

2016

Joplin Police Department

Quarterly Report



1st Quarter 2016

January 1st to March 31st

Prepared by Office of Internal Affairs

PURPOSE OF THIS REPORT

The purpose of this report is to provide a statistical analysis of the lethal, less-lethal, and non-lethal force used by the JPD Officer and JPD Detention Officers; and enhance transparency between the Department and its stakeholders within the City of Joplin.

MISSION STATEMENT

Our mission is to provide professional service and protection through leadership and partnership with the community.

VALUES

Honor

-Honor without compromise

Courage

-Courage with Compassion

Commitment

-Commitment to community

Service

-Service with Understanding

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Use of Force Policy and Definitions

Officers are confronted daily with situations requiring the use of force to affect an arrest or ensure public safety. The degree of force used depends on what the officer perceives as reasonable and necessary under the circumstances at the time he or she decides to use force. Except for deadly force, the application of any degree of force is justified only when the officer reasonably believes that it is necessary:

- To prevent the escape from custody, make an arrest or an investigative detention of a person the officer believes has committed a crime.
- To defend him or herself or another from what the officer believes is the use of force while trying to arrest another, prevent the suspect's escape, or otherwise lawfully take the person into custody.
- To disperse persons participating in an unlawful assembly.

Deadly force: Any force applied in any manner by any means that could reasonably be expected to cause death or serious physical injury. (RSMo 563.011)

Non-deadly force : Force employed which is neither likely nor intended to cause death or serious physical injury.

Firearms: Any weapon from which a projectile is forcibly ejected by an explosive.

Reasonable belief : When facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent person to act or think reasonably in a similar way under similar circumstances.

Serious physical injury: Bodily injury which creates a substantial risk of death or which is likely to cause serious permanent disfigurement or loss, or extended impairment of the function of anybody member or organ.

Objectively Reasonable Force : The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments - in circumstances that are tense, uncertain, and rapidly evolving - about the amount of force that is necessary in a particular situation. The question is whether the officers' actions are "objectively reasonable" in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. Because "the test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application," however, its proper application requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight.

Use of Force Overview

In the first quarter of 2016 Joplin Police Officers employed some level of force 49 times to effect an arrest or assist with a prisoner/medical patient. There were 92 officer involvements, meaning that in some arrests more than one officer was involved. During the first quarter of 2015 Joplin Police Officers employed some level of force 48 times to effect an arrest or assist with a prisoner/medical patient. There were 93 officer involvements.

The analysis provided is based upon averages. The actual use of force by individual officers can be influenced by a number of factors such as assignment, patrol area, shift, number of hours worked and other variables.

- Joplin Police Officers made 1,704 arrests during the first quarter of 2016
 - Joplin Police Officers made 1,811 arrests during the first quarter of 2015.
- Use of force occurred an average of once in every 35 arrests for the first quarter of 2016.
 - Use of force occurred an average of once in every 37 arrests during the same time period in 2015.
- The average use of force per officer was .44 for the reporting period.
 - The average use of force per officer was .43 for the same reporting period in 2015.
- The use of force rate for 2016 first quarter is 2.88
 - The use of force rate for the 2015 first quarter reporting period was 2.60

Profile of Use-of-force Incidents received between January 1, 2016 and March 31, 2016

Total number of use-of-force incidents:	49
Total number of officers involved:	92

Type of force tally

The following statistics are a comprehensive breakdown of individual use of force events. As such, they are representative of the dynamic and fluid nature of such events wherein a single use of force event is comprised of phases of escalation and de-escalation. A number of levels of force and methods of force are utilized to bring about a successful resolution to the event. The following numbers reflect the multiple efforts in use of force events and do not represent a change in the total use of force events listed above.

Type of Force	Total #	Type of Force	Total
1 Active Pointing of Weapon	15	11 OC Spray	0
2 Arm bar	3	12 Physical Restraint	8
3 Canine	3	13 Pressure Point(s)	2
4 Come-Along	1	14 Push	7
5 Control Hold	13	15 Strikes	3
6 Elbow Strike	1	16 Take to Ground	10
7 Empty Hand Control	10	17 Taser	18
8 Escort	1	18 Tinsley	3
9 Impact Munitions	1	19 Verbal Direction	35
10 Knee Strike	2	20 Wrist Lock	3

Taser Usage

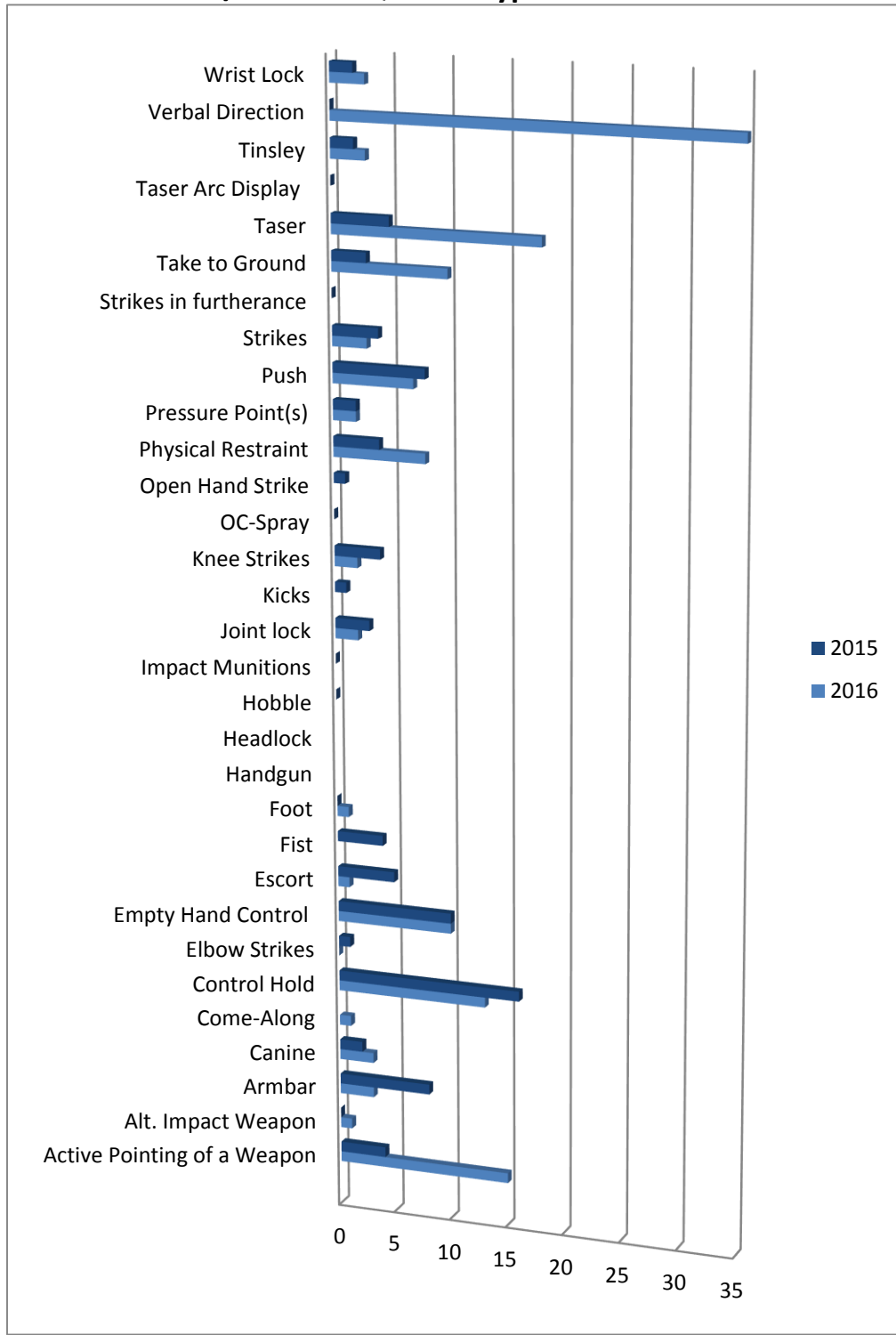
- Tasers were deployed 18 times during the first quarter of 2016.
 - Tasers were deployed 13 times during the same quarter of 2015.
- Tasers were deployed an average of once in every 95 arrests in the first quarter of 2016.
 - Tasers were deployed an average of once in every 139 arrests in the same quarter of 2015.
- The average number of Taser deployments were 6 times per month during the first quarter of 2016.
 - The average number of Taser deployments was 4.33 times per month during the same quarter of 2015.
- The Use of Taser rate is 1.06% of the total number of arrests made in this period.
 - The Taser rate was 0.43% of the total number of arrests during the same time period in 2015.

Type of Force /Quarterly Comparison Graph

It should be noted that there were 49 Use of Force events for the first quarter of 2016. The numbers on the chart below will show a higher number. One should take into consideration that many use of force events have more than one type of force used. For example, if verbal direction is given, and the party still fails to comply with the officer, that officer will move to a different type of force.

See Following Page for Graph

2015/2016 1st Quarter Types of Force Used



Citizen Resistance Tally

Types of Resistance;

Psychological Intimidation – Verbal and Non-Verbal cues indicative of a subject’s mental or physical preparedness to resist and/or assault the officer or others.

Non-Compliance – Non-compliance or verbal responses or threats of non-compliance to officer’s directions.

Passive Resistance - Dead weight; no active participation, not influencing, not exerting any force (internal or otherwise)

Active Resistance - Clinging to objects in an attempt to prevent the officer from gaining control, exerting influence by physical effort or action. (i.e. using muscle tension to prevent movement.)

Escape Resistance - Fleeing, pushing or pulling away from the officer to avoid control, however, not attempting to harm the officer.

Active Aggression - Physical actions of assault.

Deadly Force Threat – Assaults with the perceived intent and apparent ability to cause death or great bodily harm.

Reason	Count
Active Aggression	10
Active Resistance	21
Deadly Force Assault on Citizen	2
Deadly Force Assault on Officer	2
Escape Resistance	27
Felony Car Stop	1
Non-Compliance	33
None	3
Passive Resistance	7
Psychological Intimidation	10
Showed Great Strength	2
Total	118

Arrests and Charges

Citizen arrested in conjunction with use-of-force (# incidents):

	Count	Percent of total
No	9	18%
Yes	42	82%
Total	51	

Tally of charges against involved citizens:

Charge	Count	Percent of total
96 hour Mental Commit	2	3%
Assault	0	0%
Assault on Officer	6	8%
Compliance with request for information by Ofc.	2	3%
Domestic Assault	2	3%
DWI/DUI	0	0%
Felony Resisting Arrest	4	5%
Felony Warrant	6	8%
Misdemeanor Warrant	5	7%
Not Arrested/Charged	2	3%
Obstructing service	12	16%
Other Felony PC	7	9%
Other Misdemeanor PC	8	11%
Peace Disturbance	2	3%
Possession of Controlled Substance	0	0%
Possession of Drug Paraphernalia	1	1%
Possession of Marijuana	1	1%
Resisting Arrest	14	19%
Safe Keep	0	0%
Traffic Violations	0	0%
Violation of an Exparte/Full Order of Protection	0	0%
Total	74	

Injuries

Injury-The Missouri Criminal Code defines injury in Chapter 565.070 as *physical pain, illness, or any impairment of physical condition*. Our current category for injuries only includes injured or not injured. For the purpose of reporting injuries, Injuries will include visible injuries such as contusions and bruises, lacerations, punctures, scratches and abrasions. It will also include any complaint of physical pain, illness, or any impairment of physical condition which may not be clearly visible, however an Officer reasonably believes is caused from the type of force that was used on the Officer or Subject. Officers and subjects may have more than one visible injury (i.e. a contusion and an abrasion) however these are only counted as one “injury” in relation to the use of force event. This data will not include pre-existing injuries in relation to the use of force event.

Taken to Hospital- Subject or Officer was taken to hospital for treatment as a result of the use of force event. This may occur for a number of reasons and may sometimes be required by Departmental Policy do to the type of force that was used.

Citizen was injured in conjunction with use-of-force (# incidents):

	Count	Percent of total
No	31	61%
Yes	20	39%
Total	51	

Citizen taken to hospital in conjunction with use-of-force (# incidents):

	Count	Percent of total
No	39	76%
Yes	12	24%
Total	51	

Officer injured in conjunction with use-of-force (# incidents):

	Count	Percent of total
No	47	92%
Yes	4	8%
Total	51	

Officer taken to hospital in conjunction with use-of-force (# incidents):

	Count	Percent of total
No	50	98%
Yes	1	2%
Total	51	

Reason for Use of Force and Type of service being rendered at the time

Reason for use-of-force:

Reason	Count	Percent of total
Felony Car Stop (no arrest)	0	0%
To assist another agency	0	0%
To defend another officer	2	4%
To defend another person	2	4%
To defend self	33	67%
To effect arrest	4	8%
Investigative Detention	3	6%
To prevent a violent Felony	1	2%
To Prevent a Violent Misd	0	0%
Transport Prisoner	1	2%
To restrain for subjects safety	4	8%
Total	48	

Type of service being rendered at time of use-of-force:

Service type	Count	Percent of total
Accident Investigation	0	0%
Call for Service	10	20%
Criminal Investigation	5	10%
Disturbance	10	20%
Felony Car Stop	1	2%
Foot Pursuit	5	10%
Mental	5	10%
Pedestrian Check	4	8%
Prisoner Transport	1	2%
Traffic Stop	2	4%
Vehicle Pursuit	1	2%
Warrant Service	4	8%
Total	50	

Detention Officer Use of force

During the end of 2012, the Joplin Police Department began to track Police Officer use of force stats separate from Detention Officer use of force stats. This was in an effort to give the most practical data for officers working in a street environment vs. inside a correctional facility. Detention Officer stats no longer reflect such data such as; Officer use of force vs. arrest, Officer use of force vs. use of force rate, Taser deployments vs. arrest, reason force was used, and type of service being rendered. This data will be documents separately in order to give the most accurate number.

In the first quarter of 2016 Joplin Detention Officers employed some level of force 6 times to defend themselves, enforce a jail rule, or move a prisoner.

The jail contributed to 9% of the overall use of force by the department.

The analysis provided is based upon averages. The actual use of force by individual detention officers can be influenced by a number of factors such as assignment, shift, number of hours worked and other variables.

The following statistics are a comprehensive breakdown of individual use of force events. As such, they are representative of the dynamic and fluid nature of such events wherein a single use of force event is comprised of phases of escalation and de-escalation. A number of levels of force and methods of force are utilized to bring about a successful resolution to the event. The following numbers reflect the multiple efforts in use of force events and do not represent a change in the total use of force events listed above.

Detention Use of Force Continued

Profile of Jail Use-of-force Incidents received Between January 1, 2016 and March 31, 2016

Total number of use-of-force incidents:	6
Total number of officers involved:	12

<u>Type of Force</u>	<u>Total #</u>
Armbar	1
Knee Strikes	1
Strikes	1
Take to the Ground	3
Taser	3
Tinsley	2
Verbal direction	1
Physical restraint	4
Pressure Points	1
Push	1

Citizen resistance tally:

<u>Reason</u>	<u>Count</u>
Active Aggression	2
Active Resistance	3
Escape resistance	1
Non-Compliance	6
Passive Resistance	2
Self-Harm	1
Total	15

Injuries (Detention Officers)

Citizen was injured in conjunction with use-of-force (# incidents):

	Count
No	5
Yes	1
Total	6

Citizen taken to hospital in conjunction with use-of-force (# incidents):

	Count
No	5
Yes	1
Total	6

Officer injured in conjunction with use-of-force (# incidents):

	Count
No	5
Yes	1
Total	6

Officer taken to hospital in conjunction with use-of-force (# incidents):

	Count
No	6
Yes	0
Total	0

Internal Affairs Report

During the first quarter of 2016, there have been 13 cases forwarded to the Office of Internal Affairs for investigation. There were 12 cases that involved sworn personnel and 1 cases that involved non-sworn personnel.

The 13 cases involving department personnel are broke down by month and graphs are completed to give an indication of how many complaints have been investigated, where the complaints were generated from, how many have been sustained and what types of disciplinary actions have been handed out for those violations.

During the first quarter of 2016 there were approximately 112 sworn officers and 25 civilian positions in the police department. There are currently 18 jail employees and 22 dispatch employees. This makes the total number of employees that fall under the Police Department 177.

The main purpose of this information is to get as much factual information as possible out to the members of the Department to avoid unnecessary rumors, which have a negative effect on the Department. The Office of Internal Affairs understands and respects each individual employee's right to confidentiality and will uphold that standard. However, it is important that generic information be shared Department wide to provide expectations and equality for every employee. With this in mind, the Office of Internal Affairs will assure you that each complaint will be investigated in accordance with department policy and as expeditiously as possible.

As illustrated in SOG 2-08, Internal Affairs, I have listed the disposition classifications of internal investigations for your convenience. Disposition classifications are as follows:

1. Unfounded - no truth to allegations.
2. Exonerated - allegations true, but result of adherence to proper and appropriate procedures and techniques.
3. Not sustained - unable to verify the truth of the matters under investigation.
4. Sustained - allegations true.
5. Policy Failure - The allegation is true, but employee's action was not inconsistent with policy and there is an indication of a need for policy review and revision.
6. Withdrawn – Complainant withdraws their complaint.
7. Inactivated – There is not enough information to conduct an investigation and no way of obtaining more information. The case may have to be inactivated until more information is available.

Complaints Received

The following is a breakdown of all complaints received by Internal Affairs for the first quarter of 2016.

- 13 complaints were received
- 5 complaints were generated by citizens
- 8 complaints were generated within the agency
- 8 complaints were sustained or partially sustained
- 5 complaints resulted in findings that were other than sustained
- JPD received an average of 1.66 citizen complaints per month
- JPD generated an average of investigations 2.66 per month from within the agency

During the first quarter of 2016 the Joplin Police Department received 19,330 calls for service. Included in this figure is 4,458 vehicle stops. JPD officers also made 1,704 arrests resulting in 3,651 charges.

During the first quarter of 2015 the Joplin Police Department received 18,847 calls for service. Included in this figure is 5,213 vehicle stops. JPD officers also made 1,811 arrests resulting in 3,867 charges.

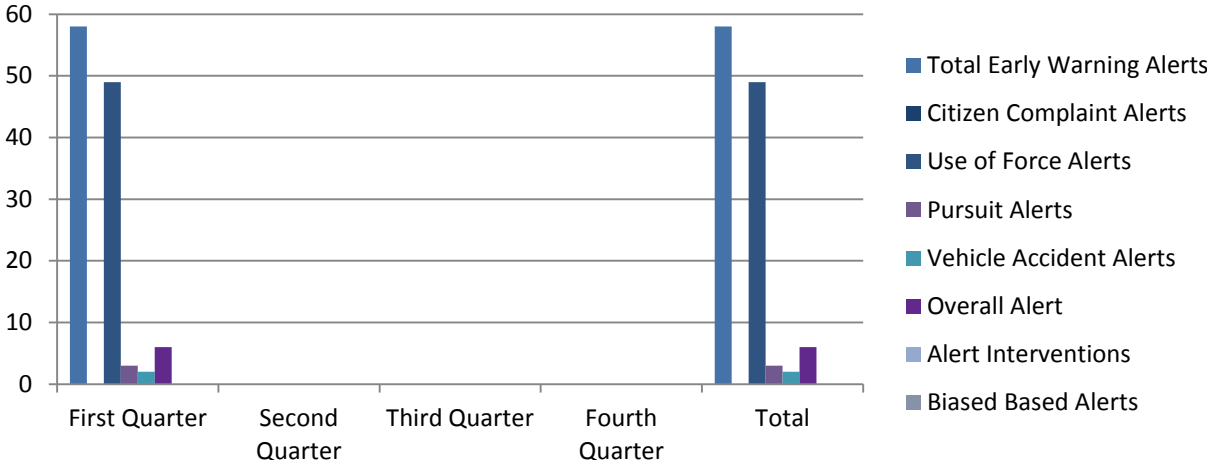
“Agencies that set the highest standards and consistently enforce them are agencies with the highest morale among their employee’s.”

Randy Means

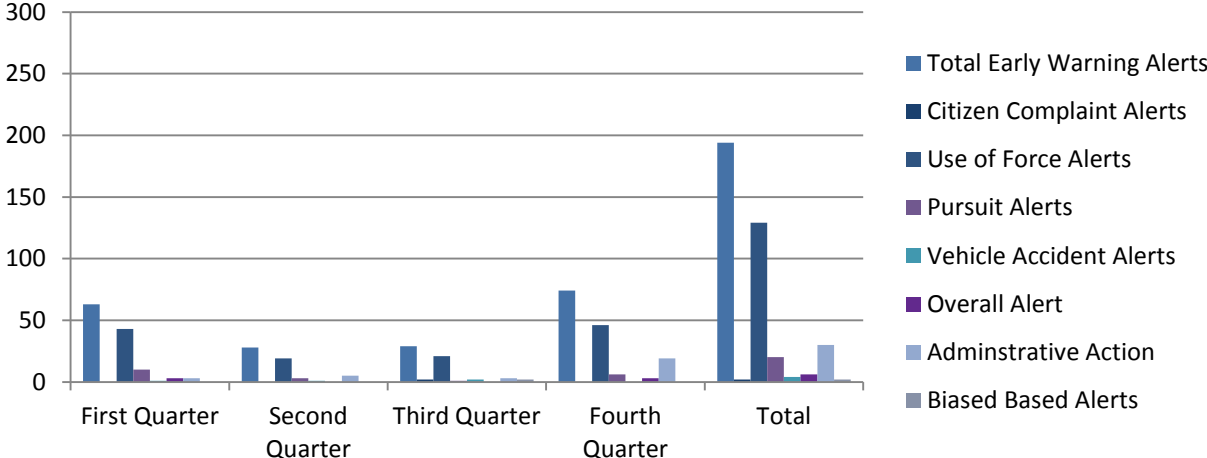
Early Warning System

In addition, a comprehensive Personnel Early Warning System is an essential component of a well-managed law enforcement agency. The Joplin Police Department is committed to this concept and I have implemented threshold limits into our Internal Affairs software (IA Pro) to manage this process. As a result of threshold limits recommended by the officers of the department and set by the Chief of Police, officers activities will be reviewed (by their immediate supervisor) when threshold limits are met. The threshold limits have been set as follows, to cover a twelve (12) month period; Citizen Complaints = 3, Use of Force = 12, Pursuits = 4, Bias Based Profiling = 1, and Vehicle Accidents = 2. The purpose of the Personnel Early Warning System shall be a means to identify and assess employees' performance in high-risk incidents and intervene where appropriate.

2016 Early Warning System Alerts



2015 Early Warning System Alerts



Investigations (Monthly Breakdown)

January 2016

1 Investigations (0 internal complaints received, 1 citizen complaints received)

<u>Complaint Type</u>	<u>Results</u>	<u>Investigator</u>
1. Vehicle accident	unfounded	IA

February 2015

5 Investigations (4 internal complaint received, 1 citizen complaints received)

<u>Complaint Type</u>	<u>Results</u>	<u>Investigator</u>
1. Failure to safeguard property	Sustained	IA
2. Pursuit violations	Sustained	IA
3. Fail to report vehicle accident	Sustained	IA
4. Fail to Supervise	Sustained	IA
5. Rudeness	Unfounded	IA

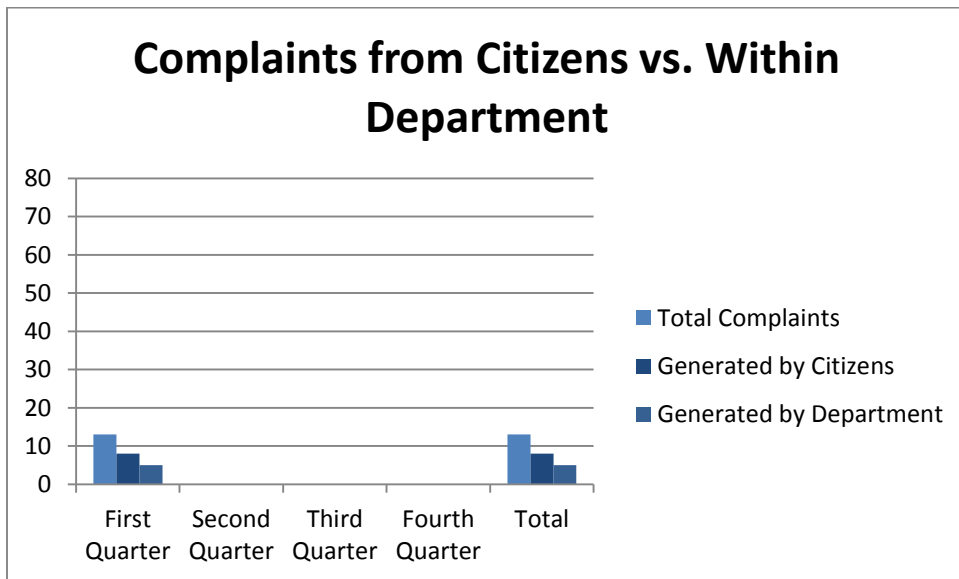
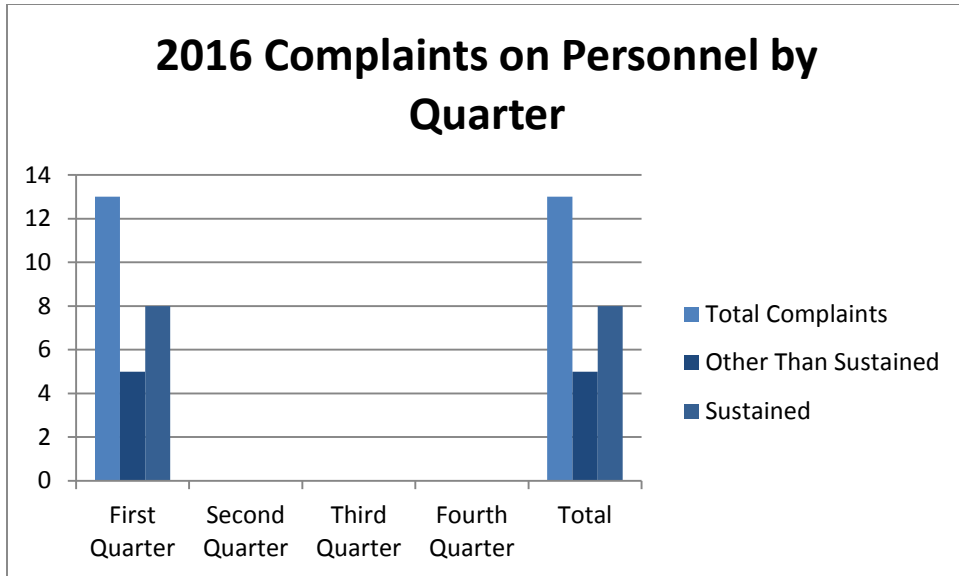
March 2015

7 Investigations (4 internal complaint received, 3 citizen complaints received)

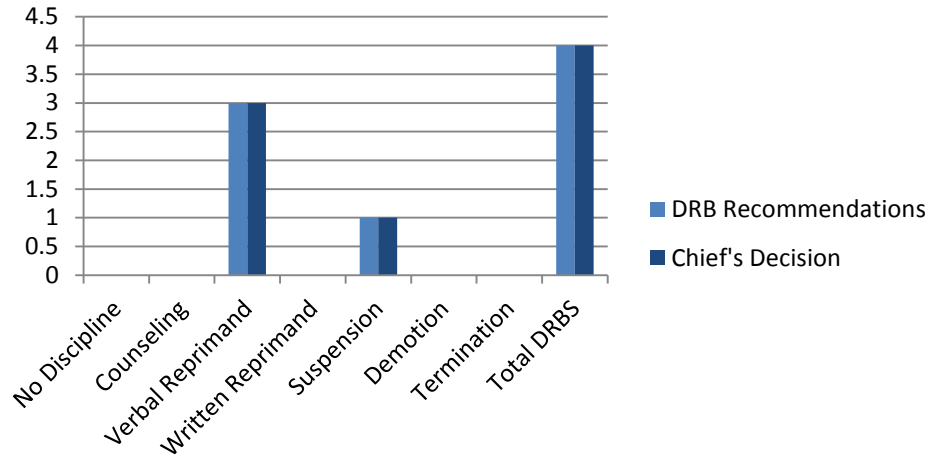
<u>Complaint Type</u>	<u>Results</u>	<u>Investigator</u>
1. Accident	Sustained	IA
2. Rudeness	Exonerated	IA
3. Fail to perform duties	Sustained	IA
4. Excessive Use of Force	Unfounded	IA
5. Pursuit Violations	Sustained	IA
6. Driving Complaint	Unfounded	IA
7. Body Camera Violation	Sustained	IA

*****It should be noted that there may be more complaint types and investigations than actual complaints received. This is a result of multiple employees being investigated for one complaint form.**

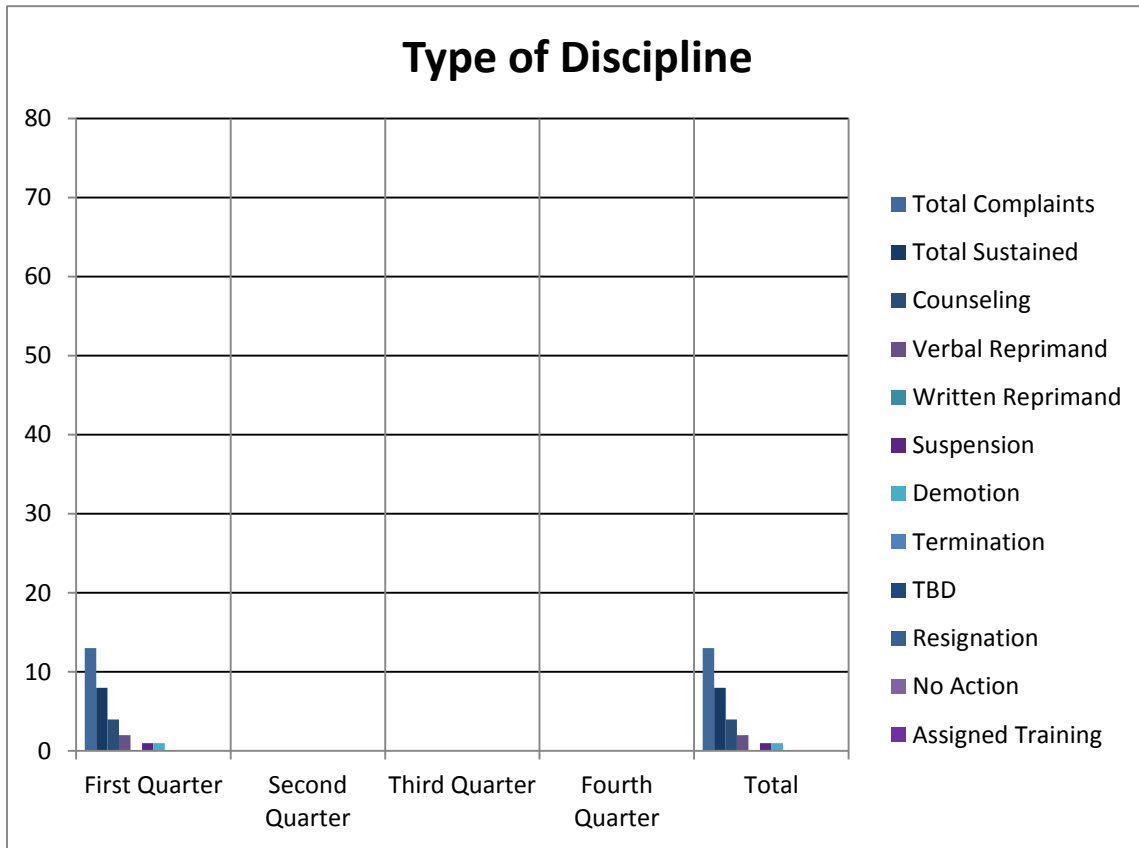
Graphs for Complaints



DRB Involving Police Personnel



Types of Discipline



***If you see a disciplinary action that does not seem to fit the violation, keep in mind that it may be due to the severity of the case or it could be a progressive level of discipline.**

Accidents and Pursuit Policy

In case of accident or damage to any department vehicle the driver will immediately request the on-duty supervisor be notified. The supervisor will have an investigation made and the accident investigator will report the accident using the State approved accident form. An Accident/Pursuit Review Board will then review all accidents/pursuits involving Police Department employees and vehicles.

The Accident/Pursuit Review Board- the body responsible for reviewing completed officer involved accident and pursuit reports. The Accident/Pursuit Review Board will review each report to ensure compliance with department policy and forward their findings to the Office of Internal Affairs. The Office of Internal Affairs, or his/her designee, will review the Accident/Pursuit Boards findings and initiate an investigation if appropriate. The Accident/Pursuit Review Board is a panel of three officers consisting of the Traffic Sergeant and two designees.

For tracking purposes accidents in a city vehicle and pursuits are separated from internal and citizen complaints and are categorized in the following manner.

Accidents

For the first quarter of 2016 there were 7 officer involved accidents in a city vehicle. Of those accidents 3 of the officers were determined by the Accident Review Board to be at fault.

First Quarter Accident Discipline

Violation

Accident City Vehicle/Fail to report it
Accident City Vehicle
Accident City Vehicle

Discipline

Dismissal (was on probation)
Counseling
Counseling

Pursuits

For the first quarter of 2016 there were 10 officer involved pursuits. All of those pursuits were reviewed by the Pursuit Review Board. Six of those pursuits were determined to be within policy.

First Quarter Pursuit Discipline

Violation

Justification for Pursuit
Fail to slow at red light
Justification for pursuit
Fail to slow at red light

Discipline

Counseling
Suspension
Counseling
Verbal Reprimand

***If you see a disciplinary action that does not seem to fit the violation, keep in mind that it may be due to the severity of the case or it could be a progressive level of discipline.**