

## Training Memorandum 20-026

**DATE:** March 11, 2020  
**TO:** Chief Linda Stump-Kurnick  
**FROM:** Lieutenant Greg Streukens and Victor Rosa  
**CC:** Office of Professional Standards, file  
**SUBJECT:** Annual Analysis of Response to Resistance for 2019 Calendar Year

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In compliance with CALEA Standard 4.2.4, I analyzed the 2019 response to resistance activities, policies, and practices. In the 2019 calendar year, there were thirteen (13) reviews of response to resistance incidents. Of the thirteen incidents reviewed, one involved officers drawing/displaying their firearm, one involved the deployment of a Taser (accidental discharge), five involved officers displaying their Taser, three involved use of a RIPP Hobble, four involved the use of hard empty hand controls with minor injuries (abrasions), one involved soft empty hand controls with a report of no injuries.

### Reviews and Data

The number of reviews reflects the number of incident reports in which force was used by officers in response to a subject's resistance. More than one type of response may have been used in the same incident, causing a discrepancy between the total number of reviews and the total number of times different responses were utilized.

	2015	2016	2017	2018	2019
<b>TOTAL REVIEWS</b>	12	13	9	10	13
<b>Firearm Discharged</b>	1		1		
<b>Firearm Displayed</b>	8	6	3	4	1
<b>Taser Deployed</b>	1	1	2*	3*	1*
<b>Taser Displayed</b>			1		5
<b>OC Deployed</b>					
<b>Baton Strike</b>					
<b>Hard Hand Control</b>		2		1	4
<b>Soft Hand Control</b>	2	2	1	1	1
<b>Less Lethal Impact</b>					
<b>RIPP Hobble</b>		1	1	1	3
<b>Suspect Injured</b>		1	1	1	

\* Accidental discharges.

A review of the one incident where officers displayed their firearms revealed the following information:

- CR #19-1586: Officer responded to Shands South after hearing an armed disturbance on GPD's radio channel. The information given was that Shands Security was in a standoff with a knife wielding subject. Given the nature and information given in the call, the officer drew his handgun and while holding it down by his side made his way through to the Shands Security Officers. He gave the subject loud verbal commands to get on the ground with his hands to his sides and to cross his feet. The subject complied with the officer's commands and Shands Security Officers moved in and secured the suspect, at which time the officer holstered his firearm. After review, the officer was found to be acting within the Department's policies, procedures, and directives.

A review of the five incidents where an officer displayed a Taser revealed the following information:

- CR #19-0515: Officers responded to UF Health 10th floor NICU in the north tower to assist a DCF case manager in taking a baby with serious medical issues in need of constant hospital care into protective custody and removing the biological mother from the unit and restricting her access to the baby. The DCF case manager had a court order to take the baby into protective custody within the hospital. Once the officers and the DCF case manager explained that she would have to leave the hospital, the mother began trying to push her way past the officer and back into the baby's room. After falling to the ground, the mother tried to kick one of the officers, and bit another on the arm. Officers began giving commands to the mother to take her arms out from under her and one of the officers pulled out her Taser but put the Taser back in the holster after evaluating the situation and began trying to pull the subject's hands out from underneath her body. After review, the officers were found to be acting within the Department's policies, procedures, and directives.
- CR #19-0697: Officer investigating a suspicious incident (loud banging on a door). Upon arrival of location, they discovered the banging was coming from a locked bathroom (previous increase patrol of area for suspicious incidents and criminal mischief). Officers announced themselves with no response. Another attempt was done and an individual stated he was inside the locked bathroom. Unsure what the situation was and prior to officers unlocking bathroom door, an officer displayed their Taser. Another officer unlocked the door. Officers made contact with the individual. Upon realizing the scene was safe, the officer holstered the Taser. After review, the officer was found to be acting within the Department's policies, procedures, and directives.

- CR #19-0967: Combined Communications informed our agency that The Gainesville Police Department was responding to a traffic crash around the 1000 block of SW 13th Street. We were then told that an involved person had fled the crash scene and was last seen naked in the area of Newell Drive and Diamond Road. Officers responded and located the suspect near the Brain Center east side loading dock. They both ordered the suspect to stop but he fled west bound (on foot) along the sidewalk on the north side of the Brain Center. Officers pursued (on foot) from behind while continuing to command the suspect to stop. One of the officers drew his Taser but did not fire it. As the subject reached the point where that sidewalk intersects with Newell Drive, he was confronted by an officer who was approaching the area north bound on Newell Drive in their car. The subject decided at this point to dive over a fence and into the creek bed that runs along the north side of the sidewalk. The officers were able to corner the suspect there in the creek bed and one of the officers confronted the suspect with his Taser and gave him commands. The suspect was concealing his hands under his body and refused to show them to officers. While being covered by an officer with his Taser, officers descended into the creek bed and cuffed the suspect without further incident. After review, the officer was found to be acting within the Department's policies, procedures, and directives.
- CR #19-1321: Officer arrived on the scene of a physical fight. He observed another officer attempting to restrain a resistant subject who had been involved in the fight and had blood on his face. The suspect again pulled away from the officer, who then placed him on the ground. The officer gave the suspect orders to lay on his stomach but the suspect continued to try and pull away. Due to the suspect's previous involvement in a fight, his level of intoxication, and his continued resistance with the officers, an officer drew his Taser and gave the suspect verbal orders in order to prevent his escalation of resistance. The suspect then complied and an officer holstered his Taser and the suspect was handcuffed. After review, the officers were found to be acting within the Department's policies, procedures, and directives.
- CR #19-1410: Officer responded to Hernandez Hall in reference to a mentally impaired individual yelling into Blue Phone #41. Upon arrival, the officer observed a large, stocky black male standing outside of a vehicle. He appeared agitated, but was attempting to tell officers about the vehicle. He spontaneously stated, "I stole the car!!..." As an officer allowed the suspect to explain the situation, he reached into his right pocket and pulled out a pack of cigarettes. He then reached back into his right front pocket, and kept it inside the pocket for a longer amount of time. The officer asked if the suspect was looking for a lighter, to which he did not answer. The suspect seemed to take a breath, and began staring down one of the officers. The suspect then took an aggressive stance while staring at that officer and lunged towards the officer's firearm and grabbed at it with his right hand. This caused the officer to fall backwards towards the ground.

The officer and the suspect went to the ground as other officers attempted to physically restrain him. The officer sustained an injury to his elbow during the altercation. A backup officer displayed a Taser out of its holster and pointed it at the suspect to provide cover during cuffing. After review, the officers were found to be acting within the Department's policies, procedures, and directives.

A review of the three incidents where officers used a RIPP Hobble revealed the following information:

- CR #19-0066: A juvenile was a patient at Shands North who escaped during the process of being under a Baker Act. Shands security notified UPD that the patient ripped off his IV and took off on foot from Shands and they needed assistance in bringing him back because he was a danger to himself. Multiple officers on duty responded and engaged in a foot pursuit. Officers eventually caught up to him at the west side of Microbiology, off Museum Drive, at a grassy area by the fence near the Intermural Soccer fields. The juvenile was actively trying to escape and was given loud verbal commands to get on the ground which he refused. Three officers were the first on scene and used open hand techniques to bring the juvenile to the ground to gain physical control. While on the ground and in handcuffs, he attempted to get back up. An officer suggested the use of a RIPP hobble to aid in the struggle and prevent injury to the juvenile. A lieutenant approved the use of a RIPP hobble and the officer applied it. Once the RIPP hobble was applied, the juvenile suffered a seizure episode. He was also bloody on his left arm. EMS was called to the scene. EMS assessed him and transported him back to Shands. After review, the officers were found to be acting within the Department's policies, procedures, and directives.
- CR #19-0072: An off-duty officer observed a male strike a woman in the face with a closed fist multiple times at a bookstore. With the assistance of several people in the store, including another off-duty law enforcement officer, the suspect was held on the ground. After being handcuffed, the suspect was searched for weapons. GPD Officers arrived and escorted the suspect out of the building. The suspect began actively resisting the GPD officers by kicking his legs and rolling on the ground. He was also banging his head on the concrete. The GPD officers had a RIPP hobble restraint and it was applied to the suspect.
- CR #19-0515: Officers responded to UF Health 10th floor NICU in the north tower to assist a DCF case manager in taking a baby with serious medical issues in need of constant hospital care into protective custody and removing the biological mother from the unit and restricting her access to the baby. The DCF case manager had a court order to take the baby into protective custody within the hospital. Once the officers and the DCF case manager explained that she would have to leave the hospital, the mother began trying to push her way past the officer and back into the baby's room. After falling to the ground, the mother tried to kick one of the officers, and bit another on the arm. Officers began giving commands to the mother to take her

arms out from under her and one of the officers pulled out her Taser but put the Taser back in the holster after evaluating the situation and began trying to pull the subject's hands out from underneath her body. Once handcuffed and being escorted out of the NICU, the suspect began yelling and flailing. One of the officers requested leg restraints be brought up to the 10<sup>th</sup> floor. A sergeant as on scene and authorized the application of the restraints by the officers. After review, the officers were found to be acting within the Department's policies, procedures, and directives.

Comparison of 2018 and 2019 incident factors:

INCIDENT FACTORS	2018 (10)	2019 (13)
UF Student	2	3
Call for Service	7	10
Proactive Response	1	3
Traffic Stop	1	0
Stolen Vehicle	0	1
Burglary Response	0	0
Fighting	3	3
Drugs/Alcohol	3	2
Excited Delirium	0	0
Weapons	2	2

#### Agency Comparisons

	2018			2019		
	UFPD	GPD	ACSO	UFPD	GPD	ACSO
<b>CALLS FOR SERVICE</b>	<b>12,814</b>	<b>108,686</b>	<b>93,461</b>	<b>15,208</b>	<b>92,762</b>	<b>100,764</b>
<i>Factor over UFPD</i>		8.5	7.3		6.1	6.6
<b>Response to Resistance</b>	<b>8</b>	<b>69</b>	<b>789</b>	<b>12</b>	<b>64</b>	<b>384</b>
<i>Factor over UFPD</i>		8.63	98.63		5.33	32.00
<b>Firearm Displayed</b>	4	**N/A	262	1	**N/A	247
<b>Firearm Discharged</b>	0	0	1	0	0	0
<b>Taser Displayed</b>	0	**N/A	73	5	**N/A	83
<b>Taser Discharged</b>	*3	28	61	*1	20	59
<b>OC Spray Displayed</b>	0	2	2	0	3	4
<b>Empty Hand Control</b>	2	59	291	4	31	209

\* Taser Accidental Discharge

\*\*GPD does not track Displays of Taser or Firearms

#### UFPD Use of Taser Statistics 2001-2019

METHOD	TOTAL			TOTAL		TOTAL	
	2001-2018	2018		2019		2001-2019	%
<b>UF Students</b>							
Drive Stun	7	0		0		7	50.00%
Darts Fired	6	0		0		6	50.00%
<b>FACTORS DOCUMENTED FOR TASER INCIDENT</b>							
Active Resistance	9	0		0		9	71.43%
Fighting	5	0		0		5	42.86%
Suicidal	2	0		0		2	14.29%
Drugs	0	0		0		0	0.00%
Alcohol	7	0		0		7	50.00%
Weapon	4	0		0		4	28.57%
Excited Delirium	0	0		0		0	0.00%
Injuries	0	0		0		0	0.00%
<b>Non-Students</b>							
Drive Stun	13	1		0		13	52.00%
Darts Fired	12	0		0		12	48.00%
<b>FACTORS DOCUMENTED FOR TASER INCIDENT</b>							
Active Resistance	18	0		0		18	50.00%
Fighting	13	0		0		13	36.00%
Suicidal	0	0		0		0	0.00%
Drugs	5	0		0		5	13.8%
Alcohol	8	0		0		8	22.2%
Weapon	2	0		0		2	5.5%
Excited Delirium	1	1		0		0	4.17%
Injuries	0	0		0		0	0.00%

In 2019, there was no incident of the Taser being deployed, there were only instances where the Taser was displayed. The number of Taser deployments and displays continues to be low over the last nine years.

## Analysis

An analysis of the data from 2019, excluding one accidental discharge, revealed the following trends/patterns:

Officers were more likely to encounter resistance on Saturday (41%) and during nightshift (66% between 1800 hours and 0600 hours). There did not appear to be a statistical significance in the type of calls to which the officers were responding. In all the incidents, one subject was involved. Only one of the incidents involved one officer, suggesting that the presence of multiple officers was not a deterrent to a subject's decision to resist.

The resisting subjects were mostly male (91%) and were 50% white, 25% black, 25% unknown. The minimum age of the subject was 14, with a maximum age of 68, providing an average age of 32, indicating the subjects were all adults, except for one juvenile, but most likely not of college-age. The majority of the subjects were not students (75%).

Of the twelve incidents, four subjects had visible minor injuries during the use of empty-hand controls. Four officers sustained minor injuries in these incidents. This is an important reminder that injuries can still occur without the use of traditional weapons.

All reviews determined the officer's actions were within department guidelines.

## Results

Based on the reviews in previous years, the Training Division has taken a proactive measure of increasing the amount of response to resistance training provided to officers during in-service training. The Training Division includes weaponless control techniques in in-service annually, focusing on tactics that would most likely be used in upcoming events (e.g. pressure points before anticipated protests, escorts before football seasons, etc.).

Based on the review of the 2018 incidents, new restraints were purchased and the Training Division provided training on leg restraints to all department law enforcement personnel during the first quarter in-service.

## Policy Review/Modifications

I conducted a review of the Department Standards Directive 4000 – Response to Resistance. The directive was updated in 2019 to include a new paperless tracking system that improved the way Response to Resistance incidents are reported, tracked and analyzed. No changes to directives or procedures are recommended at this time.