

# ATHENS-CLARKE COUNTY POLICE DEPARTMENT

R. Scott Freeman, Ph.D.  
Chief of Police

Justin D. Gregory  
Deputy Chief

DATE: January 30, 2018

TO: R. Scott Freeman, Ph.D.  
Chief of Police

FROM: Justin D. Gregory  
Deputy Chief of Police

RE: 2017 Use of Force Review and Analysis

## A. Introduction

**1. Analysis Period:** January 1, 2017 - December 31, 2017

**2. Data Reviewed:**

- Use of Force Report Data from Crime Analysis Unit for 2014 - 2017
- Use of Force Report Data from Excel Spreadsheet for 2017
- CAD Event Data for 2014 - 2017
- Arrest Data for 2014 - 2017
- Use of Force Policy
- Use of Force training for 2014 - 2017
- Attrition rate for 2014 - 2017

## B. Data, Statistics and Charts:

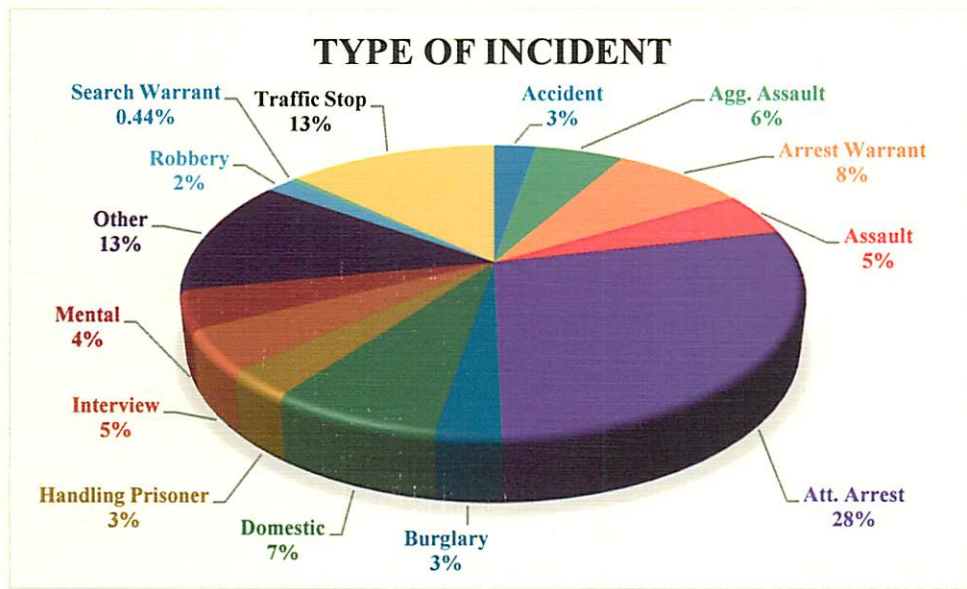
### 1. Use of Force Data

Total Use of Force Incidents:	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
	282	268	204	264
Firearm Presented:	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
	67	65	56	86



*[Handwritten signature]*  
1-31-2018

Compliance Tools:	2014	2015	2016	2017
	50	35	38	23
Hard Control/Strikes:	2014	2015	2016	2017
	27	16	7	17
Taser (CEW):	2014	2015	2016	2017
(Implemented July 2015)	N/A	3	17	37D/58P*
Soft Control/Empty Hands:	2014	2015	2016	2017
	221	198	142	155
Impact Weapon/Baton:	2014	2015	2016	2017
	5	3	1	1
Lethal Force:	2014	2015	2016	2017
	0	0	1	1
Stop Stick Deployment:	2014	2015	2016	2017
	4	0	2	9



Type of Incident	#
Accident	12
Agg. Assault	25
Ambush	0
Arrest Warrant	38
Assault	22
Att. Arrest	128
Burglary	13
Domestic	34
Handling Prisoner	14
Interview	21
Mental	19
Other	58
Robbery	8
Search Warrant	2
Traffic Stop	59

\* Taser was introduced in July of 2015. In the original and current policy, the committee specifically decided against tracking mere presentation of CEW on the current use of force form. CEW presentation was added in the last quarter of 2016. "D" = Deployed, "P" = Presentation.

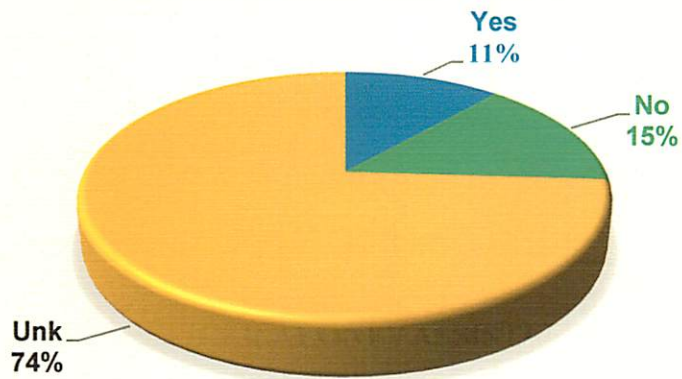
\*\* The total numbers of each column may add up to more than the total number of reports since some Incidents, document more than one single type of force application. Example: A report may document a presentation of a firearm and use of a compliance and control tool.

## 2. Officer Involvement Data

Officer	#	Officer	#	Officer	#	Officer	#	Officer	#
Addison	2	DeWitt	5	Johnson, John	1	Nichols	2	Wood	2
Anderson	4	Dieball	4	Johnson, P.	1	Norman	1	Wright	3
Anthony	4	Douglas	1	Johnson, T.	1	Norton	2	Young	2
Banes	2	Dunlap	2	Jones, J.	2	O'Neill	2		
Barnett	1	Elder	2	Jones, S.	9	Owens	1		
Barrick	1	Emmett	4	Kelley, D.	3	Painter	1		
Blackmon	1	England	1	Kitchen	5	Parillo	4		
Bond	10	Epps, G.	1	Kovacs	1	Pate	3		
Bowen	1	Evans	2	LaValley	3	Patterson	4		
Bradford	4	Farmer	1	Leder	1	Pilgrim	2		
Branning	13	Fields, J.	6	Lee	6	Pilkington	4		
Britt	1	Filed, S.	1	Leverette	1	Pulliam	1		
Burgamy	1	Franco	3	Lewis	6	Ring	1		
Cammenga	3	Freeland	9	Lister	2	Rivera	2		
Chambers	1	Gibson	1	Maleug	4	Sangster	3		
Choudhury	4	Gilchrist	2	McDougald	1	Saulters, T.	3		
Clark, K.	1	Gonzalez	3	McFaddin	6	Schulte	2		
Cook, J.	1	Gordon	3	McIlvaine	1	Scott, T.	2		
Cook, D.	2	Harrison	4			Smith, M.	2		
Cooper	1	Herron	1	Medina	2	Stanley	1		
Crosby	5	Holcombe	1	Meyer	2	Starr	2		
Davis	3	Ian	5	Miller	1	Thornton	1		
Dedrick	1	Impeduglia	1	Mitcham	3	Tilley	5		
Denis	1	Jablonski	5	Moss	1	Walker	1		
Denmark	3	Jennings	1	Nelson	3	Whitney	7		

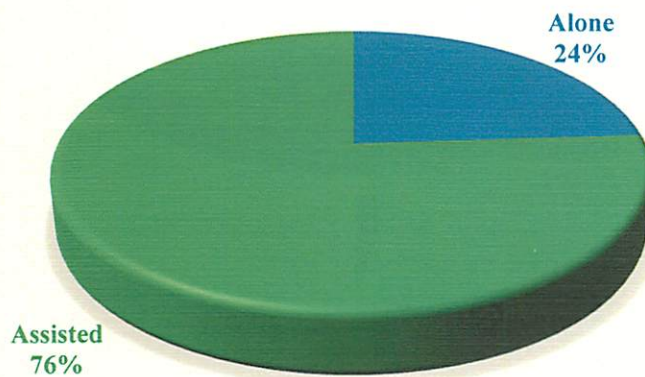
- One hundred and three (103) officers were involved in two hundred and sixty four (264) use of force incidents.
- Fourteen (14) officers were involved in five (5) or more use of force reports in 2017, (Bond – 10 // Branning – 13 // Crosby – 5 // DeWitt – 5 // Fields, J. – 6 // Freeland – 9 // Jablonski – 5 // Jones, S. – 9 // Kitchen – 5 // Lee – 6 // Lewis – 6 // McFaddin – 6 // Tilley – 5 // Whitney – 7). Officers with five (5) or more use of force reports are highlighted above.
- Four (4) officers had five (5) or more use of force reports in 2016 & 2017, (Branning, Crosby, & McFaddin).
- The Early Warning System was effective and utilized for those having multiple events within specified time period. While every case is individually reviewed, every time the system alerted, the officer's uses of force were re-examined to determine if there were any issues of concern. The officers in this category were recognized as very active on their respective shifts resulting in increased incidents of use of force.

### KNEW SUBJECT WAS ARMED



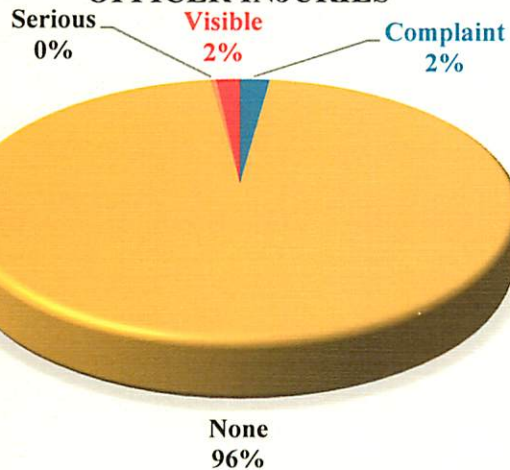
Knew Subject Armed	#
Yes	23
No	29
Unk	148

### OFFICER ALONE / ASSISTED

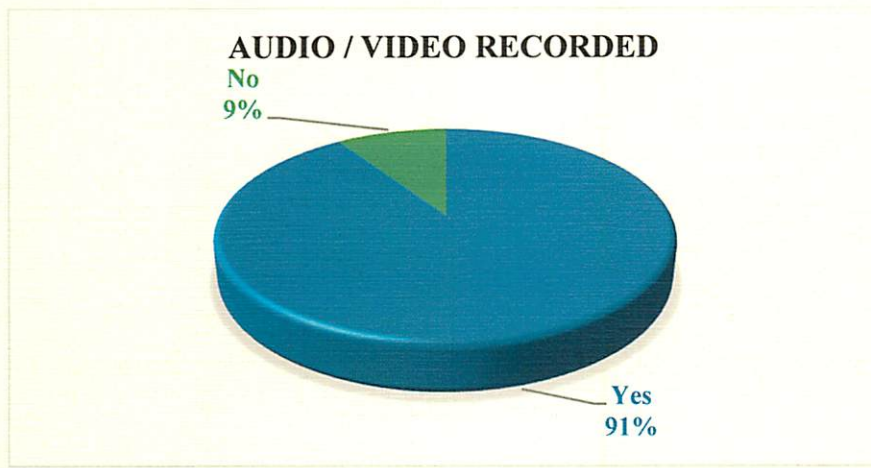


Alone / Assisted	#
Alone	65
Assisted	206

### OFFICER INJURIES

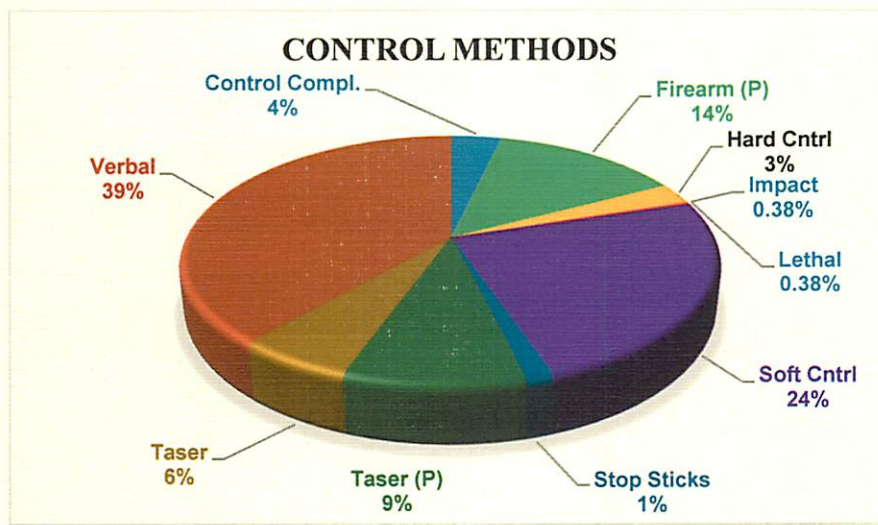


Injuries	#
Complaint	5
Fatal	0
None	231
Serious	1
Visible	4



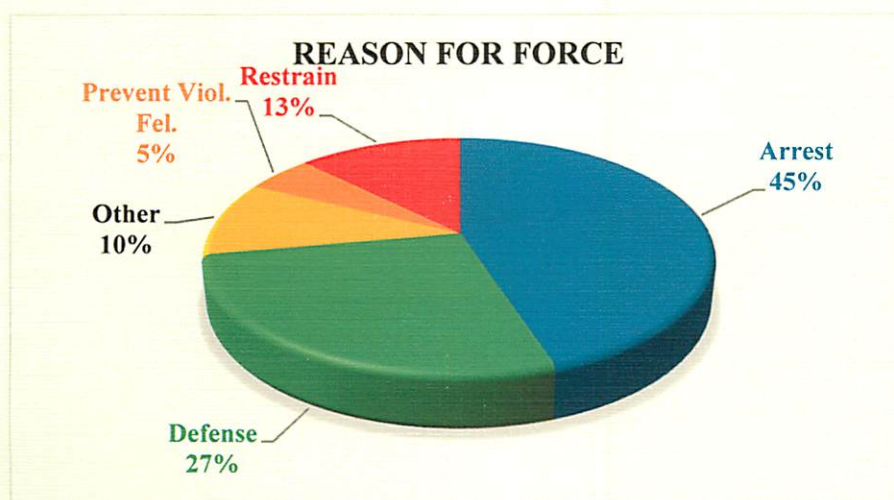
Audio / Video	#
Yes	186
No	19

### 3. Control Methods



Control Methods	#
Control Compl.	23
Firearm (P)	86
Hard Cntrl	17
Impact	1
Lethal	1
Soft Cntrl	155
Stop Sticks	9
Taser (P)	58
Taser	37
Verbal	244

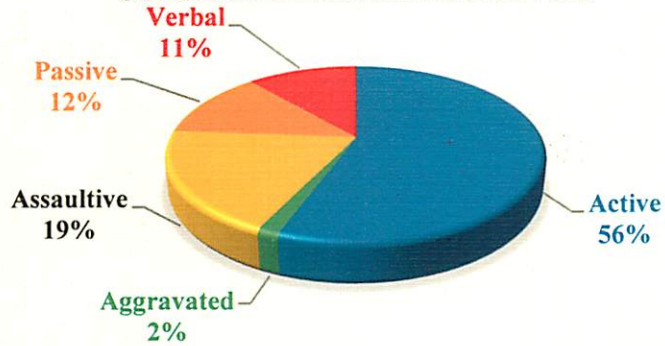
### 4. Reason for Force



Reason for Force	#
Agg. Animal	0
Arrest	210
Defense	127
Other	48
Prevent Viol. Fel.	24
Restrained	58

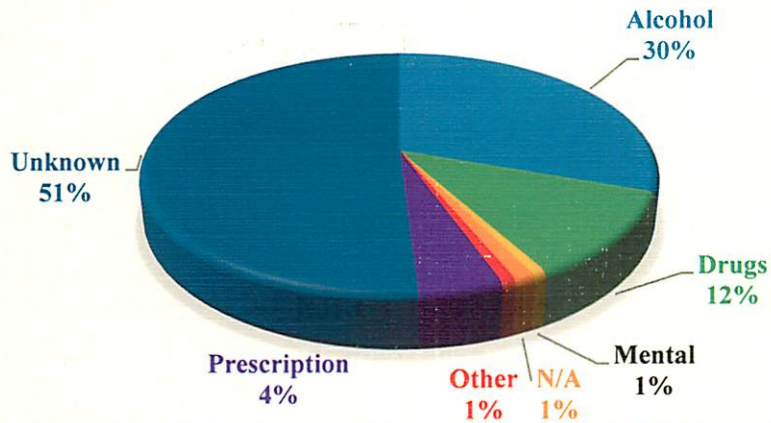
## 5. Subject Information

**SUBJECT RESISTANCE LEVEL**



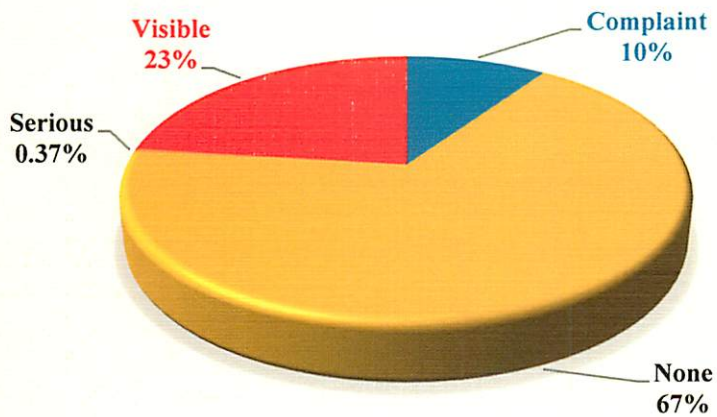
Subject Resistance	#
Active	143
Aggravated	4
Assaultive	49
Passive	32
Verbal	29

**SUBJECT U.I.**



Subject U.I.	#
Alcohol	82
Drugs	31
Mental	2
N/A	3
Other	2
Prescription	12
Unknown	137

**SUBJECT INJURIES**



Injuries	#
Complaint	26
Fatal	0
None	181
Serious	1
Visible	62

## **6. Use of force incident complaints, discipline or termination:**

There were no excessive force complaints filed regarding use of force in 2017.

There was one officer involved shooting. The incident involved an officer responding to a domestic. When he arrived, he witnessed the suspect execute his girlfriend by shooting her in the head. The officer fired at the suspect but did not strike him with any of the rounds fired. The suspect then committed suicide. The GBI and the ACCPD OPS conducted criminal and internal investigations respectively. At the time of this report, the final disposition of the GBI investigation has not been received, likely due to awaiting lab and ballistic results. Our internal investigation and use of force review found that the officer involved made reasonable decisions, given the very rapidly evolving and deadly incident. He was returned to duty.

The utility and validity of the Axon body worn camera was proven in this incident and further justifies their use to protect the officers and the public. However, the ACCPD also must continually be mindful of the limits of the cameras and our officers when evaluating use of force incidents. While we had video of this incident and it was adequate for this investigation, the placement of the camera (shoulder) did not record as much as a head mounted camera. Head placement has been established for the placement of cameras on patrol officers.

## **C. Training and Equipment**

### **1. Training Unit Commander suggestion for improvements:**

Lt. Ben Dickerson noted that there has been a high rate of misses during Taser deployment. This issue was addressed during the 2017 re-certification. After analyzing deployments, Sgt. Ryan McGee of the CDTU noted that officers were canting the Taser when deploying them. Emphasis was placed on effective distance and ensuring a vertical grip on the device during deployment to increase the hit rate of the second probe. Additionally, stressful scenarios were added as part of the 2017 re-certification that required very rapid deployment, activation and decision making. 2018 courses will continue emphasize the best deployment methods and scenario based training.

For 2018, Lt. Dickerson has selected some training courses to be conducted online. GPSTC has done a very good job of re-tooling their online training courses. Utilizing this type of training will provide the CDTU with more time to emphasize other training and advanced topics in classroom based in-service.

## **2. Effectiveness of current training:**

The low percentage of use of force incidents vs. CAD Events (citizen/police contact measure), low percentage of incidents vs arrests and low number of complaints suggest an effective program.

While ACCPD enjoys a successful program, additional ideas, additional training time and improved programs can only enhance performance during use of force situations, reduce severity of events and the frequency of them.

Use of force concepts are covered well from an academic sense. In 2017, additional scenario based training events were conducted via the Use of Force Simulator and in Taser re-certification. A continued increase in this type of training will occur in 2018.

In 2017, Sgt. Ryan McGee was assigned to the CDTU to head Firearms and Use of Force training. He was selected due to his very high level of expertise. His efforts have resulted in much improved, scenario based training, low-light training and a much more efficient operation of the firearms range. He has also been able to increase the frequency of those training opportunities.

While still limited, 2017 did see an increase in the offering of small blocks of defensive tactics training. However, likely due to staffing levels and reluctance to attend the rigorous physical training, attendance is low. As an added benefit, at the latter part of 2017, the CDTU began to offer a standardized defensive tactics program in NOBC with the SSGT curriculum. One of the 2017 goals was to offer mandatory defensive tactics instruction. That goal was not obtained and will remain a goal of the CDTU. It will be difficult with staff levels and the burden on the CDTU, as it is training record numbers of new officers.

The academic use of force training blocks have been effective at installing a very balanced mindset regarding use of force at ACCPD. Constitutional policing foundations, *Graham v Connor*, and use of force modeling are emphasized and valued by department members. Additionally, the idea of using sound tactics, de-escalation, dialogue and a degree of restraint are emphasized and evident in culture.

For 2017, de-escalation concepts were heavily emphasized as part of the annual training for all officers. New officers received and extended block on this topic in NOBC and it was a mandatory part of in-service training for all other sworn employees.

### **3. The current number of hours:**

The current number of hours dedicated to use of force training is adequate. However, ACCPD is not defined by adequacy or a minimalist approach. We want to be the best. Currently, new officers receive 4 hours, in house training on use of force. Yearly in-service training provides 2 hours of training and additional 4 hour Taser re-certification block with scenario based elements. Additional simulator training is scheduled yearly for officers.

### **4. Remedial training provided:**

The only remedial training provided in 2017 relating to a use of force related topic was for four firearms qualification failures.

### **5. New training in 2017:**

- Improved Taser re-certification (scenario additions).
- De-escalation course for all sworn.
- Online training added.
- Advanced CIT training conducted.

### **6. New training equipment during 2016:**

- 40 Glock 43's purchased and issued as backup weapons. Purchasing will continue until all sworn can be issued a Glock 43 for backup, plain clothes and off duty carry.
- 15 additional patrol rifles purchased.
- All officers transitioned to new Glock 17.
- Additional Tasers purchased and deployed. All sworn now certified.

## **D. Policies and Reporting**

### **1. Was policy revised during reporting period?**

Yes, new policy implemented in October 16, 2017.

## **E. Analysis and Practices**

### **1. Training deficiencies, policy failure:**

Deficiencies - Defense tactics is inadequate. It will require considerable resource to establish an effective program.

New hire training – The CDTU is required to expend tremendous effort in the training of new officers. It is at record levels, with 27 currently in training. Policies and issues effecting attrition will have to be addressed at the commission level to relieve this burden and allow the CDTU to focus on advancing training for current officers.

## **2. Pattern or trend (decrease in use of force):**

For 2017 there was a 23% increase in use of force reporting across all of ACCPD. While the previous year's decrease was difficult to discern, this year's increase is evident. 2017 represented a full year of Taser deployment and the additional reporting of mere Taser presentation. Taser deployment increased to 39 with all personnel having them on patrol. In addition, 55 Taser presentations were documented as use of force incidents. The previous year did not require mere presentation to be reported. This considered, this year's incidents of use of force is comparable to previous years.

## **F. Recommendations/Conclusions**

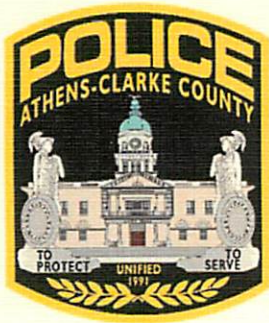
### **1. Suggestions:**

- Continue to increase frequency of simulator and scenario based training.
- Examine more advanced simulator systems and creation of a use of force training arena.
- More defensive tactics, control techniques
- Continue scenario based Taser/CEW re-certification.
- Continue to enhance the balance of use of force with COP, Fair and Impartial, restraint, dialogue, de-escalation and mental health challenges.
- Continue CIT training, advanced course offering.
- Reinforce de-escalation concepts in 2018.
- Identify software for use of force reporting.

### **2. Positive information...**

While the ACCPD must continue to self-reflect and improve, there is one data point that stands out: **Only .241% of our contacts in our community end in some type of use of force.**

The last Department of Justice study conducted concluded that this figure is around 1% nationwide. While that, in itself, indicates a false narrative in the media, the ACCPD can take pride in having an even smaller percentage of use of force in our community.



# ATHENS-CLARKE COUNTY POLICE DEPARTMENT

R. Scott Freeman, Ph.D.  
Chief of Police

Justin D. Gregory  
Deputy Chief

Date: March 6, 2018

TO: Justin D Gregory  
Deputy Chief of Police

FROM: SPO Steven Berardinelli

RE: Addendum to Use of Force Analysis – 2017 Remedial Training  
Use of Force

For 2017 Sgt. Bowen and I worked with a few officers outside of the New Officer Basic Course (NOBC). For one particular use of force incident it was related to the lack of going hands on to control a subject before and after a Taser incident. After reviewing the video, the officer came in and we went over techniques to take the individual to the ground and maintain control. Based on the video, we showed two different techniques to take the individual to the ground. The first technique was if the officer found himself wrapping the suspect up from behind and still trying to run away. We showed the technique of trapping the leg causing the suspect to lose balance and go to the ground (hook and drive technique). The other technique we showed was from the same starting position, officer wrapping the suspect from behind. This time the suspect would put weight back into the officer. We used the "table top take down" to get the subject on the ground. Once on the ground we showed the officer how to maintain back control and get the offender into a good position to be handcuffed.

For this same use of force incident the offender got away from the officer until he was tased by another officer. The contact officer did not go in and cuff under power. We discussed that and showed the officer a good tactical way to approach. Using the "knee on belly technique, to mount, to arm wrap" to get the offender onto his stomach for handcuffing.

Another officer was sent to us for the full 8hr Defensive Tactics refresher with the NOBC group. One of the specific incidents the officer was involved in was threatening an individual that was in handcuffs that he would be tased if he did not get into the patrol car. This officer also had a backup officer with him. We discussed some de-escalation techniques to try to avoid the situation as a whole and we also discussed how to use your partner to assist in getting the individual in the car with the least amount of force necessary (going to the other side of the car and helping pull him into the car from behind).

