weapon to overcome resistance or when subject is injured by member's application of force and requires professional medical treatment. Make sure to offer medical assistance.

- | | |
|-----------------------------|---|
| • Pepper Spray | • Taser |
| • Baton | • Police Canine |
| • Launchable Impact Weapons | • Pitting of Vehicle |
| • Carotid Control Hold | • Punches |
| • Strikes | • Kicks |
| • Knees | • Any injury in Tier One requiring Professional Medical Treatment |

Reporting Requirements: Notify Supervisor, Use of Force Report in Electronic Tracking System completed by supervisor with documentation & investigation. Track Use of Force report through chain of command for review and ultimately to the Compliance and Professional Standards Division, Division Chief. Photographs of injuries or lack thereof must be taken.

Tier Three – Use of a deadly weapon, or deadly force, or potentially deadly force regardless of any injury. It also applies to the use of force, tools, or weapons, which result in hospitalization or death; or when a supervisor in conjunction with the Duty Captain, believes a use of force, weapons, or tools warrants a Tier Three notification and response. Make sure to offer medical assistance to all injured party/s.

- Use of Force/ Critical Incident
- Use of Deadly Weapon
- Use of Deadly Force
- Use of Potentially Deadly Force (regardless of injury)
- Use of force, tools or weapons which result in hospitalization or death
- When a supervisor in conjunction with Duty Captain believes UOF, weapons or tools warrants a Tier Three notification and response
- Any Training Accident involving a firearm when another person is struck by a bullet
- Any Training Accident involving a firearm when person dies

Reporting Requirements: Notification initiated to member's immediate supervisor, Duty Captain immediately notify Investigations Bureau Commander. Reported in AIM as well. Any training accident when another person is struck by a bullet requires notification to the Duty Captain. Supervisor will NOT conduct an investigation into a Tier Three critical incident, however the supervisor will gather and enter sufficient information to start a Use of Force Report in AIM to be tracked immediately to the Compliance and Professional Standards Bureau Division Chief only. Photographs of injuries or lack thereof must be taken.

Appendix B – Use of Force Incident by Beat

