



2018 RESPONSE TO RESISTANCE

The Keller Police Department conducts an annual analysis of its response to resistance, policies, and practices. The objective of the analysis is to identify any trends by agency personnel, training needs, equipment needs, or policy revisions.

G.O. Response to Resistance 100.04

G.O. Response to Resistance Reporting 100.05

CALEA 4.2.4

TBP 6.10

Captain Chad Allen #181



2018 Response to Resistance Analysis



Executive Summary

The Professional Standard Unit of the Keller Police Department has completed the 2018 Response to Resistance analysis as a continuing improvement process through the Commission on Accreditation for Law Enforcement Agencies and The Texas Police Chiefs Association Best Practices Recognition Program. Each accredited law enforcement agency must perform an internal Response to Resistance analysis (CALEA 4.2.4). The analysis is systematically structured to identify any patterns or trends. Analysis should reveal patterns or trends that could predict or could indicate the need for an increase in the Response to Resistance training, equipment purchases or upgrades and/ or the necessity for policy modifications.

The Response to Resistance analysis completed by the Keller Police Department provides a critical process in reviewing departmental policies and procedures. This analysis provides a process for improvement in our policy language, records management system, capturing additional data in offenses and supervisor oversight in Response to Resistance incidents.

The Keller Police Department has implemented an Employee Assessment System which serves many purposes, one being a venue for identifying possible Response to Resistance concerns. By engaging in a systematic review of specific incidents it will assist in the identification of employees who may exhibit signs of performance and/or stress related issues, and who may benefit from early intervention. In conjunction, supervisory staff must ensure all reports and forms are completed when required. A Response to Resistance report is completed every time force is used to accomplish an enforcement action. The Keller Police Department strives for continuous improvement through personnel development, policy enhancement and pro-active response in order to provide effective service to the citizens, business owners, and visitors of the City of Keller, Texas.

Introduction

The Commission on Accreditation for Law Enforcement Agencies (CALEA) and The Texas Police Chiefs Best Practices Recognition program requires a law enforcement agency to conduct a documented annual analysis of the reports required. A recorded police report is submitted whenever an employee:

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1. Discharges a firearm for other than training or recreational purposes.
2. Takes an action that results in, or is alleged to have resulted in, death or injury of another person.
3. Applies force through the use of lethal or less lethal weapons.
4. Applies force through the use of Oleoresin Capsicum.
5. Applies physical force (force that could cause injury) by any member of this department.
6. Utilizes the Emergency Restraint Chair, which is intended to help control combative, self-destructive or potentially violent detainees. It can reduce the risk of physical harm to both the detainee and the staff.

The Keller Police Department's Response to Resistance policy provides our officers with guidelines on the utilization of force. The Department recognizes the value of human life, which is immeasurable in our society. It is the policy (G.O. Response to Resistance 100.04) of this department that officers may use reasonable force when force is necessary to accomplish lawful objectives. It is the policy of the department when the response to resistance becomes necessary and appropriate, police department personnel shall, to the extent possible, use an escalating scale of options and will not employ a more forceful measure unless it is determined that a lower level of force would not be adequate. The response to resistance force spectrum consists of the following options:

- Physical presence;
- Verbalization;
- Less than physical force (OC Spray);
- Hand Control Techniques (Holds, Locks, Strikes);
- Canine Bites;
- Vascular Neck Restraints;
- Intermediate Impact Weapons (ASP Baton, Less Lethal Shotgun)
- Deadly Force.

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Records Management

The Keller Police Department's current management and review of Response to Resistance Reports is the responsibility of the involved officer's supervisor, Defensive Tactics Instructor, Range Master, Division Commander and the Chief of Police. Statistical information is reviewed and tallied on a regular basis. At the year end, a comprehensive report is completed, compared to the previous year and presented to the City Council for review. This year's analysis will compare 2018 to 2017.

Response to Resistance Complaints

It is the policy of this Department to accept and investigate all complaints of personnel misconduct or wrongdoing from any citizen or agency employee. Such complaints will be thoroughly, completely and impartially investigated, following policies and procedures as set forth in the Department's Policy and Procedures manual.

When a complaint is filed, the Investigating Officer will file an appropriate report, which will indicate the appropriate decision and disposition based upon the findings of fact. The decision shall be classified as one of the following:

1. Exonerated: Investigation reveals that alleged conduct did occur but the employee's action was justified, lawful and proper.
2. Not Sustained: Investigation produced insufficient evidence to clearly prove or disprove the complaint.
3. Sustained: Investigation reveals that the accused employee committed all or part of the alleged acts of misconduct.
4. Unfounded: Investigation that the alleged conduct did not occur.

Analysis

In 2018 there were a total of 26 incidents requiring Keller Police Officers and/or Detention Officers to use some level of force against arrested persons. This represents a decrease of 4 (- 13%) incidents as compared to a total of 30 incidents in 2017.

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In 2018, arrests by Keller Police Officers serving the City of Keller and Town of Westlake totaled 832. In 2017, Keller Police Officers arrested 1,011. From 2017 to 2018, Keller arrests decreased by 179 (- 18%). In 2017, Southlake Police Officers arrested 839 who were processed through the Regional Jail. In 2017, Southlake Officers arrested 882. From 2017 to 2018 Southlake arrests decreased by 43 (- 5%). In 2018, Colleyville Police Officers arrested 520 who were processed through the Regional Jail. In 2017, Colleyville Officers arrested 595. From 2017 to 2018, Colleyville arrests decreased by 75 (- 13%). In 2018, Roanoke Police Officers arrested 123 who were processed through the Regional Jail. In 2017, Roanoke Officers arrested 139. From 2017 to 2018, Roanoke arrests decreased by 16 (- 12%). The combined total of prisoners transported and housed in the Keller Regional Jail facility for 2018 was 2,314 which was a decrease of 313 (- 12%) compared to the 2017 total of 2,627.

Comparing the use of force ratio for 2017 (11 per thousand prisoners) to that of 2018 (11 per thousand prisoners), response to resistance incidents per thousand prisoners stayed the same. The following information will provide an analysis of 2018 Response to Resistance incidents by Mental State, Suspect Demographics, Call for Service Type, Location, Force Type, and Time:

Mental State:

Mental state identifies the exhibited mental state of the suspect at the time of the use of force and the introduction of any substance or condition that may have attributed to the encounter.

- Alcohol only – 35% (9)
- Drugs only – 0% (0)
- Alcohol & Drugs – 15% (4)
- Mental Health – 19% (5)
- None – 23% (6)
- Unknown – 12% (3)

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Suspect Demographics:

Suspect demographics identifies the sex, race, and age of the suspect in the use of force.

Sex

- Male – 81% (21)
- Female – 19% (5)

Race

- White – 73% (19)
- Black – 12% (3)
- Asian – 4% (1)
- Hispanic – 12% (3)
- Middle Eastern – 0% (0)
- Other – 0% (0)

Age

- Under 17 – 8% (2)
- 17-20 – 19% (5)
- 21-29 – 19% (5)
- 30-39 – 27% (7)
- 40-49 – 12% (3)
- Over 50 – 15% (4)

Origin Type:

Origin type identifies how the officer came into contact with the suspect. Dispatched Call is a request by a citizen or other agency for police response. Traffic Stop is a motor vehicle violation observed by an officer and includes DWI enforcement. Jail is an incident that was initiated in the regional jail or continued in the regional jail, and it can include suspects arrested by other agencies brought to the regional jail. Officer Observation is an incident that the officer observed while on patrol, and the officer initiated contact with the suspect to conduct further investigation.

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- Dispatched – 54% (14)
- Traffic Stop – 12% (3)
- Jail – 19% (5)
- Officer Observation – 15% (4)

Response to Resistance Location:

- Bar – 4% (1)
- Business – 8% (2)
- Field – 4% (1)
- House/Residence – 23% (6)
- Police Station – 0% (0)
- Jail – 27% (7)
- Roadway (non-traffic stop) – 15% (4)
- Restaurant – 0% (0)
- School – 4% (1)
- Traffic Stop – 12% (3)
- Other – 4% (1)

Officer Involvement, Force Type, Day of the Week, Time of Day and Tenure of Officer:

In 58% (15) of the response to resistance incidents, multiple officers/detention officers were involved in the application of force. The primary use of force was Miscellaneous Physical Force. Miscellaneous Physical Force involves holding, grabbing, or pushing. A single incident may have multiple types of force used.

Force Type Used:

- Arm Bar – 11% (6)
- Baton / ASP – 2% (1)
- Knee Strikes – 4% (2)
- Leg Sweep – 2% (1)
- Less Lethal Munitions – 2% (1)

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- Miscellaneous Force – 44% (24)
- OC Pepper Spray – 15% (8)
- Pressure Point – 4% (2)
- Restraint Chair (Jail) – 11% (6)
- Shoulder Lock – 2% (1)
- Wrist Lock – 4% (2)

Day of the Week:

- Sunday – 31% (8)
- Monday – 8% (2)
- Tuesday – 15% (4)
- Wednesday – 12% (3)
- Thursday – 12% (3)
- Friday – 12% (3)
- Saturday – 12% (3)

Time of Day:

- 00:00-05:59 – 42% (11)
- 06:00-11:59 – 19% (5)
- 12:00-17:59 – 12% (3)
- 18:00-23:59 – 27% (7)

Tenure of Officer:

Tenure data only includes Keller Officers which was 24 Police Officers and 6 Detention Officers.

- < 3 years – 35% (11)
- 3-6 years – 16% (5)
- 7-10 years – 19% (6)
- > 10 years – 29% (8)

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Injuries:

Injuries from Response to Resistance incidents are documented for Officers, Detention Officers, and persons who resisted arrest, search, or transport. Examples of Minor injuries are abrasions and superficial lacerations. Examples of Moderate injuries are dislocated joints and small bone fractures. Examples of Serious injuries are compound fractures. Examples of Severe injuries are traumatic brain injury and loss of limb. Examples of Critical injuries are gunshot wounds to vital organs.

Officer Injuries		
Minor	1	3%
Moderate	0	0%
Serious	0	0%
Severe	0	0%
Critical	0	0%

Arrestee Injuries		
Minor	7	27%
Moderate	1	4%
Serious	0	0%
Severe	0	0%
Critical	0	0%

Summary

In 2018, Officers used force 26 times against persons who resisted arrest, search, or transport and each time the incident was documented and investigated by a supervisor, reviewed by a Defensive Tactics Instructor, reviewed by the Division Commander, and finally reviewed by the Chief of Police. The number of use of force incidents decreased from 30 in 2017. The use of force rate per 1,000 prisoners remained the same at 11 for 2017 and 2018. The combined total of prisoners processed in the Keller Regional Detention facility was 2,314 which is a decrease of 313 (12%) from 2,627 last year.

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There were no patterns of incidents involving individual officers as the response to resistance incidents were spread among 31 officers and jailers. Two Officers were involved in 5 response to resistance incidents; however, a review of the incidents did not reveal any trends that their response to resistance was not justified or excessive.

Personnel were more likely to become involved in a response to resistance incident on Sunday (31%) involving white (73%) male (81%) between the ages of 30 -39 (27%) between the hours of 12:00 am and 5:59 am (42%) in the detention facility (27%). The primary response to resistance force type was Miscellaneous Physical Force consisting of 24 (44%) uses. Miscellaneous Physical Force involves holding, grabbing, or pushing.

The analysis also did not reveal any equipment needs or recommended equipment modifications, nor did it reveal any policy / procedure issues or corrections needed at this time. The Keller Police Department implemented a new software program in October 2017 to capture and track Response to Resistance incidents. The program will assist the Keller Police Department to quickly identify trends and provide more detailed data for developing training. The 2018 Response to Resistance Analysis will be used to guide the defensive tactics training classes which are held quarterly throughout the 2019 year. These training sessions are developed around previous Response to Resistance Incidents by refreshing the officer's knowledge on techniques used for certain situations. These incidents also guide our training on new methods and alternatives for handling resistance and noncompliance from suspects. It is recommended that these training sessions should continue to be influenced by the incidents officers are encountering in the field.

Questions or Comments:

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