

**TRAINING MEMORANDUM 12-030**

**DATE:** March 12, 2012  
**TO:** Chief Linda Stump  
**FROM:** Lieutenant Mitchal J. Welsh  
**CC:** Major Dunn, Office of Professional Standards, file  
**SUBJECT:** Annual Analysis of Response to Resistance for 2011 Calendar Year

In the 2011 calendar year, a total of ten Response to Resistance incidents were reviewed. There were five incidents in which the officers drew their firearms, one incident in which a Taser was deployed, one incident in which OC was deployed, one incident in which Hard empty hand techniques were used and two incidents in which a RIPP-hobble restraint was applied.

For comparison:

	2007	2008	2009	2010	2011
<b>TOTAL REVIEWS</b>	14	17	18	7	10
<b>Firearm discharged</b>	1			1	
<b>Firearm displayed</b>	5	8	11	3	5
<b>Taser deployed</b>	8	4	1		1
<b>OC deployed</b>					1
<b>Baton strike</b>					
<b>Hard hand control</b>		1	2	2	1
<b>Ripp Hobble</b>		4	3	1	2
<b>Suspect injured</b>			1		

Further analysis of the information from the 2011 Response to Resistance statistics revealed that of the ten Response to Resistance incidents, five were in response to officers being called for service, three were reference to traffic stops, one was reference a stolen vehicle, and one was in response to a burglary alarm. According to the findings, two subjects were UF students, one was an employee and three did not affiliate. Other factors that were noted in the reports included that three incidents were involving drugs or alcohol, four incidents escalated due to a physical fight or disturbances, and two incidents involved suspects with weapons or implied weapons.

An analysis of the five incidents, where officers displayed their firearms, revealed the following information: Of the five events, one was regarding a stolen vehicle, one involved a burglary alarm at the UFTR, one was regarding a report of an armed subject at Beauty Towers, and two were regarding aggressive behavior by subjects during traffic stops. Each of these cases were reviewed and the officers involved were found to have been acting within the department's policies, procedures, and directives. Furthermore, their actions did not violate any State or Florida Statute.

Comparison of 2009 and 2010 incident factors:

INCIDENT FACTORS	2010 (7)	2011 (10)
UF Student	3	2
Call for Service	5	5
Proactive Response	2	5
Traffic Stop	1	3
Stolen Vehicle	0	1
Burglary Response	1	1
Fighting	4	3
Drugs/Alcohol	3	2
Excited Delirium	0	0
Weapons	2	1

A review of the force application patterns over the last five years showed a steady or progressive increase in Use of Force incidents from 2007 through 2009. However, in 2010 we saw a dramatic decrease in the number of Response to Resistance incidents. Although we have seen a slight increase from 2010 to 2011, the number is still down compared to the previous five years. The explanation for this decrease may not be fully identifiable at this time but could be associated to several factors including:

1. Staffing levels is one area that could explain or at least contribute to fewer Response to Resistance events. Due to budget restraints, the department has refrained from filling each vacant law enforcement position that was available and only filling positions when absolutely necessary. This has led to having fewer officers available to perform proactive duties, which potentially led to fewer incidents where a response to resistance was necessary.
2. The overall crime rate for the department has decrease by 3.5%; however, the violent crime rate saw a decrease from 16 events in 2010 to only 10 events in 2011. According to the UCR report there were 320 arrests made in 2010 and only 309 arrest made in 2011; therefore, this would indicate that there were fewer confrontational incidents where a response to resistance would become necessary.
4. The Alachua County Sheriff's Office and the Gainesville Police Department have both seen slight increases in the number of Response to Resistance events during 2011. GPD saw an increase of 14 events and the ACSO saw an increase of 11 Response to Resistance events from 2010 to 2011. Despite these slight increases seen by each of these agencies, the overall trend for the past two years has seen a decrease in the number of Response to Resistance events in the surrounding community. Giving this overall trend, there are fewer incidents where officers of the UFPD would be responding to assist officers from outside agencies.

Taser deployments had increased through 2007, and then started to decline in 2008. The decline in Taser deployments has continued for the 2011 calendar year. This decline appears to be a result of the change in the department's policy in 2007, which changed the level of resistance that must be presented prior to the use of the Taser. The current policy requires that the suspect be demonstrating aggressive physical resistance or transferring from active physical resistance to

aggressive physical resistance. The department's policy appears to be in line with current law enforcement standards. There appears to be a societal desire to limit the indiscriminate use of the Taser and restrict the use of the Taser to those situations where it is needed to prevent harm to law enforcement personnel, potential victims, and suspects.

Additionally, in 2009 the department started to track incidents when the Taser was only drawn but was not actually deployed. In 2011, there were six incidents in which the Taser was drawn but only displayed. In all six incidents, the suspect stopped or changed their resistance level and actual Taser deployment was not necessary. I believe that this is indicative of the officers' knowledge and understanding of the current Department policy regarding the use of the Taser. Additionally, I believe that individuals outside the Department are more familiar with the Taser and understand that they are best served by following the instruction of the officers in these situations.

Of the ten response to resistance incidents that were reviewed in the 2011 calendar year, it appears that the officers were well prepared and made proper decisions to dispense the appropriate level of force for the resistance level that was presented. The Response to Resistance reviews determined that the officer(s) involved used the appropriate level of force for the situation. However, there were several issues that were identified as areas that officers needed continued training in such as use of cover and concealment, empty hand techniques, Taser, baton, OC spray and continued training on the department's Response to Resistance policy. The training of current and new law enforcement officers concerning Response to Resistance and issues related to Response to Resistance continues to be a priority of the Training Division.

#### Use of Taser Statistics 2001-2011

METHOD	TOTAL		TOTAL	TOTAL	
	2001 - 2009	2010	2011	2001 - 2011	%
<b>UF Students</b>					
Drive Stun	5	0	0	5	55.56%
Darts Fired	3	1	0	4	44.44%
<b>FACTORS DOCUMENTED FOR TASER INCIDENT</b>					
Active Resistance	6	1	0	7	77.78%
Fighting	3	0	1	4	44.44%
Suicidal	2	0	0	2	22.22%
Drugs	0	0	0	0	0.00%
Alcohol	3	0	0	3	33.33%
Weapon	3	1	1	5	55.56%
Exited Delerium	0	0	0	0	0.00%
Injuries	0	0	0	0	0.00%
<b>Non-Students</b>					
Drive Stun	11	0	0	11	57.89%
Darts Fired	7	0	1	8	42.11%
<b>FACTORS DOCUMENTED FOR TASER INCIDENT</b>					
Active Resistance	15	0	4	19	100.00%
Fighting	9	0	2	11	57.89%
Suicidal	0	0	0	0	0.00%
Drugs	5	0	0	5	26.32%
Alcohol	7	0	2	9	47.37%
Weapon	1	0	0	1	5.26%
Exited Delerium	1	0	0	1	5.26%
Injuries	0	0	0	0	0.00%

## Agency Comparisons

	2010			2011		
	UFPD	GPD	ACSO	UFPD	GPD	ACSO
<b>CALLS FOR SERVICE</b>	41,169	152,811	98,309	40,290	143,740	107,587
<i>Factor over UFPD</i>		3.7	2.4		3.6	2.7
<b>USE OF FORCE INCIDENTS</b>	3	115	83	10	129	94
<i>Factor over UFPD</i>		38.3	27.7		12.90	9.40
<b>Firearm</b>	1	0	2	0	1	2
<b>Taser</b>	0	47	31	1	45	31
<b>Baton</b>	0	1	0	0	0	0
<b>OC Spray</b>	0	1	1	1	5	0
<b>Hard Empty Hand</b>	2	11	11	1	15	8
<b>K-9</b>	0	23	19	0	18	26
<i>For compatibility purposes these figures do not include the drawing of a firearm, use of Hobble restraints, or any use of force against an animal.</i>						