



***USE OF FORCE  
ANALYSIS 2017***

Use of force incidents taken by sworn personnel of the Topeka, Kansas Police Department during 2017 have been reviewed and examined in order to produce this report. The intent is to look at trends and determine possible training and policy issues. This report will help guide the department and inform the public.

## ***Use of Force Summary***

Use of force summary information is based primarily upon Use of Force Reports. Additional information is collected through departmental database(s) and the Records Management System.

The Use of Force Report is a one page, front and back, form completed by the officer following a use of force incident. For each incident, the officer's supervisor will conduct an on-scene investigation to ensure the use of force was reasonable and complete a supervisory report.

The Use of Force Review Team meets twice each month, or more if needed, to review all use of force incidents by Topeka Police Officers. If lethal action or a use of force that causes great bodily harm occurs, an outside agency will be utilized to investigate fully before the incident is reviewed by the Use of Force Team.

The number of police contacts with citizens that resulted in a use of force incident increased by 49 from 2016. In 2017, 164 use of force incidents occurred.

In regards to police citizen encounters we have chosen to use the number of people arrested as the representative measure. Comparing use of force incidents to persons arrested yields a much higher rate than actual police encounters with the public. It is our belief that it gives a much more accurate picture of the situations in which a use of force occurs.

### ***Ten Year Data Analysis***

<b>Year</b>	<b>Number of Calls for Service</b>	<b>Total Arrests</b>	<b>Number of Use of Force Reports</b>	<b>Number of Use of Force Complaints</b>	<b>Complaint to Use of Force Ratio</b>
2008	137,034	8,017 <b>(5.9%)</b>	137 <b>(1.7%)</b>	1	0.7%
2009	133,590	6,259 <b>(4.7%)</b>	120 <b>(1.9%)</b>	6	5.0%
2010	136,665	8,492 <b>(6.2%)</b>	135 <b>(1.5%)</b>	8	5.9%
2011	134,581	8,396 <b>(6.2%)</b>	178 <b>(2.1%)</b>	5	2.8%
2012	136,976	9,829 <b>(7.2%)</b>	209 <b>(2.1%)</b>	3	1.4%
2013	137,531	8,451 <b>(6.1%)</b>	211 <b>(2.5%)</b>	5	2.4%
2014	119,463*	5,595 <b>(4.2%)</b>	212 <b>(3.8%)</b>	5	2.4%
2015	118,124	5,428 <b>(4.6%)</b>	167 <b>(3.0%)</b>	3	1.7%
2016	117,052	5,601 <b>(4.8%)</b>	115 <b>(2.1%)</b>	3	2.6%
2017	106,007	5,533 <b>(4.8%)</b>	164 <b>(2.9%)</b>	3	1.8%

\* Began filtering out calls that were not actual calls for service to get accurate count.

### ***Race and Gender of Subject in Use of Force***

<b>Year</b>	<b>W/M</b>	<b>W/F</b>	<b>B/M</b>	<b>B/F</b>	<b>H/M</b>	<b>H/F</b>	<b>I/M</b>	<b>I/F</b>	<b>Animals</b>
<b>2016</b>	61 (53%)	10 (9%)	38 (33%)	3 (2.5%)	0	0	0	0	3 (2.5%)
<b>2017</b>	74 (45%)	12 (7%)	53 (32%)	6 (4%)	15 (9%)	1 (1%)	1 (1%)	1 (1%)	1 (1%)

On many occasions when officers have to use force more than one officer is involved in application of the control technique(s). The below chart reflects the frequency in which officers by race and gender were involved in a use of force.

### ***Officer by Race and Gender***

<b>Year</b>	<b>W/M</b>	<b>W/F</b>	<b>B/M</b>	<b>B/F</b>	<b>H/M</b>	<b>H/F</b>	<b>O/M</b>	<b>O/F</b>
2016 <b>115 UOF</b>	106 (92%)	6 (5%)	0	0	8 (7%)	2 (2%)	2 (2%)	0
2017 <b>164 UOF</b>	159 (97%)	11 (7%)	2 (1%)	0	8 (7%)	1 (1%)	0	0

Officers continue to take reasonable steps to reduce the likelihood of needing to use force. If a use of force becomes necessary, the incident is reviewed by the involved officer's supervisor to ensure that the use of force was reasonable and appropriate. The investigation is then reviewed by the chain of command to include the Bureau Commander and the Deputy Chief prior to going to the Use of Force Review Team.

### ***Type of Use of Force Utilized***

<b>Year</b>	<b>Verbal Direction</b>	<b>Empty Hand</b>	<b>Active Pointing (firearm)</b>	<b>Intermediate Weapon*</b>
<b>2009</b>	108 (90%)	75 (63%)	26 (21.6%)	26 (22%)
<b>2010</b>	121 (90%)	96 (71%)	18 (13.3%)	42 (31%)
<b>2011</b>	166 (93%)	124 (70%)	24 (13.5%)	37 (21%)
<b>2012</b>	193 (92%)	159 (76%)	26 (12.4%)	55 (26%)
<b>2013</b>	195 (92%)	120 (57%)	25 (11.8%)	52 (25%)
<b>2014</b>	204 (96%)	172 (81%)	28 (13.2%)	85 (40.1%)
<b>2015</b>	152 (91%)	136 (81.4%)	23 (13.8%)	34 (20.4%)
<b>2016</b>	105 (93%)	75 (65.2%)	19 (16.5%)	37 (32.1%)
<b>2017</b>	158 (96%)	137 (84%)	24 (15%)	52 (32%)

\*2009 – Intermediate Weapon total now includes canine apprehensions.

The reports indicate that a vast majority of police use of force incidents in 2017 were low level intervention or control tactics. Verbal direction appears to be at a fairly constant rate over the last nine years, ranging from the mid ninety percentile to the low ninety percentile, with a nine year average of 92.5%. In 2017, verbal direction was used in 96% of all of the use of force incidents which is a positive indicator that officers are utilizing their training to give verbal direction when the situation allows for such de-escalation techniques.

It is the suspect that decides what level of resistance or aggression he/she will offer, and the officers must respond with the appropriate level of force. Most suspect resistance occurs at a low level, thus the majority of TPD use of force incidents are resolved at the empty hand level or lower.

### ***Officer Involved Critical Incidents***

There were two incidents in which TPD officers used lethal force in 2017.

One incident involved an individual who presented the officers involved with life threatening resistance involving a firearm.

The second incident involved an officer who encountered a vicious dog.

Each time lethal force was utilized; it was reviewed as noted above and found to have been done within department policy.

Lethal force against human aggressors by TPD Officers is very infrequent.

During 2017, officers reported 24 instances of actively pointing their firearms at suspects.

Officers encountered life threatening resistance 42 times in 2017.

Lethal force against a person was used once in 2017.

<b>Lethal use of force against persons</b>						
<b>2017</b>	<b>2016</b>	<b>2015</b>	<b>2014</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>
<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>2</b>

### ***Reason for Use of Force***

<b>Year</b>	<b><i>Defend Self</i></b>	<b><i>Defend Another Officer</i></b>	<b><i>Defend Another Person</i></b>	<b><i>Prevent a Violent Felony</i></b>	<b><i>Prevent a Violent Misdemeanor</i></b>	<b><i>Protect Subject</i></b>
<b>2009</b>	74	41	19	7	13	25
<b>2010</b>	57	21	16	7	4	21
<b>2011</b>	46	25	7	5	4	19
<b>2012</b>	120	70	26	6	15	34
<b>2013</b>	121	83	30	11	5	4
<b>2014</b>	133	83	30	11	5	4
<b>2015</b>	86	27	28	1	5	12
<b>2016</b>	50	17	24	7	5	12
<b>2017</b>	75	42	12	4	1	13

**Note:** Officers may use force when it is necessary to enforce the law or to protect themselves or others from harm. In some cases force is applied for more than one reason during the same incident. The use of force that is appropriate is addressed in policy, which in turn is based upon legal requirements. Review of use of force incidents provides timely oversight and accountability which reinforces the expectation that our officers apply the appropriate level of control, consistent with department policy and training.

Officers have interactions, with some frequency, with subjects that are in some type of crisis situation. The crisis can involve illegal narcotics, alcohol, mental illness or a combination of these factors together.

The Topeka Police Department continues to lead the way in Kansas by providing training to our officers that increases their awareness of mental illness. The addition of two Crisis Responders in the field makes us better equipped to recognize a subject in mental crisis during a law enforcement call for service or contact. These efforts have helped divert individuals in a mental health crisis from jail to crisis services, which is more appropriate to truly address their needs.

Year	Under the Influence (or suspected)	Mentally Impaired
2009	62	8
2010	69	18
2011	52	10
2012	119	29
2013	121	30
2014	110	20
2015	78	23
2016	43	22
2017	75	24

### ***Intermediate Weapon Use***

All on-duty officers are required to carry an intermediate weapon. Intermediate weapons bridge the gap between when empty hand control is insufficient to when lethal force is reasonable and necessary. Officers have three options available: the baton, OC spray, and an electronic control device (ECD).

Appropriate use of intermediate weapons reduces the likelihood of serious injury to the suspect and officer by increasing the speed and certainty of bringing the subject under control. The conflict may be quickly resolved in a safer and more predictable way, as compared to an ongoing struggle that begins empty handed, but ultimately leads to mutual fatigue, rapid use of force escalation, and higher likelihood of serious injury or death.

Intermediate weapon use was reported in 34% of incidents in 2017, which was consistent with the 34% reported in 2016.

As illustrated in the following graph, 2017 saw a decrease in the use of both ECD and baton usage while an increase was reported in both OC spray and K-9 deployment.

## ***Intermediate Weapon Use***

<b>Year</b>	<b>ECD</b>	<b>Baton</b>	<b>OC Spray</b>	<b>K-9</b>
<b>2006</b>	87	4	20	--
<b>2007</b>	52	4	13	--
<b>2008</b>	27	6	11	--
<b>2009</b>	10	0	9	4
<b>2010</b>	20	1	16	5
<b>2011</b>	20	0	15	2
<b>2012</b>	17	5	29	4
<b>2013</b>	7	1	38	6
<b>2014</b>	18	2	53	7
<b>2015</b>	6	2	25	4
<b>2016</b>	19	1	18	1
<b>2017</b>	16	0	35	5

*\*2009 - Canine apprehensions now tracked as intermediate weapon for comparative analysis purposes*

### ***Use of Force Complaints***

The Topeka Police Department investigated three excessive force complaints in 2017 and three in 2016. This was a 2.6% complaint rate for both 2016 and 2017.

In all three incidents, the officers were exonerated.

The department continues to receive complaints from any possible source to include in person, by phone, by email, by the city website, or anonymously.

The Professional Standards Unit consists of a Lieutenant and Sergeant which investigated all of the excessive force complaints in 2017.

Although there were no trends or any issues indicating a problem in policy or training, we are constantly evaluating to ensure best possible practices.

### ***Conclusion***

Overall, the use of force statistics remained similar to 2016 with the exception of the rise in the total use of force occurrences.

The use of force remains a rare event for our officers but the amount of time put into training, evaluating and investigating each event has remained of high importance for the department.

We are undergoing a complete upgrade of the body worn camera system in 2018. This has made the review of the incident more thorough and increased the officer's awareness of these events. We are also increasing training to enhance officers' skills at tactical communication and situational de-escalation.

Our administrative review process for use of force incidents has bettered the operations of our officers because many minor issues are uncovered by the supervisor and addressed immediately with a coaching session or additional training.

When officers are instructed on a better way of handling a situation within a short period of time after it occurred they are less likely to repeat the behavior. When the event is captured on video, it strengthens the teaching moment for the supervisor. It also provides the officer an opportunity for self-evaluation and personal growth after each incident.

Our policy, review processes and training have ensured that our officers adhere to accepted national standards.

In 2018, we were reaccredited by CALEA. This demonstrates that the Topeka Police Department is achieving recognition based on the highest national standards.

We will continue this rigorous program of evaluation and documentation to ensure that we remain at the forefront of law enforcement in the United States of America.

We will continue on this path of annual reporting to the public to move forward into the future with professionalism, accountability and transparency.