

USE OF FORCE 2018

CITY OF AURORA POLICE DEPARTMENT

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TABLE OF CONTENTS

| | |
|---|----|
| Table of Contents | 2 |
| Introduction | 3 |
| Executive Summary | 4 |
| Demographics of incidents | 5 |
| Table 1. Use of Force Incident & Population Comparison..... | 5 |
| Table 2. Subject Gender Breakdown..... | 5 |
| Figure A. Three-Year Trend: Subject Gender Breakdown..... | 6 |
| Table 3. Subject Gender Breakdown by District..... | 6 |
| Figure B. Use of Force by District & Beat | 7 |
| Table 4. Subject Race | 7 |
| Figure C. Use of Force Percentage by Subject Race..... | 7 |
| Figure D: Three Year Trend: Use of Force Percentage by Subject Race..... | 8 |
| Figure E. Use of Force Age Count by Subject Gender at Age of the Time of the Incident | 8 |
| Figure F. Three Year Trend: Subject's Average Age at the Time of the Incident | 8 |
| Use of Force Characteristics | 9 |
| Evaluation of Action Taken..... | 9 |
| FIGURE G: Disposition Breakdown by Employee | 9 |
| Force Analysis | 10 |
| Table 6. Tier 1 & Tier 2/3 Type of Force Occurences..... | 10 |
| Type of Offense | 11 |
| Figure H. Type of Offense Percentage by Subject..... | 11 |
| Table 7. Type of Offense Count..... | 11 |
| Reason for Force | 11 |
| Figure I. Reason for Force | 11 |
| Effectiveness of Different Types of Force | 12 |
| Table 7. Effectiveness by Use of Force..... | 12 |
| Injuries..... | 13 |
| Figure J. Injuries by Person and Incident | 13 |
| figure K. Three year trend: Subject vs. Officer Injuries..... | 13 |
| Appendix I – Use of Force 2018 CALEA Table..... | 14 |
| Appendix II - Use of Force Tiers..... | 15 |

INTRODUCTION

The Aurora Police Department's mission is to make Aurora safer every day. Making Aurora safer requires ongoing evaluation of the department's policies and procedures to ensure that they 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 (UoF) incidents are categorized into three tiers as follows:

TIER 1

An application of force that simply involves physical control holds or tactics designed to gain compliance or overcome resistance. The force does not result in injury requiring professional medical treatment and does not involve the use of defensive weapons. Tier 1 UoF are reviewed up to the district deputy commander level. Some may be sent to the Force Review Board.

TIER 2

An application of force involving the use of intermediary defensive weapons such as tasers, batons, personal weapons, and/or results in injury requiring professional medical treatment. Tier 2 UoF are reviewed by the Force Review Board.

TIER 3

An application 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. Tier 3 UoF are reviewed by the Force Review Board.

The Force Review Board (FRB) consists of a body of sworn officers that reviews all of the Tier 2 and Tier 3 incidents. The FRB will also review any Tier 1 incidents that are deemed by the respective chain of command to be in need of additional review. The FRB reviews these cases for compliance with applicable state statutes and department directives, as well as any training deficiencies.

Directive 05.04 Reporting and Investigating the Use of Tools, Weapons and Physical Force is the primary policy controlling the use of force within the police department. Directive 05.04 had no revisions in 2018.

EXECUTIVE SUMMARY

The department tracks use of force statistics through Administrative Investigations Management (AIM) software. There were 592 Use of Force incident reports from January 1, 2018- December 31, 2018.

- Officers involved : 1212 | Average age = 36 | Average years with the department = 7
- Subjects involved : 612 | Average age = 31

| Officer Demographics* | | | | |
|------------------------------|------|-------|-------------------|-----------|
| <i>Gender</i> | | | <i>Race</i> | |
| Male | 1100 | 90.8% | American Indian | 4 .3% |
| Female | 112 | 9.2% | Asian | 31 2.6% |
| | | | Black | 33 2.7% |
| | | | Hispanic | 148 12.2% |
| | | | Two or more Races | 82 6.8% |
| | | | White | 914 75.4% |

*Officers are counted each time they are involved in a separate incident, and each incident can involve multiple officers. A total of 367 officers were involved in Use of Force incidents in 2018.

| Subject Demographics* | | | | |
|------------------------------|-----|-----|---------------------------|-----------|
| <i>Gender</i> | | | <i>Race</i> | |
| Male | 490 | 80% | American Indian | 1 .2% |
| Female | 122 | 20% | Arab | 1 .2% |
| | | | Asian | 5 .8% |
| | | | Black | 294 48% |
| | | | Hawaiian/Pacific Islander | 3 .5% |
| | | | Hispanic | 110 18.0% |
| | | | Two or more Races | 7 1.1% |
| | | | White | 191 31.2% |

*Subjects are counted each time they are involved in a separate incident, and each incident can involve multiple subjects.

| Incident Analysis | | | | | | |
|-----------------------------|-----|-------|-----------------------------------|-----|-----------------------|-----------|
| <i>Incident by District</i> | | | <i>Tier Breakdown by Incident</i> | | <i>Effectiveness*</i> | |
| District 1 | 301 | 50.8% | Tier 1 | 404 | Successful | 664 80.1% |
| District 2 | 194 | 32.8% | Tier 2 | 179 | Somewhat Successful | 88 10.6% |
| District 3 | 87 | 14.7% | Tier 3 | 9 | Unsuccessful | 77 9.3% |
| Outside City Jurisdiction | 10 | 1.7% | | | | |

*Effectiveness statistics reflect each separate use of force for each subject involved in an incident.

- The highest number of the incidents (57) occurred in both March and June.
- The highest number of incidents (302) occurred on the swing shift from 1500-0100.
- The highest number of incidents occurred on Fridays and Saturdays (92 each); however, incidents were pretty evenly spread throughout the week.

FIGURES & GRAPHS

The figures and tables presented in this report are all conclusions based on the UoF fields exported from AIM.

DEMOGRAPHICS OF INCIDENTS

This section is an analysis of the Aurora Police Department's UoF reports that were completed and submitted for the time period of January 1, 2018 through December 31, 2018. **Table 1** presents a three-year comparison of the department's UoF incidents.

It is important to note this year the reporting timeframe has been adjusted to report incidents occurring between January 1 and December 31, versus October 1 through September 30. Therefore, there is an incident count change from the 2016 report incidents that occurred between September 1, 2015 and August 30, 2016. For the purpose of an accurate comparison and the ability to analyze the change from the previous year, this 2016 incident count is based on incidents that occurred January 1, 2016 through December 31, 2016.

Table 1 provides the ratio of Aurora's UoF incidents to population, percentage of population change from year-to-year and the percentage change of incidents year-to-year. For 2018, the department had a 1.5% decrease in UoF incidents as compared to 2017.

TABLE 1. USE OF FORCE INCIDENT & POPULATION COMPARISON

| Year | Incidents | Population | Ratio (per 1000) | % Change in Population | % Change in Incidents |
|------|-----------|------------|------------------|------------------------|-----------------------|
| 2016 | 688 | 357,346 | 1.93 | + 1.75% ⬆️ | + 223.0% ⬆️ |
| 2017 | 601 | 361,103 | 1.66 | + 1.05% ⬆️ | - 12.6% ⬆️ |
| 2018 | 592 | 374,154 | 1.58 | + 3.61% ⬆️ | - 1.5% ⬆️ |

**The large increase in the 2016 incidents over 2015 stems from the policy change in which Tier 1 uses of force are counted.*

TABLE 2. SUBJECT GENDER BREAKDOWN

| Subject Sex | Total | Percentage |
|--------------|------------|-------------|
| Male | 490 | 80% |
| Female | 122 | 20% |
| Total | 612 | 100% |

FIGURE A. THREE-YEAR TREND: SUBJECT GENDER BREAKDOWN

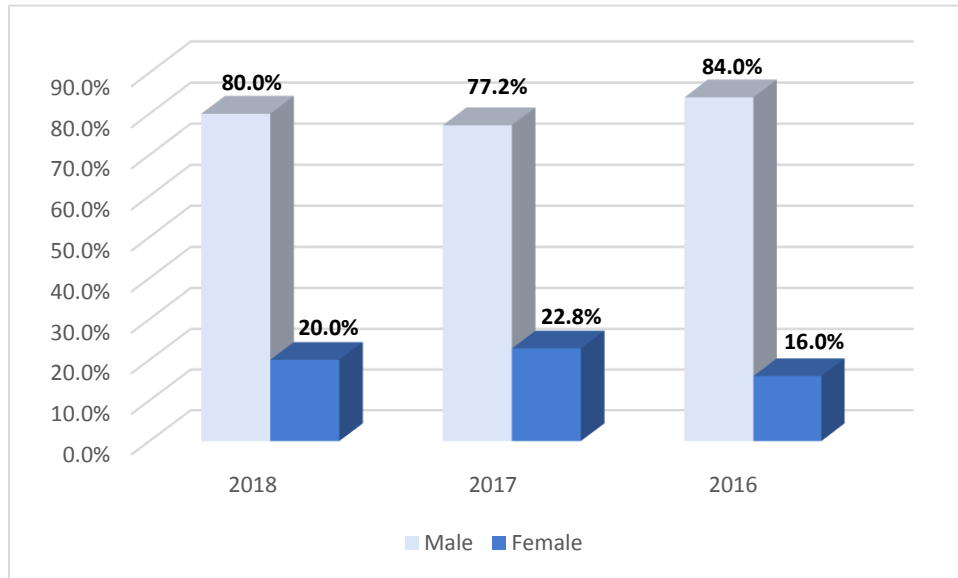


TABLE 3. SUBJECT GENDER BREAKDOWN BY DISTRICT

| <i>District</i> | <i>Female</i> | <i>Male</i> | <i>Subject Total</i> | <i>Incident Total</i> |
|--|---------------|-------------|----------------------|-----------------------|
| District 1 | 59 | 247 | 306 – 50% | 301 |
| District 2 | 43 | 156 | 199 – 32.5% | 194 |
| District 3 | 18 | 76 | 94 – 15.4% | 87 |
| Outside City Jurisdiction (OCJ) | 2 | 11 | 13 – 2.1% | 10 |
| Total | 122 | 490 | 612 | 592 |

Figure B below provides a graphical summary of incidents by patrol beat, with the exception of ten incidents that occurred outside the city jurisdiction (OCJ). The average count of incidents per patrol beat was 22.

FIGURE B. USE OF FORCE BY DISTRICT & BEAT

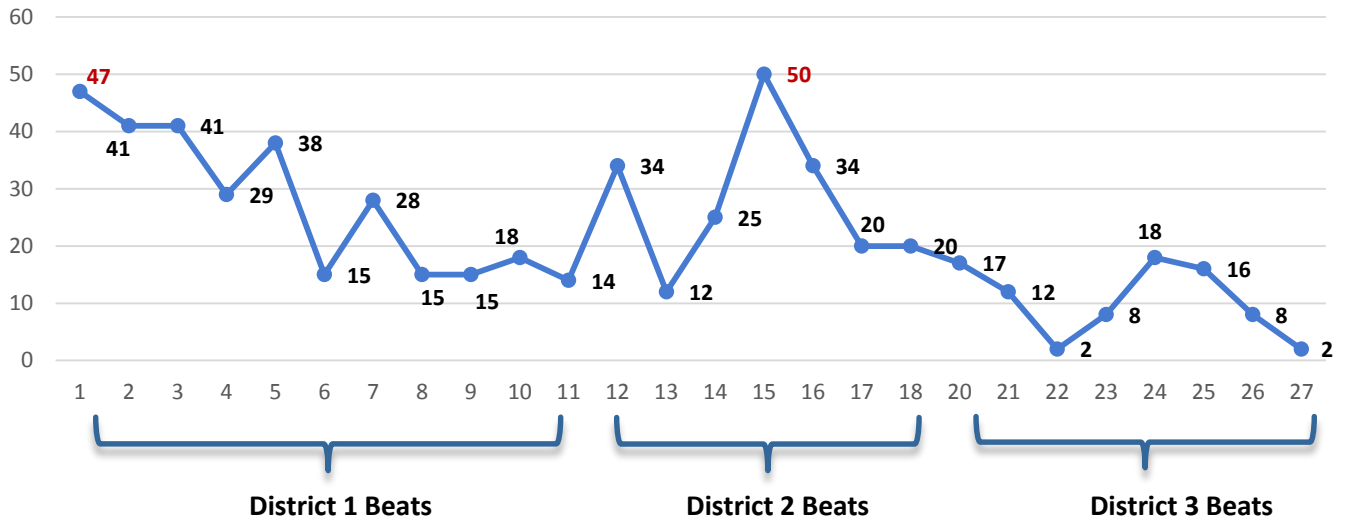


Figure C shows the UoF subjects' race and **Table 4** provides numeric count by race. CALEA Statistical Tables race categories differ from what the Aurora Police Department tracks due to the fact that it does not differentiate White non-Hispanic, Black non-Hispanic or Hispanic-Latino. AIM reporting does not differentiate on the type of Hispanic, whether they are of white or black ancestry.

FIGURE C. USE OF FORCE PERCENTAGE BY SUBJECT RACE

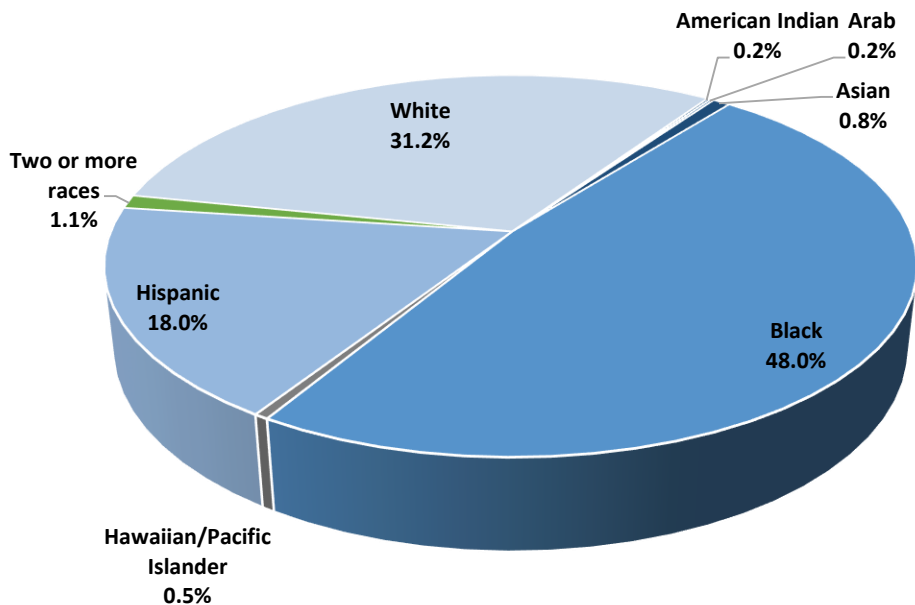


TABLE 4. SUBJECT RACE

| Race | Count |
|---------------------------|------------|
| American Indian | 1 |
| Arab | 1 |
| Asian1 | 5 |
| Black | 294 |
| Hawaiian/Pacific Islander | 3 |
| Hispanic | 110 |
| Two or more races | 7 |
| White | 191 |
| Total | 612 |

FIGURE D: THREE YEAR TREND: USE OF FORCE PERCENTAGE BY SUBJECT RACE

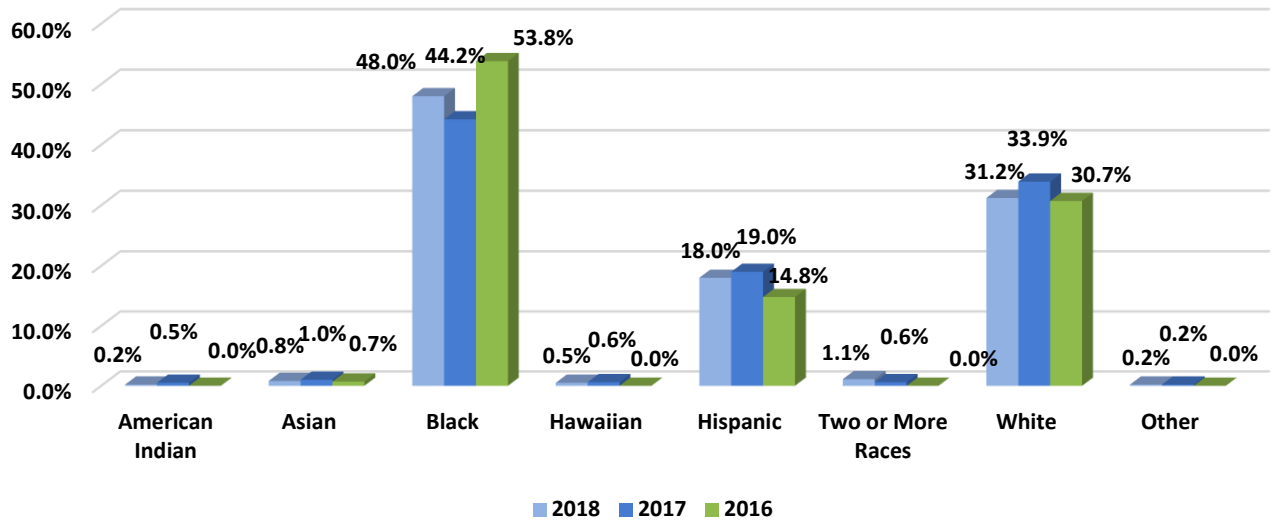


FIGURE E. USE OF FORCE AGE COUNT BY SUBJECT GENDER AT AGE OF THE TIME OF THE INCIDENT

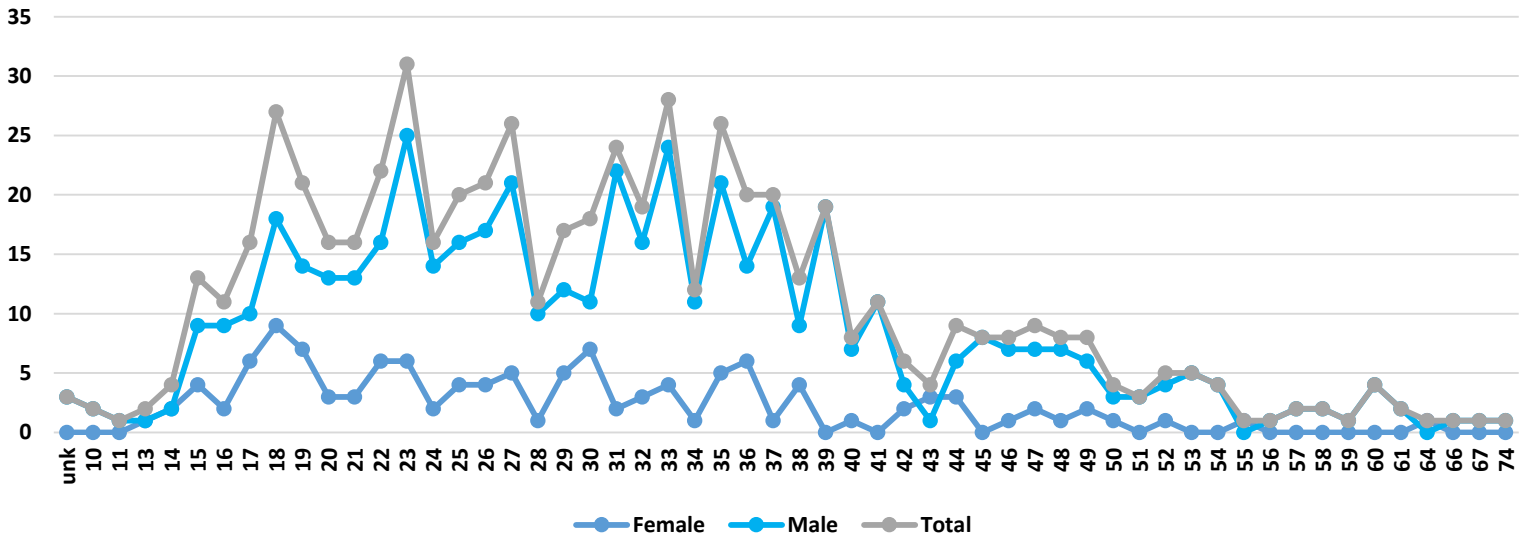
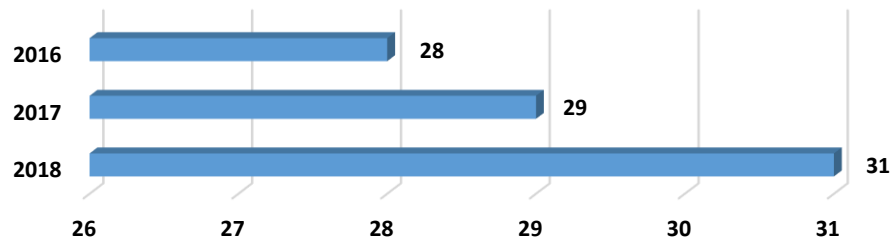


FIGURE F. THREE YEAR TREND: SUBJECT'S AVERAGE AGE AT THE TIME OF THE INCIDENT

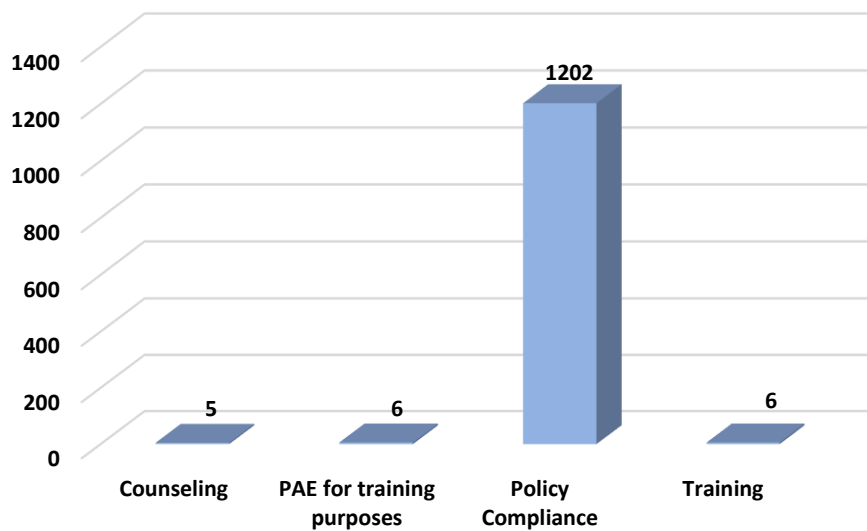


USE OF FORCE CHARACTERISTICS

EVALUATION OF ACTION TAKEN

Figure G and **Table 5** has data associated with the action taken by a supervisor, review board or chief following the use of force by each officer. Most (98.6%) incidents were reported as being Policy Compliant. The number of dispositions is slightly higher than the number of uses of force by officers due to the fact that some policy compliant cases were also recommended for additional training or counseling. The incident count for UoF dispositions is slightly higher than the total incident count for the same reason.

FIGURE G: DISPOSITION BREAKDOWN BY EMPLOYEE



| Table 5. Use of Force Dispositions by Incident & Tier | | | | |
|---|------------|------------|----------|------------|
| Action Taken | Tier 1 | Tier 2 | Tier 3 | Total |
| Counseling | 4 | 1 | - | 5 |
| PAE for training purposes | 1 | 1 | - | 2 |
| Policy Compliance | 400 | 180 | 9 | 589 |
| Referred to Internal Affairs | - | - | - | - |
| Training | - | 5 | - | 5 |
| Grand Total: | 405 | 187 | 9 | 601 |

FORCE ANALYSIS

Tracking the type of force used is critical to evaluating if current practices among officers is having the intended outcome when dealing with subjects. **Table 6** provides a detail of types of force used for each tier. In 2018, nine incidents were Tier 3. They are comprised of eight uses of deadly force and one incident with multiple uses of force that were included with a Tier 3 use of force. **Table 6** reflects every type of force for each subject involved in an incident.

TABLE 6. TIER 1 & TIER 2/3 TYPE OF FORCE OCCURENCES

| Tier 3 | 2017 | 2018 |
|--|------------|------------|
| Baton | - | 1 |
| Carotid Control Hold | - | 1 |
| Control techniques | - | 1 |
| Deadly force (firearm) | 4 | 8 |
| Hobble | - | 1 |
| Other | 1 | - |
| Personal weapons | - | 1 |
| Taser | - | 1 |
| Total Tier 3 | 5 | 14 |
| Tier 2 | 2017 | 2018 |
| 12 gauge sock round | 3 | 5 |
| Baton | 3 | 6 |
| Carotid Control Hold | 2 | 4 |
| Control techniques (Tier 2) | 56 | 89 |
| Hobble | 11 | 13 |
| Other/Other restraints | 5 | 15 |
| Other launchable munitions | 8 | 2 |
| O.C. (pepper spray) | 5 | 13 |
| Personal weapons | 28 | 28 |
| PIT maneuvers | 8 | 11 |
| Police K-9 (Deployments '17=1320 / '18=1289) | 11 | 25 |
| Taser | 112 | 136 |
| Total tier 2 | 252 | 347 |
| Tier 1 | 2017 | 2018 |
| Baton used for leverage or push | 3 | 3 |
| Control techniques | 378 | 379 |
| Hobble | 79 | 72 |
| Other/Personal weapons | 1 | 1 |
| Other restraints | 17 | 13 |
| Total tier 1 | 478 | 468 |

Please note that the uses of force exceed the total incident counts due to the possibility of multiple uses of force per incident.

TYPE OF OFFENSE

Figure H and **Table 7** the kind of offense that each subject was contacted by police for in each use of force incident. They are presented by subject because more than one person could be contacted for different reasons within the same incident.

FIGURE H. TYPE OF OFFENSE PERCENTAGE BY SUBJECT

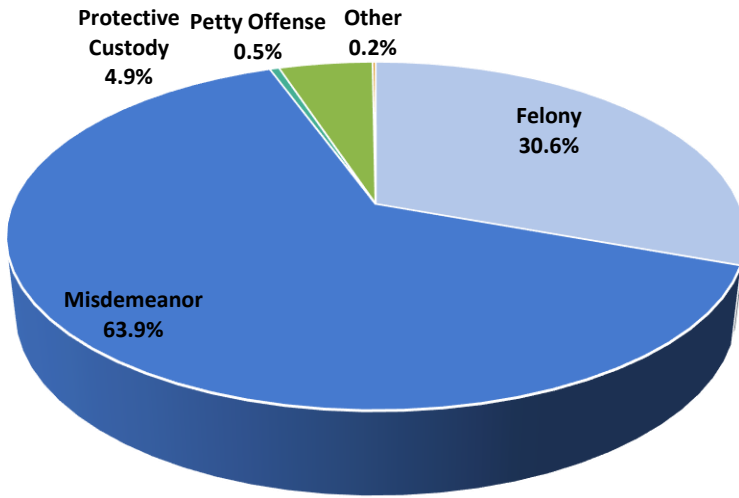


TABLE 7. TYPE OF OFFENSE COUNT

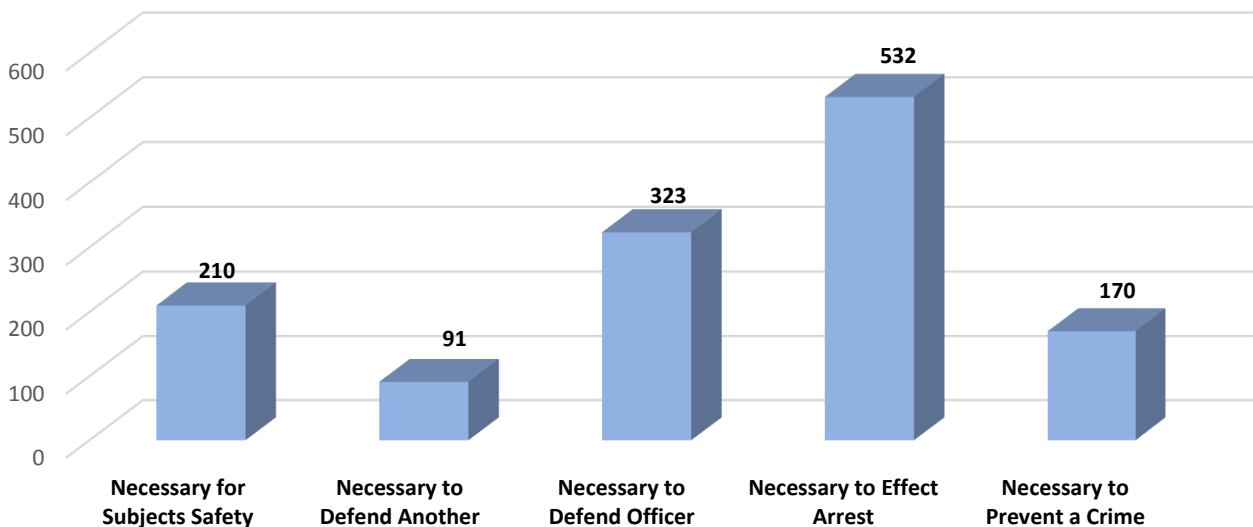
| Type of Offense | Total |
|---------------------|------------|
| Felony | 187 |
| Misdemeanor | 391 |
| Petty Offense | 3 |
| Protective Custody | 30 |
| Other* | 1 |
| Grand Total: | 612 |

***Other** incident involves a subject who escaped a PIT maneuver after fleeing for an unknown reason.*

REASON FOR FORCE

Figure I shows 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. This is due to multiple reasons being listed per incident to support why a UoF was necessary, corresponding to each incident.

FIGURE I. REASON FOR FORCE



EFFECTIVENESS OF DIFFERENT TYPES OF FORCE

Table 7 shows the success rate of different types of force in gaining compliance from the subject. The chart shows that, in general, lower levels of force, such as control techniques are used most often and are highly effective.

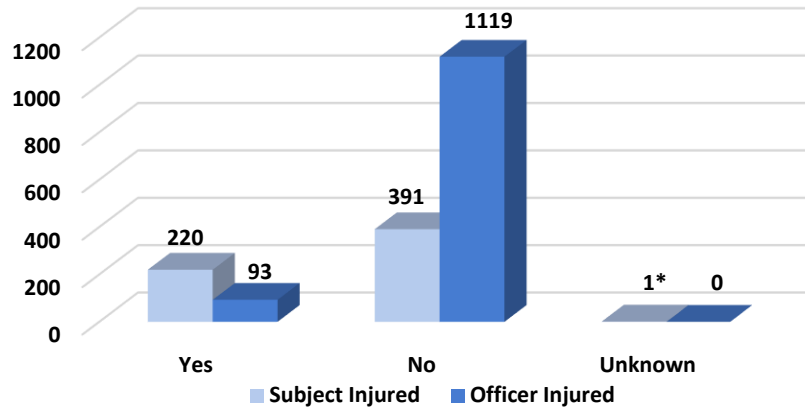
TABLE 7. EFFECTIVENESS BY USE OF FORCE

| Type of Force | Total Uses | Successful | Somewhat Successful | Unsuccessful |
|----------------------------|------------|------------|---------------------|--------------|
| 12 Gauge Sock Round | 5 | 2 | 40.0% | 3 |
| Baton | 10 | 8 | 80.0% | 2 |
| Carotid Control Hold | 5 | 3 | 60.0% | 2 |
| Control Techniques | 469 | 411 | 87.6% | 58 |
| Deadly force | 8 | 7 | 87.5% | 1 |
| Hobble | 86 | 73 | 84.9% | 13 |
| Other | 10 | 10 | 100.0% | 0 |
| Other Launchable Munitions | 2 | 2 | 100.0% | 0 |
| Other Restraints | 18 | 15 | 83.3% | 3 |
| Pepper Spray (OC) | 13 | 8 | 61.5% | 5 |
| Personal Weapons | 30 | 25 | 83.3% | 5 |
| PIT Maneuver | 11 | 4 | 36.4% | 7 |
| Police Canine | 25 | 23 | 92.0% | 2 |
| Taser- Dart Probe | 114 | 58 | 50.9% | 56 |
| Taser- Stun Gun | 23 | 15 | 65.2% | 8 |
| Total | 829 | 664 | 80.1% | 165 |

INJURIES

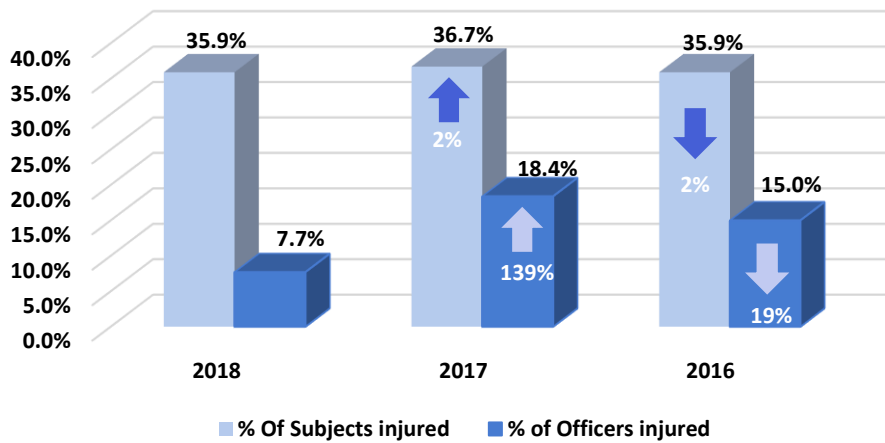
Figure J shows how many subjects and how many officers were injured in 2018 by incident. Both officers and subjects could be involved in multiple incidents with different outcomes.

FIGURE J. INJURIES BY PERSON AND INCIDENT



* "Unknown" involves a subject who escaped after a PIT maneuver with unknown injuries.

FIGURE K. THREE YEAR TREND: SUBJECT VS. OFFICER INJURIES



APPENDIX I – USE OF FORCE 2018 CALEA TABLE

| 2018 Use of Force | White Non-Hispanic | | Black Non-Hispanic | | Hispanic Latino Any Race | | Other | | Total |
|---|-----------------------------|-----------|-----------------------|-----------|-----------------------------|-----------|-----------|----------|------------|
| | Male | Female | Male | Female | Male | Female | Male | Female | |
| Firearm Discharge | 4 | - | 3 | - | 1 | - | - | - | 8 |
| Firearm Display Only | DISPLAY NOT TRACKED | | | | | | | | |
| Electronic Control Weapon (Taser) Discharge | 33 | 9 | 68 | 2 | 16 | 2 | 7 | - | 137 |
| Electronic Control Weapon (Taser) Display Only | DISPLAY NOT TRACKED | | | | | | | | |
| Baton | 4 | - | 5 | - | 1 | - | - | - | 10 |
| Chemical/OC | 4 | 1 | 5 | - | 2 | 1 | - | - | 13 |
| Weaponless | 140 | 50 | 245 | 57 | 77 | 24 | 13 | 2 | 608 |
| Canine Release Only | GENDER AND RACE NOT TRACKED | | | | | | | | |
| Canine Release and Bite | 7 | - | 12 | - | 6 | - | - | - | 25 |
| Total Uses of Force | 192 | 60 | 338 | 59 | 103 | 27 | 20 | 2 | 801 |
| Total # of Suspects Receiving Non-Fatal Injuries | 60 | 14 | 88 | 11 | 32 | 8 | 5 | - | 218 |
| Total # of Suspects Receiving Fatal Injuries | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| Total # of Incidents Resulting In Officer Injury or Death | 70 | 4 | 0 | 3 | 6 | 2 | 4 | 3 | 92 |
| Total Use of Force Arrests | 121 | 36 | 218 | 43 | 78 | 21 | 13 | 2 | 532 |
| Total Agency Custodial Arrests | 2,162 | 1,024 | 3,055 | 1,070 | 1,945 | 634 | 256 | 72 | 10,218 |
| Total Use of Force Complaints | 7 | 2 | 9 | 2 | - | - | 1 | - | 21 |

Weaponless uses of force include the hobble, control techniques, personal weapons and other restraints. There were an additional 28 uses of force that are not classified for CALEA purposes. They include the eleven uses of the PIT maneuver, seven uses of other launchable munitions (including the 12 gauge sock round) and ten other uses of force. Total use of force arrests equal the number of subjects for which one reason for force is “necessary to effect arrest”.

APPENDIX II - 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.

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

Reporting Requirements: Determination to be made by supervisor, based on treatment status at time of release, if such UoF did not result in injury which required professional medical treatment. A GO is required, notification of supervisor and UoF in Electronic Tracking System is Required. Supervisor to document injuries or lack thereof and 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.

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

Reporting Requirements: Notify Supervisor, UoF Report in Electronic Tracking System completed by Supervisor with documentation & investigation. Track UoF 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 UoF, 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.

- * Use of Force/Critical Incident
- * Use of Deadly Weapon
- * Use of Deadly Force
- * Use of Potentially Deadly Force
- * Use of force, tools or weapons which results in hospitalization or death
- * When a supervisor in conjunction with Duty Captain believes UoF, weapons or tools warrants a Tier 3 notification & response
- * Any Training Accident involving a firearm when another person is struck by a bullet and/or dies

Reporting Requirements: Notification initiated to member's immediate supervisor, Duty Captain immediately notify Investigations Bureau Commander. Reported in Electronic Tracking System as well. Any training accident when another person is struck by a bullet requires notification of the Duty Captain. Supervisor will NOT conduct an investigation into a Tier 3 critical incident, however, the supervisor will gather & enter sufficient information to start a UoF report in Electronic Tracking System to be tracked immediately to the Compliance & PSS Bureau Division Chief only. Photographs of injuries or lack thereof must be taken.