



CREVE COEUR POLICE DEPARTMENT INTEROFFICE MEMO

DATE: March 26, 2021
 TO: Acting Chief Jon Romas
 FROM: Lt. J. Hartman
 SUBJECT: Use of Force Analysis - 2020

PURPOSE

The purpose of this memo is to provide an analysis of the Creve Coeur Police Department's Use of Force activities, policies, and practices for calendar year 2020. This memo will exam the data to determine trends in the [date and time](#) of incidents; [types of encounters](#) resulting in force; trends or patterns related to [race, age, and gender](#) of subjects involved; [trends or patterns resulting in injury to any person including employees](#); and the [impact on findings on policies, practices, equipment, and training](#).

SUMMARY OF 2020 USE OF FORCE DATA¹

	White Non-Hispanic		Black Non-Hispanic		Hispanic - Latino		Other		Total
	Male	Female	Male	Female	Male	Female	Male	Female	
Firearm - Discharge	0	0	0	0	0	0	0	0	0
Firearm - Point	1	0	5	2	1	0	0	0	9
CEW – Discharge	0	0	0	0	0	0	0	0	0
CEW Display ²	2	0	0	2	1	0	0	0	5
Choke Holds & Neck Restraints	0	0	0	0	0	0	0	0	0
Baton	0	0	0	0	0	0	0	0	0
Chemical/OC	0	0	0	0	0	0	0	0	0
Weaponless	9	1	4	1	0	0	0	0	15
Canine	NA	NA	NA	NA	NA	NA	NA	NA	NA
TOTAL UOF	10	1	9	3	1	0	0	0	24
Suspect – Non-Fatal Injury	2	0	0	0	0	0	0	0	2
Suspect – Fatal Injury	0	0	0	0	0	0	0	0	0
Incidents Resulting in Officer Injury or Death	1	0	1	0	0	0	0	0	2
Total UOF ARREST³	7	0	3	1	0	0	0	0	11
Total Custodial Arrests	119	56	137	57	3	1	3	1	377
Total UOF Complaints	0	0	0	0	0	0	0	0	0

¹ This table does not include animal related or administrative use of force reports (accidental discharge, etc).

² CEW (Conducted Electrical Weapon) Display is not a metric used in UOF reporting, but added as a reference

³ These totals depict the physical use of force beyond pointing a firearm at an individual to gain compliance.

There were 41 separate Use of Force reports completed in 2020. 17 of those reports were administrative and 24 reports involved use of force on individuals.

There was no use of lethal force by officers and there were no outright assaults/attacks on Creve Coeur officers during 2020. There were no complaints of excessive use of force during the calendar year 2020.

Each use of force incident goes through a process of supervisory review and no use of force incidents were found to be excessive.

Of those 24 uses of force on a person:

- There were 20 use of force “incidents” resulting in the use of force on 24 individuals. In the calendar year 2019, there were 23 use of force incidents resulting in 25 individual use of force reports.
- No incident and/or use of force resulted in a subject’s or officer’s death or serious physical injury. This is no change from previous years, therefore no notable pattern or trend change.
- Two subjects reported minor injuries; this is down from three in 2019.
- Two officers were injured; this statistic was the same in 2019.
- Seven incidents were CIT related (no change from the seven reported in 2019) and, of these, five involved subjects who were also suspected to be under the influence of drugs or alcohol.

TYPES OF FORCE USED

Type of Force Used	2017	2018	2019	2020
Firearm (display only)	5	6	15	9
Muscling Techniques/Pressure Points (weaponless/empty-hand control)	7	9	11	15
Strikes (empty-hand)	0	2	0	0
OC Pepper Spray	0	0	0	0
TASER	2	3	1	0
Less Lethal Shotgun	0	0	0	0
Intermediate Weapon – Baton	0	0	0	0
Pepperball	0	0	0	0
Firearm Discharge (not accidental)	0	0	0	0
Choke Holds & Neck Restraints ⁴	0	0	0	0
Other	0	0	0	0

Muscling and firearm display continue to be the most prevalent types of uses of force. There were no firearm discharges (non-accidental), in the period of 2017-20. There were no Taser deployments, defined as the firing or discharge of the Taser CEW.

⁴ This data was not gathered from 2017-2019. This type of force was added as a prohibited use force, unless deadly force is justified, in 2020. Prior to 2020 they were allowed. CALEA 4.1.7 & 4.1.7

USE OF FORCE REPORTING REQUIREMENTS

A "Use of Force" report is required when an Officer or employee:

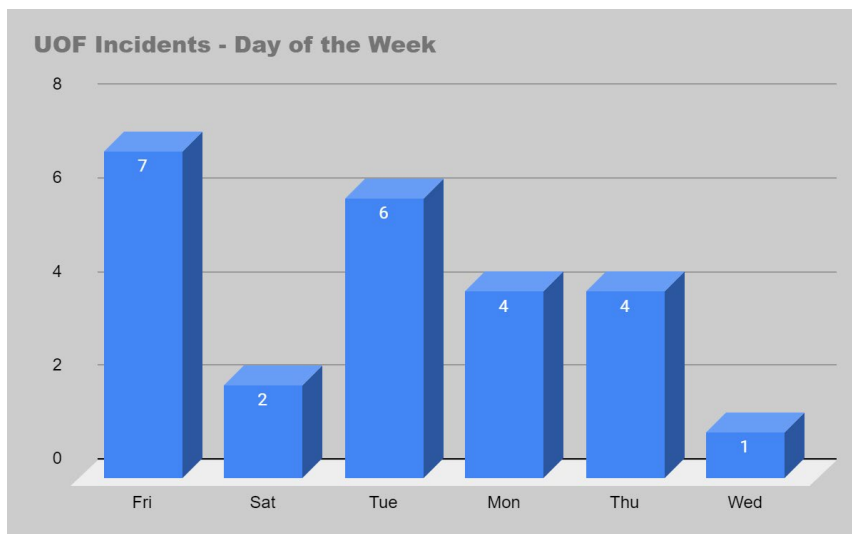
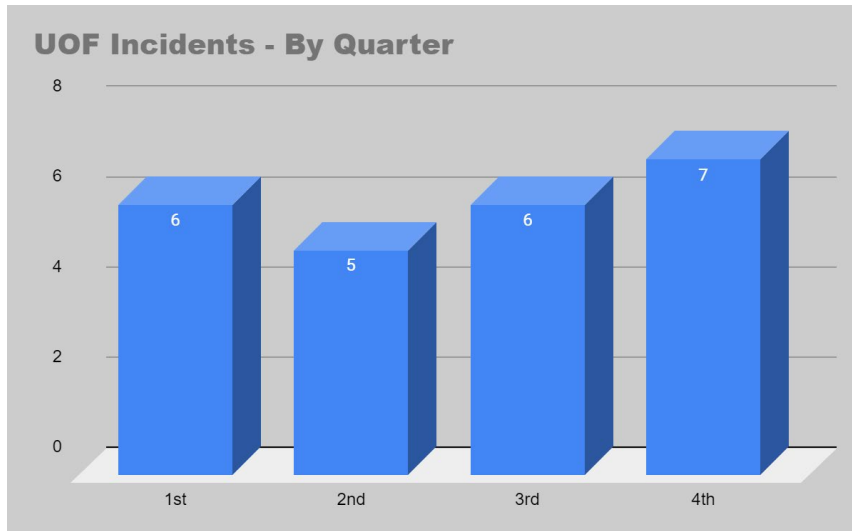
- Intentionally or accidentally discharges a firearm, less lethal weapon or TASER except for Department required training or testing, firearms or marksmanship training, ballistic tests, legal hunting or shooting sports.
- Applies force through the use of lethal or less lethal weapons.
- Takes action that results in or is alleged to have resulted in, injury or death of another person; or anytime during the handling of an individual or prisoner when physical force was used to control the individual.
- Uses a "hands on" level of control technique in excess of verbal direction and routine handcuffing of a compliant individual.
- Points a firearm, to include a less lethal weapon, at someone to establish control of an individual or situation except during a court-ordered search warrant or a hostage/barricade incident.
- Is directed to do so by a Supervisor.

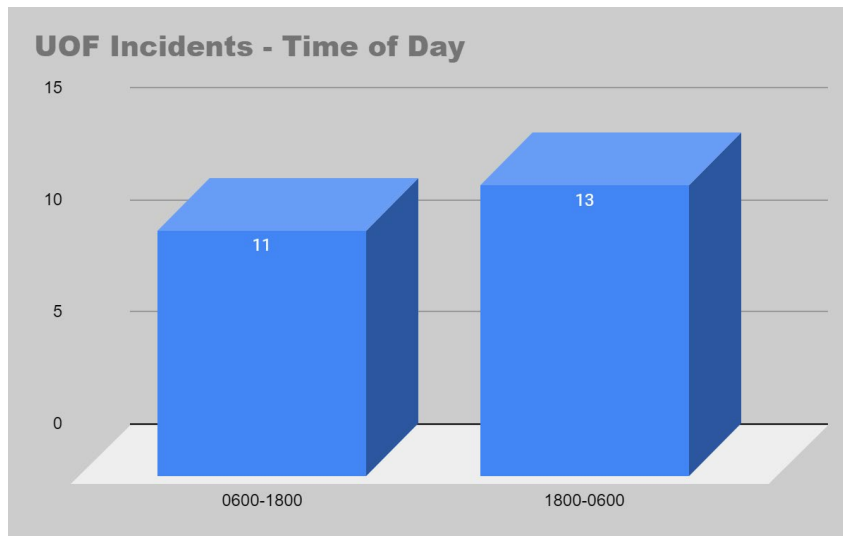
ADMINISTRATIVE USE OF FORCE REPORTS

In 2020 there were 17 Administrative Use of Force reports written, which is an increase from the 2019 total of 12.

Type of Force Used (<i>administrative</i>)	2017	2018	2019	2020
Destruction of injured animal (deer)	14	16	12	17
Firearm Discharge (accidental)	0	2	0	0
TASER deployment (accidental)	0	0	0	0
Injury, no force used on a person	0	0	0	0
TOTAL	14	18	12	17

DATE AND TIME OF INCIDENTS



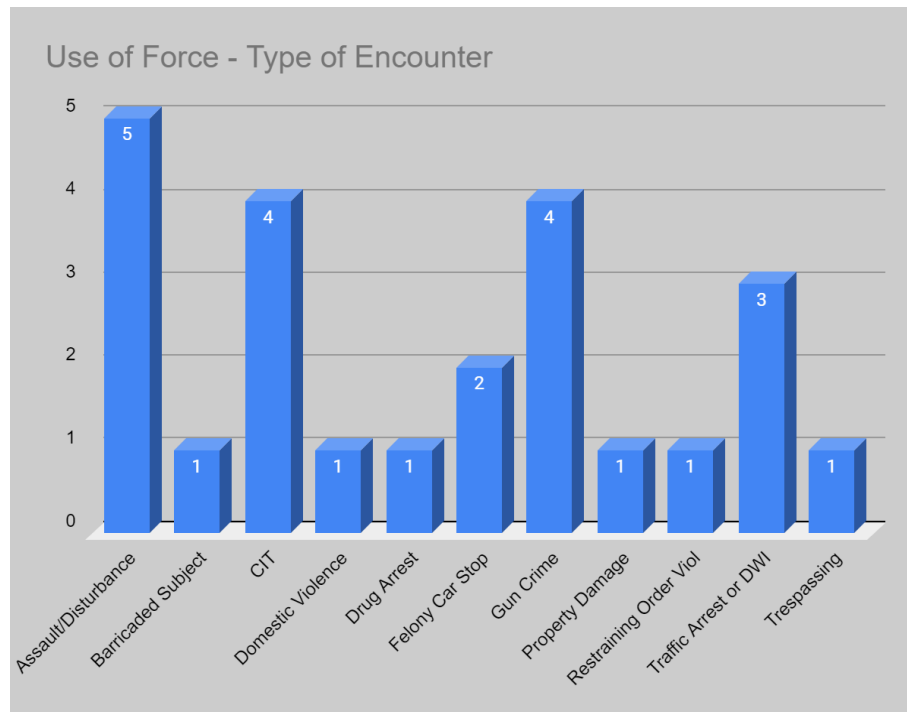


All four quarters were consistently close in the number of use of force incidents. However, more use of force incidents were reported in the 4th quarter of 2020 than any other quarter, which has been the consistent trend from 2017-2020.

More use of force incidents occurred on Friday than any other day of the week in 2020. There was a spike in incidents on Tuesdays, however one Tuesday incident resulted in the use of force on three individuals. Without that one incident, Tuesday does not stand out from any other day of the week. Past data indicated that Wednesday night to Thursday morning or Saturday evening to Sunday morning were the most likely periods of time where Officers used force. No such trend emerged this year.

There did not appear to be any significant difference in the time of day in which use of force incidents occurred. 54% of the use of force incidents occurred from 6pm to 6am while 46% occurred from 6am to 6pm.

TYPES OF ENCOUNTERS RESULTING IN THE USE OF FORCE

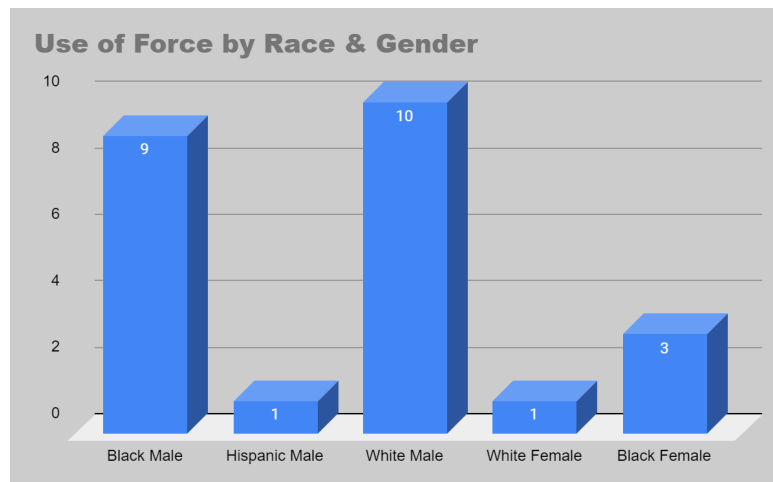


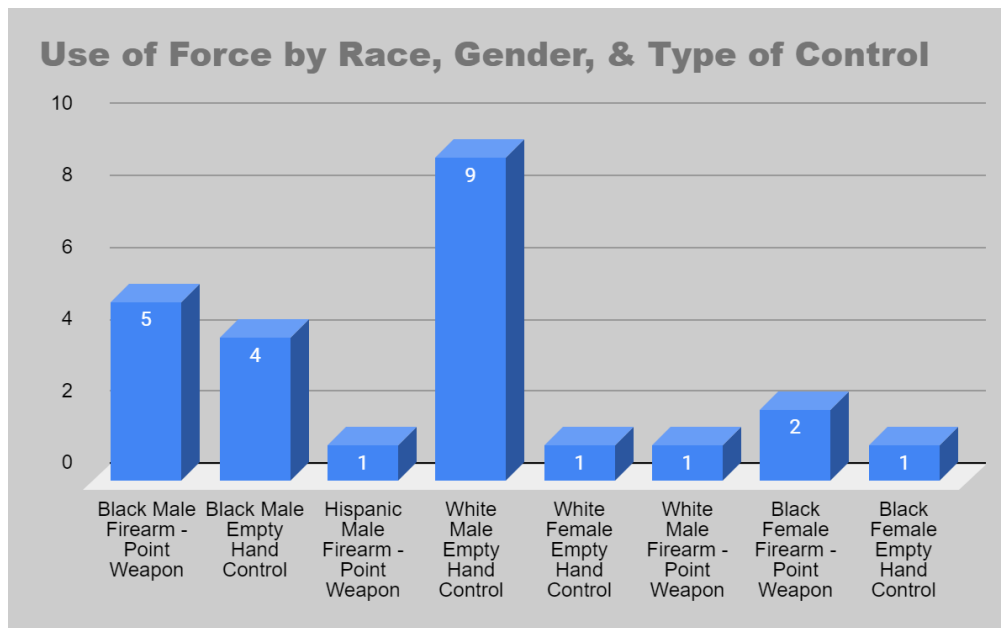
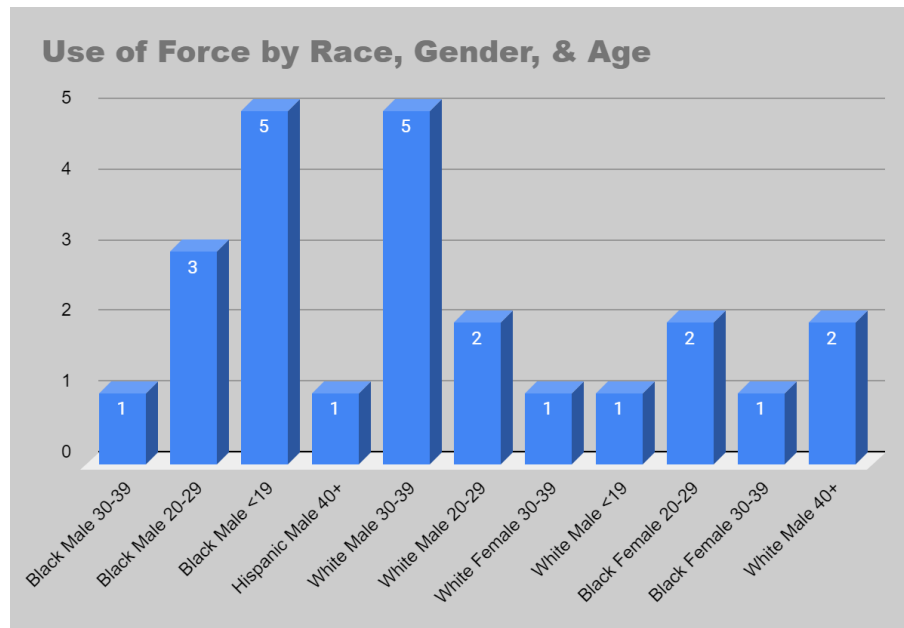
Assaults/Disturbances, CIT, and suspected gun crimes accounted for a majority of use of incidents in 2020. Trends from previous years indicated disturbances and traffic arrests were the most frequent incidents where force was used.

It should be noted that there were seven incidents where force was used where it was determined that the person involved was in the midst of a mental health crisis. The graph above depicts a lower CIT statistic (4) due to the fact that in three of the incidents, the encounter was classified differently (a domestic violence call, a trespassing call, and a traffic stop contact). This fact demonstrates that officers must quickly adapt to different scenarios that can quickly escalate regardless of how the call is dispatched.

TYPE OF INCIDENTS INVOLVING USE OF FORCE: BY RACE, AGE, & GENDER

Race-Age-Gender Comparison								
	Caucasian							
	up to 19		20-29		30-39		40+	
	Male	Female	Male	Female	Male	Female	Male	Female
2017	0	0	2	0	1	1	0	2
2018	1	2	1	0	3	3	2	2
2019	1	1	0	1	1	1	5	2
2020	1	0	2	0	5	1	2	0
Total	3	3	5	1	10	6	9	6
	African Am.							
	up to 19		20-29		30-39		40+	
	Male	Female	Male	Female	Male	Female	Male	Female
2017	2	0	2	0	2	0	0	0
2018	0	0	3	0	1	0	0	0
2019	2	0	4	0	2	0	4	0
2020	5	0	3	2	1	1	0	0
Total	9	0	12	2	6	1	4	0
All Years & Races	12	3	17	3	16	7	13	6
All Years, Races & Sexes	15		20		23		19	





Although in certain years use of force incidents spiked or slowed in a given age range, there is no discernable pattern in age range and likelihood of a use of force incident. However, for all age ranges there is generally a higher likelihood of being involved in a use of force incident with a male subject vs. female subject.

In 2020, black males under 19 or under and white males 30-39 accounted for the highest statistics in use of force by race, gender, and age. The most frequent use of force scenario by race, gender, and type of control was empty hand control use on white males.

The City of Creve Coeur is a diverse community, having institutions that draw a transient population, such as two major hospitals, numerous retail establishments, restaurants, shopping venues, theaters,

private schools and colleges. This diversifies the population the Police Department encounters, thus use of force incidents are also diverse. The diversity in the population the Police Department encounters is reflective in the use of force data. Uses of force occurred with both Caucasians and African Americans with no definable pattern. This illustrates that race itself is not a determining factor if a use of force incident will occur.

INJURIES FROM USE OF FORCE – TRENDS AND PATTERNS

Injuries from Uses of Force	2017	2018	2019	2020
Subjects Injured	1	5	3	2
Officers Injured	1	5	2	2
Officers removed from operational assignment due to the subject’s, or officer’s death or serious physical injury	0	0	0	0

AGE OF INJURED SUBJECTS	2017	2018	2019	2020
<20	0	1	0	0
20-29	0	1	1	0
30-39	1	1	1	2
40+	0	2	1	0

The likelihood of injury increases with the elevation in levels of resistance from subjects and the resulting force applied by Officers. Creve Coeur PD Officers consistently used low levels of force throughout 2020, with no incidents involving force beyond empty hand control techniques or pointing a firearm. This factor contributed to a pattern of low incidences of injuries in 2020.

ARRESTS/CIT INCIDENTS AND USE OF FORCE

It should be noted that not all use of force incidents involve making an arrest. For example, a CIT case may involve a use of force to restrain the person in order to provide them medical care. No criminal charges are involved and there would be no arrest, but yet, the use of force would still be documented.

During calendar year 2020, the Police Department arrested 377 people and, of these arrests, some amount of physical force, beyond pointing a firearm, was used by officers to affect the arrest of 11 of those persons. This is an increase from years past, despite a decrease in number of custodial arrests. A decrease in the number of custodial arrests can be attributed to a number of factors such as the COVID-19 global pandemic and the decreased likelihood of police agencies confirming arrest warrants due to the pandemic.

Arrests vs UOF	2017	2018	2019	2020
Total arrests	713	968	808	377
Force used to make arrest	9	8	6	11
Percentage	1.26%	.83%	.74%	2.9%

During calendar year 2020 the Department had 85 CIT related incidents (persons) and some amount of force had to be used with four of these individuals. Of those four incidents, two of the four CIT subjects were suspected to be under the influence of drugs or alcohol. That the department reported an 44% increase in CIT calls and a 10% drop in use of force during these calls demonstrates the department's commitment to de-escalation during these types of encounters.

CIT vs UOF	2017	2018	2019	2020
Total Incidents	45	42	47	85
Force used	3	5	7	4
Percentage	6.66%	11.90%	14.8%	4.7%

IMPACT OF FINDINGS ON POLICIES, PRACTICES, EQUIPMENT, & TRAINING

The most predominant method of force used in 2020 was weaponless control tactics (hands on, muscling techniques). In 2019, weapon pointing was the primary use of force method with weaponless control techniques being the second most common type of force used. Although the likelihood for injuries suffered by both arrestees and Officers climbs with increasing levels of force used, no use of force resulted in a subject or officer serious physical injury or death from 2017 to 2020. However, there have been minor injuries each year, usually a minor abrasion or small laceration. In analyzing the past 4 years, there are no identifiable trends in regards to any increase in injury to suspects or Officers. Additionally, incidents involving injured subjects have occurred in all age ranges and both sexes in the last four years, but with no discernable pattern or trend. Racial makeup of arrestees injured during a use of force incident has been predominately Caucasian, with only one African American male having been injured in 2019 and one African American female injured in 2016. Both civilians injured in 2020 were Caucasian.

The examination of the 2020 Use of Force incidents revealed an increase in the percentage of instances where use of force was used in arrest situations (0.74% to 2.9%). It may be short-sighted to look at this single statistic and reach a definitive conclusion, however, it would be prudent to examine what may have resulted in the increase in this statistic.

Each instance where force was used must be judged individually, on its own merits and circumstances. Each situation, judged on its own facts, was reviewed and the officers involved used only that force which was necessary to protect the public, legally arrest, overcome physical resistance or to protect themselves. So, the question as to why there was an increase in this statistic may not be easy to determine with certainty.

Calls for service, reports taken, crimes reported, and arrests statistics were all lower in 2020 than in the previous 3 years. However, there was an increase in calls related to persons in the midst of a mental health crisis, and this may be indicative of a wider issue. National and world events, including a global pandemic, high-profile incidents involving police misconduct, the constant barrage of negative news, should not be discounted in having an effect on the willing cooperation of the public

during their interactions with law enforcement. One statistic which illustrates the lack of regard for the rule of law is the sudden and dramatic increase in motorists that refuse to follow the law and pull over for Creve Coeur Police Officers when Officers attempt to stop a car. Police Administration did not start tracking this statistic until mid-April of 2020 when a spike in this trend was noticed, but in roughly an 8 ½ month span, there were 62 documented incidents of motorists refusing to pull over or flee from officers during routine traffic stops. In only five of those instances did the officer engage in a pursuit. This agency has not experienced this level of disregard for lawful authority in years past.

When it comes to police contacts that result in the use of force, Creve Coeur Police Officers have consistently demonstrated tremendous patience and skill to persuade or diffuse a situation to prevent the need for force. The ultimate decision to de-escalate or cooperate, however, lies with the citizen. One person cannot “de-escalate” another person. A Police Officer can only do their best to create an environment or atmosphere that encourages an individual to de-escalate themselves or cooperate. Proper training, experience, and a healthy mind are tools a Police Officer needs to create that environment and encourage a citizen to de-escalate combative or hostile behavior.

A Police Officer can certainly make a situation worse through bad communication skills, a lack of patience or empathy, or poor tactical positioning. The Creve Coeur Police Department must continue to do all it can to influence that factor of the equation and improve the odds of a peaceful encounter.

Based upon this review and analysis, I recommend the following with regard to training, equipment and practices, or modification to Department policy, procedure, or directive:

- Remain proactive vigilant in providing training for all commissioned Police Department personnel in the Use of Force Policy, duty to intervene, rendering aid, and de-escalation tactics and strategies.
- Remain proactive and vigilant in providing training for all commissioned Police Department personnel in de-escalation, implicit bias and fair and impartial policing principles.
- Remain proactive and vigilant in thoroughly reviewing all use of force encounters and debriefing those encounters to discuss areas of improvement.
- Establish Defensive Tactics instructors on each patrol squad to make to improve the efficiency and frequency of training in this discipline. A well -trained officer reduces the likelihood of officer and citizen injury in potentially resistive encounters.
- Continue diligence in monitoring individual employee use of force statistics for patterns in order to determine if there is cause for intervention.
- Continue education and equipping officers in Crisis Intervention Techniques (CIT).
- Train all front-line supervisors in the topic of Officer Wellness. This will better equip them to monitor those they are responsible for signs of mental stress. These stressors have a direct impact on their interactions with the public.

Respectfully,

Lt. Jeff Hartman, 485

Lt. Jeffrey Hartman, DSN 485

CALEA ref: 4.2.4 and 4.2.5