



February 20, 2018

TO: HONORABLE MAYOR LEE BRAND  
COUNCIL PRESIDENT ESMERELDA SORIA  
COUNCIL MEMBERS

THROUGH: WILMA QUAN-SCHECTER, 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 (2017)

**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 418,340 calls for service in 2017 (excluding events handled telephonically). Of those calls, 295 resulted in reportable use of force. This equates to the application of reportable force less than one-tenth of one percent (0.07) of all calls for service Fresno police officers responded to in 2017 and a slight increase (.01) in reportable UOF in 2017 as compared to 2016.

In 2017, most use of force confrontations occurred on Sunday and Fridays 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 40.0% of all persons who required reportable force were under the influence of alcohol, drugs, or a combination of both.

In 2017, there was an increase of officers assaulted. In total 402 officers were assaulted, equating to a 37.5% increase compared to 2016, during which 251 officers were assaulted. The 402 officers assaulted in 2017 also represent a 24.1% increase in the 10 year average of 304.83 Fresno police officers assaulted.

In 2017, officers used reportable force options as follows:

Non-Striking Body Force	48.9%
Taser	23.1%
Body Strike	14.6%
K-9	7.9%
Less Lethal Shotgun	1.5%
Firearm	1.5%
Pepper Spray	1.2%
Baton	0.9%
Object Strike	0.3%

In 2017, the UOF classification of “Non-Striking Body Force” was added as a category. This type of force occurs when officers use bodily force to take a suspect into custody but do not strike the suspect or use any other equipment to affect the arrest.

Non-Striking Body Force is the most often deployed UOF by Fresno Police Officers. Prior to 2017, Non-Striking Body force was included as a Body Strike which led to a decrease of 37.1% from 2016 to 2017 in this category.

In comparing 2016 to 2017, the use of Taser showed a decrease of 4%. The use of the less lethal shotgun decreased by 1%. The use of the baton decreased by 0.8%. K9 applications decreased by 3.8% while the use of pepper spray decreased by 0.5%. There were no object strikes in 2016 compared to 1 in 2017. There were 5 officer involved shootings in 2017, compared to 8 in 2016.

In 2017, there was an 18.6% increase in the number of use of force incidents as compared to 2016 and an increase of 7.0% in calls for service. The below table illustrates Calls for Service (CFS) compared to use of force applications over the last ten years. As compared to 2007, the Department has seen a 32.6% decrease in reportable force incidents.

YEAR	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
UOF	438	457	476	450	467	408	380	330	276	240	295
CFS	419,642	419,598	419,090	395,586	388,632	403,880	396,555	399,999	418,806	389,232	418,340

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.

In 2015, the Department implemented the use of body worn video cameras for patrol officers. During 2017, efforts continued to increase the number of officers equipped with a body worn camera. As of the end of 2017, 441 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, more patient and creative in resolving conflict. 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 focus on law enforcement has potentially led to the decrease in use of force incidents.

In 2017, 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 a 911 call regarding an ongoing family disturbance. Officers arrived and were able to separate all parties. While trying to speak to one of the parties inside the house, she grabbed a barbeque fork and raised it over her head while shouting, "kill me, kill me! I'm ready to die!". The female then began to advance on the officers who were shouting repeatedly for her to drop the weapon. She refused to comply so the officers deployed their Taser and the female finally dropped the weapon, allowing officers to safely handcuff the female.

#### Mental Health Check

Officers responded to a family's 911 call for help with their brother who was breaking windows, threatening family and possibly under the influence of narcotics. When officers arrived, they found the male outside smashing the house windows. They tried to speak to the male who became confrontational with the officers and ran back into the residence. Officers continued to speak to the male who was now cursing them. The officers also made contact with several people who were inside the home with the male. They were able to safely remove them and continued speaking to the male. The male was now taunting the officers, throwing cups of water on them and shouting for them to shoot him. He was also retreating into the house and out of the officer's view. Each time, he would get closer to the officers becoming further agitated. The male did this several more times before a supervisor on scene deployed a less lethal shotgun at the male, striking him once on the left side of his torso. This caused the male to retreat

further into the home and barricade himself in the wash room. After 20 minutes of further negotiations, officers were able to take the male into custody for a mental health evaluation.

#### Subject Armed With a Knife

Officers responded to a domestic disturbance with one person using a knife to slash the other. When officers arrived in the area, they saw a female who matched the description of the suspect. They attempted to make verbal contact with her but she turned away from them and began to walk back towards the victim location. The officers could see the female was carrying a knife in her hand so they used their Taser to stop her from getting into the victim's location. The officers were then safely able to disarm the female and take her into custody.

#### Suspicious Person Check

Officers were checking several people parked in a vehicle in the alleyway of a shopping center. The suspect immediately became verbally confrontational with the officers and provided them a false name. The officers observed what they thought was a handgun inside the vehicle and had the suspect exit the vehicle. Once out of the vehicle, the officers discovered the suspect was in possession of two large knives. The suspect continued to refuse to cooperate so officers tried to handcuff him for their safety. The suspect pulled away and the officers took the suspect to the ground to better control him. While on the ground, the suspect grabbed an officer's handgun and told the officers he had the officer's weapon. Assisting officers used their Taser on the suspect who continued to resist and began using various ground fighting techniques against the officers, gaining the advantage. The officers were able to counter the moves long enough for additional officers to arrive and safely take the suspect into custody.

#### Subject Armed With a Handgun

Officers were on patrol in a high crime neighborhood when they observed a male walking in the middle of the street. The officers got out of their vehicle to make contact with the male who took off running. The officers gave chase on foot and saw the male was now trying to hold something heavy in his front waistband while also running towards an open gas station. As the male reached the sidewalk, the officers caught up to the male and saw he had dropped a handgun on the ground. The male reached down in an attempt to pick up the handgun so the officers pushed the male to the ground and were able to handcuff him and recover the loaded handgun.

# **FRESNO POLICE DEPARTMENT REPORTABLE RESPONSE RESISTANCE PROJECT**



**Year 2017**

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:

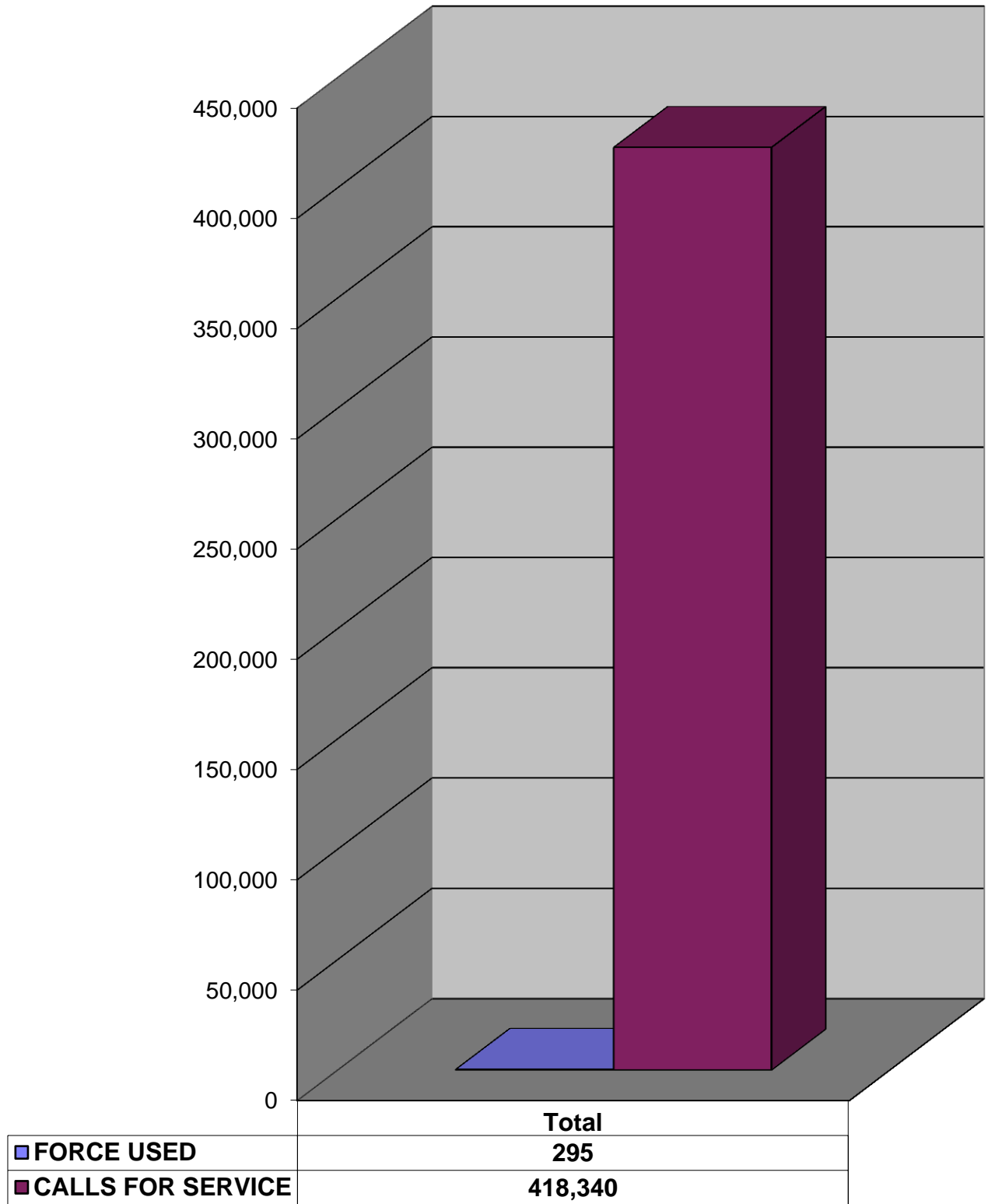
1. Officers (including canines) use force and a person is injured; or,
2. Officers strike a person with a body part (i.e. fist, foot, elbow, etc.) or any object (i.e. flashlight, clipboard, etc); or,
3. Officers use (not merely display) a department issued weapon (i.e. electronic immobilizing device,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

Fresno police officers applied force in 295 incidents while responding to 418,340 calls for service (CFS). This equates to officers applying force in 0.071% of all calls for service for this reporting period.

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



CFS does not include events handled telephonically.  
0.071% of all CFS resulted in the application of reportable force.



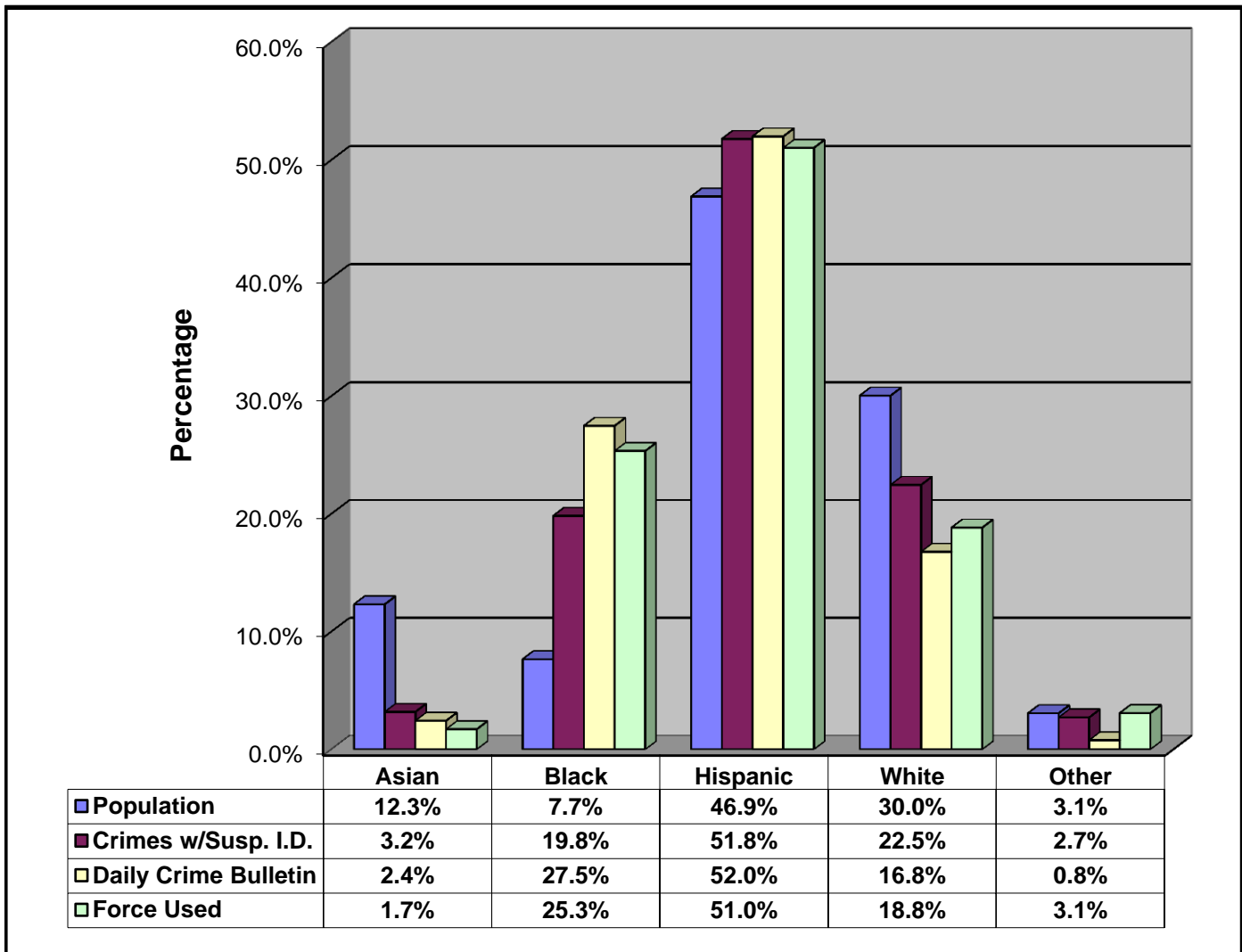
### Suspect Demographics

	Asian	Black	Hispanic	White	Other
<b>City of Fresno Pop. (494,665)*</b>	60,939	37,885	232,055	148,598	15,188
<b>Percentage</b>	12.3%	7.7%	46.9%	30.0%	3.1%
<b>Crimes with Suspect's Race/Age Identified (40,871)</b>	1,304	8,108	21,166	9,182	1,111
<b>Percentage</b>	3.2%	19.8%	51.8%	22.5%	2.7%
<b>Daily Crime Bulletin Listings (1144)**</b>	28	316	598	193	9
<b>Percentage</b>	2.4%	27.5%	52.0%	16.8%	0.8%
<b>Force Applications (292)***</b>	5	74	149	55	9
<b>Percentage</b>	1.7%	25.3%	51.0%	18.8%	3.1%

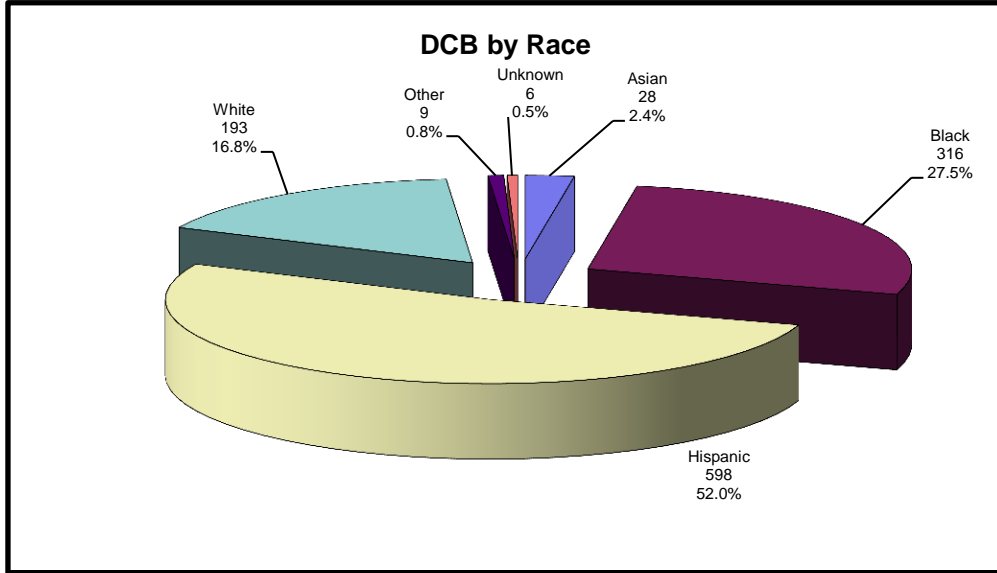
\* 2010 Census

\*\* 6 persons or 0.5% were listed as 'unknown' (see page 3 for definition of Daily Crime Bulletin - DCB)

\*\*\* Of the 295 reportable force cases, 3 had no age or race data available



**DAILY CRIME BULLETIN (WANTED PERSONS) BY RACE LISTINGS – 1150**

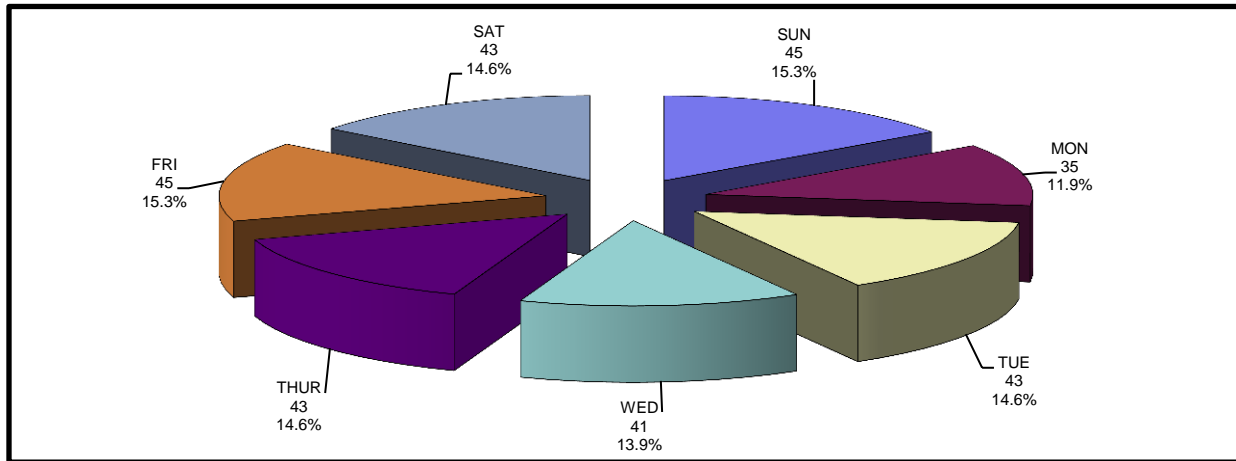


Order by Race:	Hispanic	-	52.0%
	Black	-	27.5%
	White	-	16.8%
	Asian	-	2.4%
	Other	-	0.8%
	Unknown	-	0.5%

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.)

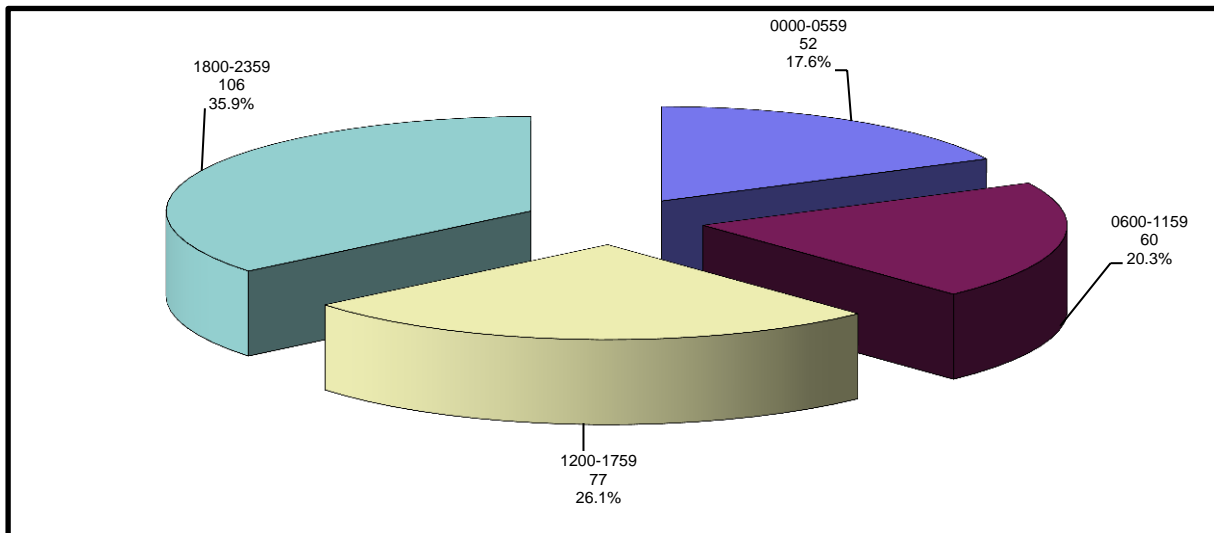
### FORCE INCIDENTS BY DAY OF WEEK, CITY-WIDE



Order by Day of the Week:

Friday	-	15.3%
Sunday	-	15.3%
Saturday	-	14.6%
Thursday	-	14.6%
Tuesday	-	14.6%
Wednesday	-	13.9%
Monday	-	11.9%

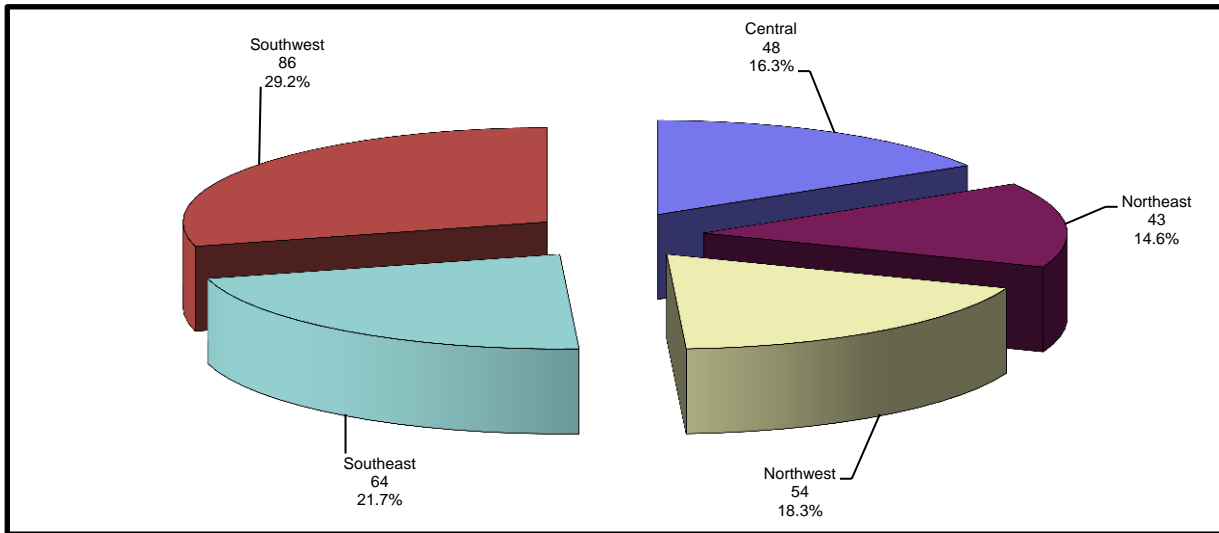
### FORCE INCIDENTS BY HOUR OF DAY, CITY-WIDE



Order by Hours of the Day:

1800 to 2359 hrs	-	35.9%
1200 to 1759 hrs	-	26.1%
0600 to 1159 hrs	-	20.3%
0000 to 0559 hrs	-	17.6%

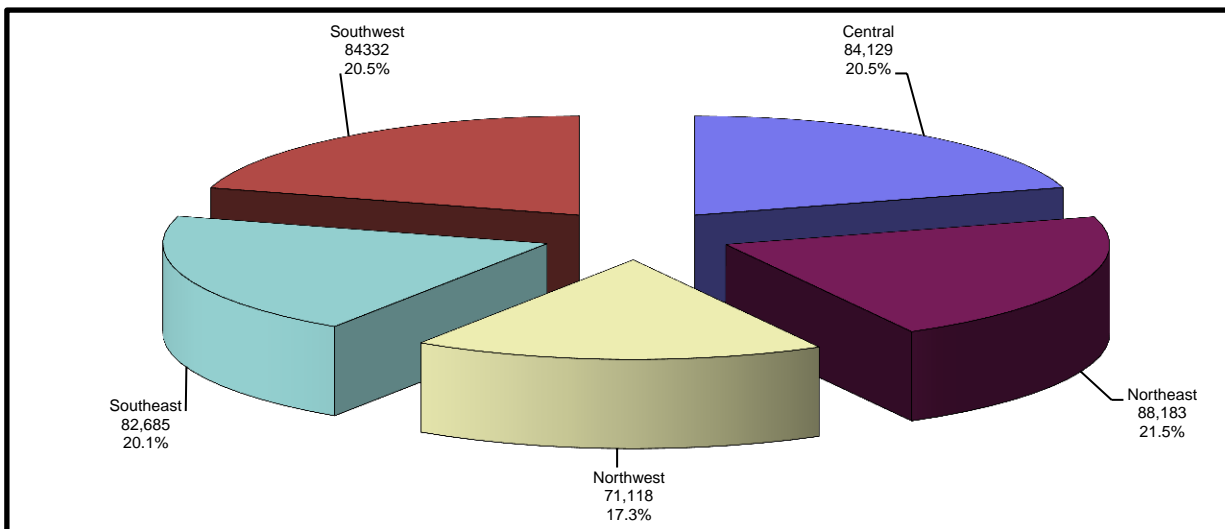
### FORCE INCIDENTS BY POLICING DISTRICT\*



Of the 295 force incidents, 0 were not assigned to a specific district.

Order by District:	Southwest	-	29.2%
	Southeast	-	21.7%
	Northwest	-	18.3%
	Central	-	16.3%
	Northeast	-	14.6%

### ALL CALLS FOR SERVICE (CFS) BY POLICING DISTRICT\*



Of the 418,340 CFS, 7,893 were not assigned to a specific district.

Order by District:	Northeast	-	21.5%
	Southwest	-	20.5%
	Central	-	20.5%
	Southeast	-	20.1%
	Northwest	-	17.3%

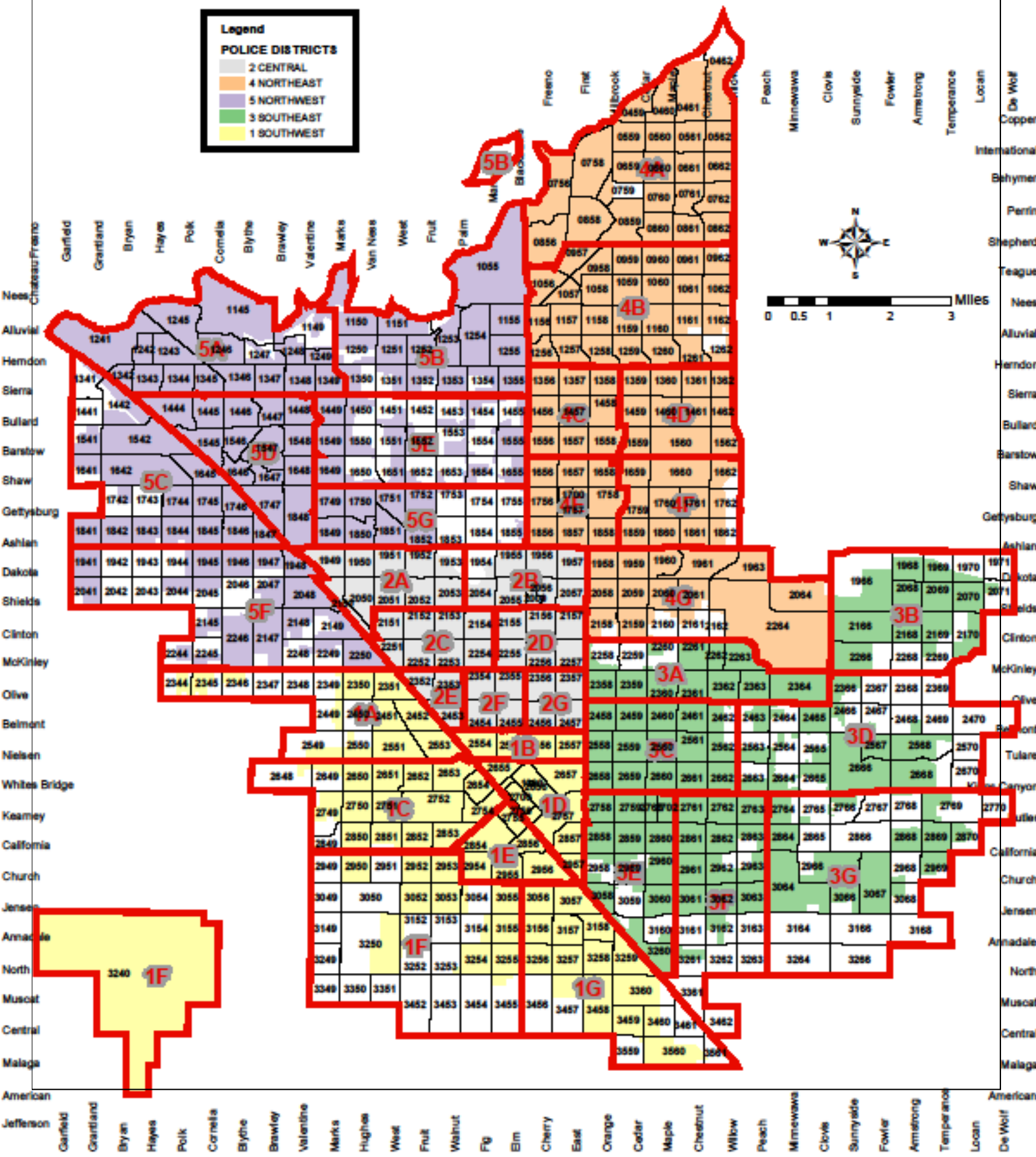
\* See page 6 for policing district boundaries.

# Fresno Police Department

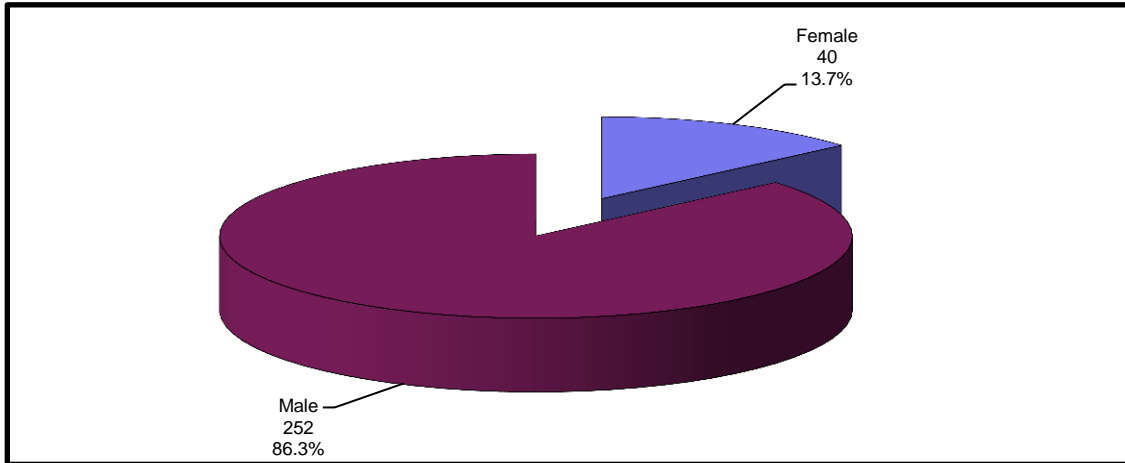
## Legend

### POLICE DISTRICTS

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



## FORCE INCIDENTS BY GENDER OF SUSPECTS



Of the 295 force incidents, 3 had no gender data available.

## REPORTED CRIMES BY AGE AND RACE OF SUSPECTS

Age Group	Asian	Black	Hispanic	White	Other	TOTAL
12-17	50	569	1,389	204	43	2,255
18-23	180	1,418	3,557	959	196	6,310
24-29	277	1,758	4,621	1,608	277	8,541
30-35	308	1,247	3,849	1,591	204	7,199
36-41	165	993	2,866	1,283	152	5,459
42-47	164	669	1,999	1,066	68	3,966
48-53	89	619	1,449	1,112	68	3,337
54-59	26	476	863	855	59	2,279
60-65	24	294	401	351	23	1,093
66 and Over	21	65	172	153	21	432
<b>Total</b>	<b>1,304</b>	<b>8,108</b>	<b>21,166</b>	<b>9,182</b>	<b>1,111</b>	<b>40,871</b>

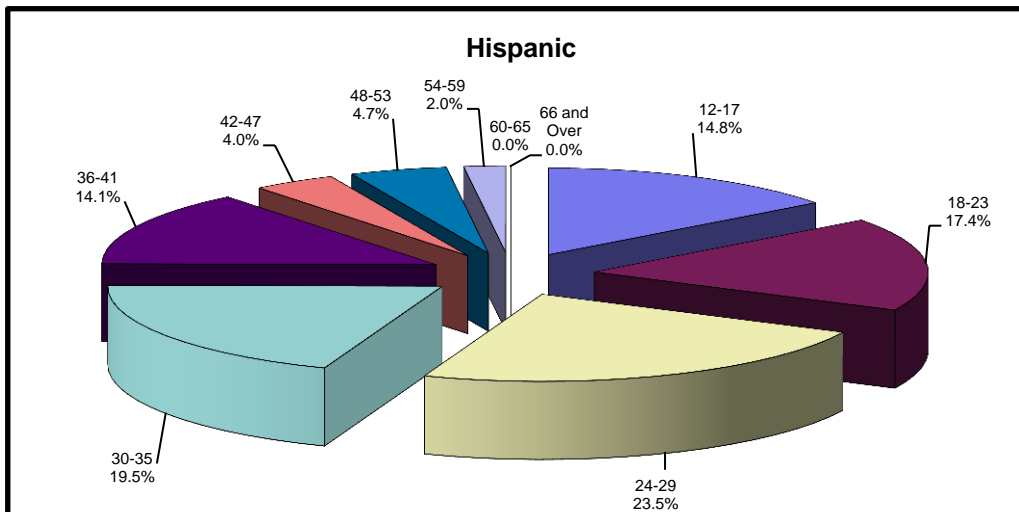
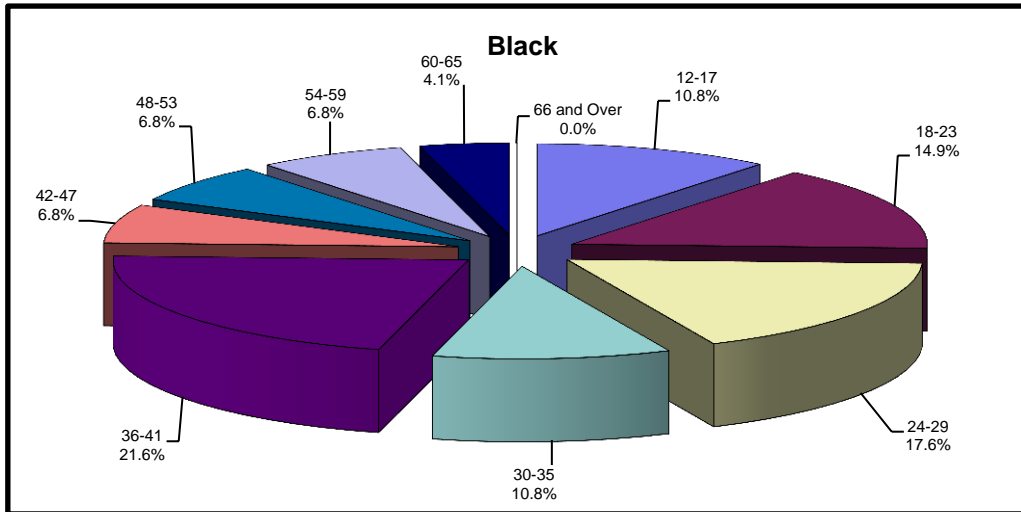
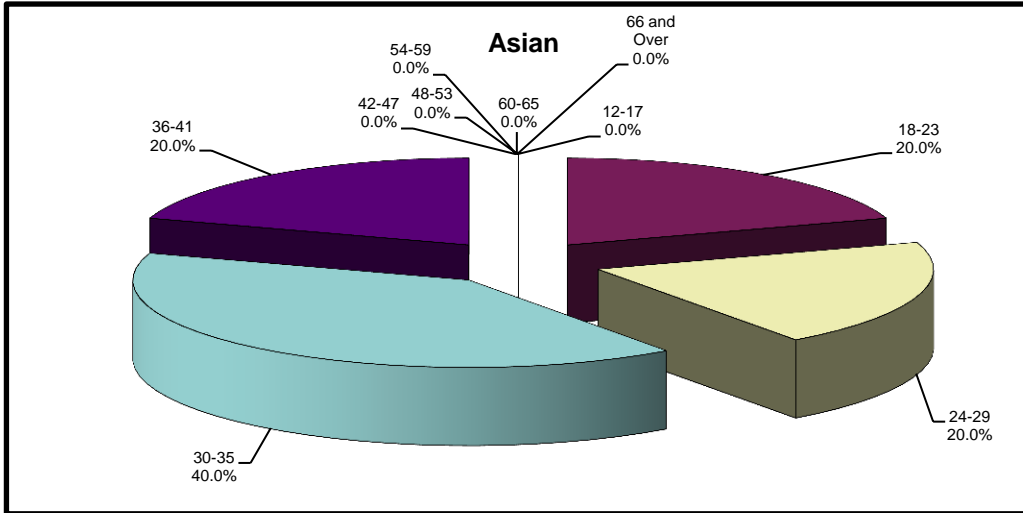
Of the 41,076 reported crime suspects, 40,871 had both age and race data.

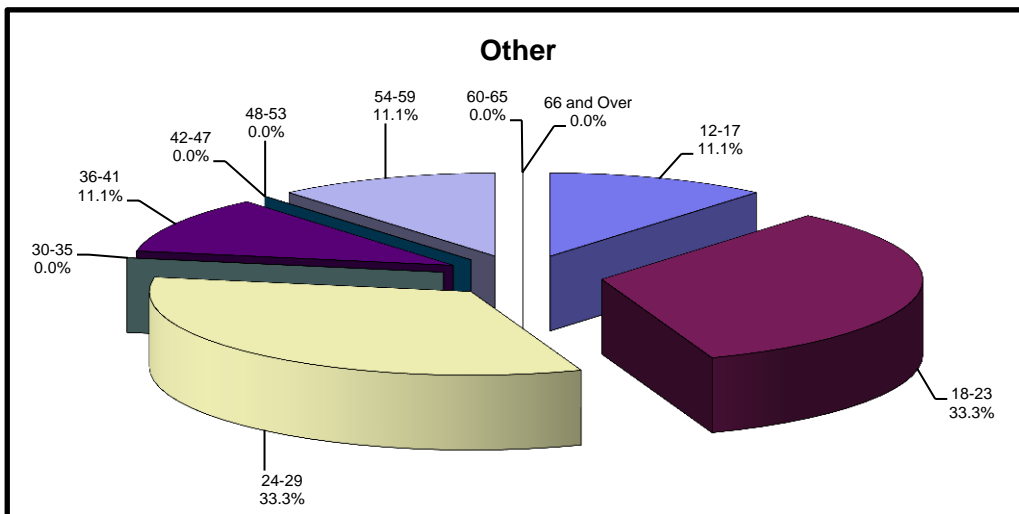
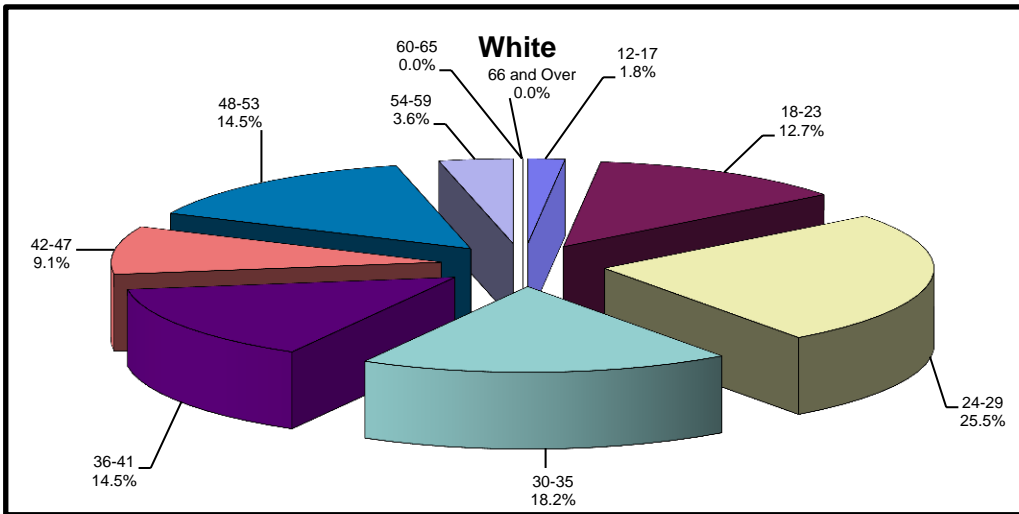
## REPORTABLE FORCE INCIDENTS BY AGE AND RACE OF SUSPECTS

Age Group	Asian	Black	Hispanic	White	Other	TOTAL
12-17		8	22	1	1	32
18-23	1	11	26	7	3	48
24-29	1	13	35	14	3	66
30-35	2	8	29	10		49
36-41	1	16	21	8	1	47
42-47		5	6	5		16
48-53		5	7	8		20
54-59		5	3	2	1	11
60-65		3				3
66 and Over						0
<b>Total</b>	<b>5</b>	<b>74</b>	<b>149</b>	<b>55</b>	<b>9</b>	<b>292</b>

Of the 295 force incidents, 292 had both age and race data.

### REPORTABLE FORCE INCIDENTS BY AGE AND RACE OF SUSPECTS

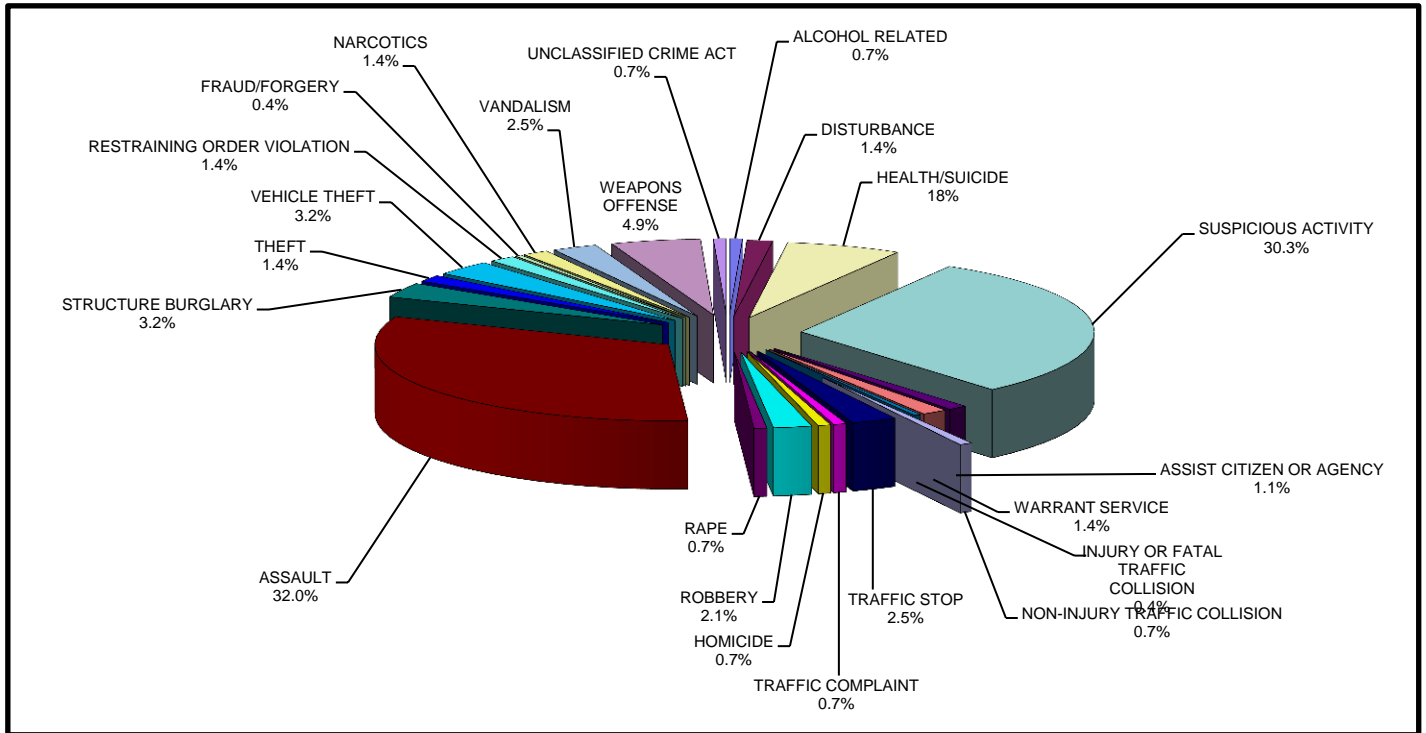




"Other" refers to persons whose race is not defined as Asian, Black, Hispanic or White, i.e. persons from the Pacific Islands or American Indian.



### TYPE OF CFS RESULTING IN REPORTABLE FORCE INCIDENTS

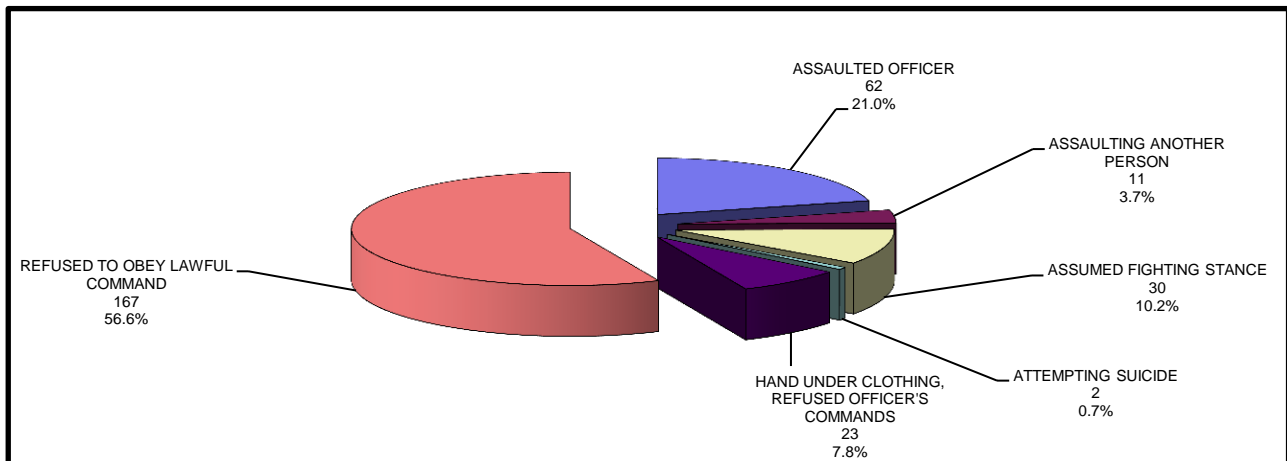


Order by Force Incident Clearance Code:

Force Incident Clearance Code	Force Incidents:	CFS Total:
ASSAULT	-	91
SUSPICIOUS ACTIVITY	-	86
HEALTH/SUICIDE	-	18
WEAPONS OFFENSE	-	14
STRUCTURE BURGLARY	-	9
VEHICLE THEFT	-	9
TRAFFIC STOP	-	7
VANDALISM	-	7
ROBBERY	-	6
DISTURBANCE	-	4
WARRANT SERVICE	-	4
THEFT	-	4
RESTRAINING ORDER VIOLATION	-	4
NARCOTICS	-	4
ASSIST CITIZEN OR AGENCY	-	3
ALCOHOL RELATED	-	2
NON-INJURY TRAFFIC COLLISION	-	2
TRAFFIC COMPLAINT	-	2
HOMICIDE	-	2
RAPE	-	2
UNCLASSIFIED CRIME ACT	-	2
INJURY OR FATAL TRAFFIC COLLISION	-	1
FRAUD/FORGERY	-	1
<b>TOTAL</b>	<b>284 *</b>	

\* 11 force incidents had wrong or no clearance codes.

## SUSPECT'S ACTIONS NECESSITATING THE USE OF FORCE



Order by Action:

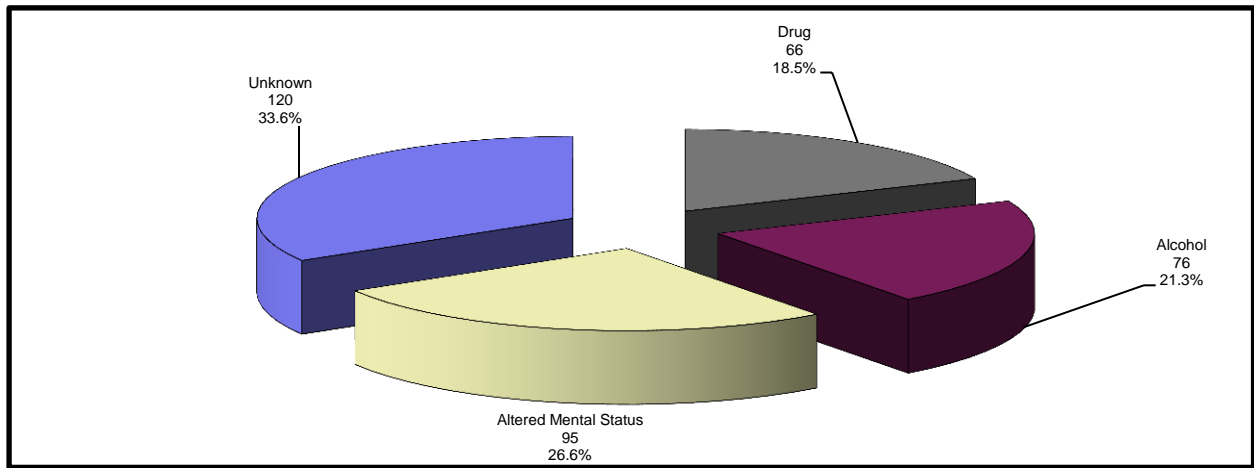
REFUSED TO OBEY LAWFUL COMMAND	-	56.6%
ASSAULTED OFFICER	-	21.0%
ASSUMED FIGHTING STANCE	-	10.2%
HAND UNDER CLOTHING, REFUSED OFFICER'S COMMANDS	-	7.8%
ASSAULTING ANOTHER PERSON	-	3.7%
ATTEMPTING SUICIDE	-	0.7%

## 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	1	0	0	1
DISTURBANCE	0	3	0	0	0	1
HEALTH/SUICIDE	2	0	5	0	0	11
SUSPICIOUS ACTIVITY	7	2	7	0	10	60
ASSIST CITIZEN OR AGENCY	0	0	0	0	0	3
WARRANT SERVICE	1	0	0	0	0	3
INJURY OR FATAL TRAFFIC COLLISION	0	0	0	0	0	1
NON-INJURY TRAFFIC COLLISION	1	0	0	0	0	1
TRAFFIC STOP	0	0	0	0	0	7
TRAFFIC COMPLAINT	0	0	1	0	1	0
HOMICIDE	1	0	0	0	0	1
ROBBERY	1	0	1	0	1	3
RAPE	0	0	1	0	0	1
ASSAULT	42	5	12	0	1	31
STRUCTURE BURGLARY	1	0	0	0	3	5
THEFT	1	0	0	0	0	3
VEHICLE THEFT	2	1	0	0	1	5
RESTRAINING ORDER VIOLATION	0	0	0	0	1	3
FRAUD/FORGERY	0	0	0	0	0	1
NARCOTICS	0	0	0	0	1	3
VANDALISM	1	0	1	0	0	5
WEAPONS OFFENSE	1	0	0	1	3	9
UNCLASSIFIED CRIME ACT	0	0	0	0	1	1
<b>Total</b>	<b>61</b>	<b>11</b>	<b>29</b>	<b>1</b>	<b>23</b>	<b>159</b>

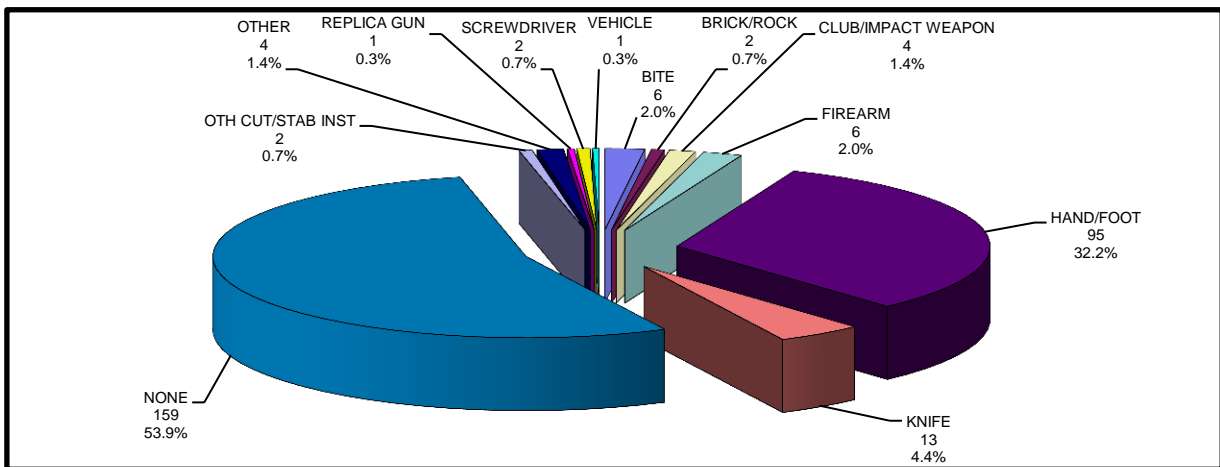
\* 11 force incidents had wrong or no clearance codes.

### SUSPECT'S CONDITION AT TIME REPORTABLE FORCE APLIED



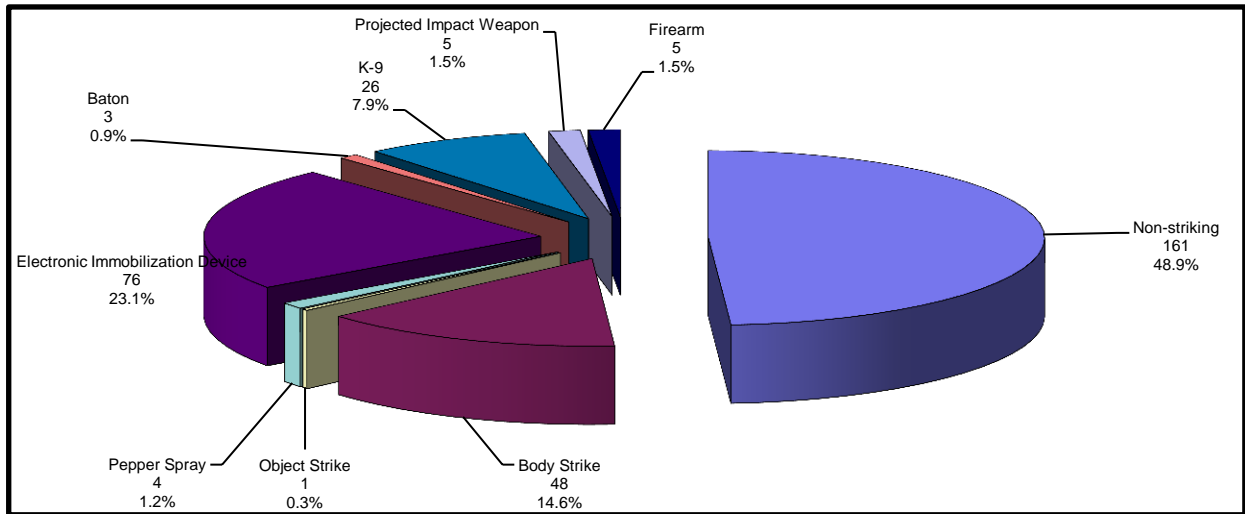
Some suspects had more than one condition.

### SUSPECT WEAPONS WITH REPORTABLE FORCE APPLIED



Order by Weapon:	NONE	-	53.9%
	HAND/FOOT	-	32.2%
	KNIFE	-	4.4%
	BITE	-	2.0%
	FIREARM	-	2.0%
	CLUB/IMPACT WEAPON	-	1.4%
	OTHER	-	1.4%
	BRICK/ROCK	-	0.7%
	OTH CUT/STAB INST	-	0.7%
	SCREWDRIVER	-	0.7%
	REPLICA GUN	-	0.3%
	VEHICLE	-	0.3%

### 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:

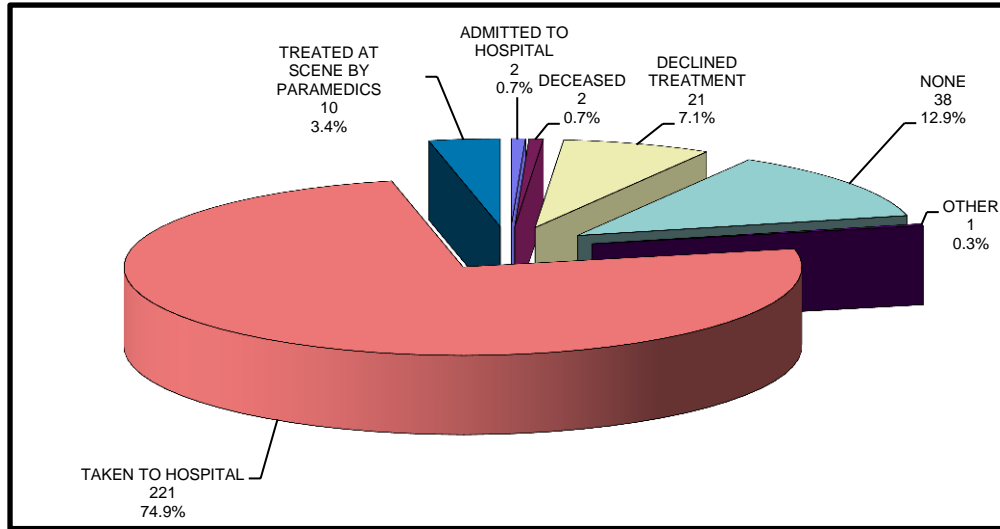
Non-striking	-	48.9%
Electronic Immobilization Device	-	23.1%
Body Strike	-	14.6%
K-9	-	7.9%
Projected Impact Weapon	-	1.5%
Firearm	-	1.5%
Pepper Spray	-	1.2%
Baton	-	0.9%
Object Strike	-	0.3%

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.

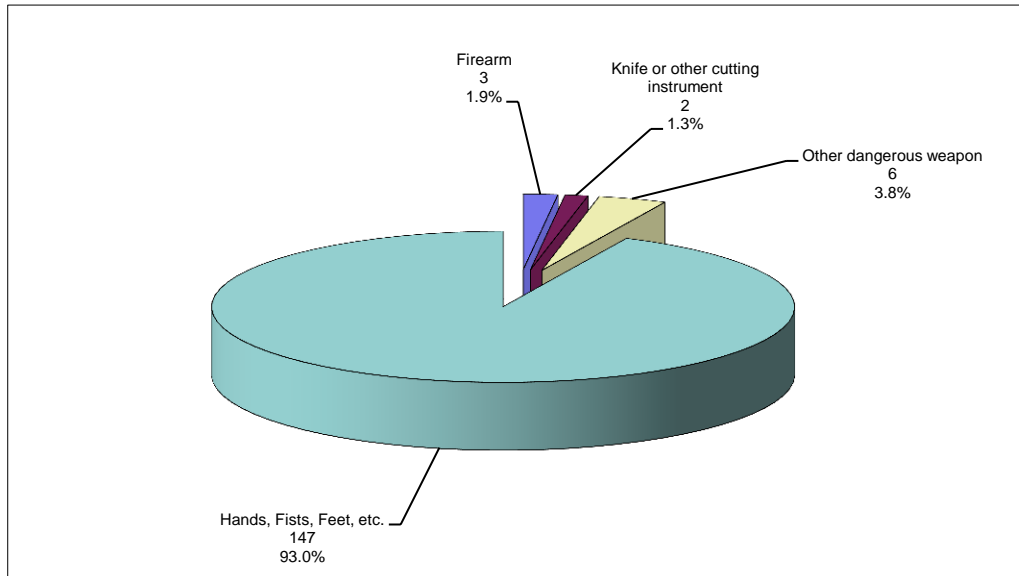
## OFFICER SAFETY ISSUES, WEAPON RETENTION

### SUSPECT MEDICAL REVIEW AFTER REPORTABLE FORCE APPLIED



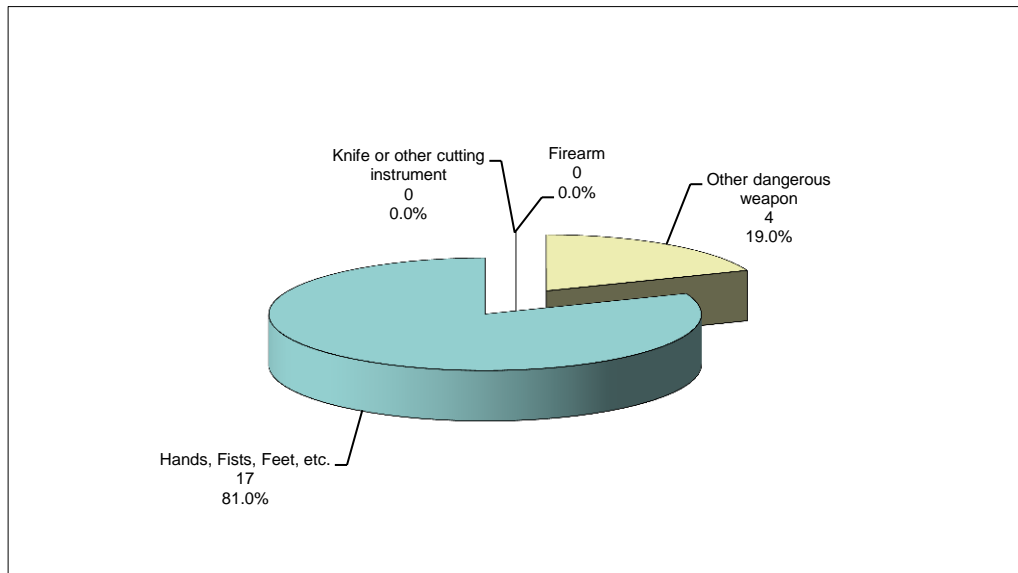
Not all suspects who received medical review were injured. Per Department policy, any person subjected to a chemical agent/mace, electronic immobilizing device (taser), less lethal impact projectile, or any force which causes injury or renders temporary disability to an arrestable subject, is automatically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

### OFFICER'S ASSAULTED \*



158 officers were assaulted.

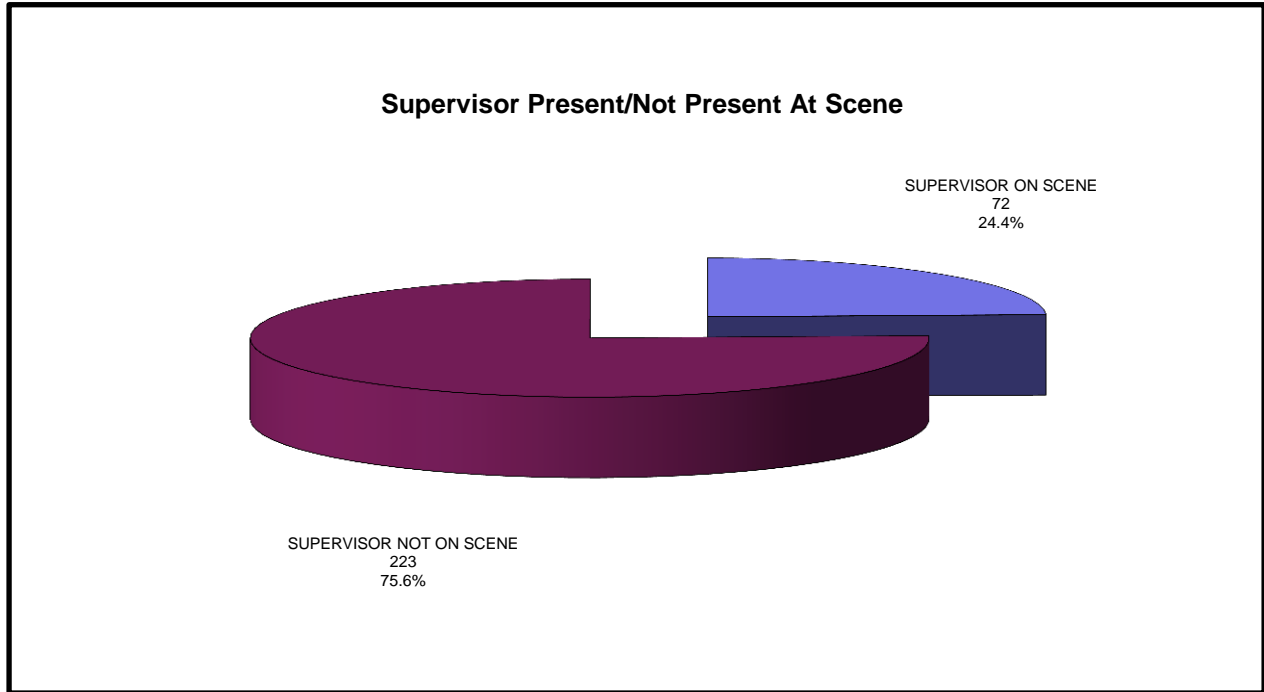
### OFFICER'S INJURED \*



21 officers were injured requiring immediate medical treatment.

\* Data based on the Year 2017 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."