

# 2015

**Joplin Police Department**

## Quarterly Report



3rd Quarter 2015

July 1<sup>st</sup> to September 30<sup>th</sup>

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

The mission of the Joplin Police Department is to work with all citizens to preserve life, maintain human rights, and protect property; to hold ourselves accountable to our community and to recognized industry standards; to reduce crime, and the fear of crime, by facilitating positive police-citizen contacts. It is critical that all department personnel understand, accept, and be aligned with these responsibilities and the concept of quality public service.

## VALUE STATEMENT

We, the members of the Joplin Police Department, recognize that our contribution to the quality of life in our community is best served by providing the finest professional law enforcement services found in the State of Missouri. We will meet the challenge of providing these services by basing our thoughts and actions on the following shared values.

### **Our Community**

The foundation of our law enforcement agency is the principal of the protection of the worth, dignity and rights of all we serve. We take pride in the opportunity to provide to our community high quality services which are fair, courteous, consistent, impartial, thorough, timely, and professional.

### **Our Integrity**

We value and expect candor, honest and ethical behaviors in the members of our department. We are committed to upholding our positions of trust by maintaining the highest ethical standards as set forth in the law enforcement code of ethics, and our own departmental principals.

### **Our Accountability**

We value the need for effective use of our resources, and the straightforward communications with our department and the citizens we serve. We are responsible for our actions, willing to admit our mistakes. We will work to ensure that our conduct earns the support and trust of all segments of the public that we serve.

### **Our Professionalism**

We value the spirit of professionalism, having a clear sense of commitment, perspective and direction. It has been developed by creating an environment that encourages teamwork, innovation and constant evaluation of ourselves. Our professional attitude is dedicated to high quality, timeliness, and excellence in our service to our community.

### **Our Pride**

We believe our work to be a source of enjoyment and satisfaction. We are proud of our accomplishments as an integral part of our community. We do not take ourselves so seriously that we fail to enjoy what we choose to do - serving the citizens of Joplin by being a member of the Joplin Police Department.

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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 third quarter of 2015 Joplin Police Officers employed some level of force 45 times to effect an arrest or assist with a prisoner/medical patient. There were 77 officer involvements, meaning that in some arrests more than one officer was involved. During the third quarter of 2014 Joplin Police Officers employed some level of force 45 times to effect an arrest or assist with a prisoner/medical patient. There were 67 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 1800 arrests during the third quarter of 2015.
  - Joplin Police Officers made 1,970 arrests during the third quarter of 2014.
- When at full strength the Joplin Police Department has 111 officers.
- Use of force occurred an average of once in every 40 arrests for the third quarter of 2015.
  - Use of force occurred an average of once in every 59 arrests during the same time period in 2014

### **Profile of Use-of-force Incidents received between July 1, 2015 and September 30, 2015**

Total number of use-of-force incidents:	<b>45</b>
Total number of officers involved:	<b>77</b>

## 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	4	12 Knee Strike	4
2 Arm bar	8	13 Physical Restraint	4
3 Come-Along	0	14 Pressure Point(s)	2
4 Control Hold	16	15 Push	8
5 Elbow Strikes	1	16 Strikes	4
6 Empty Hand Control	10	17 Take to Ground	3
7 Escort	5	18 Taser	5
8 Fist	4	19 Tinsley	2
9 Foot	1	20 Verbal Direction	0
10 Handgun	4	21 Wrist Lock	2
11 Joint Lock	3		

## **Taser Usage**

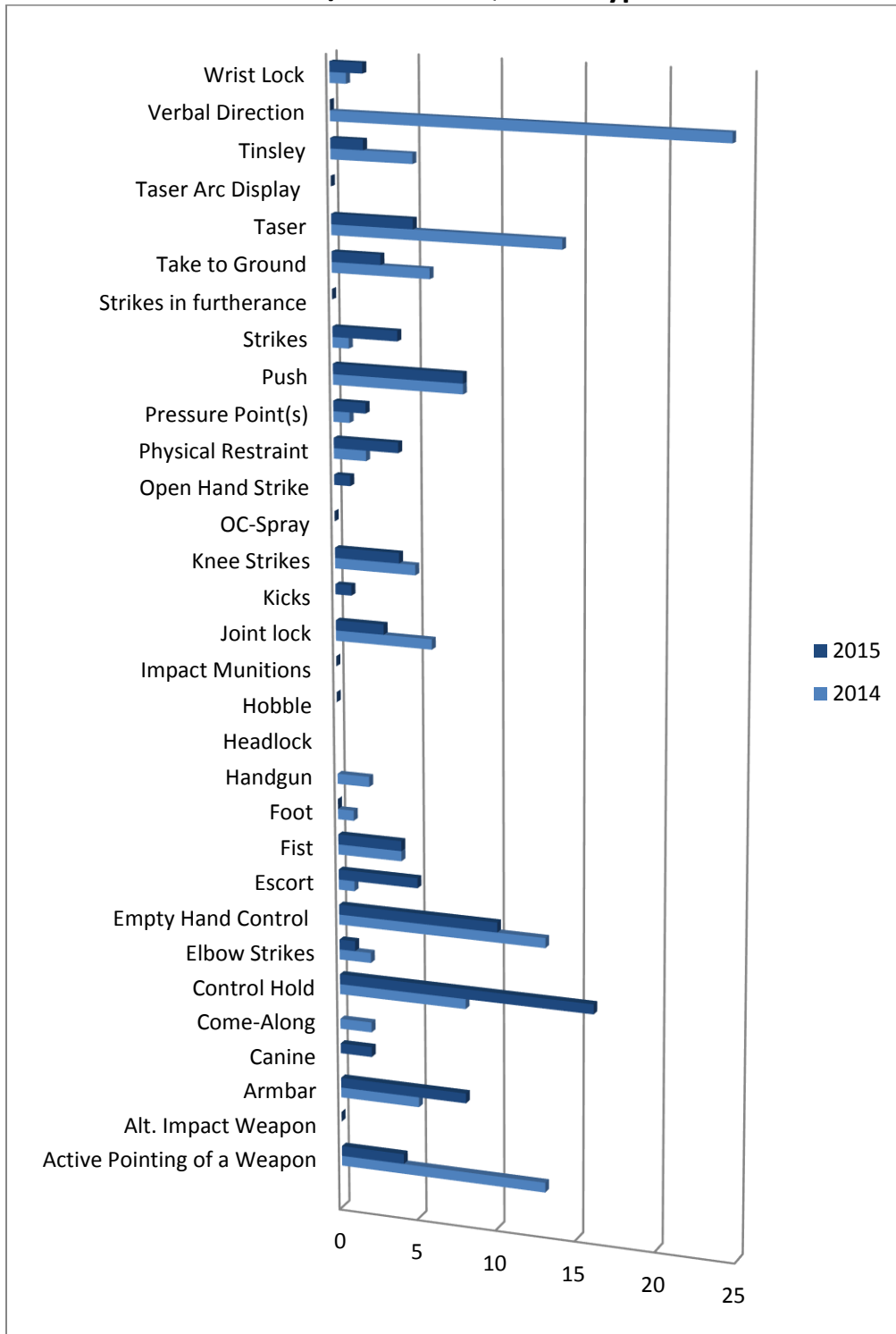
- Tasers were deployed 5 times during the third quarter of 2015.
  - Tasers were deployed 11 times during the same quarter of 2014.
- Tasers were deployed an average of once in every 360 arrests in the third quarter of 2015.
  - Tasers were deployed an average of once in every 174 arrests in the same quarter of 2014.
- The average number of Taser deployments were .54 times per month during the third quarter of 2015.
- The Use of Taser rate is 0.028% of the total number of arrests made in this period.

## **Type of Force /Quarterly Comparison Graph**

It should be noted that there were 45 Use of Force events for the third quarter of 2015. 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*

### 2014/2015 3rd 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	Percent of total
Active Aggression	11	11.9%
Active Resistance	23	25%
Escape Resistance	19	20%
Felony Car Stop	0	0%
Knife	1	1%
Non-Compliance	26	28%
None	1	1%
Passive Resistance	7	7%
Psychological Intimidation	3	3%
Showed Great Strength	1	1%
<b>Total</b>	<b>92</b>	

## Arrests and Charges

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

	Count	Percent of total
No	3	7%
Yes	42	93%
<b>Total</b>	<b>45</b>	

**Tally of charges against involved citizens:**

Charge	Count	Percent of total
96 Hour Mental Commit	1	1%
Assault	0	0%
Assault on Officer	6	9%
Compliance with request for information by Ofc.	0	0%
Domestic Assault	1	1%
Domestic Peace Disturbance	0	0%
DWI/DUI	2	3%
Felony Resisting Arrest	7	10%
Felony Warrant	4	6%
Misdemeanor Warrant	3	4%
Not Arrested/Charged	3	4%
Obstructing service	10	15%
Other Felony PC	7	10%
Other Misdemeanor PC	4	6%
Peace Disturbance	0	0%
Possession of Controlled Substance	4	6%
Possession of Drug Paraphernalia	3	4%
Possession of Marijuana	1	1%
Resisting Arrest	8	12%
Traffic Violation	3	4%
Ex- Parte Violation	1	1%
<b>Total</b>	<b>64</b>	

## 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	29	65%
Yes	16	35%
<b>Total</b>	<b>45</b>	

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

	Count	Percent of total
No	39	87%
Yes	6	13%
<b>Total</b>	<b>45</b>	

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

	Count	Percent of total
No	44	98%
Yes	1	2%
<b>Total</b>	<b>45</b>	

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

	Count	Percent of total
No	45	100%
Yes	0	0%
<b>Total</b>	<b>45</b>	

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

### Reason for use-of-force:

<b>Reason</b>	<b>Count</b>	<b>Percent of total</b>
To assist another agency	0	0%
To defend another person	2	4%
To defend self	4	9%
To effect arrest	33	72%
Investigative Detention	1	2%
To Prevent a Violent Misd.	1	2%
To restrain for subjects safety	1	2%
Transport Prisoner	1	2%
Failure to comply	1	2%
Warrant Service	2	4%
<b>Total</b>	<b>46</b>	

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

<b>Service type</b>	<b>Count</b>	<b>Percent of total</b>
Call for Service	10	22%
Criminal Investigation	4	8%
Disturbance	7	16%
Felony Car Stop	0	0%
Foot Pursuit	5	11%
Mental	2	4%
Pedestrian Check	2	4%
Prisoner Transport	1	2%
Suspicious Activity	3	6%
Traffic Stop	6	13%
Warrant Service	5	11%
<b>Total</b>	<b>45</b>	

## 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 third quarter of 2015 Joplin Detention Officers employed some level of force 6 times to defend themselves, enforce a jail rule, or move a prisoner.

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 July 1, 2015 and September 30, 2015

Total number of use-of-force incidents:	<b>6</b>
Total number of officers involved:	<b>14</b>

<b><u>Type of Force</u></b>	<b><u>Total #</u></b>
Control Hold	1
Taser	2
Knee Strikes	1
Open-hand Strike	1
Push	1
Tinsley	2
Pressure Point	1

<b><u>Citizen resistance tally:</u></b>	
<b><u>Reason</u></b>	<b><u>Count</u></b>
Active Aggression	1
Active Resistance	3
Non-Compliance	2
 <b>Total</b>	 <b>6</b>

## Injuries (Detention Officers)

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

	Count
No	6
Yes	0
<b>Total</b>	<b>6</b>

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

	Count
No	6
Yes	0
<b>Total</b>	<b>6</b>

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

	Count
No	6
Yes	0
<b>Total</b>	<b>6</b>

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

	Count
No	6
Yes	0
<b>Total</b>	<b>6</b>

## Internal Affairs Report

During the third quarter of 2015, there have been 8 Citizen Complaints forwarded to the Office of Internal Affairs for investigation. There have been 15 Internal Investigations forwarded to the Office of Internal Affairs for investigation. There were 13 cases that involved sworn personnel and 10 cases that involved non-sworn personnel.

The 21 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 third quarter of 2015 there were approximately 111 sworn officers and 13 civilian positions in the police department. There are currently 18 jail employees and 16 dispatch employees. This makes the total number of employees that fall under the Police Department 158.

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 third quarter of 2015.

- 8 complaints were generated by citizens
- 15 complaints were generated within the agency
- 13 complaints were sustained
- 8 complaints resulted in findings that were other than sustained
- JPD received an average of 2.6 citizen complaints per month
- JPD generated an average of investigations 4.3 per month from within the agency

During the third quarter of 2015 the Joplin Police Department received 21,766 calls for service. Included in this figure is 4,503 vehicle stops. JPD officers also made 1,800 arrests resulting in 3,772 total charges.

During the third quarter of 2014 the Joplin Police Department received 22,428 calls for service. Included in this figure is 6,337 vehicle stops. JPD officers also made 1,970 arrests resulting in 3,840 charges.

During the third quarter of 2013 the Joplin Police Department received 23,876 calls for service. Included in this figure is 7,778 vehicle stops. JPD officers also made 2,279 arrests resulting in 4,436 charges.

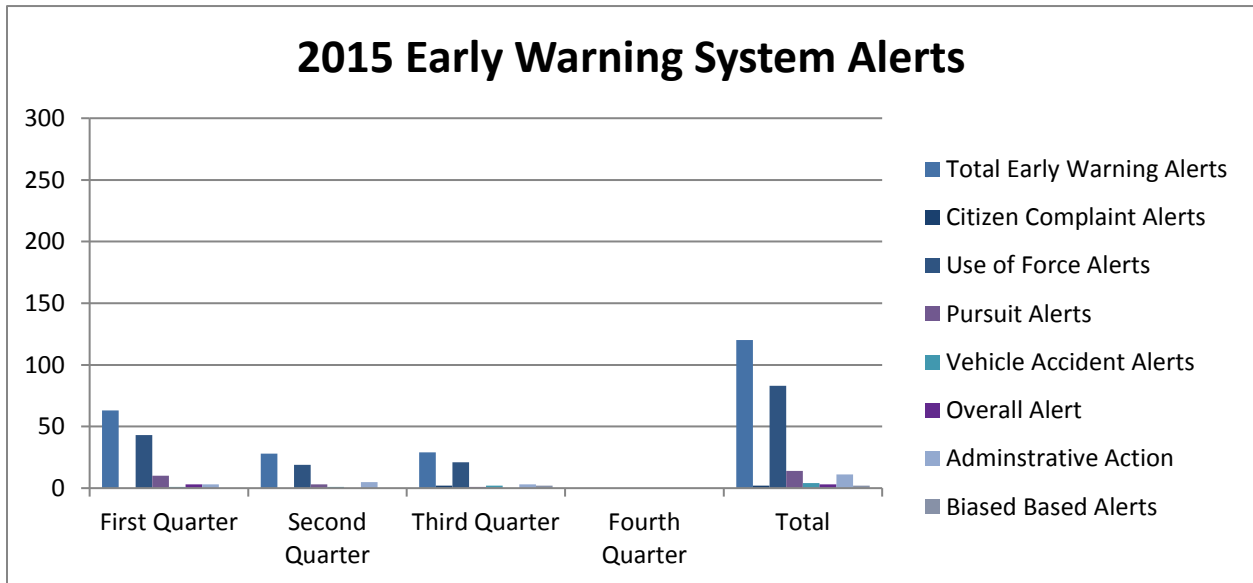
During the third quarter of 2012 the Joplin Police Department received 21,791 calls for service. Included in this figure is 6,872 vehicle stops. JPD officers also made 2,163 arrests resulting in 4,091 charges.

**“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.



## Investigations (Monthly Breakdown)

### July 2015

11 Investigations (7 internal complaints received)

<u>Complaint Type</u>	<u>Results</u>	<u>Investigator</u>
1. Tardiness	Sustained	Patrol
2. Tardiness	Sustained	Jail
3. Insubordination	Sustained	Patrol/IA
4. Insubordination	Sustained	Jail
5. Inmate property	Sustained	IA
6. Records Procedure	Sustained	IA
7. Travel Policy	Not- Sustained	IA
8. Untruthfulness	Unfounded	IA
9. Racial bias policing	Unfounded	IA
10. Racial bias policing (same complainant)	Unfounded	IA
11. Rudeness	Exonerated	Patrol

### August 2015

8 Investigations (4 internal complaints received)

<u>Complaint Type</u>	<u>Results</u>	<u>Investigator</u>
1. Inefficient Performance of Duties	Sustained	Dispatch/IA
2. Incompetence	Sustained	IA
3. Conduct Unbecoming	Sustained	IA
4. Missing/Late	Sustained	IA
5. Excessive Force	Unfounded	IA
6. Rudeness	Not sustained	Patrol/IA
7. False Arrest	Unfounded	IA
8. Excessive Force	Exonerated	IA

### September 2015

4 Investigations (3 internal complaints received)

<u>Complaint Type</u>	<u>Results</u>	<u>Investigator</u>
1. Jail Procedure	Sustained	IA
2. Jail Procedure	Sustained	IA
3. Rights Violation	Exonerated	IA
4. Conduct Unbecoming	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.**

## **Types of Discipline**

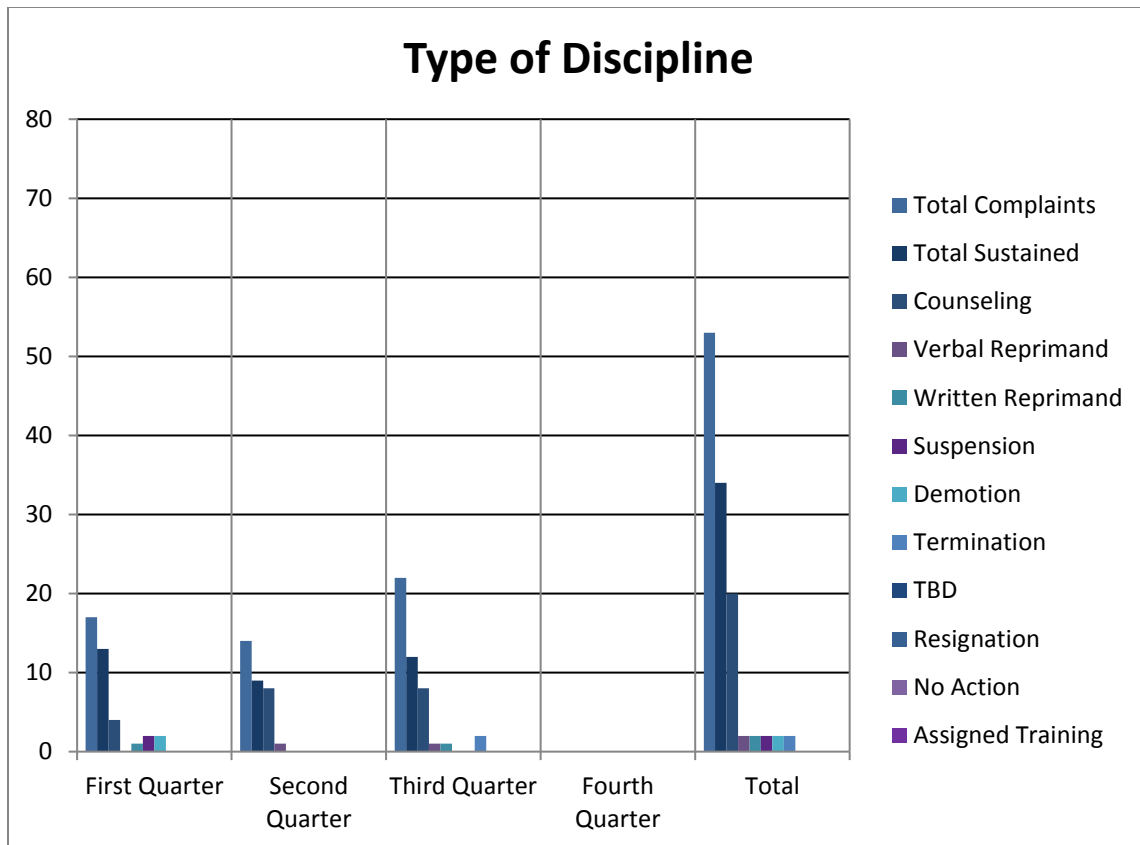
### **Third Quarter Discipline**

#### **Violation**

Incompetence  
Inefficient Performance of Duties  
Missing/ late for duties  
Procedures  
Procedures  
Conduct Unbecoming  
Tardiness  
Tardiness  
Insubordination  
Insubordination  
Inmate Property  
Report Procedures  
Conduct Unbecoming

#### **Discipline**

Written Reprimand  
Counseling  
Counseling  
Counseling  
Counseling  
Termination  
Counseling  
Counseling  
Counseling  
Counseling  
Counseling  
Verbal Reprimand  
Termination



**\*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. 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 third quarter of 2015 there were 5 officer involved accidents in a city vehicle. Of those accidents 1 of the officers were determined by the Accident Review Board to be at fault.

### **Third Quarter Accident Discipline**

**Violation**

Accident City Vehicle

**Discipline**

Counseling

## **Pursuits**

For the third quarter of 2015 there were 6 officer involved pursuits. Those pursuits have reviewed by the Pursuit Review Board and were determined to be within policy.

**\*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.**

## **Awards and Commendations**

Beginning April 2014 the Office of Internal Affairs began managing the awards for the department. This includes monthly and quarterly and yearly awards (Officer of the Month, Dispatcher of the Quarter, Detention Officer of the Year, Grand Cordons, Letters of Excellence etc.) as well as commendations submitted by the general public.

During the third quarter 2015, 19 awards and commendations were received from citizens and from within the department.

Officer of the Month

July 2015 Corporal Nick Jimenez

August 2015 Officer Seth Lugenbell

September 2015 Corporal Andrew Blair

Detention Officer of the Quarter

3<sup>rd</sup> Quarter 2015 Bradley Gash

Dispatcher of the Quarter

3<sup>rd</sup> Quarter 2015 (no nominations were received)