



POLICE DEPARTMENT

January 23, 2017

TO: HONORABLE MAYOR LEE BRAND
COUNCIL PRESIDENT CLINT OLIVIER
COUNCIL MEMBERS

THROUGH: BRUCE RUDD, City Manager
City Manager's Office

FROM: JERRY P. DYER, Chief of Police
Police Department

BY: ROBERT A. NEVAREZ, Deputy Chief of Police
Administrative Division

SUBJECT: REPORTABLE RESPONSE TO RESISTANCE REPORT (2016)

OVERVIEW:

On April 1, 2003, the Department began entering Use of Force (UOF) information into the *Reportable Response to Resistance* database. This data is compiled into a report on a quarterly basis. At the end of each calendar year, quarterly data is tabulated and a year-end report produced. The information gathered in this report helps the Department to measure how force is used by our officers and indicates if changes to policy, procedures or training should be considered. Each quarterly and year-end report is made available to the public and is posted on the City of Fresno internet website.

The *Reportable Response to Resistance* database contains data on any incident whereby:

1. Members (including K9's) use force and a person is injured; or
2. Members strike a person with a body part (i.e., fist, foot, elbow, etc.) or
3. Any object (i.e., flashlight, clipboard, etc.); or
4. Members use (not merely display) a Department issued weapon (i.e., baton, chemical agents, Taser, less-lethal shotgun, firearm, etc.) against another.

The Fresno Police Department responded to 389,232 calls for service in 2016 (excluding events handled telephonically). Of those calls, 240 resulted in reportable use of force. This equates to the application of reportable force less than one-tenth of one percent (0.062) of all calls for service Fresno police officers responded to in 2016.

In 2016, most use of force confrontations occurred on Monday and Saturdays between the hours of 6 p.m. and 12 a.m. Male suspects between the ages of 24 and 29 most often engaged officers in use of force situations. The majority of reportable force incidents resulted from calls for service involving suspicious activity and assault related incidents. Approximately 36.0% percent of all persons who required reportable force were under the influence of alcohol, drugs, or a combination of both.

In 2016, there was a decrease of officers assaulted. In total 251 officers were assaulted, equating to a 25.5% decrease compared to 2015, during which 337 officers were assaulted.

In 2016, officers used reportable force options as follows:

Body Strike	51.7%
Taser	27.1%
K9	11.7%
Less Lethal Shotgun	2.5%
Baton	1.7%
Pepper Spray	1.7%
Firearm	3.8%
Object Strike	0 %
Vehicle	0%

In comparing 2015 to 2016, officers' use of body strikes increased 10.1% in 2016, while the use of taser showed a decrease of 0.8%. The use of the less lethal shotgun decreased by 1.5%. The use of the baton combined increased slightly by .03%. K9 applications decreased by 1.4% while the use of pepper spray decreased by 0.9%. There were no object strikes in 2016 compared to 9.4% in 2015. There were 8 officer involved shootings involving 9 suspects in 2016, compared to 8 in 2015.

In 2016, there was a 13.0% decrease in the number of use of force incidents as compared to 2015 and a decrease of 7.0% in calls for service. In 2016, we saw the lowest number of reportable force incidents since tracking began in 2004. The below table illustrates Calls for Service (CFS) compared to use of force applications over the last ten years. As compared to 2006, the Department has seen a 52.5% decrease in reportable force incidents.

YEAR	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
UOF	507	438	457	476	450	467	408	380	330	276	240
CFS	417,035	419,642	419,598	419,090	395,586	388,632	403,880	396,555	399,999	418,806	389,232

The Department has continued to provide officers with training to develop their ability to interact with persons with mental disabilities, de-escalate confrontations, and intervene in crisis situations. Officers have been provided updates on case law for the use of reportable force. The Department issued Roll Call Training Bulletins (16-08 and 16-17).

The bulletins covered tactical considerations for responding to unpredictable calls and deadly force situations.

In 2015, the Department implemented the use of body worn video cameras for patrol officers. During 2016, efforts continued to increase the number of officers equipped with a body worn camera. As of the end of 2016, 410 officers have been issued a body worn camera. The use of the cameras has made officers more conscientious in the manner in which they interact with citizens and citizens may be less confrontational knowing they are being video recorded.

Collectively, the Department's emphasis on use of force scenario based training, the Early Alert System, implementation of body worn video cameras and nationwide criticism toward law enforcement has potentially led to the decrease in use of force incidents.

In 2016, there were multiple incidents that involved circumstances under which deadly force was justifiable, however officers demonstrated great restraint by finding alternative methods to de-escalate the situation. Examples of such incidents include:

Disturbance Call

Officers responded to an in-progress disturbance regarding a male subject causing a disturbance on a city curb. Officers exited the vehicle and observed a male subject holding what appeared to be a handgun in his right hand. The officers ordered the subject to drop the weapon, but he refused and continued walking away from them. Officers gave the subject commands to drop what he had in his hand, but the subject continued to ignore them. The subject turned his head toward one of the officers then began to run. Officers gave chase and were able to take the subject to the ground. The subject continued to hide his hands under his body and struggled with officers. Officers delivered two body strikes in efforts to dislodge the possible weapon from the subject's grasp. Officers were able to retrieve a cylindrical pipe with a bulb end. The suspect had been using the pipe to smoke crystal methamphetamine.

Child Custody Dispute

Officers responded to a child custody dispute. They made contact with the male and female parties. The male suspect provided a false name. As officers tried to take him into custody, the officers observed he had a pocket knife in his front pocket. The suspect started walking away from the offices as he reached into his waistband. He turned towards officers with a dark object in his hands, extended his arms, and pointed the object in the same manner as a person would shoot a firearm. The suspect then swung the object in a sideways motion as he lunged at one of the officers. The suspect turned around and could be seen opening a knife. He turned back towards officers and pointed the knife at them. One officer deployed his Taser causing the suspect to fall and drop the knife. The suspect reached for the knife and the officer utilized a body strike to block the suspect from the knife. The suspect made several attempts to reach for the knife as he fought with officers as they applied body strikes and applied the Taser again, which had little effect. Several officers responded code three and assisted in taking the suspect into custody. Several officers sustained injuries during the struggle.

Subject Armed With a Knife

Officers responded to an in progress disturbance of a male suspect threatening a store employee with a knife. Officers arrived and contacted the suspect outside the store. The suspect was drinking a beer and armed with a knife. The suspect was extremely agitated, jumping up and down challenging officers to fight. Officers heard the suspect yell, "What are you waiting for, come on and kill me." The suspect was extremely upset and officers were not able to calm him down. Officers asked the suspect to comply numerous times and he replied, "Fuck you guys." Officers deployed four bean bag rounds at the suspect in an effort to gain his compliance. The bean bag rounds caused the suspect to drop the knife and fall to the ground. Officers were then able to take him into custody.

Subject Armed With a Handgun

Officers responded to a suspect armed with a handgun call. Upon their arrival, a witness informed the officers that he had seen the suspect in possession of a handgun at a family party. The witness pointed out the subject to the officers a short time later. Officers contacted the subject with their handguns drawn. They ordered the suspect to place his hands over his head so they can see his waistline. The suspect replied with profanity and refused to follow their commands. Officers were able to see bulges around his waistline, but the suspect continued to be uncooperative. The officers advanced towards the suspect and forced him to the ground. Officers placed the suspect in handcuffs then completed a "pat-down" search for weapons. Officers recovered a replica chrome handgun resembling a model 1911 semi-automatic handgun.

FRESNO POLICE DEPARTMENT REPORTABLE RESPONSE RESISTANCE PROJECT



Year 2016



A Nationally Accredited Law Enforcement Agency

Jerry P. Dyer
Chief of Police

Final Report

Use of Reportable Response Resistance (Force) Data Collection

Despite Fresno police officers routine use of verbal commands, and attempts to negotiate peaceful solutions when involved in adversarial situations, there are times when physical force is necessary to make an arrest, prevent an escape, overcome resistance, or defend against injury to officers or citizens. Officers use force as a last resort, with the vast majority of confrontations resolved with very little, if any, force applied. On rare occasions, deadly force must be used; however, the public is often unaware of the vast majority of potentially deadly confrontations that are peacefully resolved without resorting to deadly force.

Closely monitoring our officers assures management oversight and helps to build public trust. In order to accomplish this, we require a review of each reportable use of force by field supervisors. Data is collected by the supervisors, forwarded through the department chain of command and reviewed at each level of supervision, to include Deputy Chiefs of Police.

After staff review is complete, the Professional Standards Unit reviews police reports and other force data for comparative analysis and composite reporting. This information is used to determine effectiveness and necessity of the force used, reliability of equipment, training needs, policy modifications, etc.

The Department defines reportable force as any force when:

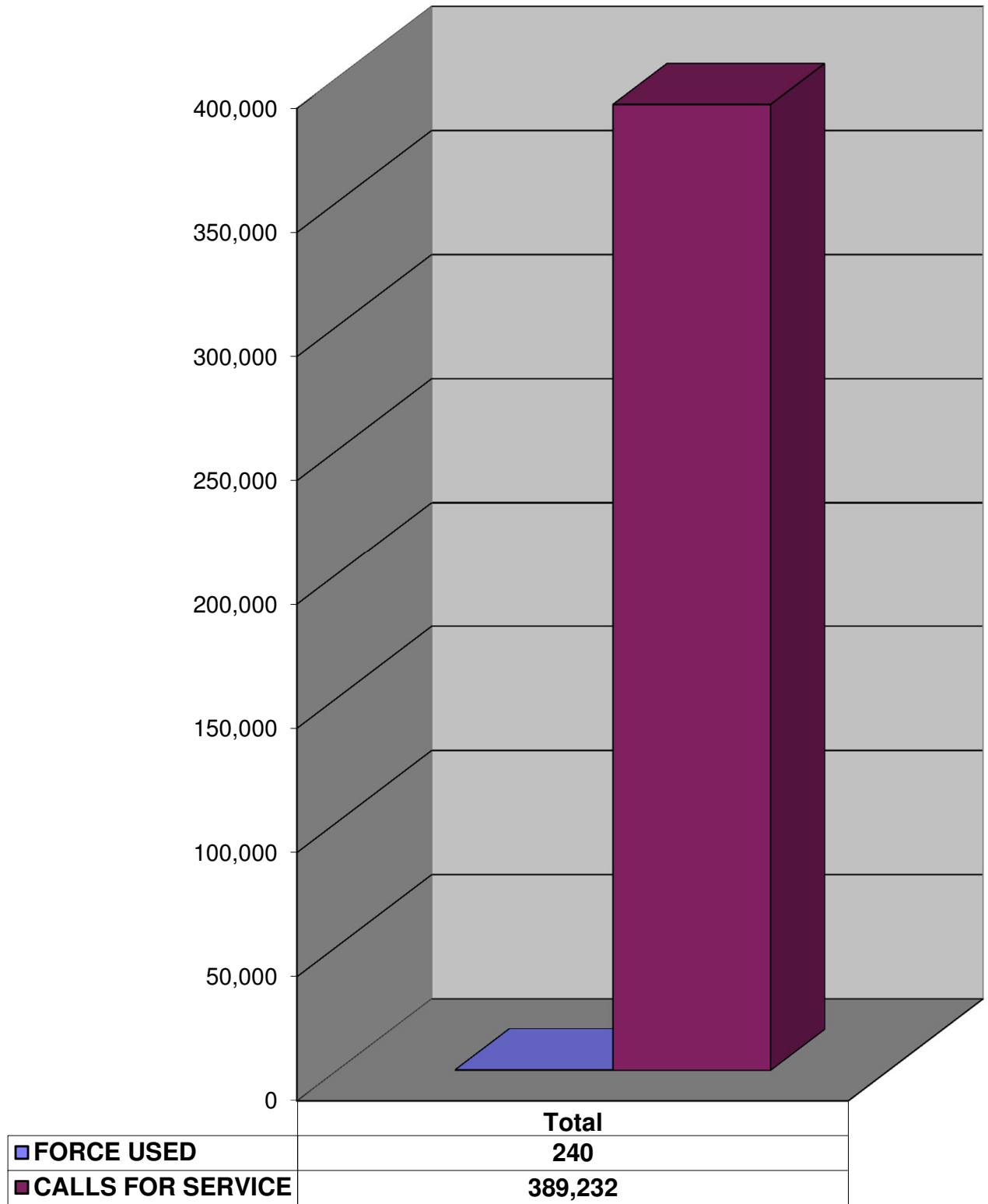
1. Officers (including canines) use force and a person is injured; or,
2. Officers strike a person with a body part (i.e. fist, foot, elbow, etc.) or any object (i.e. flashlight, clipboard, etc); or,
3. Officers use (not merely display) a department issued weapon (i.e. electronic immobilizing device, less-lethal impact projectile, chemical agents, baton, firearm, etc.).

Fresno police officers applied force in 240 incidents while responding to 389,232 calls for service (CFS). This equates to officers applying force in 0.062% of all calls for service for this reporting period.

TABLE OF CONTENTS

Calls For Service (CFS) vs. Reportable Response Resistance (Force) Incidents	1
Suspect Demographics	2
Daily Crime Bulletin (Wanted Persons) By Race	3
Force Incidents By Day Of Week, City-Wide	4
Force Incidents By Hour Of Day, City-Wide	4
Force Incidents By Policing District	5
All Calls For Service (CFS) By Policing District	5
District Map	6
Force Incidents By Gender Of Suspects	7
Reported Crimes By Age and Race Of Suspects	7
Reportable Force Incidents By Age and Race Of Suspects	8-9
Type Of CFS Resulting In Reportable Force Incidents	10
Suspect's Actions Necessitating The Use of Force	11
Reportable Force Incidents By Type Of CFS and Suspect's Action	11
Suspect's Drug/Alcohol Use With Reportable Force Applied	12
Suspect Weapons With Reportable Force Applied	12
Reportable Force Used By Officers	13
Officer Safety Issues, Weapon Retention	14
Suspect Medical Review After Reportable Force Applied	14
Officers Assaulted	15
Officers Injured	15
Supervisor On Scene When Reportable Force Applied	16

Calls For Service (CFS) vs. Reportable Response Resistance (Force) Incidents



CFS does not include events handled telephonically.
0.062% of all CFS resulted in the application of reportable force.

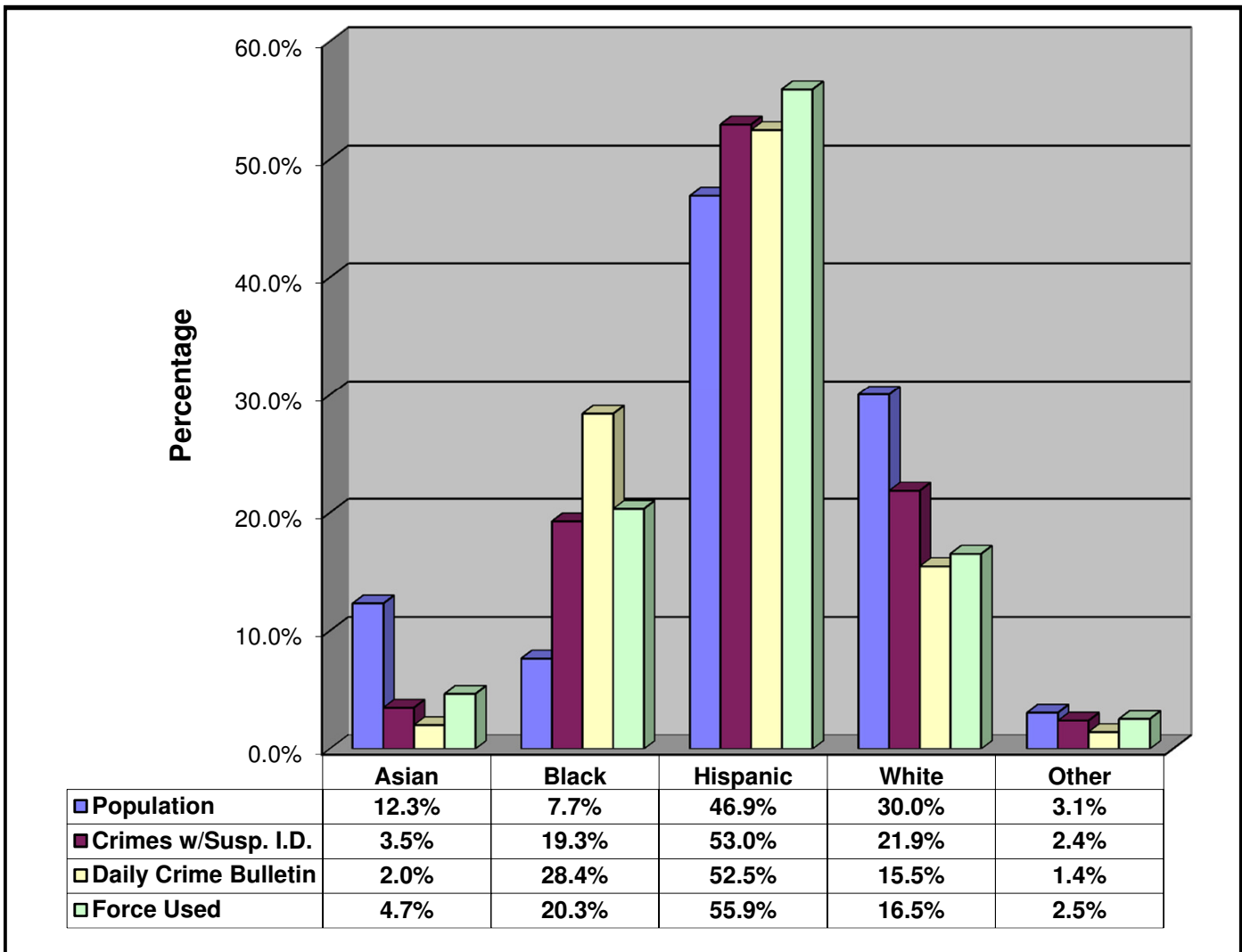
Suspect Demographics

	Asian	Black	Hispanic	White	Other
City of Fresno Pop. (494,665)*	60,939	37,885	232,055	148,598	15,188
Percentage	12.3%	7.7%	46.9%	30.0%	3.1%
Crimes with Suspect's Race/Age Identified (36,980)	1,293	7,128	19,586	8,090	883
Percentage	3.5%	19.3%	53.0%	21.9%	2.4%
Daily Crime Bulletin Listings (1181)**	24	336	621	183	17
Percentage	2.0%	28.4%	52.5%	15.5%	1.4%
Force Applications (236)***	11	48	132	39	6
Percentage	4.7%	20.3%	55.9%	16.5%	2.5%

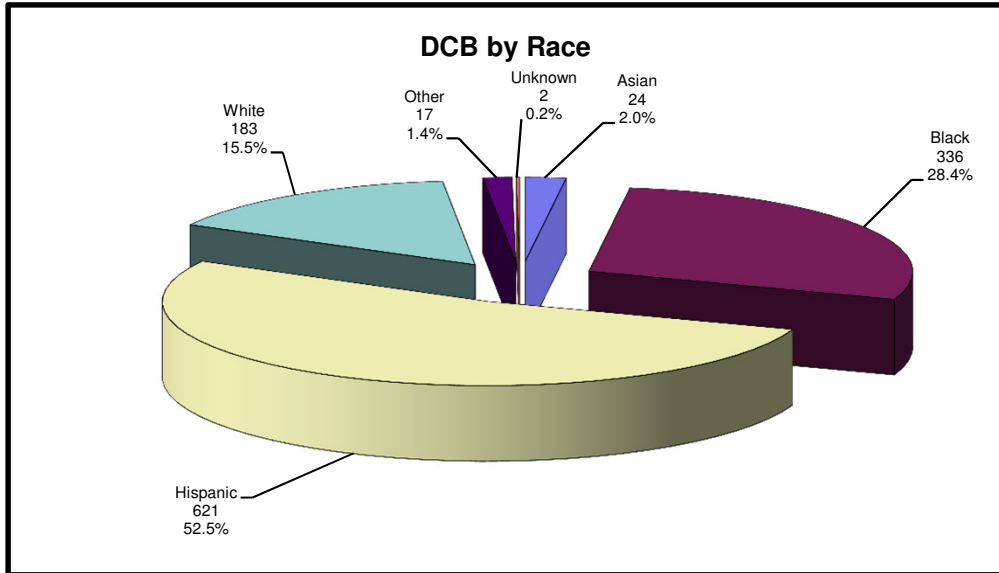
* 2010 Census

** 2 persons or 0.2% were listed as 'unknown' (see page 3 for definition of Daily Crime Bulletin - DCB)

*** Of the 240 reportable force cases, 4 had no age or race data available



**DAILY CRIME BULLETIN (WANTED PERSONS) BY RACE
LISTINGS – 1183**

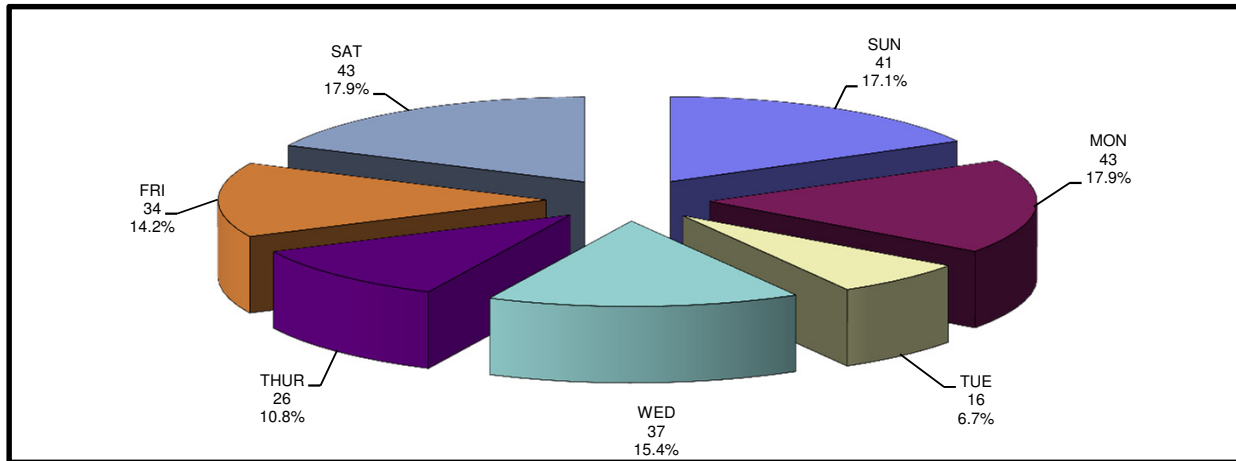


Order by Race:	Hispanic	-	52.5%
	Black	-	28.4%
	White	-	15.5%
	Asian	-	2.0%
	Other	-	1.4%
	Unknown	-	0.2%

The Daily Crime Bulletin (DCB) is a restricted, law enforcement use only document, issued department wide to all sworn personnel and twelve other local/state agencies to assist in locating/arresting suspects and wanted persons. The DCB is issued seven days a week and typically contains the following information:

- 1) Felonies with known, at-large, suspects
- 2) Wanted parolees
- 3) Officer safety information (vehicle occupants in possession of firearms, possible armed subjects, etc.)

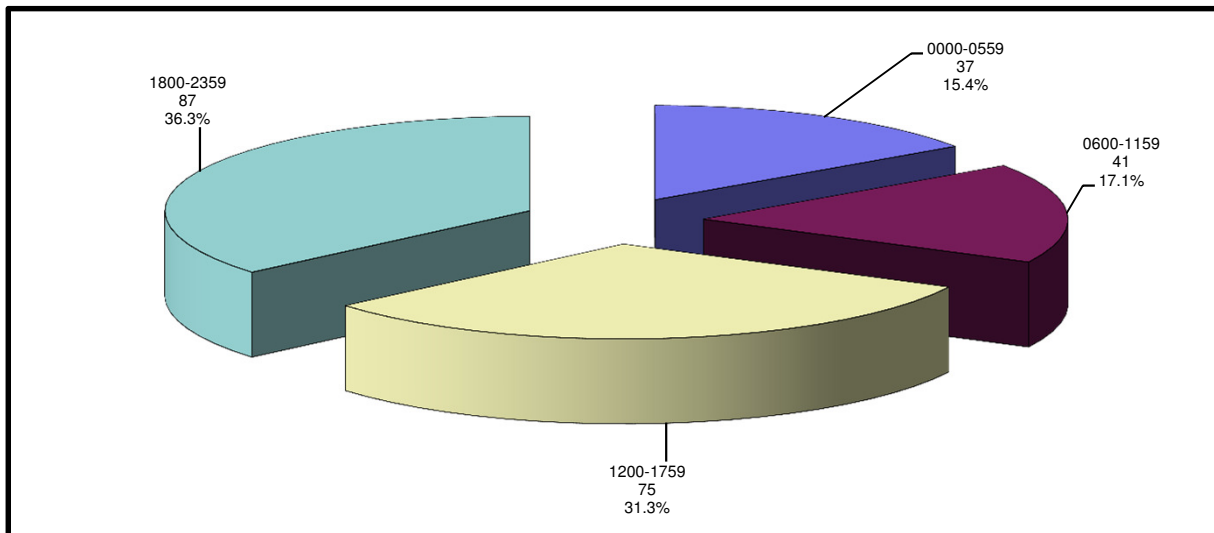
FORCE INCIDENTS BY DAY OF WEEK, CITY-WIDE



Order by Day of the Week:

Monday	-	17.9%
Saturday	-	17.9%
Sunday	-	17.1%
Wednesday	-	15.4%
Friday	-	14.2%
Thursday	-	10.8%
Tuesday	-	6.7%

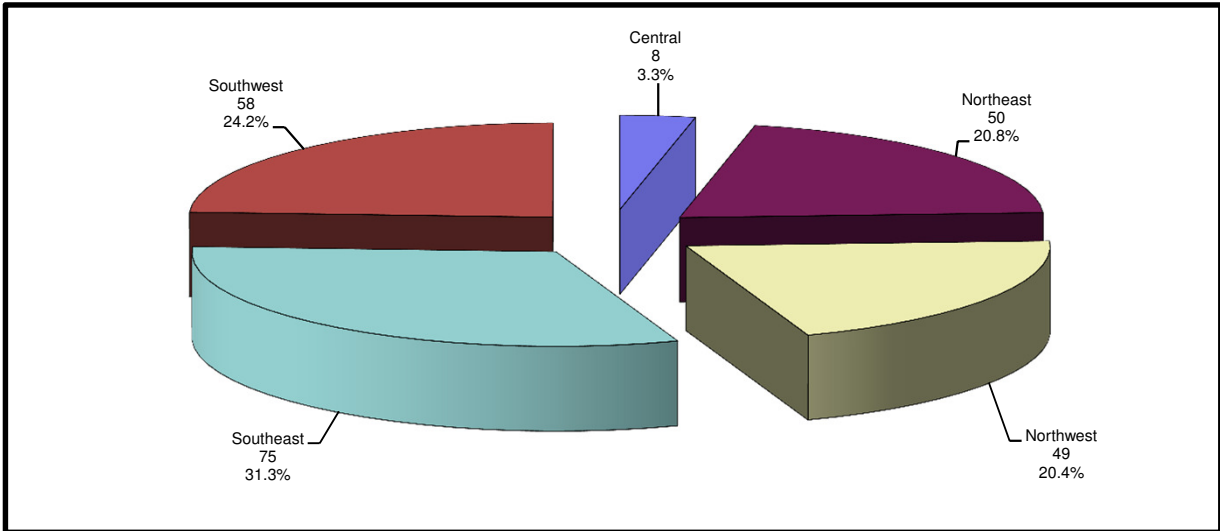
FORCE INCIDENTS BY HOUR OF DAY, CITY-WIDE



Order by Hours of the Day:

1800 to 2359 hrs	-	36.3%
1200 to 1759 hrs	-	31.3%
0600 to 1159 hrs	-	17.1%
0000 to 0559 hrs	-	15.4%

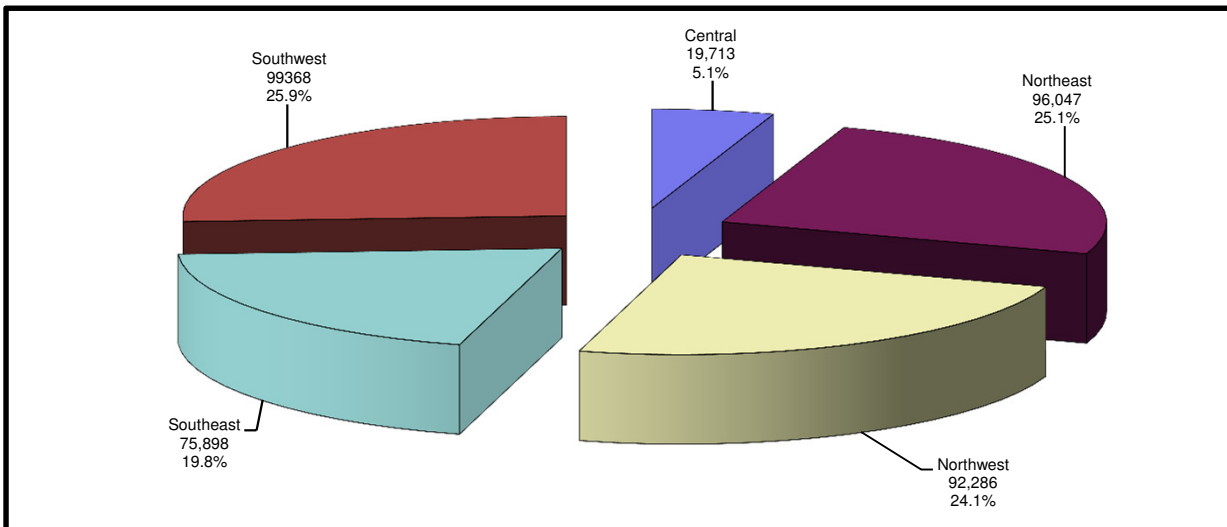
FORCE INCIDENTS BY POLICING DISTRICT*



Of the 240 force incidents, 0 were not assigned to a specific district.

Order by District:	Southeast	-	31.3%
	Southwest	-	24.2%
	Northeast	-	20.8%
	Northwest	-	20.4%
	Central	-	3.3%

ALL CALLS FOR SERVICE (CFS) BY POLICING DISTRICT*



Of the 389,232 CFS, 5,920 were not assigned to a specific district.

Order by District:	Southwest	-	25.9%
	Northeast	-	25.1%
	Northwest	-	24.1%
	Southeast	-	19.8%
	Central	-	5.1%

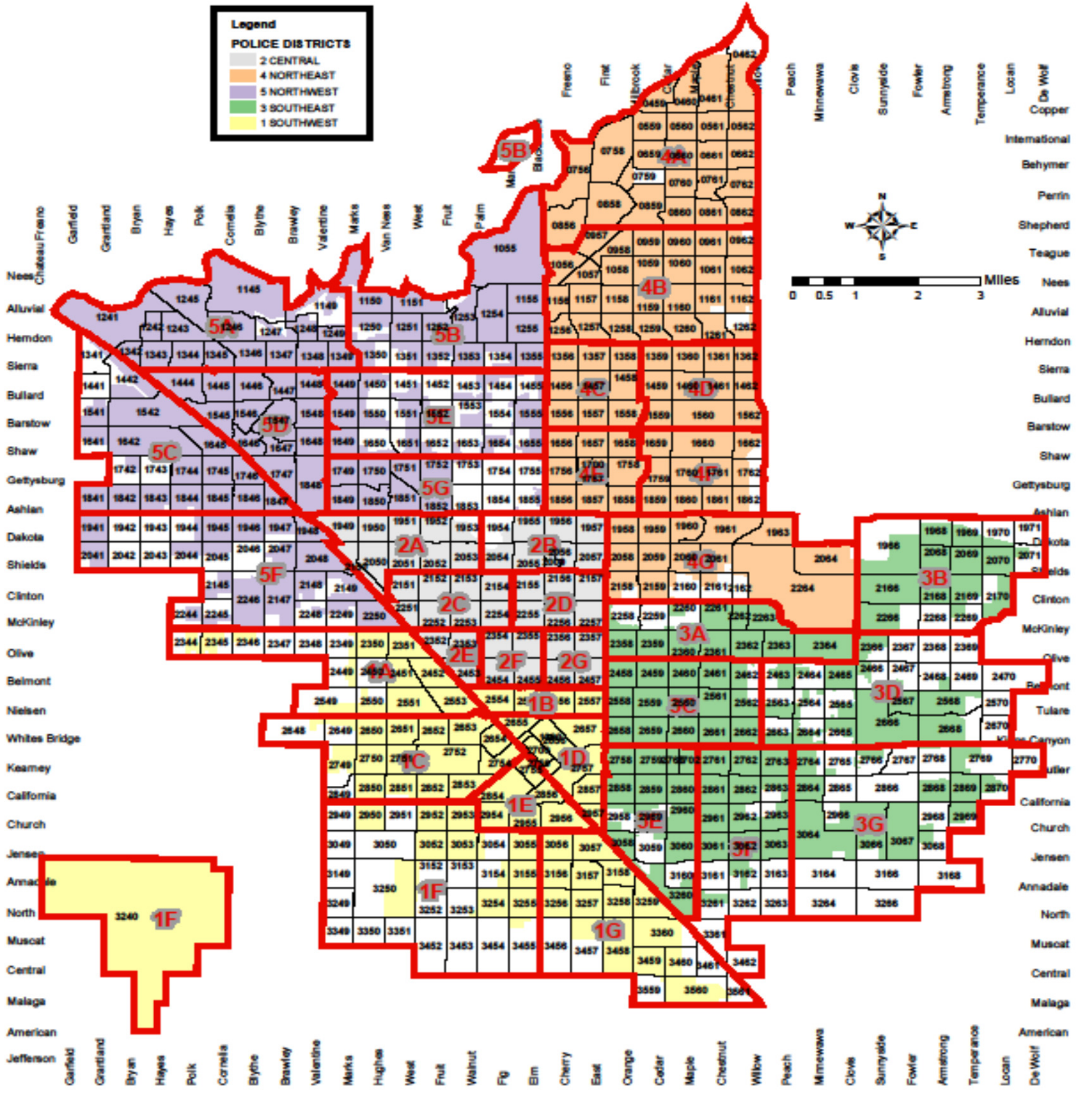
* See page 6 for policing district boundaries.

Fresno Police Department

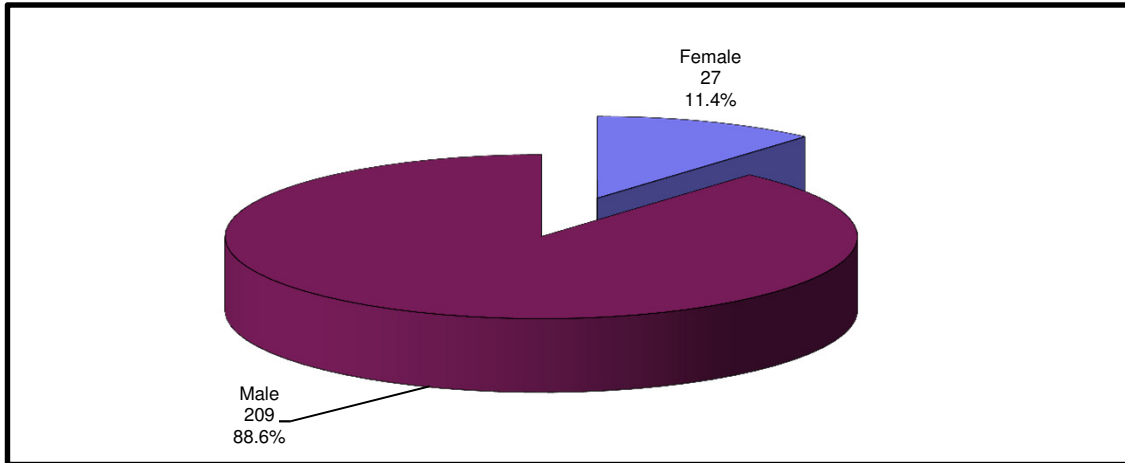
Legend

POLICE DISTRICTS

- 2 CENTRAL
- 4 NORTHEAST
- 5 NORTHWEST
- 3 SOUTHEAST
- 1 SOUTHWEST



FORCE INCIDENTS BY GENDER OF SUSPECTS



Of the 240 force incidents, 4 had no gender data available.

REPORTED CRIMES BY AGE AND RACE OF SUSPECTS

Age Group	Asian	Black	Hispanic	White	Other	TOTAL
12-17	61	521	1,344	221	51	2,198
18-23	157	1,286	3,597	873	150	6,063
24-29	274	1,510	4,099	1,501	197	7,581
30-35	342	1,111	3,509	1,418	170	6,550
36-41	152	816	2,503	1,038	97	4,606
42-47	119	551	1,903	994	77	3,644
48-53	62	636	1,387	914	78	3,077
54-59	85	410	741	708	40	1,984
60-65	29	215	331	286	14	875
66 and Over	12	72	172	137	9	402
Total	1,293	7,128	19,586	8,090	883	36,980

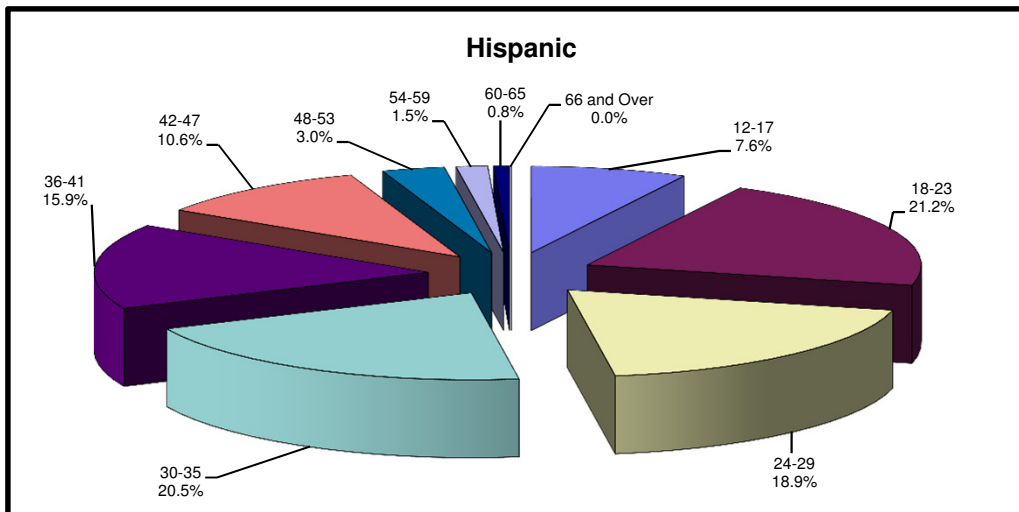
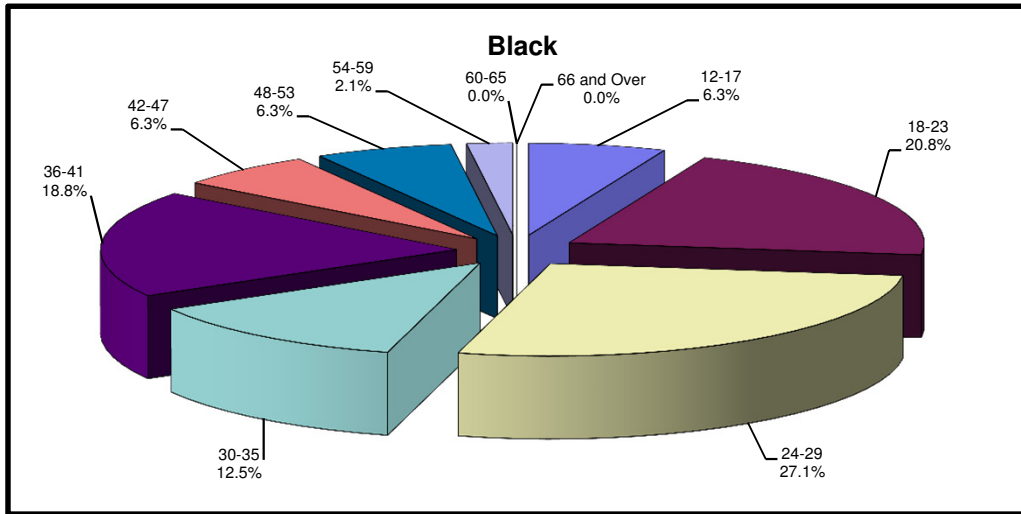
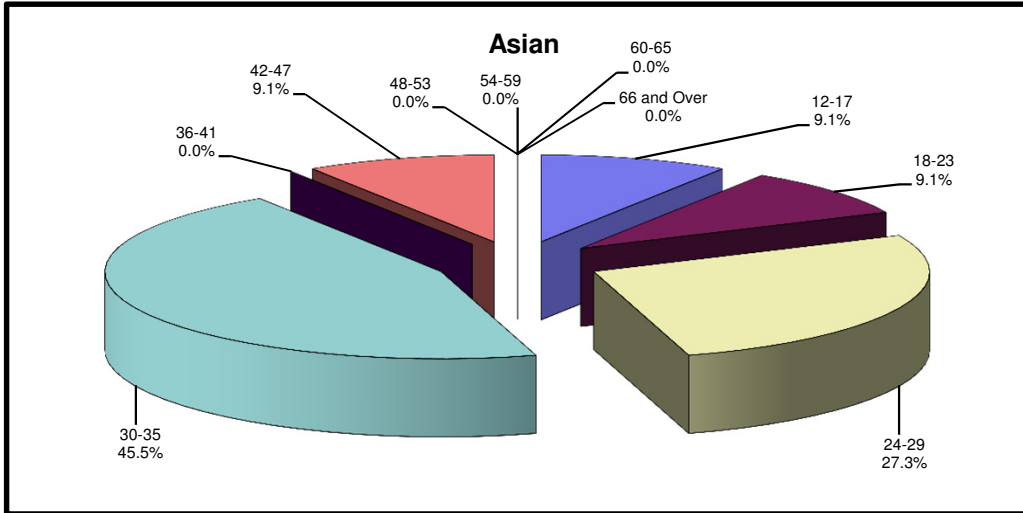
Of the 37,180 reported crime suspects, 36,980 had both age and race data.

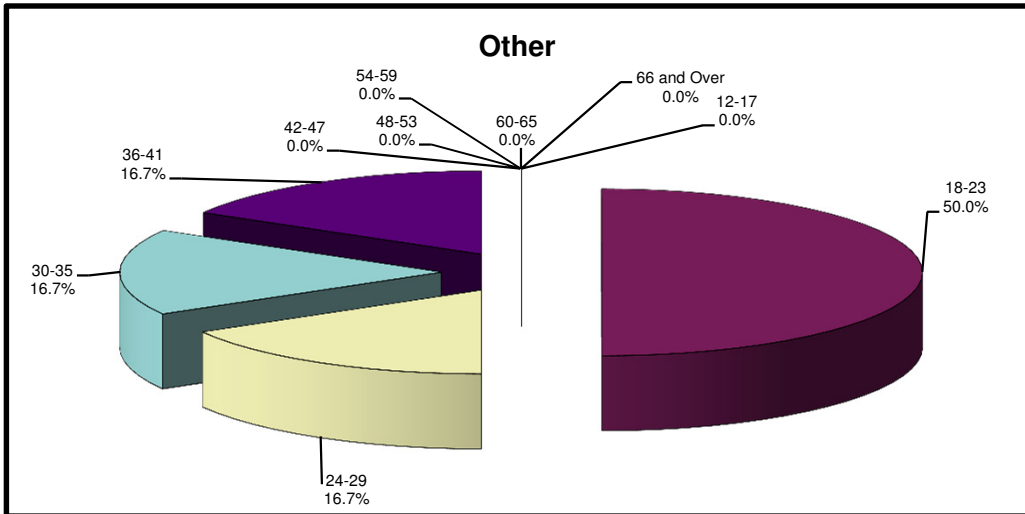
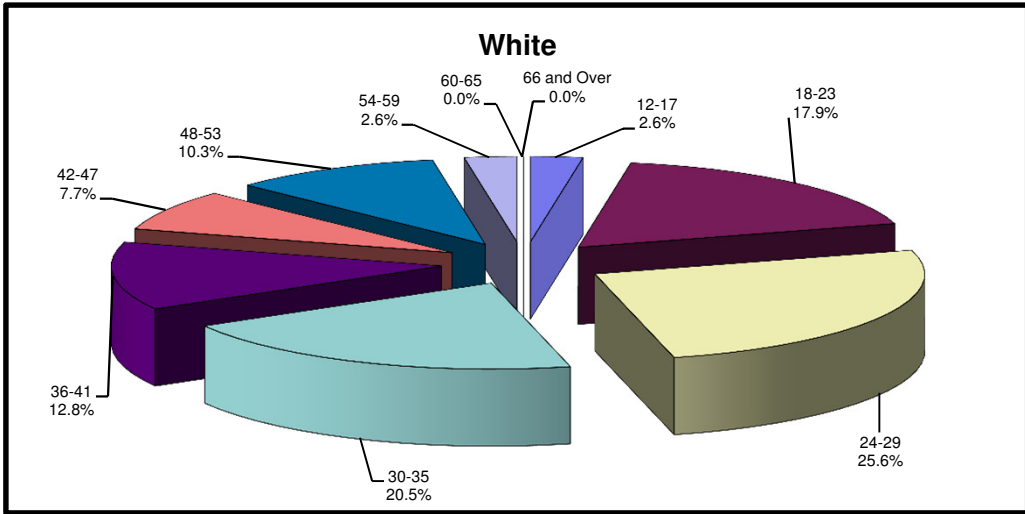
REPORTABLE FORCE INCIDENTS BY AGE AND RACE OF SUSPECTS

Age Group	Asian	Black	Hispanic	White	Other	TOTAL
12-17	1	3	10	1		15
18-23	1	10	28	7	3	49
24-29	3	13	25	10	1	52
30-35	5	6	27	8	1	47
36-41		9	21	5	1	36
42-47	1	3	14	3		21
48-53		3	4	4		11
54-59		1	2	1		4
60-65			1			1
66 and Over						0
Total	11	48	132	39	6	236

Of the 240 force incidents, 236 had both age and race data.

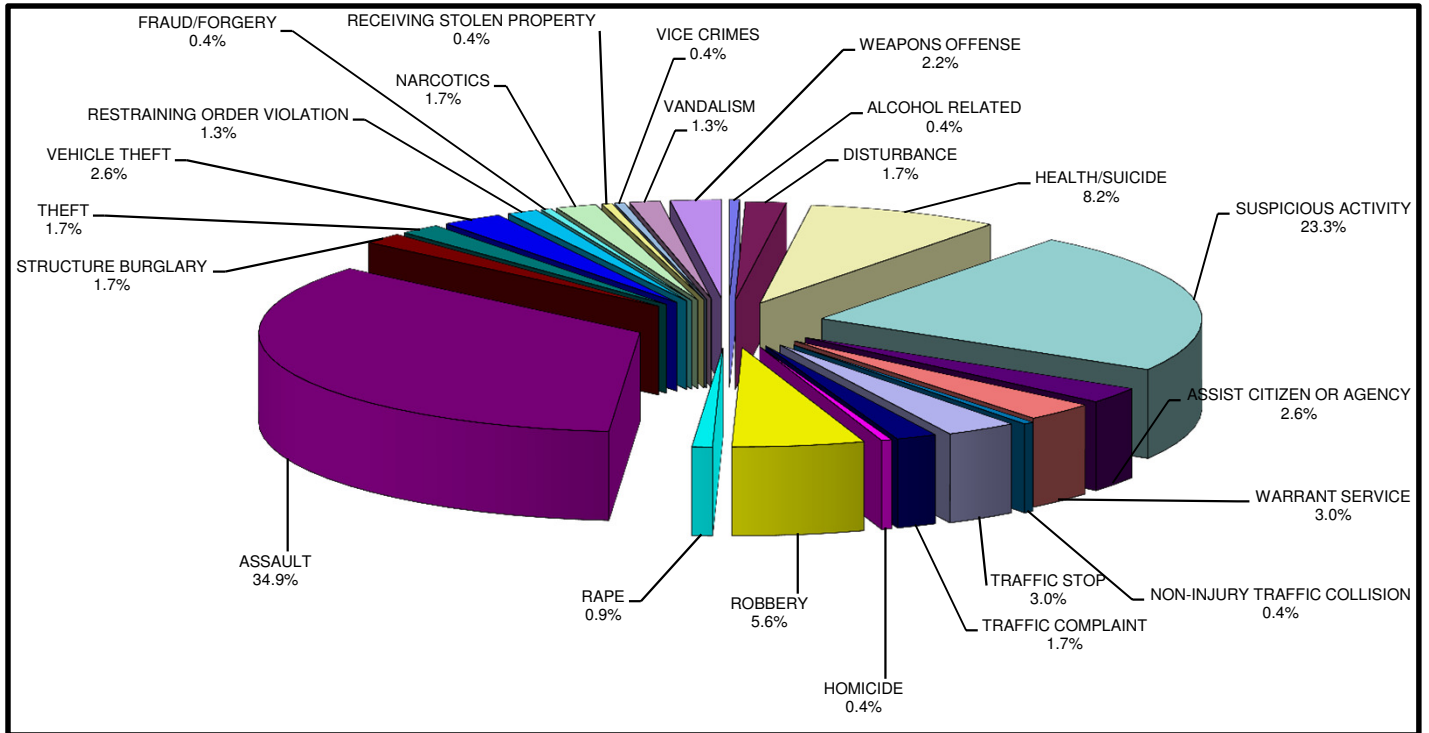
REPORTABLE FORCE INCIDENTS BY AGE AND RACE OF SUSPECTS





"Other" refers to persons whose race is not defined as Asian, Black, Hispanic or White, i.e. persons from the Pacific Islands or American Indian.

TYPE OF CFS RESULTING IN REPORTABLE FORCE INCIDENTS

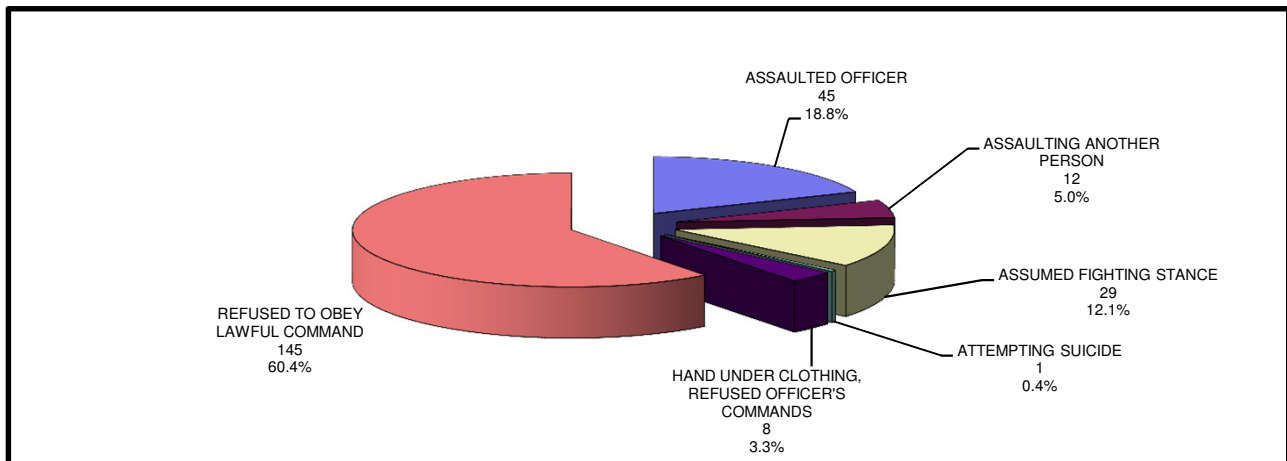


Order by Force Incident Clearance Code:

Force Incident Type	Force Incidents:	CFS Total:
ASSAULT	81	6647
SUSPICIOUS ACTIVITY	54	84070
HEALTH/SUICIDE	19	25464
ROBBERY	13	1652
WARRANT SERVICE	7	10976
TRAFFIC STOP	7	39194
ASSIST CITIZEN OR AGENCY	6	16495
VEHICLE THEFT	6	9088
WEAPONS OFFENSE	5	5023
DISTURBANCE	4	63612
TRAFFIC COMPLAINT	4	14215
STRUCTURE BURGLARY	4	20650
THEFT	4	11410
NARCOTICS	4	2324
RESTRAINING ORDER VIOLATION	3	2496
VANDALISM	3	3568
RAPE	2	1574
ALCOHOL RELATED	1	2339
NON-INJURY TRAFFIC COLLISION	1	8192
HOMICIDE	1	41
FRAUD/FORGERY	1	918
RECEIVING STOLEN PROPERTY	1	6
VICE CRIMES	1	298
TOTAL	232 *	

* 8 force incidents had wrong or no clearance codes.

SUSPECT'S ACTIONS NECESSITATING THE USE OF FORCE



Order by Action:

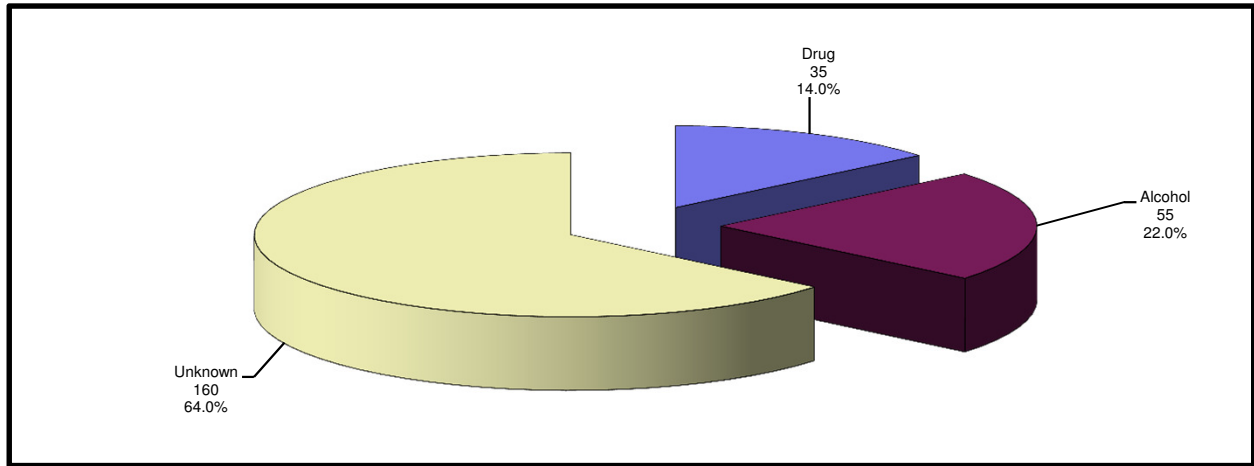
REFUSED TO OBEY LAWFUL COMMAND	-	60.4%
ASSAULTED OFFICER	-	18.8%
ASSUMED FIGHTING STANCE	-	12.1%
ASSAULTING ANOTHER PERSON	-	5.0%
HAND UNDER CLOTHING, REFUSED OFFICER'S COMMANDS	-	3.3%
ATTEMPTING SUICIDE	-	0.4%

REPORTABLE FORCE INCIDENTS BY TYPE OF CFS AND SUSPECT'S ACTION

TYPE OF CFS	ASSAULTED OFFICER	ASSAULTING ANOTHER PERSON	ASSUMED FIGHTING STANCE	ATTEMPTING SUICIDE	HAND UNDER CLOTHING, REFUSED OFFICER'S COMMANDS	REFUSED TO OBEY LAWFUL COMMAND
ALCOHOL RELATED	0	0	0	0	0	1
DISTURBANCE	0	1	0	0	0	3
HEALTH/SUICIDE	1	2	4	1	0	11
SUSPICIOUS ACTIVITY	1	1	6	0	2	44
ASSIST CITIZEN OR AGENCY	0	0	2	0	1	3
WARRANT SERVICE	0	0	1	0	0	6
NON-INJURY TRAFFIC COLLISION	0	0	0	0	0	1
TRAFFIC STOP	0	0	1	0	0	6
TRAFFIC COMPLAINT	0	0	1	0	0	3
HOMICIDE	0	1	0	0	0	0
ROBBERY	1	0	1	0	1	10
RAPE	0	2	0	0	0	0
ASSAULT	38	4	6	0	2	31
STRUCTURE BURGLARY	0	0	0	0	0	4
THEFT	0	0	1	0	0	3
VEHICLE THEFT	1	0	0	0	0	5
RESTRAINING ORDER VIOLATION	0	0	0	0	0	3
FRAUD/FORGERY	0	0	1	0	0	0
NARCOTICS	0	1	0	0	0	3
RECEIVING STOLEN PROPERTY	0	0	1	0	0	0
VICE CRIMES	0	0	0	0	0	1
VANDALISM	1	0	1	0	0	1
WEAPONS OFFENSE	0	0	1	0	2	2
Total	43	12	27	1	8	141

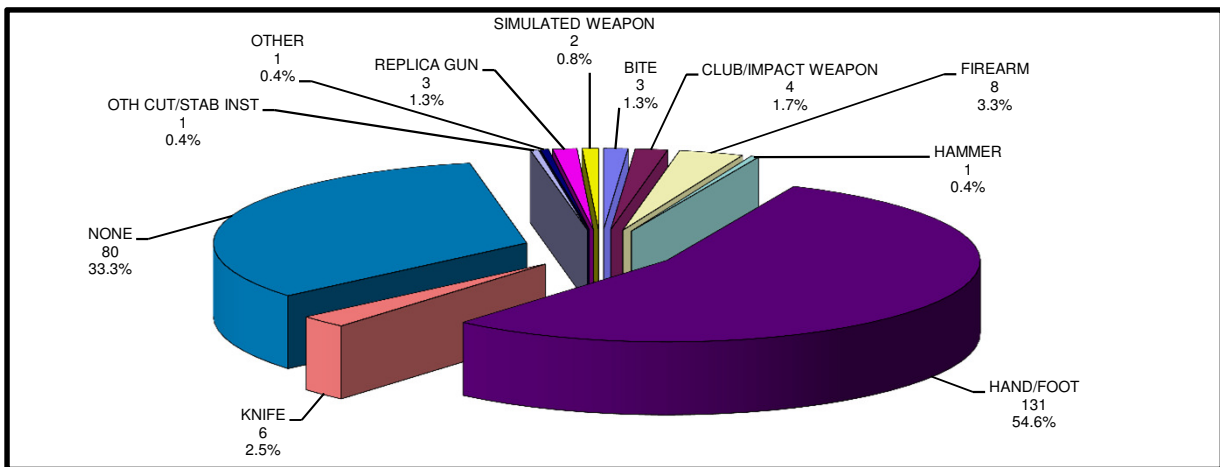
* 8 force incidents had wrong or no clearance codes.

SUSPECT'S DRUG/ALCOHOL USE WITH REPORTABLE FORCE APPLIED



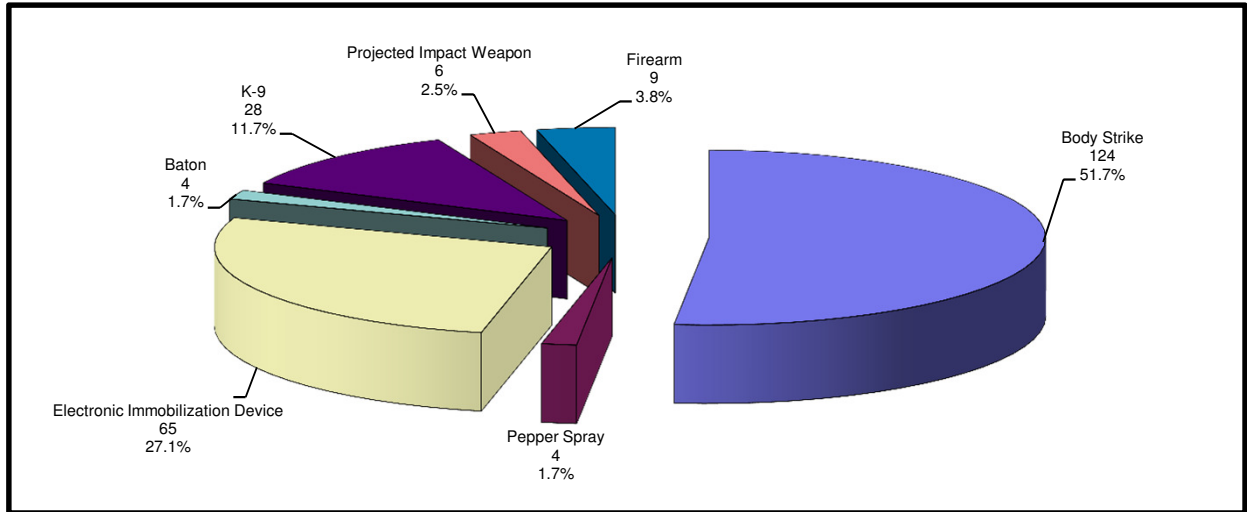
Some suspects were under the influence of both drugs and alcohol.

SUSPECT WEAPONS WITH REPORTABLE FORCE APPLIED



Order by Weapon:	HAND/FOOT	-	54.6%
	NONE	-	33.3%
	FIREARM	-	3.3%
	KNIFE	-	2.5%
	CLUB/IMPACT WEAPON	-	1.7%
	BITE	-	1.3%
	REPLICA GUN	-	1.3%
	SIMULATED WEAPON	-	0.8%
	HAMMER	-	0.4%
	OTH CUT/STAB INST	-	0.4%
	OTHER	-	0.4%

REPORTABLE FORCE USED BY OFFICERS



Some incidents require multiple applications of force to take a suspect into custody or stop an unlawful attack.

Order by Force:

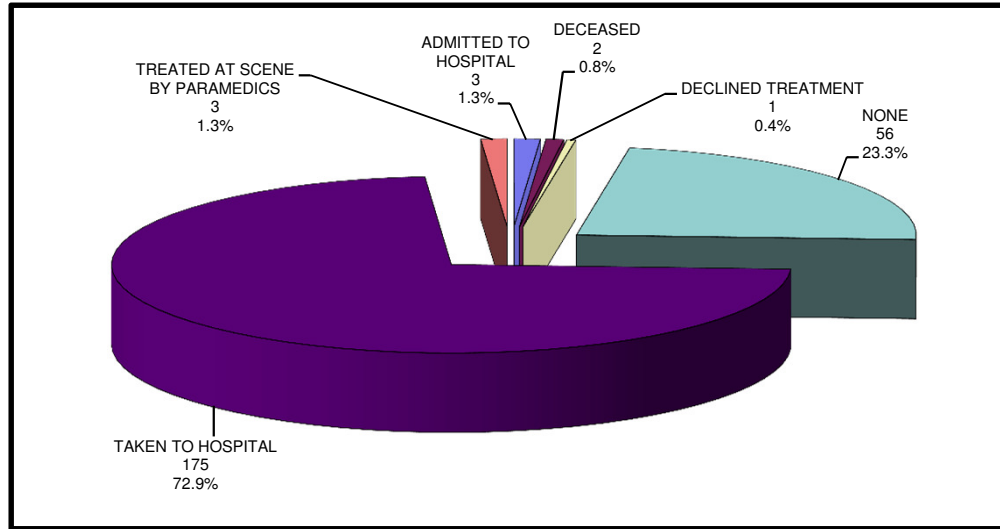
Body Strike	-	51.7%
Electronic Immobilization Device	-	27.1%
K-9	-	11.7%
Firearm	-	3.8%
Projected Impact Weapon	-	2.5%
Pepper Spray	-	1.7%
Baton	-	1.7%

Note: Electronic Immobilization Device is also referred to as a Taser.

Projected Impact Weapon is also referred to as a Less Lethal Shotgun or bean bag gun.

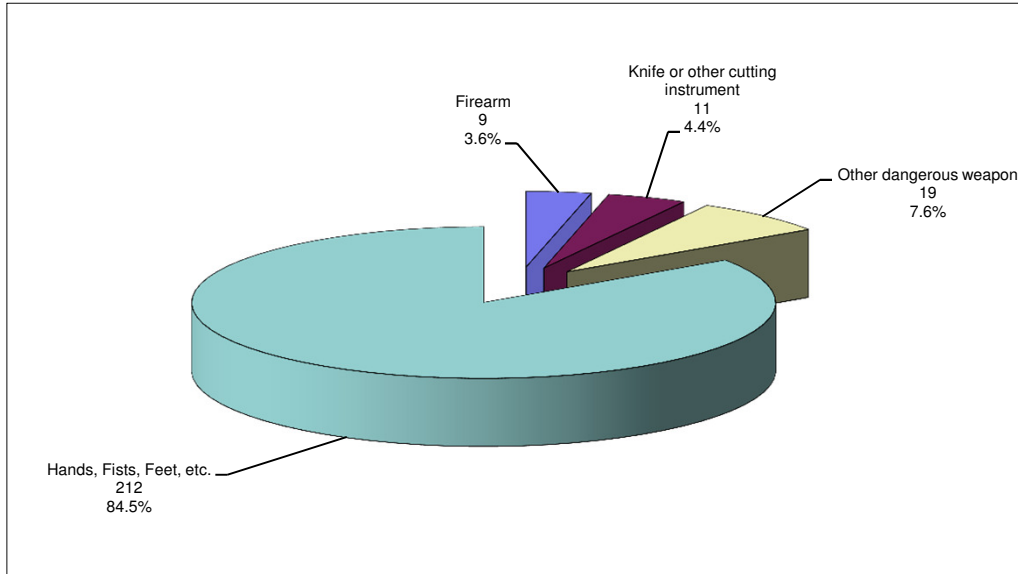
OFFICER SAFETY ISSUES, WEAPON RETENTION

SUSPECT MEDICAL REVIEW AFTER REPORTABLE FORCE APPLIED



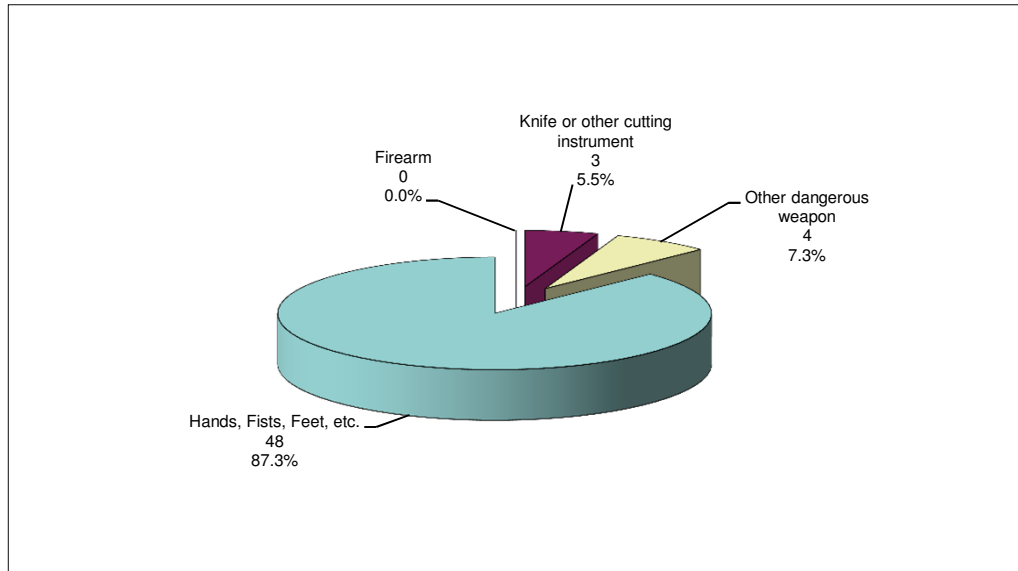
NOT all suspects who received medical review were injured. Per Department policy, any person subjected to a chemical agent/mace, electronic immobilizing device (taser), less lethal impact projectile, or any force which causes injury or renders temporary disability to an arrestable subject, is automatically provided medical care by on-scene medical personnel or at a hospital.

OFFICER'S ASSAULTED *



251 officers were assaulted.

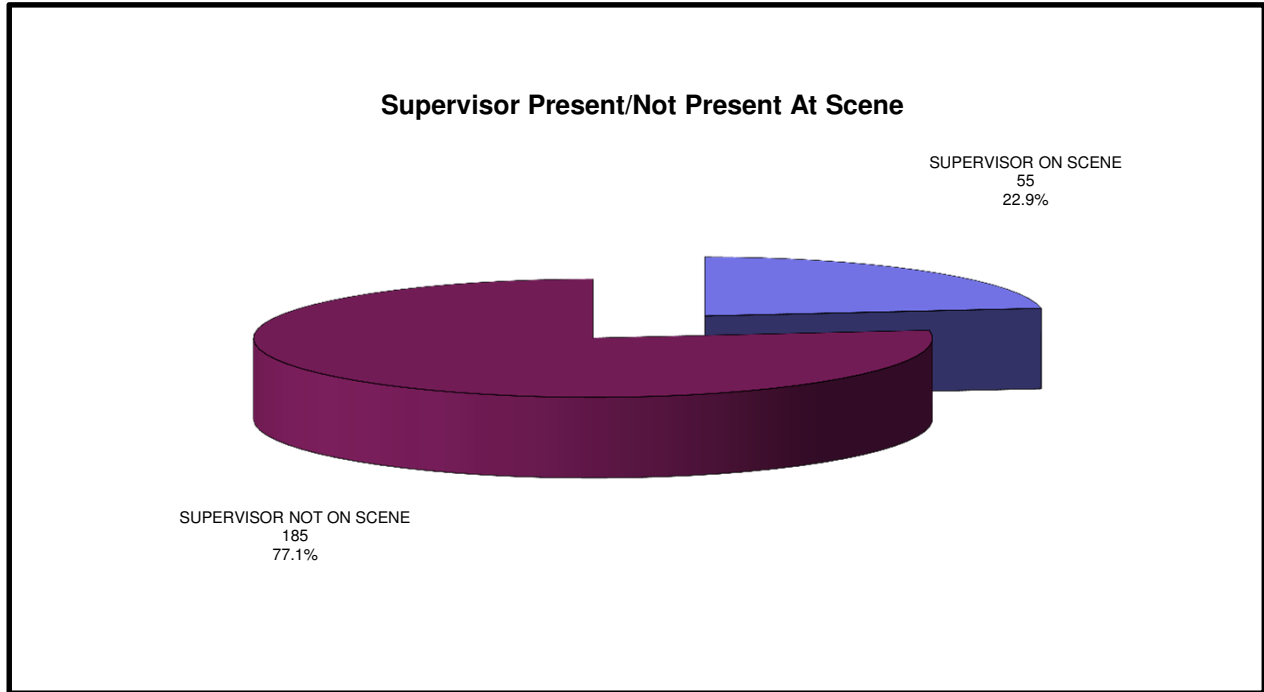
OFFICER'S INJURED *



55 officers were injured requiring immediate medical treatment.

* Data based on the Year 2016 LEOKA (Law Enforcement Officers Killed or Assaulted) report. Not all incidents, where an officer was injured, involved a use of reportable force, i.e. the suspect gives up after injuring an officer.

SUPERVISOR ON SCENE WHEN REPORTABLE FORCE APPLIED



A supervisor may be enroute to assist an officer on a call; however, the officer may be required to use reportable force prior to the supervisor's arrival. In these circumstances, the supervisor would be considered "not on scene."