

Training Memorandum 24-015

DATE: January 5th, 2024
TO: Chief Linda Stump-Kurnick
FROM: Lieutenant Scott Silver #91
CC: Office of Accreditation, file
SUBJECT: Annual Analysis of Response to Resistance for the 2023 Calendar Year

In compliance with CALEA Standard 4.2.4, I analyzed the 2023 response to resistance activities, policies, and practices. In the 2023 calendar year, ten (10) reviews of responses to resistance incidents were conducted. Of the ten, three involved the use of a leg restraint device, 5 involved the display of a firearm in the view of non-law enforcement personnel, and two involved the use of open-hand techniques requiring further review.

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.

	2019	2020	2021	2022	2023
TOTAL REVIEWS	13	5	4	3	10
Firearm Discharged					
Firearm Displayed	1	2	3	2	5
Taser Deployed	1*	1*			
Taser Displayed		1			
OC Deployed					
Baton Strike					
Hard Hand Control	4				
Soft Hand Control	1				2
Less Lethal Impact					
Leg Restraint	3	1	1	1	3
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 #23-0788: On July 5, 2023, at approximately 0843 hours, UFPD Communications received a call from the Alachua County Combined Communication Center (CCC). CCC had taken a call from an unknown individual who stated that he had ammunition and is going to shoot the first person he saw, then hung up the phone. CCC advised the location was Library West. Before disconnecting, the individual stated. "I'm going to hang up now and gonna go shoot." Ofc. Roberts (49) and Ofc. Kizzar (95) responded in their marked department vehicle. As CCC took the initial call, the Gainesville Police Department was also dispatched to the location under mutual aid. Based on the nature of the call to shoot UF students, and the location of the call at Library West, UFPD officers deployed their department-issued rifles. As officers entered the facility, it was quickly established that there was no active threat in the building. Once the initial scene was secured, officers returned their department-issued rifles to their secured vehicles and assisted in conducting a secondary search of the facility. This call was eventually deemed to be a hoax, otherwise known as "Swatting."
- CR 23-1362: On 10/9/2023, Multiple UFPD Officers attended the United for Israel Candlelight Vigil being held in the open area of Turlington Plaza as scene security. At approximately 2057 hrs., a commotion broke out when the crowd reacted to an unknown stimulus. The crowd panicked and nearly all patrons in attendance broke into an instantaneous run while screaming. Multiple officers responded to the perceived threat to ascertain what caused the panic. Officers responded with department-issued Sig Sauer P320RX handguns drawn. Multiple patrons were on the ground either shielding themselves from the unknown threat or injured from the trampling of the crowd. During the immediate post-incident, UFPD, as well as GPD received multiple reports of shots fired at various buildings on campus. The Architecture Building was listed as a possible location for an active shooter. Sgt. S. Williams arrived with his department-issued rifle visible to the public, along with other officers with drawn department-issued handguns. Once it was determined that the report of an active shooter was false, the officers holstered their handguns and Sgt. Williams returned his rifle to his patrol vehicle.
- 23-1578: (a) On November 20, 2023, at approximately 1712 hours, Ofc. Jablanski and Sgt. Castronover responded to the Standard Apartments (1360 W University Ave) about a subject possibly attempting to commit suicide with a handgun. According to the information being provided at that moment, the subject had sent a video to his parents with a gun in his mouth. The subject also had sent a text stating he was going to "die today". The subject's parents were able to provide the location of the subject at the time via the "Life 360" phone app ping, which showed he was currently at his residence. Upon arrival to the subject's apartment, UFPD officers knocked multiple times announcing their presence at the door. Due to the officers having credible information that the subject had access to firearms, this was done with their department-issued firearms out. With no response at the door, officers were provided access to the apartment to conduct a well-being check by the Standard staff. While checking the apartment, officers maintained

their issued firearms brandished. After determining the apartment was clear, they both returned their firearms to their holster.

- 23-1578: (b) Officer Jablanski contacted the subject of the suicide threat call for service which included the use of a firearm at Koral King`s Reef, an off-campus business. After performing a wellness check and search of the subject`s apartment at The Standard, multiple firearm boxes, holsters, and ammunition were found inside his bedroom. With the high likelihood of a firearm being in the possession of the subject, Officer Jablanski drew his department-issued firearm immediately upon contacting the subject. Once the situation was safe, he reholstered his firearm.
- 23-1696: On 12-14-2023, Officer Nate Smith was assisting ASO Deputy Pallett and ASO K9 Kane with a track of an offender at the Austin Cary Forest Learning Center about a stolen vehicle that was recovered at the forest main entrance. Officer Nate Smith brandished his firearm while searching a building on-scene. Upon locating the concealed suspect, Ofc. Smith brandished his weapon until he was able to safely secure the offender using his department-issued handcuffs.

A review of the three incidents where officers used leg restraints revealed the following information:

- 23-0152: On 2/3/2023, Ofc. S. Williams, Ofc. N. Smith, and Ofc. Inman responded to a mentally ill subject outside of Peabody Hall. While using CIT and attempting to de-escalate the mentally ill subject, the subject began self-harming by slamming her knees against the concrete. Officers placed the subject into an escort and began walking her to their patrol car for transport to a medical receiving facility. During this escort, the subject began actively and aggressively resisting officers by kicking, kneeling, spitting, and attempting to pull away. Once officers got Ms. Noll to their patrol vehicle, Ms. Noll was placed on the ground and restrained with handcuffs. Officers then began placing Ms. Noll into the rear seat of the patrol vehicle. Ms. Noll again escalated and kicked officers, at which time, Ofc. Williams and Ofc. Smith placed Ms. Noll`s legs into leg restraint.
- 23-0775: On 6/30/2023, Ofc. Zyskowski, Ofc. Dean, and Ofc. N. Smith attempted to remove a subject for a Baker Act transport. The subject was very combative and uncooperative. She was screaming and violently resisting the officer's attempts to transport her. Her actions involved forcefully resisting officers verbal requests and the officer`s attempts to place handcuffs on her. The subject actively resisted the officers` attempt to place her in handcuffs. Once handcuffs were finally able to be placed on the subject she continued to resist by not allowing the officer to place her into a wheelchair, which was being used to transport her out of the facility. Her actions resulted in her sitting on the floor in front of the wheelchair. Once the officers were able to get her into a wheelchair, they attempted to use a rip hobble to restrain her in the wheelchair. The use of a rip hobble was not successful and was quickly abandoned. The subject`s actions

resulted in her sitting on the floor again. Throughout the entire incident, she was combative and uncooperative. The subject was eventually able to be transported to Shands under a Baker Act, after verbal intervention from Lt. Boone.

- 23-1309: On 10/5/2023, multiple officers responded to a physical fight in the parking lot of the Public Safety Building. During the investigation Det. Burgoyne attempted to detain the primary suspect. The suspect attempted to pull away from Det. Burgoyne with other officers, and subsequently actively resisted the attempts of the officers. The suspect was taken to the ground and was placed in handcuffs and leg restraints.

A review of the incidents involving other circumstances revealed the following information

- 23-0526: On 4/22/2023, Ofc. Kizzar had to restrain a subject who was physically interfering with the completion of a Baker Act on the subject's child. The subject actively resisted Ofc. Kizzar and was placed into handcuffs after some struggle. The subject accused Ofc. Kizzar of biting her, however, there was no video evidence supporting this claim. The subject requested an ice pack on scene and was eventually verbally de-escalated by (at the time) Sgt. Boone.
- 23-0320: On 3/10/2023, Ofc. McCormick and Det. Tarafa tried to detain a robbery suspect and he began resisting by pushing the two officers. In response to the subject's active and aggressive resistance, Det. Tarafa escorted him to the ground to allow Officer McCormick the ability to place his department-issued handcuffs on the suspect. While escorting the suspect to the ground, the suspect placed his arm around Det. Tarafa's neck in a manner consistent with a "headlock". The "headlock" was not secured, and Det. Tarafa was able to remove the suspect's arms from around his neck. While doing so, Det. Tarafa was hit in the back of the head with a white mega-phone by another subject. The other subject then continued to interfere in the arrest by attempting to pull Det. Tarafa away from the initial subject. In response to the additional resistance and obstruction, Det. Tarafa escorted the second subject to the ground. Ofc. Mayall then placed the second subject into his department-issued handcuffs. Det. Tarafa scraped both his knees and had minor bleeding

Comparison of 2022 and 2023 incident factors:

INCIDENT FACTORS	2022 (3)	2023 (10)
UF Student	0	3
Call for Service	2	7
Proactive Response	1	2
Traffic Stop	0	0
Stolen Vehicle	0	0
Burglary Response	0	0
Fighting	1	1
Drugs/Alcohol	0	0
Excited Delirium	0	0
Weapons	1	2

Agency Comparisons

	2022			2023	
	UFPD	GPD	ACSO	UFPD	GPD
CALLS FOR SERVICE	10,001	70,842	97,533	8,109	
<i>Factor over UFPD</i>		<i>7.1</i>	<i>9.8</i>		<i>0.0</i>
Response to Resistance	3	27	425	3	27
<i>Factor over UFPD</i>		<i>9.00</i>	<i>141.67</i>		<i>9.00</i>
Firearm Displayed	3	not reported	334	3	not reported
Firearm Discharged	0	0	4	0	0
Taser Displayed	0	not reported	147	0	not reported
Taser Discharged	0	3	137	0	3
OC Spray Discharged	0	5	9	0	5

METHOD	TOTAL			TOTAL		TOTAL	
	2001-2023	2023		2023		2001-2023	%
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 2023, 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 years.

Analysis

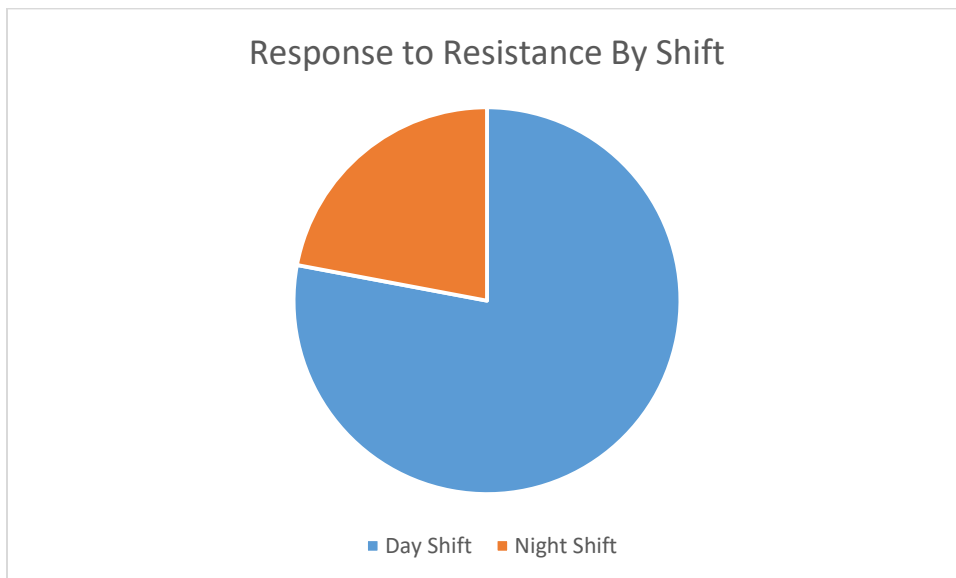
An analysis of the UFPD data from 2023, revealed the following trends/patterns:

Officers were more likely to encounter resistance during dayshift (77.8% between 0600 hours and 1800 hours). Multiple separate mental health crises accounted for 33.3% of responses to resistance. One incident was a law enforcement reaction to a crowd panic and erroneous reports of an active shooter. Another action was a hoax active shooter call, commonly referred to as “Swatting.”

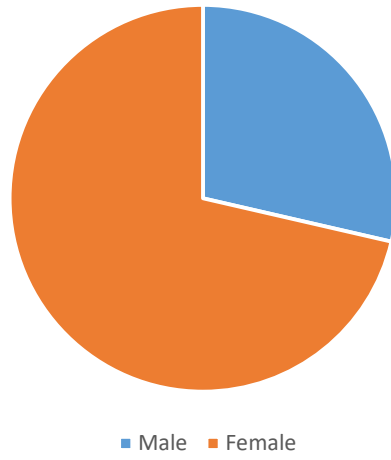
The resisting subjects were 71.4% female and 28.6% male and were 42.9% white, 42.9% black, and 14.2% Asian. The minimum age of the subject was 20, with a maximum age of 45, providing a median age of 26.6. 42.9% of the subjects were UF Students

Of the 10 incidents, 1 subject sustained minor injuries from their involvement with officers.

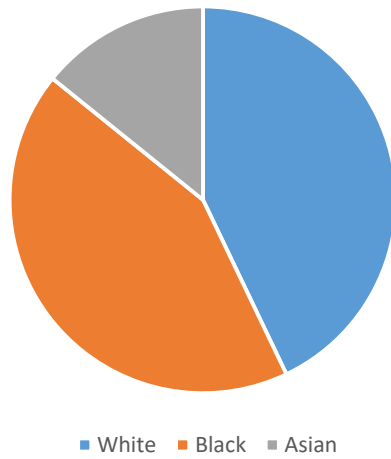
All reviews determined the officer’s actions were within department guidelines.



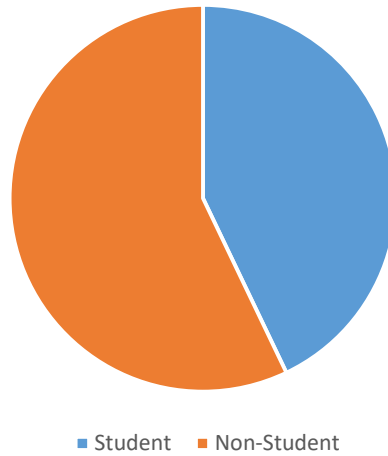
Response to Resistance by Gender



Response to Resistance by Race



Response to Resistance Student Status



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.