

Training Memorandum 23-005

DATE: January 9th, 2023
TO: Chief Linda Stump-Kurnick
FROM: Lieutenant Scott Silver #91
CC: Office of Accreditation, file
SUBJECT: Annual Analysis of Response to Resistance for the 2022 Calendar Year

In compliance with CALEA Standard 4.2.4, I analyzed the 2022 response to resistance activities, policies, and practices. In the 2022 calendar year, three (3) reviews of response to resistance incidents were conducted. Of the three incidents reviewed, three involved officers drawing/displaying their firearm (or rifle), and one involved the use of a rip hobble.

Reviews and Data

The number of reviews reflects the number of incident reports in which officers used force 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.

	2018	2019	2020	2021	2022
TOTAL REVIEWS	10	13	5	4	3
Firearm Discharged					
Firearm Displayed	4	1	2	3	2
Taser Deployed	3*	1*	1*		
Taser Displayed			1		
OC Deployed					
Baton Strike					
Hard Hand Control		4			
Soft Hand Control	1	1			
Less Lethal Impact					
Leg Restraint	1	3	1	1	1
Suspect Injured	1				

* Accidental discharges while conducting the daily test of the Taser.

A review of the three incidents where officers displayed their firearms revealed the following information:

- CR #22-0679: On 07/06/22 at approximately 1800 hrs., Officer Roberts, ID 49, was just recently off duty and driving home in his personally owned vehicle when he witnessed an older white male holding a knife on two other males. Officer Roberts exited his car and identified himself as a Law Enforcement Officer. Officer Roberts gave loud clear verbal commands to the older, white male, later identified as Fred Riley, to "Drop the Knife." Officer Roberts was presented with a situation he assessed to be life-threatening. He quickly donned his body armor and his department-issued Sig Sauer P320 handgun from the trunk of his car. He brandished his weapon and gave verbal commands to the suspect. Riley dropped the knife. Officer Roberts held Riley with lethal coverage until Gainesville Police Officers arrived on the scene and took over the call. The victims ultimately signed a complaint withdrawal and no charges were filed on Riley. After review, the officer was found to be acting within the Department's policies, procedures, and directives.

- CR 22-1545: On 12/31/2022, UFPD Communications received a call of an armed subject on the 8th floor of the north tower of Shands Hospital. UFPD Communications informed Patrol Officers there was a man pointing a gun at a patient in room 8240. Officer Moncivais and Ofc. Kizzar were met in the front circle by a nurse who escorted them to the 8th floor. Based on the information available, Officer Kizzar deployed his department-issued Sig Sauer 516 rifle. As a result of the initial information received Ofc. Moncivais unholstered his duty firearm when he stepped off the elevator onto the 8th floor. Officer Moncivais held his firearm at tactical, close to the body, ready position while his firearm was in public view. Officer Kizzar's rifle was also slung over his body in public view. A nurse that passed by the room mistakenly thought the subject was holding a gun.

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

- CR 22-1366: Officer Coatland Robson took Roman Mitchell into custody for trespass after warning. During the process of affecting the arrest, Mitchell exhibited active resistance by bracing, tensing, and pulling away multiple times. Mitchell continued to resist while being placed in handcuffs and while placed in a prisoner transport compartment inside UFPD vehicle 18. Mitchell rotated his hands from behind his back to the front of his body while being verbally aggressive. Mitchell was removed from the prisoner transport and the handcuffs were re-applied to the position behind his back. A Ripp Hobble was applied to Mitchell's legs. During this process, Mitchell continued to resist by jerking his feet away in an attempt to avoid restraint. The Ripp Hobble was applied, Mitchell was placed back into the vehicle, and the tail of the Ripp Hobble was placed through the back door and into the door well of the front door without being secured. All was done consistently with UFPD Training. During transport to the ASO Department of the Jail, Mitchell continued to violently kick the inside of the transport

compartment. After review, the officer was found to be acting within the Department's policies, procedures, and directives.

Comparison of 2021 and 2022 incident factors:

INCIDENT FACTORS	2021(4)	2022 (3)
UF Student	0	0
Call for Service	0	2
Proactive Response	4	1
Traffic Stop	1	0
Stolen Vehicle	1	0
Burglary Response	0	0
Fighting	0	1
Drugs/Alcohol	0	0
Excited Delirium	0	0
Weapons	0	1

Agency Comparisons

	2021			2022		
	UFPD	GPD	ACSO	UFPD	GPD	ACSO
CALLS FOR SERVICE	9,751	93,285	97,533	10,001	70,842	
<i>Factor over UFPD</i>		9.6	10.0		7.1	0.0
Response to Resistance	4	65	366	3	27	425
<i>Factor over UFPD</i>		16.25	91.50		9.00	141.67
Firearm Displayed	3	50	235	3	not reported	334
Firearm Discharged	0	2	4	0	0	0
Taser Displayed	0	6	35	0	not reported	147
Taser Discharged	0	9	37	0	3	137
OC Spray Discharged	0	8	4	0	5	9

UFPD Use of Taser Statistics 2001-2022

METHOD	TOTAL			TOTAL		TOTAL	
	2001-2021	2022		2022		2001-2022	%
UF Students							
Drive Stun	7	0		0		7	50.00%
Darts Fired	6	0		0		6	50.00%
FACTORS DOCUMENTED FOR TASER INCIDENT							
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%
Non-Students							
Drive Stun	14	0		0		13	52.00%
Darts Fired	12	0		0		12	48.00%
FACTORS DOCUMENTED FOR TASER INCIDENT							
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	2	0		0		2	4.17%
Injuries	0	0		0		0	0.00%

In 2022, there was no incident of the Taser being deployed or displayed. The number of Taser deployments and displays is not statistically significant, which is consistent with prior.

Analysis

An analysis of the UFPD data from 2022, revealed the following trends/patterns:

Officers were more likely to encounter resistance during dayshift (66.6% between 0600 hours and 1800 hours). There did not appear to be a statistical significance in the type of calls to which the officers were responding. One incident involved an officer off duty and the other 2 instances were calls for service. 2 incidents involved reports of subjects brandishing weapons and the other incident involved a subject actively resisting arrest. The third incident had no specific subject, as the response simply involved a firearm display to the general public and no firearm was brandished toward a person.

The resisting subjects were all male (100%) and were 50% white, and 50% black. The minimum age of the subject was 31, with a maximum age of 52, providing an average age of 41.5. All of the subjects were not students (100%).

Of the 3 incidents, none sustained injuries from their involvement with officers.

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

Results

Based on the reviews in previous years, the Training Division still takes a proactive measure of the amount of response to resistance training provided to officers during in-service training. Based on this information, the Training Division believes the current allotment of issued equipment is adequate and will continue to train in best practices.

Policy Review/Modifications

I conducted a review of the Department Standards Directive 4000 – Response to Resistance. The directive was updated in 2022. No changes to directives or procedures are recommended at this time. FDLE announced a new firearms qualification course, that must be completed by July 1, 2024.