

2016

Joplin Police Department

Quarterly Report



2nd Quarter 2016

April 1st to June 30th

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 second quarter of 2016 Joplin Police Officers employed some level of force 42 times to effect an arrest or assist with a prisoner/medical patient. There were 73 officer involvements, meaning that in some arrests more than one officer was involved. During the second quarter of 2015 Joplin Police Officers employed some level of force 28 times to effect an arrest or assist with a prisoner/medical patient. There were 44 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 1,821 arrests during the second quarter of 2016.
 - Joplin Police Officers made 1,786 arrests during the second quarter of 2015.
- Use of force occurred an average of once in every 43.357 arrests for the second quarter of 2016.
 - Use of force occurred an average of once in every 63.7 arrests during the same time period in 2015.
- The average use of force per officer was 0.37 for the reporting period.
 - The average use of force per officer was 0.25 for the same reporting period in 2015.
- The use of force rate for 2016 second quarter is 2.31%
 - The use of force rate for the 2015 second quarter reporting period was 1.56%

Profile of Use-of-force Incidents received between April, 2016 and June 30, 2016

Total number of use-of-force incidents: **42**
Total number of officers involved: **73**

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	21	12 OC Spray	1
2 Alternative Impact Weapon	0	13 Physical Restraint	2
3 Arm bar	6	14 Pressure Point(s)	3
4 Canine	4	15 Push	3
5 Come-Along	0	16 Strikes	1
6 Control Hold	5	17 Strikes in Furtherance	0
7 Empty Hand Control	8	18 Take to Ground	8
8 Escort	5	19 Taser	5
9 Fist	0	20 Tinsley	5
10 Foot	1	21 Verbal Direction	9
11 Impact Munition	0	22 Wrist Lock	0

Taser Usage

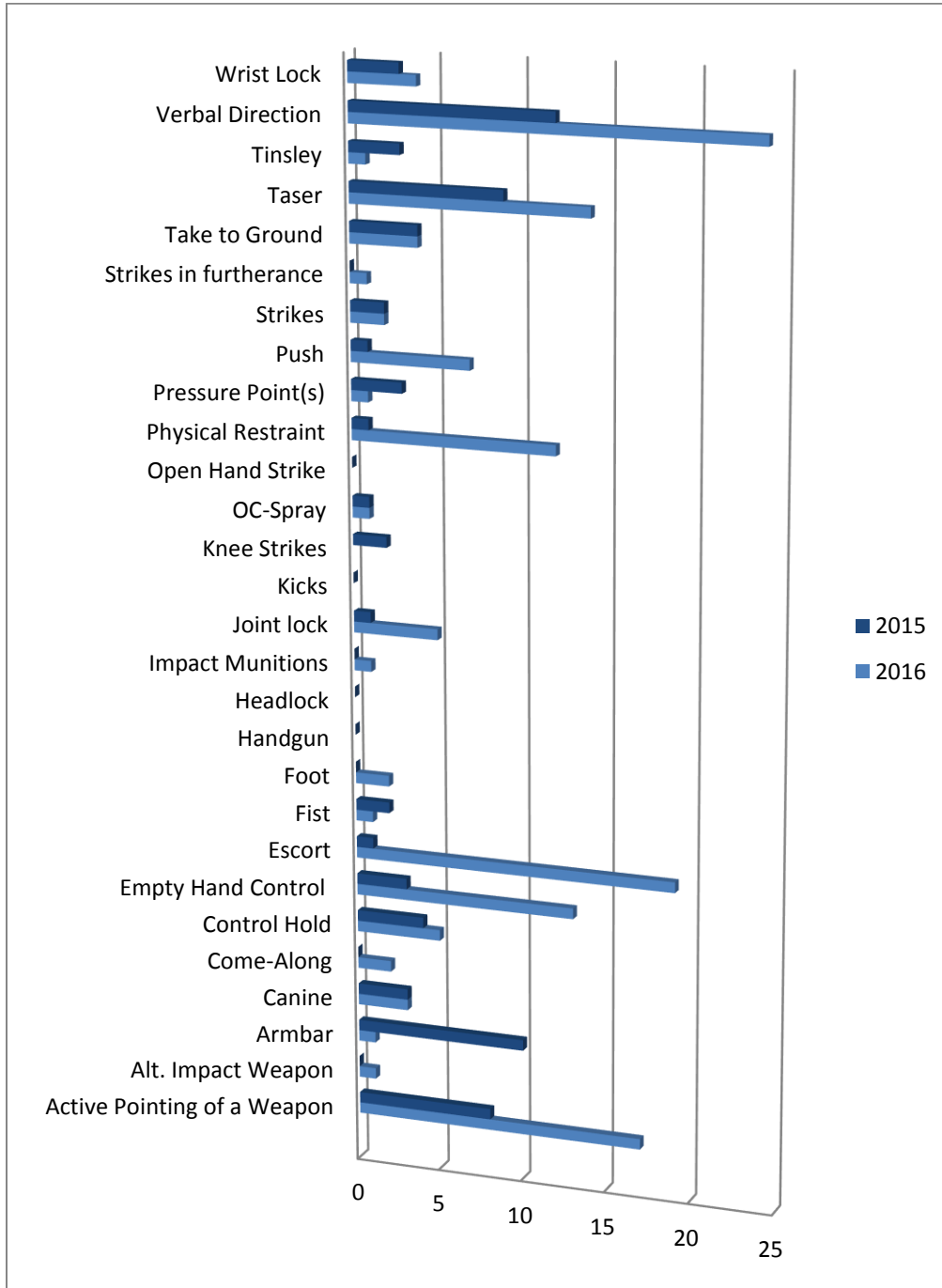
- Tasers were deployed 5 times during the second quarter of 2016.
 - Tasers were deployed 9 times during the same quarter of 2015.
- Tasers were deployed an average of once in every 364.2 arrests in the second quarter of 2016.
 - Tasers were deployed an average of once in every 198.4 arrests in the same quarter of 2015.
- The average number of Taser deployments were 1.66 times per month during the second quarter of 2016.
 - The average number of Taser deployments was 3 times per month during the same quarter of 2015.
- The Use of Taser rate is 0.27% of the total number of arrests made in this period.
 - The Taser rate was 0.50% 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 42 Use of Force events for the second 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 2nd 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	8	7%
Active Resistance	24	20%
Deadly Force Assault on Officer	2	2%
Escape Resistance	27	23 %
Felony Car Stop	5	4%
Knife	0	0%
Handgun	0	0%
Non-Compliance	33	28%
None	4	3%
Passive Resistance	7	6%
Psychological Intimidation	5	4%
Self-Harm	0	0%
Showed Great Strength	0	0%
Spit	0	0%
Total	72	

Arrests and Charges

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

	Count	Percent of total
No	3	12%
Yes	33	88%
Total	36	

Tally of charges against involved citizens:

Charge	Count	Percent of total
Assault	6	8%
Assault on Officer	6	8%
Compliance with request for information by Ofc.	3	4%
Domestic Assault	1	1%
DWI/DUI	5	6%
Felony Resisting Arrest	6	8%
Felony Warrant	3	4%
Mental Commit	2	3%
Misdemeanor Warrant	1	1%
Obstructing service	8	10%
Other Felony PC	6	8%
Other Misdemeanor PC	8	10%
Peace Disturbance	1	1%
Possession of Controlled Substance	2	3%
Possession of Drug Paraphernalia	2	3%
Possession of Marijuana	1	1%
Resisting Arrest	11	14%
Safe Keep	1	1%
Total	72	

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 due to the type of force that was used.

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

	Count	Percent of total
No	37	76%
Yes	12	24%
Total	49	

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

	Count	Percent of total
No	40	82%
Yes	09	18%
Total	49	

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

	Count	Percent of total
No	42	95%
Yes	02	5%
Total	44	

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

	Count	Percent of total
No	44	100%
Yes	0	0%
Total	44	

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

Reason for use-of-force:

Reason	Count	Percent of total
To assist another agency	1	2%
To defend another person	2	4%
To defend self	4	7%
To effect arrest	28	51%
Investigative Detention	6	11%
To prevent a violent Felony	2	4%
To restrain for subjects safety	1	2%
Jail Extraction	1	2%
Failure to Comply (jail)	5	9%
Total	50	

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

Service type	Count	Percent of total
Call for Service	6	11%
Criminal Investigation	4	7%
Disturbance	16	29%
Felony Car Stop	2	4%
Foot Pursuit	5	9%
Jail Detention	6	11%
Mental	3	5%
Pedestrian Check	2	4%
Prisoner Transport	1	2%
Suspicious Activity	0	0%
Traffic Stop	6	11%
Vehicle Pursuit	2	4%
Warrant Service	2	4%
Total	55	

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 second 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 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 April 1, 2016 and June 30, 2016

Total number of use-of-force incidents:	6
Total number of officers involved:	15

<u>Type of Force</u>	<u>Total #</u>
Escort	1
Physical Restraint	3
Take to ground	4
Taser	1
Taser arc display	1
Total	10

Injuries (Detention Officers)

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

	<u>Count</u>
No	5
Yes	1
Total	6

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

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

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

	<u>Count</u>
No	5
Yes	1
Total	6

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

	<u>Count</u>
No	5
Yes	1
Total	6

Internal Affairs Report

During the second quarter of 2016, there have been 6 Citizen Complaints forwarded to the Office of Internal Affairs for investigation. There have been 8 Internal Investigations forwarded to the Office of Internal Affairs for investigation. There were 7 cases that involved sworn personnel and 7 cases that involved non-sworn personnel.

The 14 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.

The department has an authorized sworn staff of 112 officers spread throughout four divisions. In the second quarter of 2016, that number was lower than the authorized staff due to having serval open positions. Also held were 13 civilian positions in the police department along with 18 jail employees and 14 dispatch employees. This makes the total number of employees that fall under the Police Department 156, when at full staff.

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 second quarter of 2016.

- 6 complaints were generated by citizens
- 8 complaints were generated within the agency
- 6 complaints were sustained or partially sustained
- 8 complaints resulted in findings that were other than sustained

During the second quarter of 2016 the Joplin Police Department received 22,099 calls for service. Included in this figure is 4,401 vehicle stops. JPD officers also made 1,821 arrests resulting in 3,569 charges.

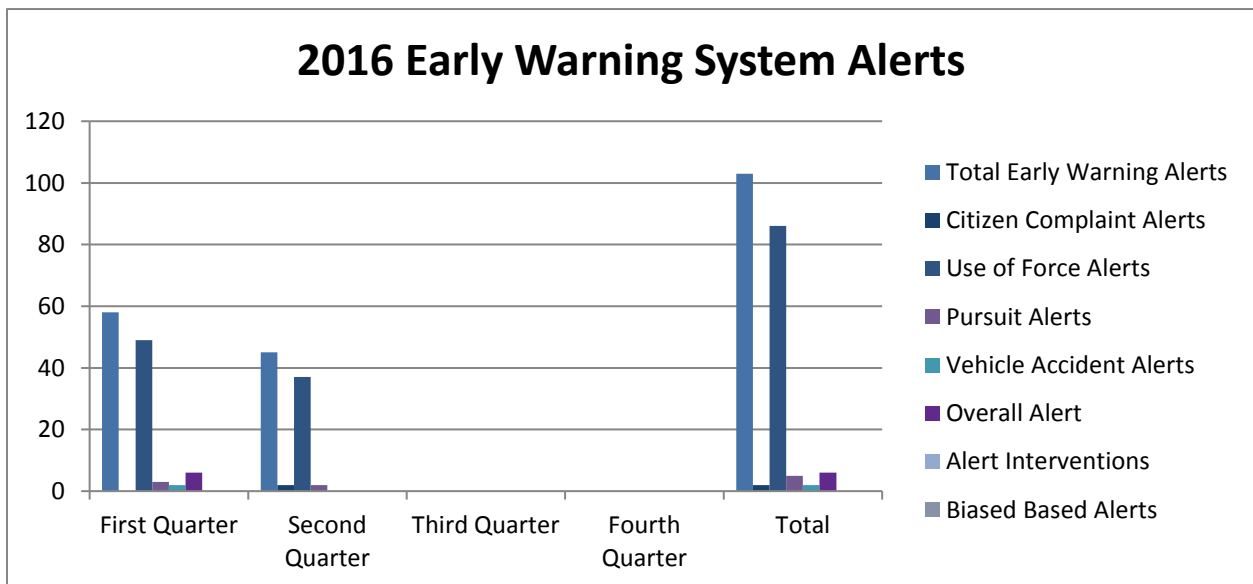
During the second quarter of 2015 the Joplin Police Department received 21,270 calls for service. Included in this figure is 4,162 vehicle stops. JPD officers also made 1,786 arrests resulting in 3,817 charges.

“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)

April 2016

5 Investigations (3 internal complaints received, 2 citizen complaints received)

<u>Complaint Type</u>	<u>Results</u>	<u>Investigator</u>
1. Unlawful contact reason	Unfounded	IA
2. Harassment	Unfounded	IA
3. Incompetence	Sustained	IA
4. Law violation	Sustained	IA
5. Neglect of duty	Sustained	IA

May 2016

6 Investigations (2 internal complaints, 4 external complaints)

<u>Complaint Type</u>	<u>Results</u>	<u>Investigator</u>
1. Rudeness	Exonerated	IA
2. Excessive Force	Unfounded	IA
3. Harassment	within-policy	IA
4. Rudeness	Unfounded	IA
5. Conduct unbecoming	Sustained	IA
6. Conduct unbecoming	Sustained	IA

June 2016

3 Investigations (3 internal complaints, 0 citizen complaints received)

<u>Complaint Type</u>	<u>Results</u>	<u>Investigator</u>
1. Inefficient Performance of Duties	Sustained	IA
2. Unsatisfactory Job Performance	Unfounded	IA
3. Inappropriate material on social media	Sustained	IA

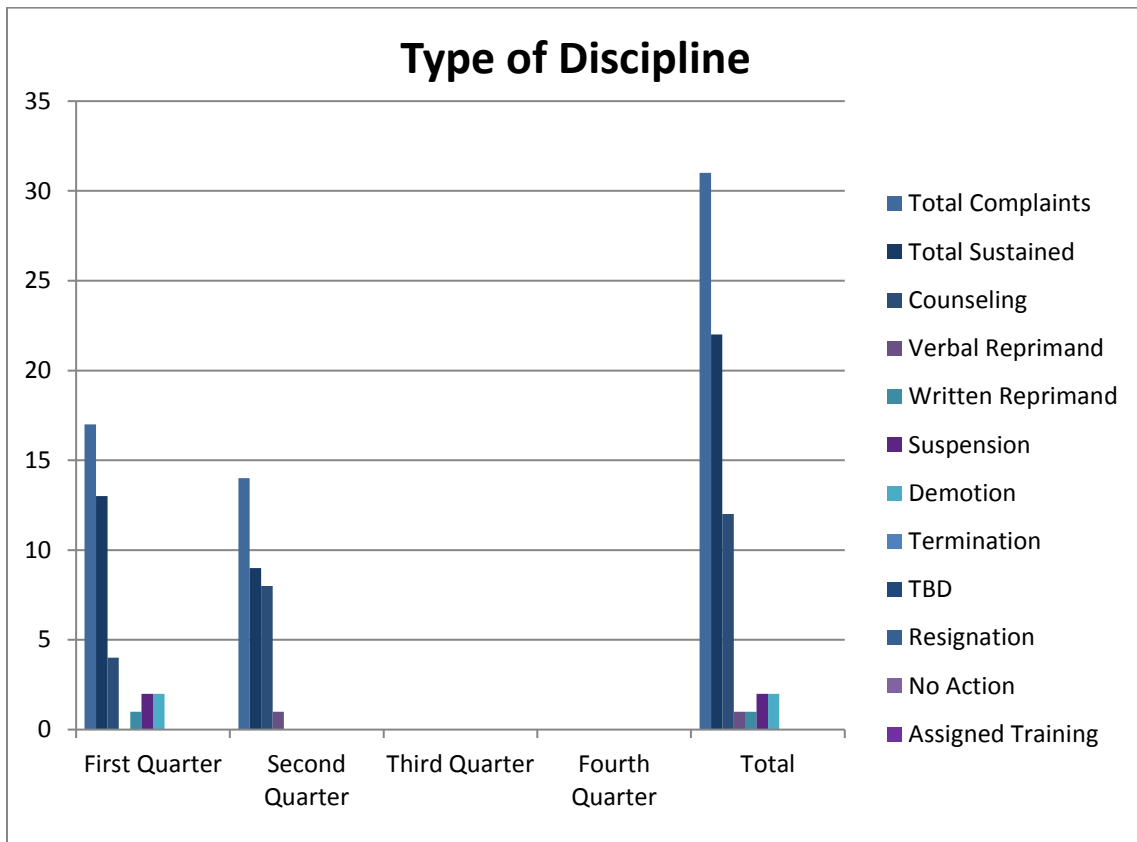
*****It should be noted that there may be more complaint types and investigations than actual complaints received. This is a result of multiple employees being investigated for one complaint form.**

Types of Discipline

Second Quarter Discipline

Inefficient Job Performance
 Incompetence
 Law Violation
 Neglect of duty
 Conduct unbecoming
 Conduct unbecoming
 Inefficient Job Performance
 Inappropriate material on social media

Counseling
 Verbal reprimand
 Terminated (was on probation)
 resigned before discipline
 40 hour suspension
 terminated (was on probation)
 counseling
 counseling



***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 Second quarter of 2016 there were 10 officer involved accidents in a city vehicle. Of those accidents 2 of the officers were determined by the Accident Review Board to be at fault.

Second Quarter Accident Discipline

<u>Violation</u>	<u>Discipline</u>
Accident City Vehicle	Counseling
Accident City Vehicle	Verbal Reprimand

Pursuits

For the second quarter of 2016 there were 4 officer involved pursuits. Three of those pursuits have reviewed by the Pursuit Review Board. Three of those pursuits were determined to be within policy, as it was written.

Second Quarter Pursuit Discipline

<u>Violation</u>	<u>Discipline</u>
N/A	N/A

***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.**

