



POLICE DEPARTMENT

MEMORANDUM

DATE: October 22, 2020

TO: ANDREW J HALL, Chief of Police
Office of the Chief

THROUGH: PHILLIP COOLEY, Deputy Police Chief
Administrative Division

JENNIFER HORSFORD, Lieutenant
Personnel Bureau Commander

FROM: ZEBULON PRICE, Sergeant
Audits & Inspections Unit

SUBJECT: 2020 THIRD QUARTER- REPORTABLE RESPONSE TO RESISTANCE PROJECT

The third quarter 2020 reportable force data has been analyzed and compared with the third quarter 2019 reportable force data. In 2017, the types of force categories were modified to track the use of the carotid restraint and clarify the use of physical force. In previous years, all physical force was classified as body strike force. The category of non-striking force was added to differentiate between physical force that involved an officer striking a person with a body part (i.e. fist, foot, elbow, etc.) and physical force used to control a person (i.e. control hold, tackle, body weight to hold suspect down, etc.).

Recently the State of California Legislature passed Assembly Bill 1196 which prohibits the use of the carotid restraint. AB 1196 added section 7286.5 to the Government Code with states:

“A law enforcement agency shall not authorize the use of a carotid restraint or choke hold by any peace officer employed by that agency.”

Due to the passage of Government Code § 7286.5 the Fresno Police Department is currently in the process of modifying its policy in regards to the use of the carotid restraint. This law was not in effect during the third quarter of 2020.

The following is a summarized comparison between the 2019 and the 2020 third quarter reportable force and related data:

Calls for Service:

Officers responded to 82,879 calls for service (CFS) during the third quarter of 2020 compared to 90,844 CFS in the third quarter of 2019. This is a decrease of 9%. Of these CFS, there were 43 reportable force incidents in 2020 compared to 56 in 2019; a decrease of 14%.

Assaults:

According to the Department's official LEOKA report, 76 officers were assaulted during the third quarter of 2020, compared to 82 officers in the third quarter of 2019, a decrease of 7.4%. Of these officers assaulted, 22 officers were injured in 2020, compared to 16 officers who were injured in 2019; an increase of 28%.

Type of Force:

Officers' most frequently applied method of force was non-striking force in third quarter 2020 at 58.8%, followed by body electronic immobilization device at 15.7%, strikes at 13.7%, projected impact weapon at 3.9%, firearm at 3.9%, K9 applications and pepper spray at 2%, baton at 0%, and the carotid restraint at 0%.

In third quarter 2019, the most frequently applied methods of force were non-striking force at 57.6%, followed by body strikes at 16.7%, electronic control device at 12.1%, K9 applications at 12.1%, firearm at 1.4%, pepper spray, baton and carotid restraint at 0%.

Actions Prior to Force:

In third quarter of 2020, the leading cause necessitating the use of force was the suspect refusing to obey lawful commands at 48.8%, followed by suspects assaulting officers at 25.6%. In third quarter 2019, the leading cause necessitating the use of force was the suspect refusing to obey lawful commands at 46.4%.

In 2020, three suspects requiring reportable force were in possession of a firearm, replica firearm, or a cutting/stabbing instrument compared to two in 2019.

Of the individuals who required officers to use reportable force in third quarter 2020, 31.8% had an altered mental status, 9.1% were under the influence of alcohol, 9.1% were under the influence of drugs, and 50% had an unknown type of condition. Some suspects had more than one condition.

Reportable force incidents occurred most frequently on both Saturdays and Sundays in the third quarter of 2020 compared to Thursdays in 2019. In 2020, the Central and Southeast Districts had the highest percentage of use of force incidents at 25.6%, followed by Northeast at 23.3%, Southwest at 14%, and Northwest at 11.6%. In comparison to the third quarter of 2019 where the Southwest District had the highest percentage at 28.6%, followed by Northwest at 21.4%, Central and Northeast at 17.9%, and Southeast at 14.3%.

In 2020, the Southeast District had 21.3% of the City's total calls for service, followed by Northeast at 20.9%, Southwest at 20.2%, Central at 19.4% and Northwest at 18.2%. In 2019, Southeast generated the most calls at 21.9%, followed by Northeast at 20.8%, Southwest at 20%, Central at 19.4% and Northwest at 17.9%.

In 2020, supervisors were on-scene 32.6% of the time officers used reportable force. In 2019, this number was 23.2% of the time.

Examples of Officer Restraint:

During the third quarter of 2020, there were incidents that involved circumstances under which deadly force could have been considered, but was not used. Below are some examples;

Mental Health Subject Armed with a Handgun:

Officers were responding to a possible victim of a shooting. When they approached the residence where the possible shooting occurred, a subject stepped out into the street and confronted them.

The subject had a handgun in his right hand and told officers to kill him. The subject held the handgun in his right hand and pointed it at the ground. He began to walk towards the officers pulling the trigger. The officers could hear a clicking noise coming from the gun. They gave commands for the subject to drop the gun however he threw it at them. The gun hit the parked vehicle that officers were using as cover. The subject then armed himself with a knife and brandished it at the officers, disobeying the officers' orders to drop it. An officer used an electronic control device to try and apprehend the subject but it did not work. Another officer used a less-lethal shotgun and fired less-lethal rounds at the subject, striking him. This stopped the subject and he began to listen to the officers' commands and got onto the ground. He was taken into custody and treated for his injuries by EMS. The subject was transported to medical facility and placed on mental evaluation hold.

Mental Health:

Officers responded to a neighbor disturbance and located a subject who was standing in the road bleeding and armed with a knife. The officers tried to communicate with the subject however he was possibly suffering from some type of mental illness and did not listen to the officers' commands to drop the knife. At one point the subject pointed the knife at one of the officers and yelled that they were going to have to shoot him. The subject eventually ran from the officers and made his way to the front yard of a residence where he sat down. The officers pleaded with the subject to have him drop the knife however he just continued to curse and yell at them. Based on the subject's actions and with him still being armed with a knife, the officers used an electronic control device to aid in detaining the subject. He was then transported to a medical facility and placed on a mental evaluation hold.

Subject Armed with Handgun:

Officers responded to a residential neighborhood regarding a call of a man with a gun. As one officer arrived he located and contacted a subject matching the description provided to the 9-1-1 dispatcher. The officer confronted the subject and ordered him to keep his hands out of his pockets. The subject said, "What for?" and attempted to hide behind a parked vehicle. The officer fearing the subject was armed he drew his handgun. The subject walking away from the officer as he was giving him commands to stop. The subject walked towards a yard which had two small children playing in it. As he was walking the officer saw a large bulky item in the subject's shorts pocket.

Fearing for the safety of the children, the officer ran up to the subject and grabbed him, preventing him from entering the yard with the children and conducted a weapons search of the subject. The subject was found to be in possession of a loaded fully automatic sub-compact machine gun. The officer removed the gun and tossed it to the ground away from the subject. The subject then began to resist and fight with the officer. This fight continued until assisting units arrived and they were able to place the subject in handcuffs.

AJH:PC:zp

FRESNO POLICE DEPARTMENT REPORTABLE RESPONSE RESISTANCE PROJECT



Third Quarter 2020
(July/August/September)

Andrew J. Hall
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:

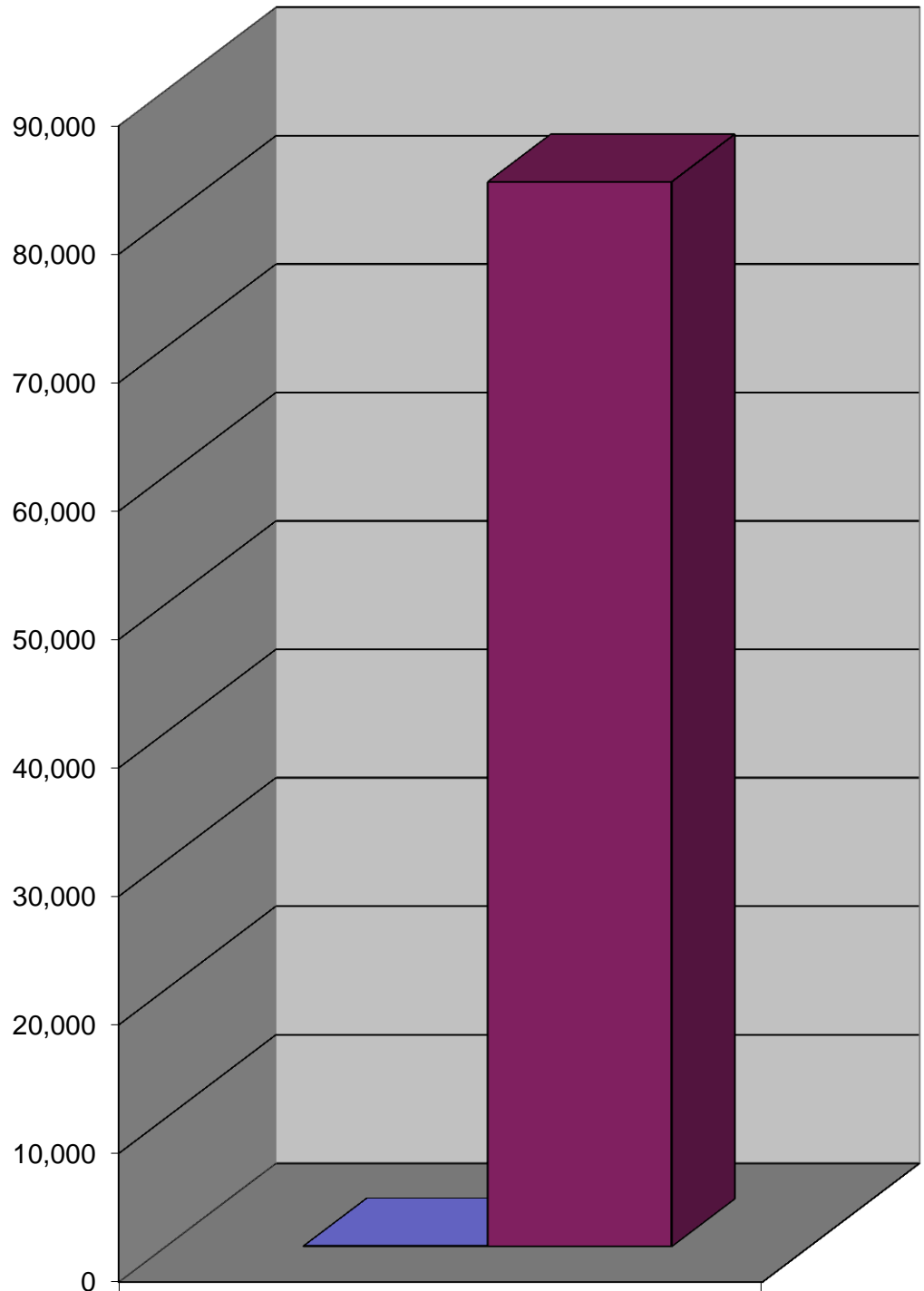
1. Officers (including canines) use force and a person is injured, has expressed a complaint of pain or has been rendered unconscious; or,
2. Officers strike a person with a body part (e.g., fist, foot, elbow, etc.) or any object (e.g., flashlight, clipboard, etc.); or,
3. Officers use (not merely display) a Department issued weapon (e.g., baton, chemical agents, Taser, less lethal, shotgun, firearm, etc.) against another.

Fresno police officers applied force in 43 incidents while responding to 82,879 calls for service (CFS). This equates to officers applying force in 0.052% of all calls for service for this reporting period.

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



	Total
■ FORCE USED	43
■ CALLS FOR SERVICE	82,879

CFS does not include events handled telephonically.
0.052% of all CFS resulted in the application of reportable force.

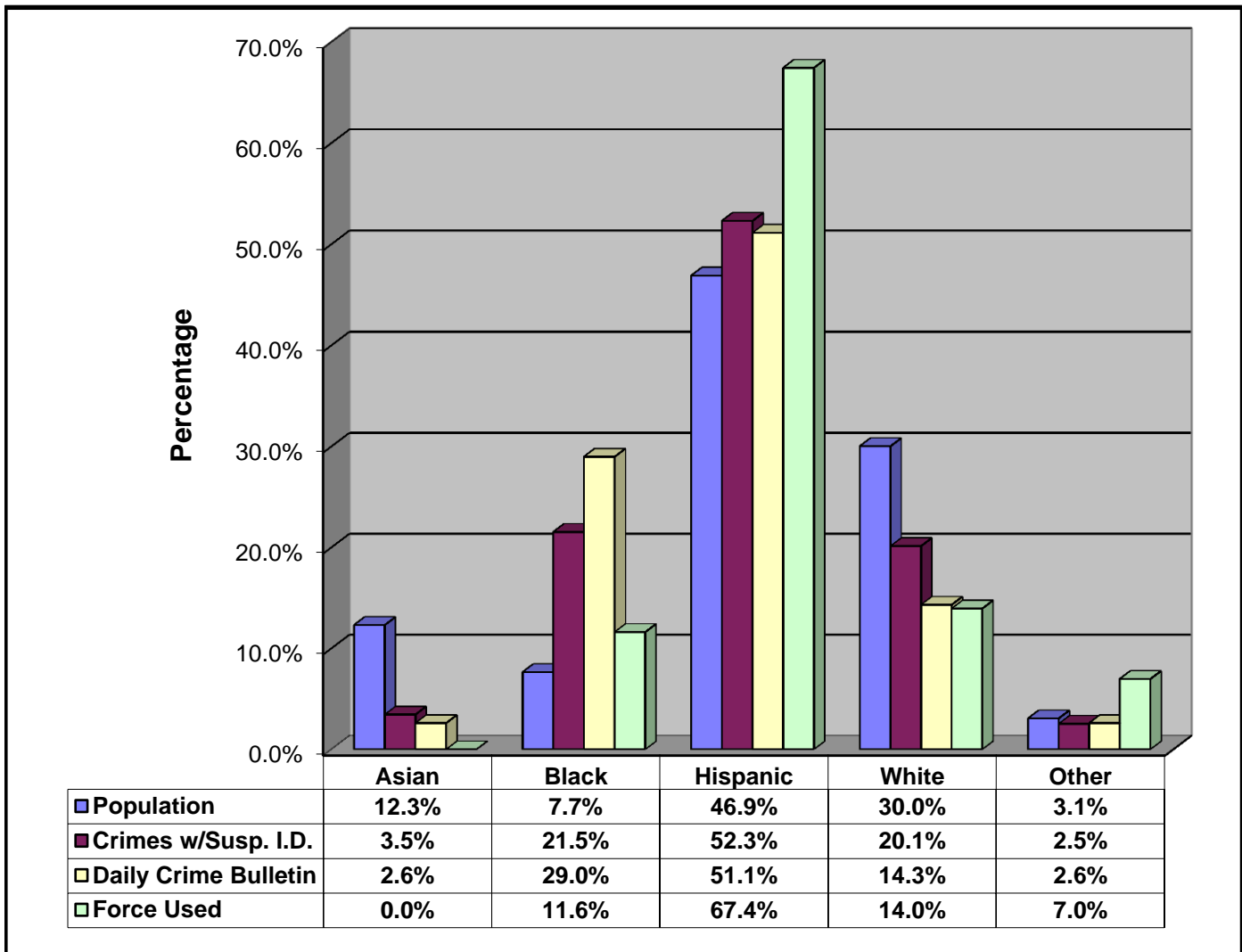
Suspect Demographics

	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 (6,577)	227	1,417	3,441	1,325	167
Percentage	3.5%	21.5%	52.3%	20.1%	2.5%
Daily Crime Bulletin Listings (306)**	8	89	157	44	8
Percentage	2.6%	29.0%	51.1%	14.3%	2.6%
Force Applications (43)***	0	5	29	6	3
Percentage	0.0%	11.6%	67.4%	14.0%	7.0%

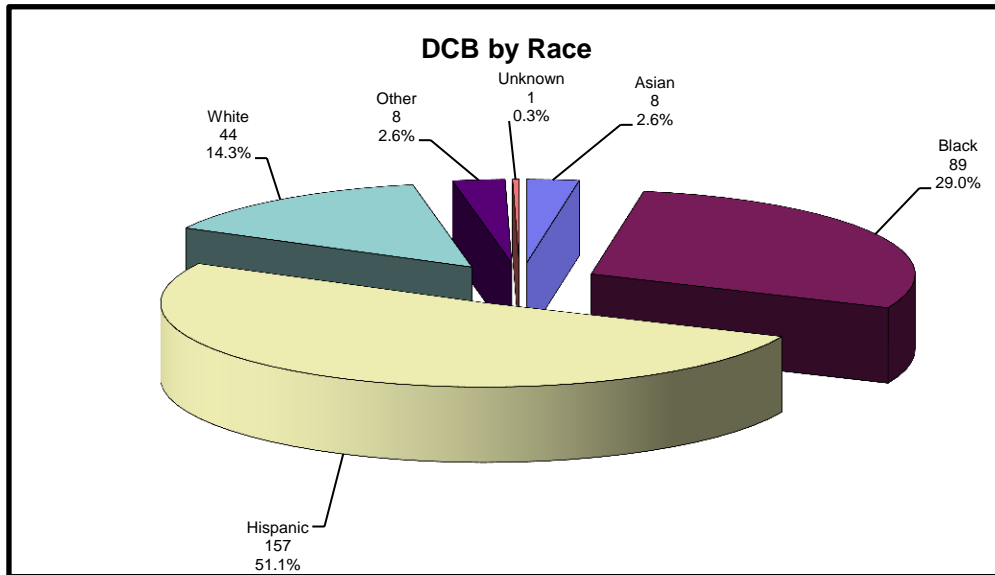
* 2010 Census

** 1 persons or 0.3% were listed as 'unknown' (see page 3 for definition of Daily Crime Bulletin - DCB)

*** Of the 43 reportable force cases, 0 had no age or race data available



**DAILY CRIME BULLETIN (WANTED PERSONS) BY RACE
LISTINGS – 307**

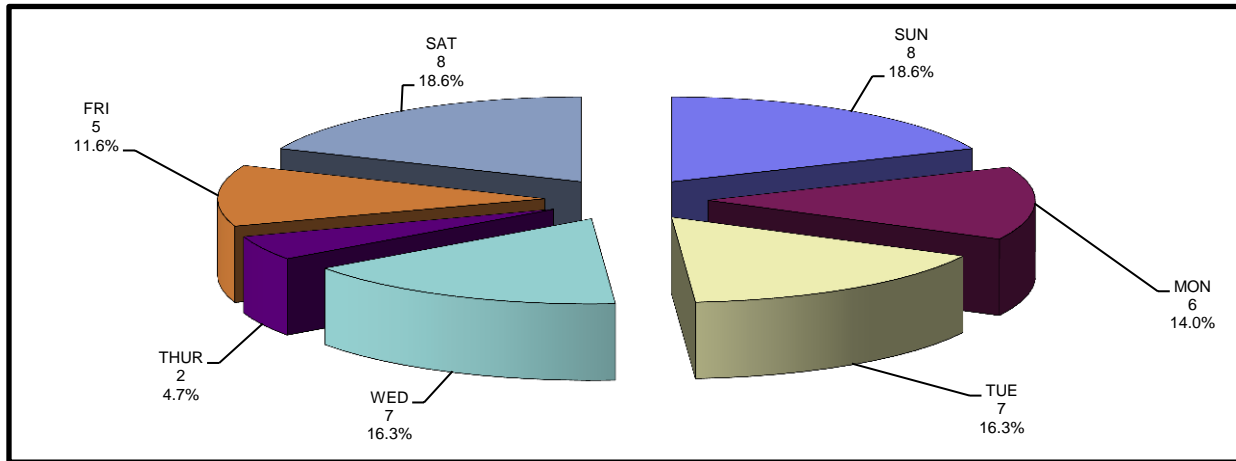


Order by Race:	Hispanic	-	51.1%
	Black	-	29.0%
	White	-	14.3%
	Asian	-	2.6%
	Other	-	2.6%
	Unknown	-	0.3%

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.)

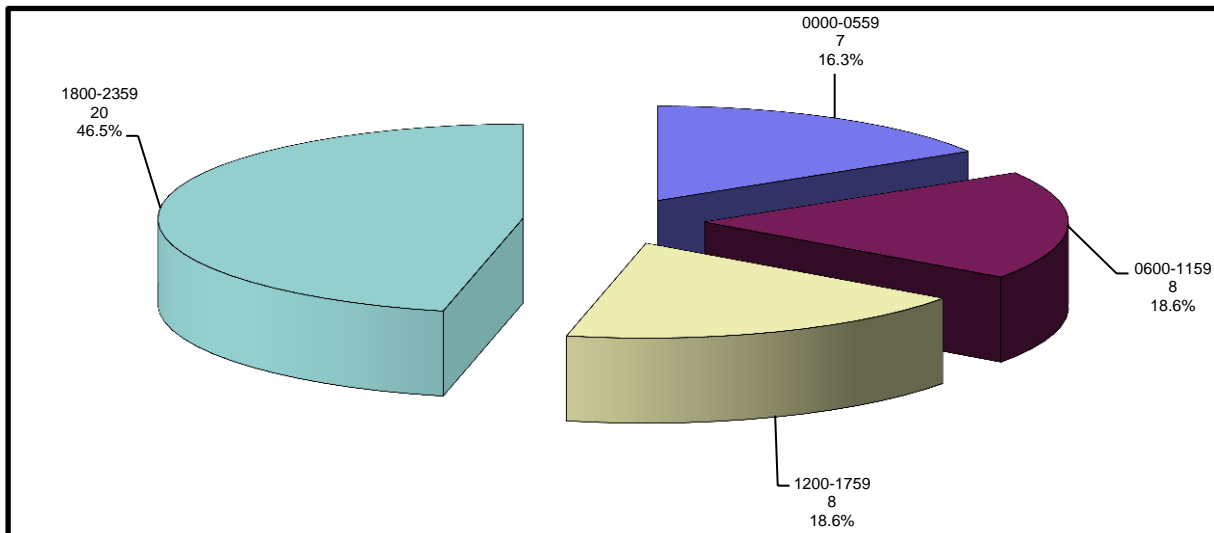
FORCE INCIDENTS BY DAY OF WEEK, CITY-WIDE



Order by Day of the Week:

Saturday	-	18.6%
Sunday	-	18.6%
Tuesday	-	16.3%
Wednesday	-	16.3%
Monday	-	14.0%
Friday	-	11.6%
Thursday	-	4.7%

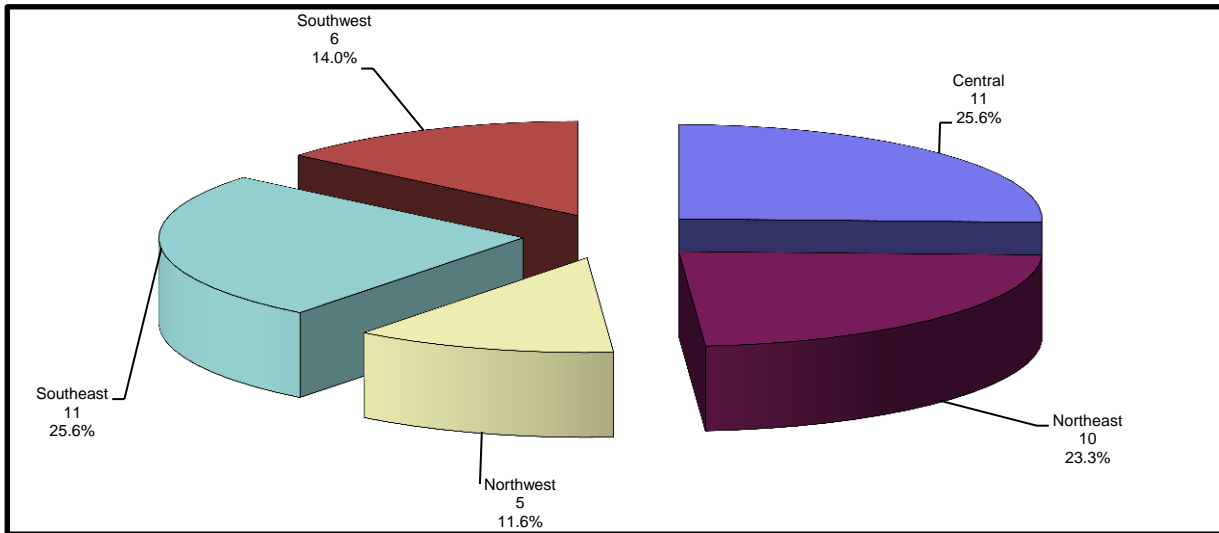
FORCE INCIDENTS BY HOUR OF DAY, CITY-WIDE



Order by Hours of the Day:

1800 to 2359 hrs	-	46.5%
0600 to 1159 hrs	-	18.6%
1200 to 1759 hrs	-	18.6%
0000 to 0559 hrs	-	16.3%

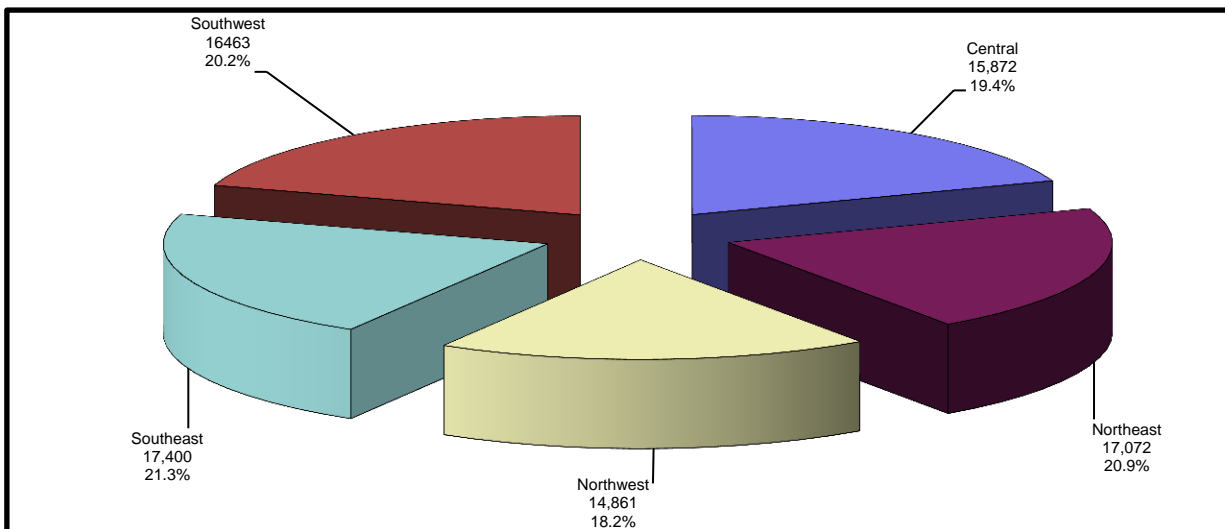
FORCE INCIDENTS BY POLICING DISTRICT*



Of the 43 force incidents, 0 were not assigned to a specific district.

Order by District:	Central	-	25.6%
	Southeast	-	25.6%
	Northeast	-	23.3%
	Southwest	-	14.0%
	Northwest	-	11.6%

ALL CALLS FOR SERVICE (CFS) BY POLICING DISTRICT*



Of the 82,879 CFS, 1,211 were not assigned to a specific district.

Order by District:	Southeast	-	21.3%
	Northeast	-	20.9%
	Southwest	-	20.2%
	Central	-	19.4%
	Northwest	-	18.2%

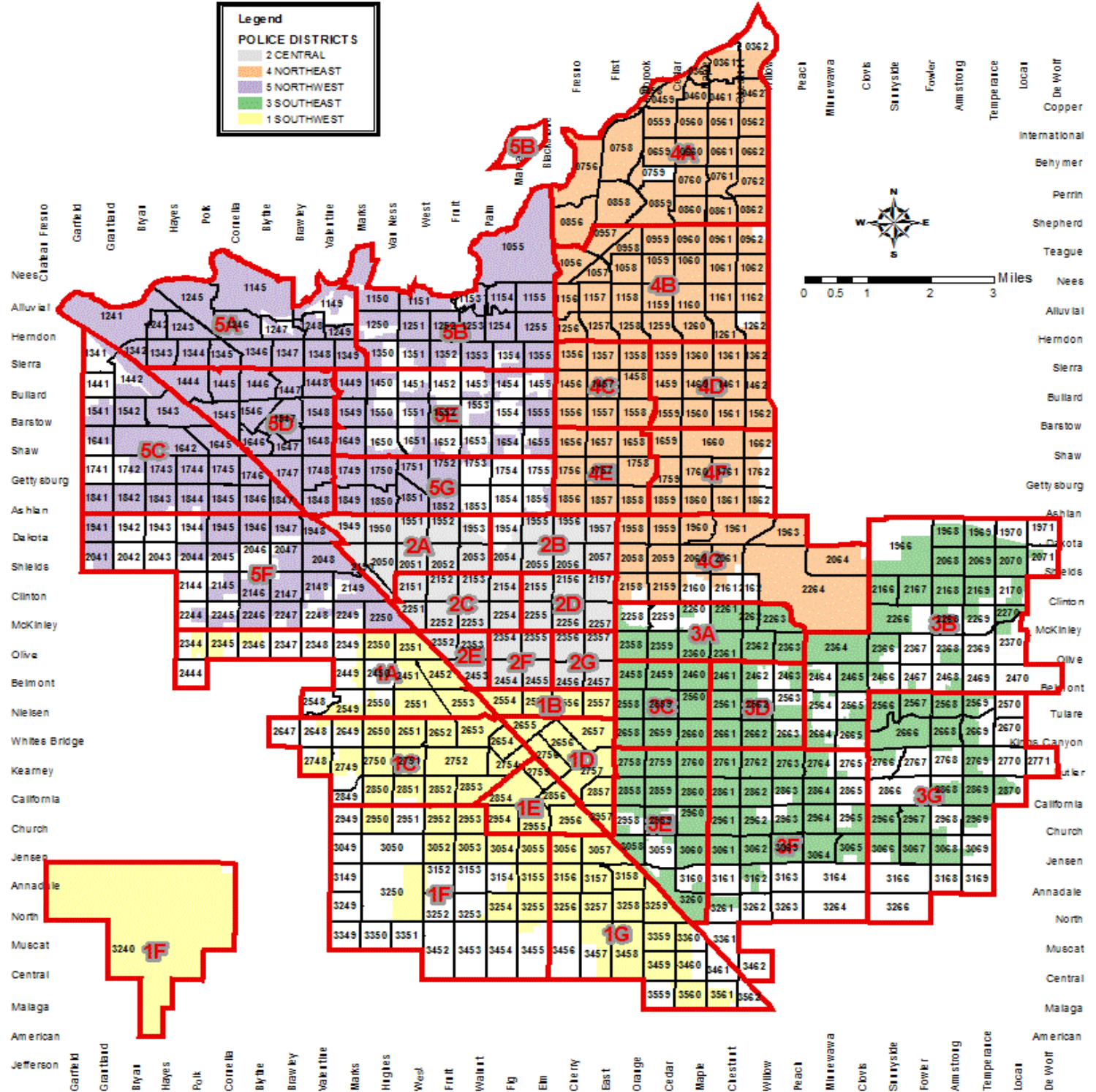
* See page 6 for policing district boundaries.

Fresno Police Department

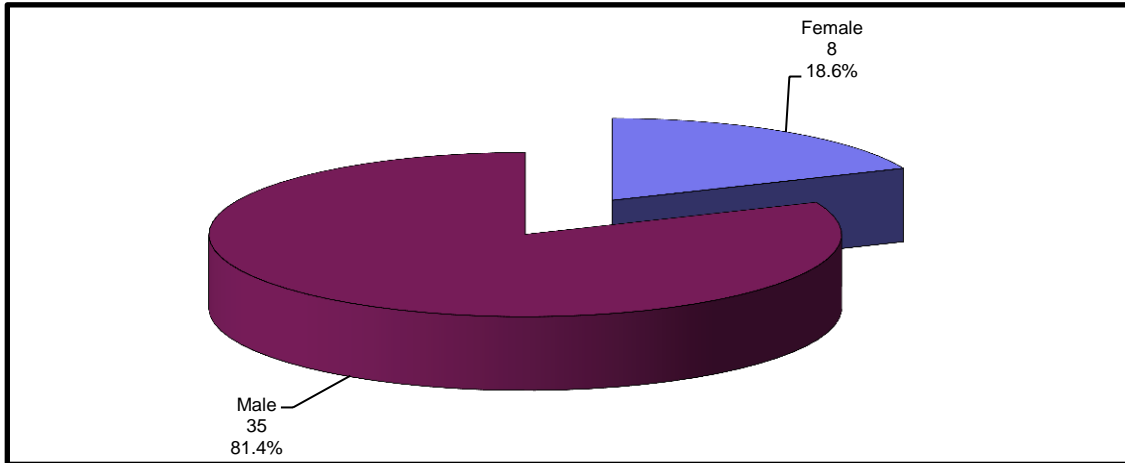
Legend

POLICE DISTRICTS

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



FORCE INCIDENTS BY GENDER OF SUSPECTS



Of the 43 force incidents, 0 had no gender data available.

REPORTED CRIMES BY AGE AND RACE OF SUSPECTS

Age Group	Asian	Black	Hispanic	White	Other	TOTAL
12-17	9	66	134	26	4	239
18-23	28	268	548	114	28	986
24-29	35	306	742	215	30	1,328
30-35	60	244	718	326	40	1,388
36-41	46	197	606	219	28	1,096
42-47	23	108	313	140	12	596
48-53	8	79	195	119	12	413
54-59	10	87	103	94	4	298
60-65	4	49	58	51	6	168
66 and Over	4	13	24	21	3	65
Total	227	1,417	3,441	1,325	167	6,577

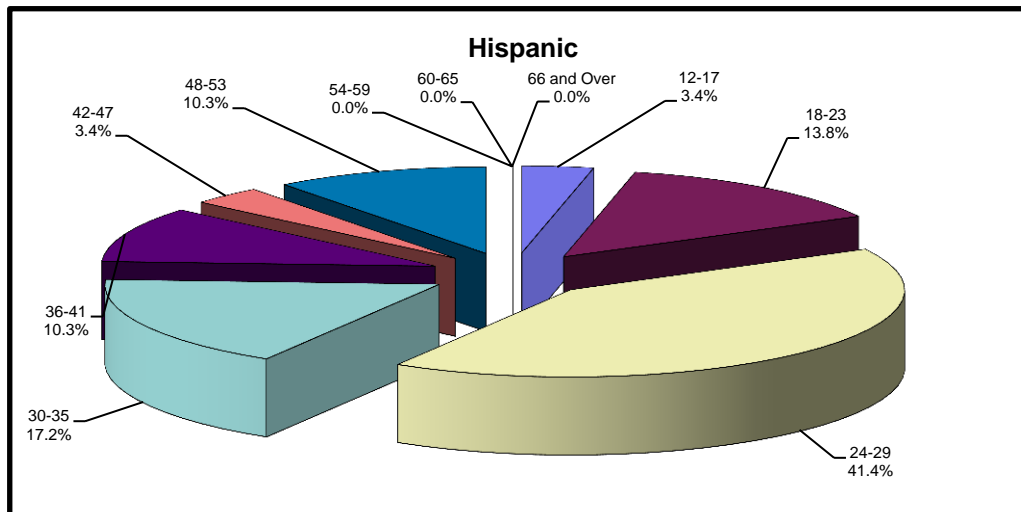
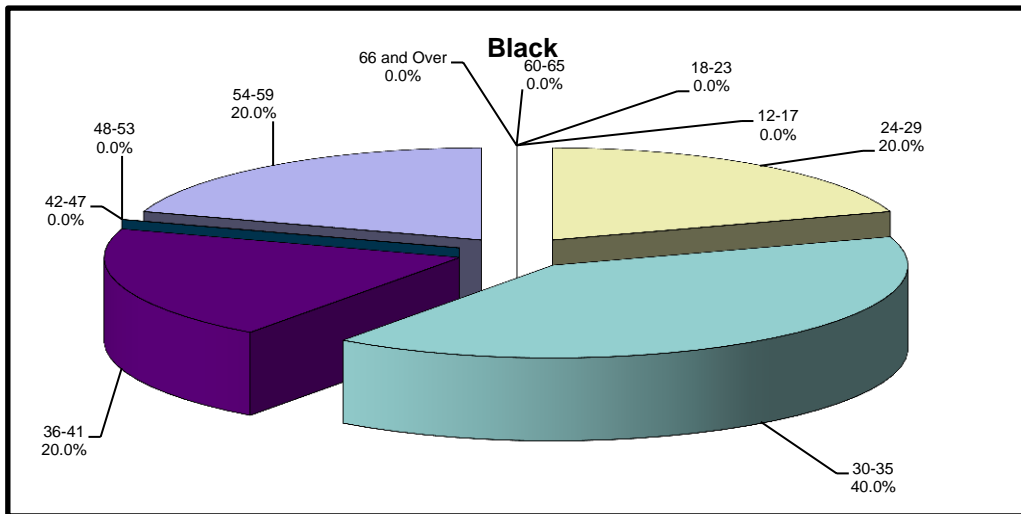
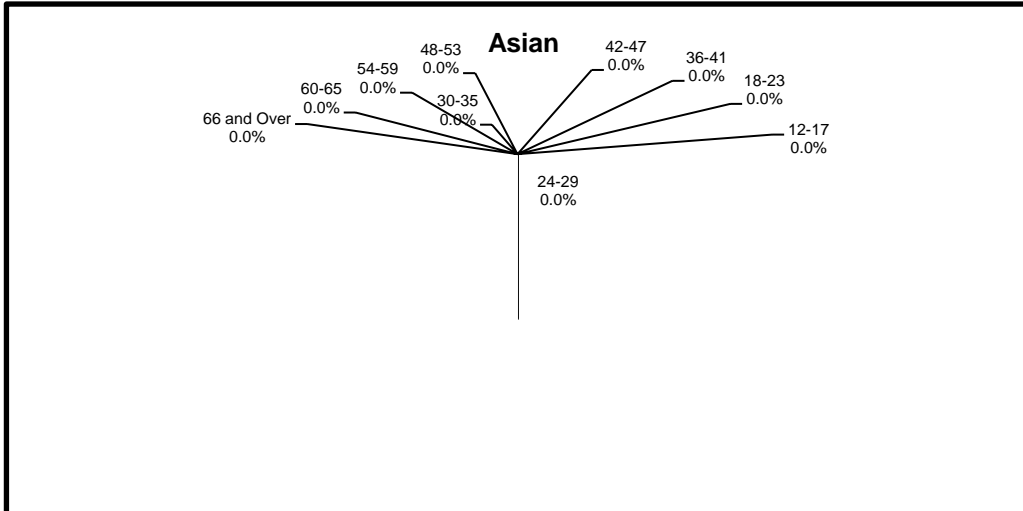
Of the 8,546 reported crime suspects, 6,577 had both age and race data.

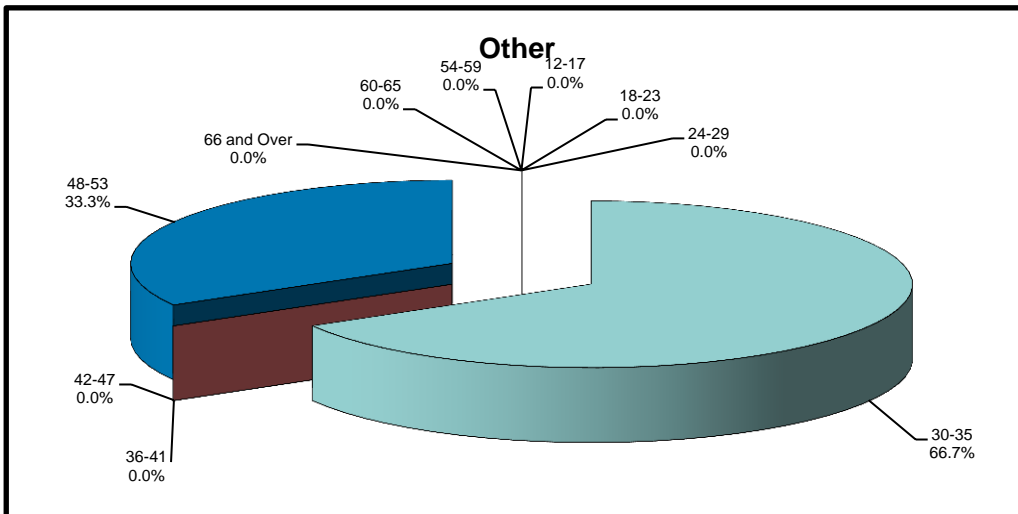
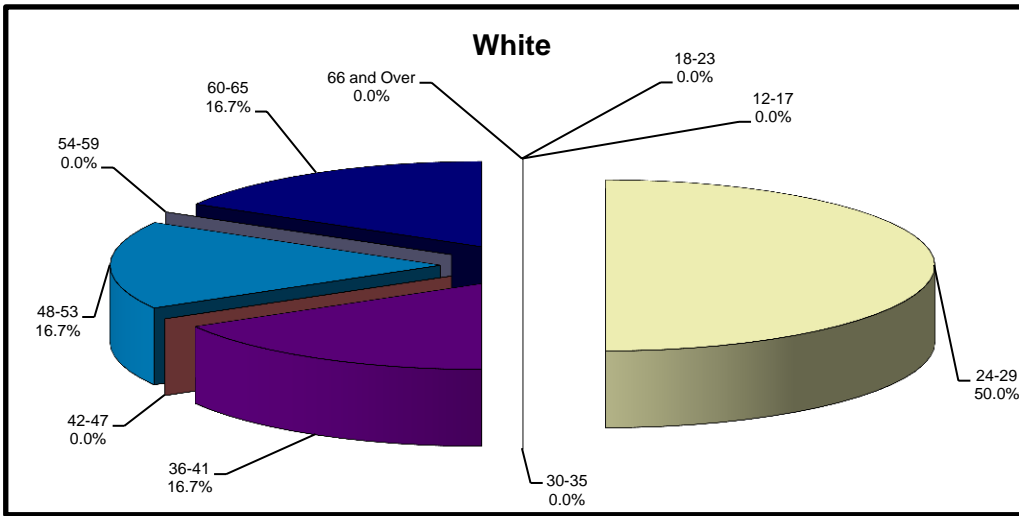
REPORTABLE FORCE INCIDENTS BY AGE AND RACE OF SUSPECTS

Age Group	Asian	Black	Hispanic	White	Other	TOTAL
12-17			1			1
18-23			4			4
24-29		1	12	3		16
30-35		2	5		2	9
36-41		1	3	1		5
42-47			1			1
48-53			3	1	1	5
54-59		1				1
60-65				1		1
66 and Over						0
Total	0	5	29	6	3	43

Of the 43 force incidents, 43 had both age and race data.

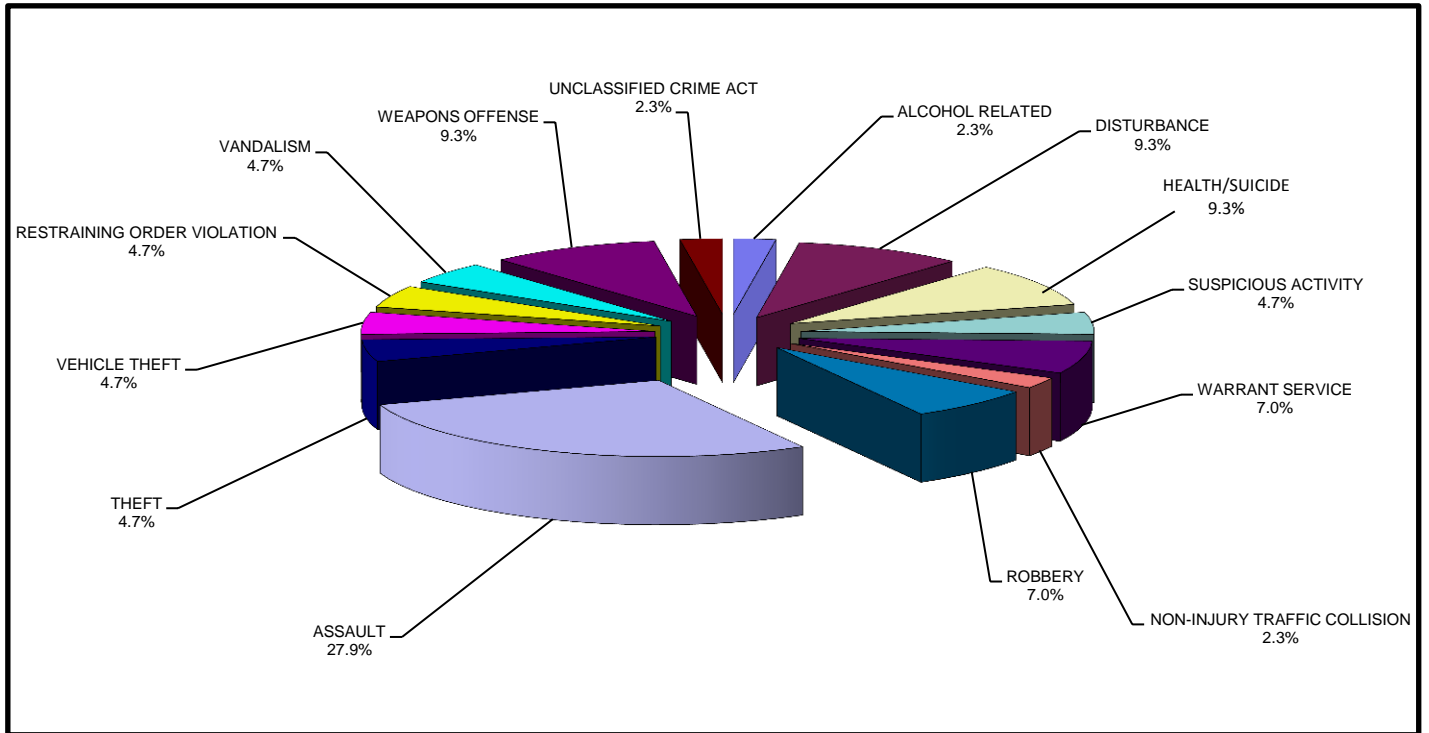
REPORTABLE FORCE INCIDENTS BY AGE AND RACE OF SUSPECTS





"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:

ASSAULT	-
DISTURBANCE	-
HEALTH/SUICIDE	-
WEAPONS OFFENSE	-
WARRANT SERVICE	-
ROBBERY	-
SUSPICIOUS ACTIVITY	-
THEFT	-
VEHICLE THEFT	-
RESTRAINING ORDER VIOLATION	-
VANDALISM	-
ALCOHOL RELATED	-
NON-INJURY TRAFFIC COLLISION	-
UNCLASSIFIED CRIME ACT	-
TOTAL	

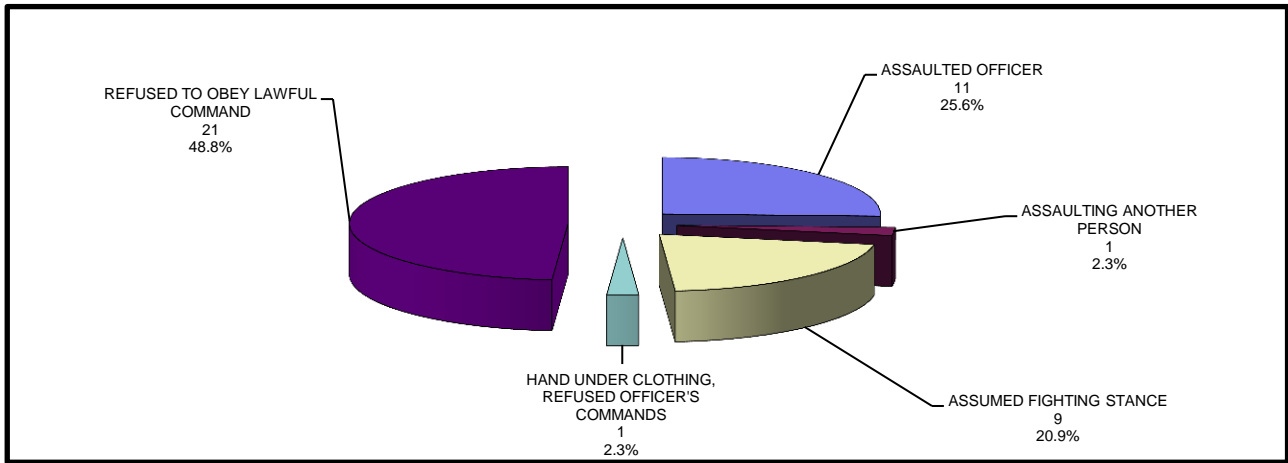
Force Incidents:

CFS Total:

-	12	880
-	4	16393
-	4	6347
-	4	2043
-	3	947
-	3	310
-	2	12495
-	2	1704
-	2	2040
-	2	637
-	2	612
-	1	214
-	1	1217
-	1	932
43 *		

* 0 force incidents had wrong or no clearance codes.

SUSPECT'S ACTIONS NECESSITATING THE USE OF FORCE



Order by Action:

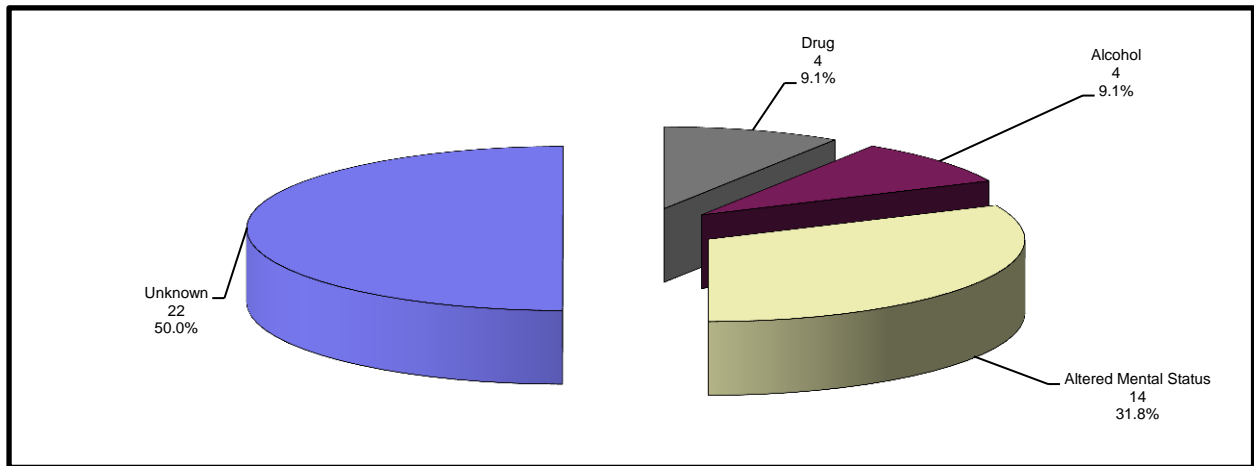
REFUSED TO OBEY LAWFUL COMMAND	-	48.8%
ASSAULTED OFFICER	-	25.6%
ASSUMED FIGHTING STANCE	-	20.9%
ASSAULTING ANOTHER PERSON	-	2.3%
HAND UNDER CLOTHING, REFUSED OFFICER'S COMMANDS	-	2.3%

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	3	0	1	0	0	0
HEALTH/SUICIDE	0	0	2	0	0	2
SUSPICIOUS ACTIVITY	1	0	0	0	0	1
WARRANT SERVICE	0	0	1	0	1	1
NON-INJURY TRAFFIC COLLISION	1	0	0	0	0	0
ROBBERY	0	0	0	0	0	3
ASSAULT	5	1	2	0	0	4
THEFT	0	0	1	0	0	1
VEHICLE THEFT	0	0	1	0	0	1
RESTRAINING ORDER VIOLATION	1	0	1	0	0	0
VANDALISM	0	0	0	0	0	2
WEAPONS OFFENSE	0	0	0	0	0	4
UNCLASSIFIED CRIME ACT	0	0	0	0	0	1
Total	11	1	9	0	1	21

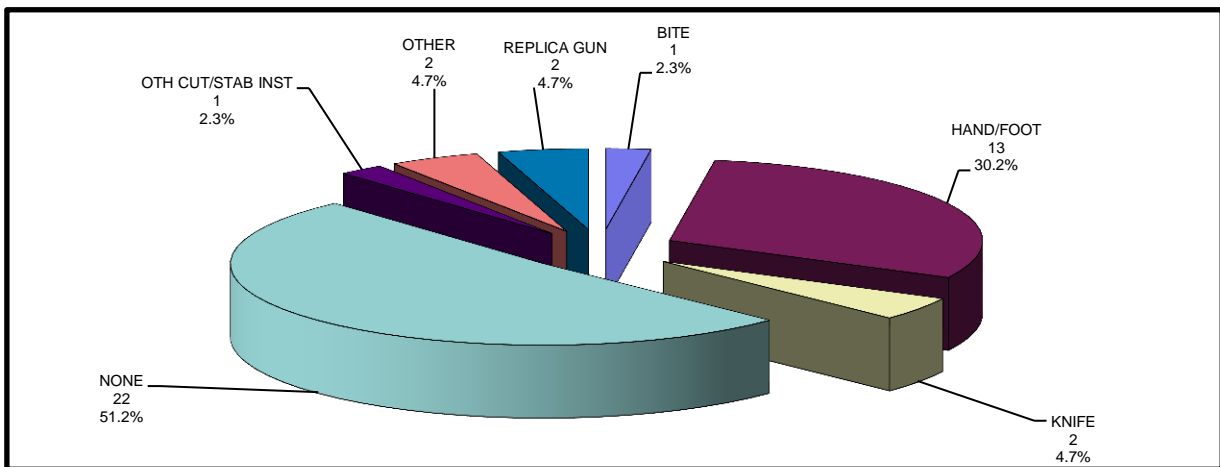
* 0 force incidents had wrong or no clearance codes.

SUSPECT'S CONDITION AT TIME REPORTABLE FORCE APLIED



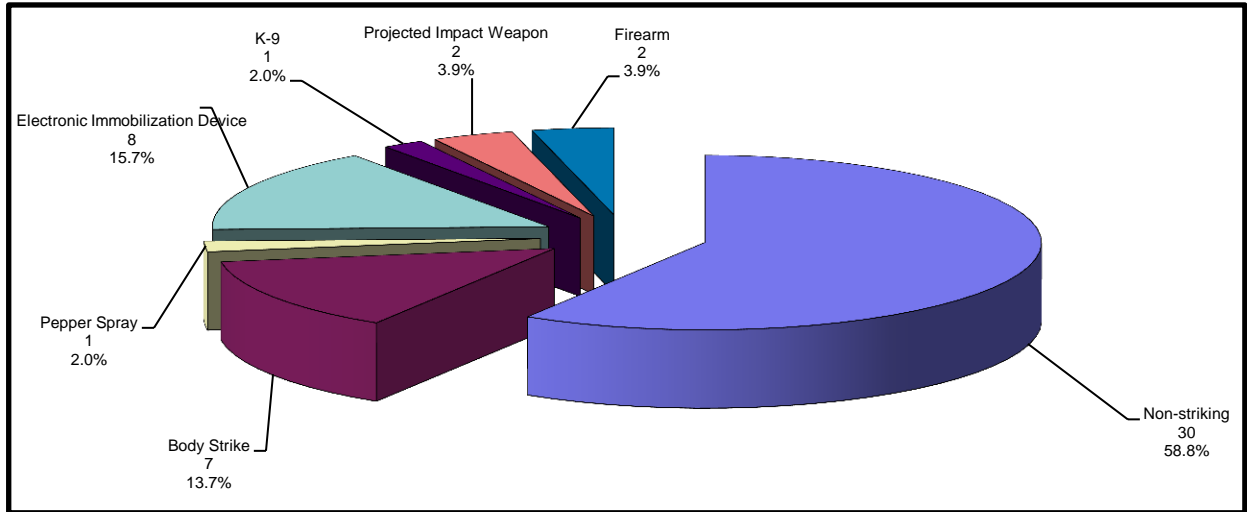
Some suspects had more than one condition.

SUSPECT WEAPONS WITH REPORTABLE FORCE APPLIED



Order by Weapon:	NONE	-	51.2%
	HAND/FOOT	-	30.2%
	KNIFE	-	4.7%
	OTHER	-	4.7%
	REPLICA GUN	-	4.7%
	BITE	-	2.3%
	OTH CUT/STAB INST	-	2.3%

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	-	58.8%
Electronic Immobilization Device	-	15.7%
Body Strike	-	13.7%
Projected Impact Weapon	-	3.9%
Firearm	-	3.9%
Pepper Spray	-	2.0%
K-9	-	2.0%

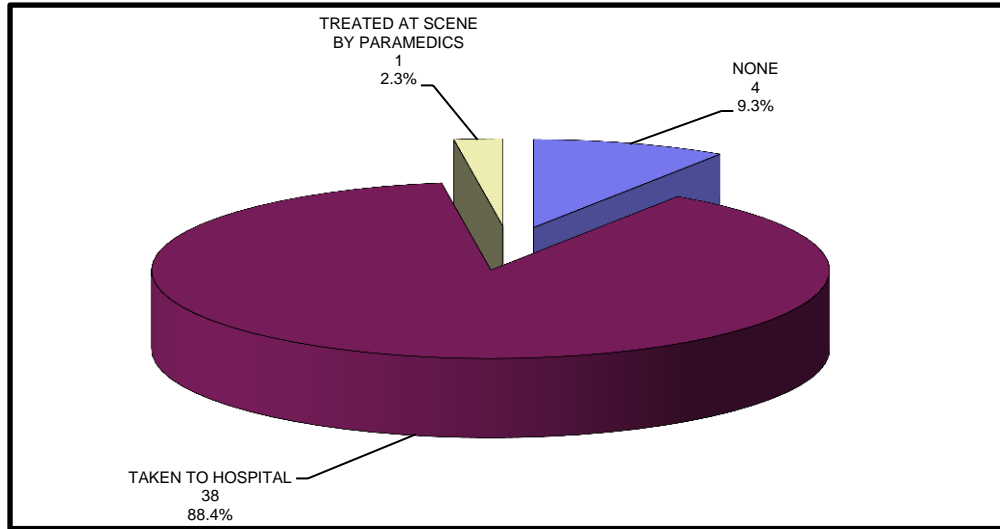
Note: Electronic Immobilization Device is also referred to as a Taser.

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

OFFICER SAFETY ISSUES, WEAPON RETENTION

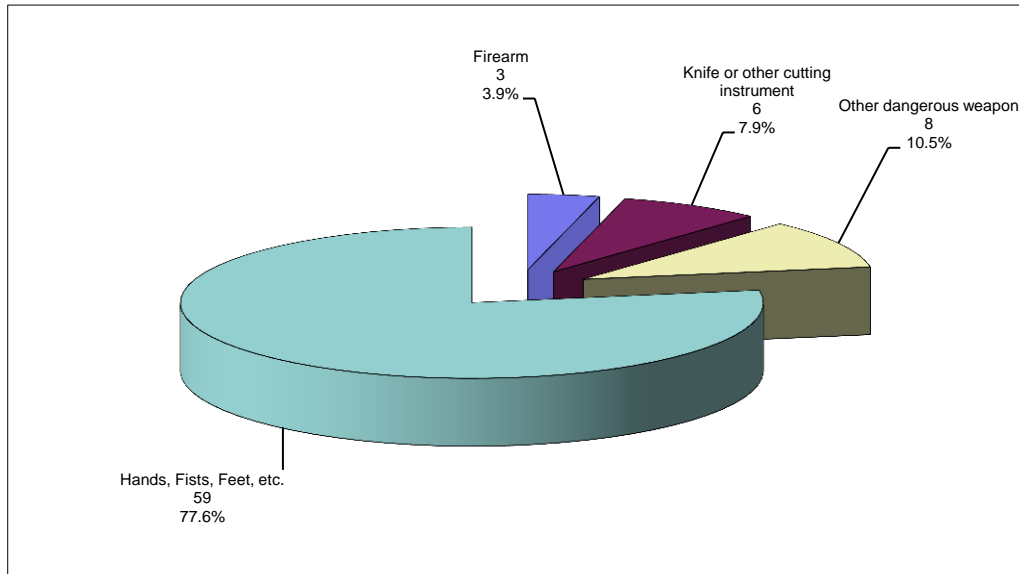
* No incidents occurred this quarter whereby a suspect attempted to remove, or removed, an officer's weapon.

SUSPECT MEDICAL REVIEW AFTER REPORTABLE FORCE APPLIED



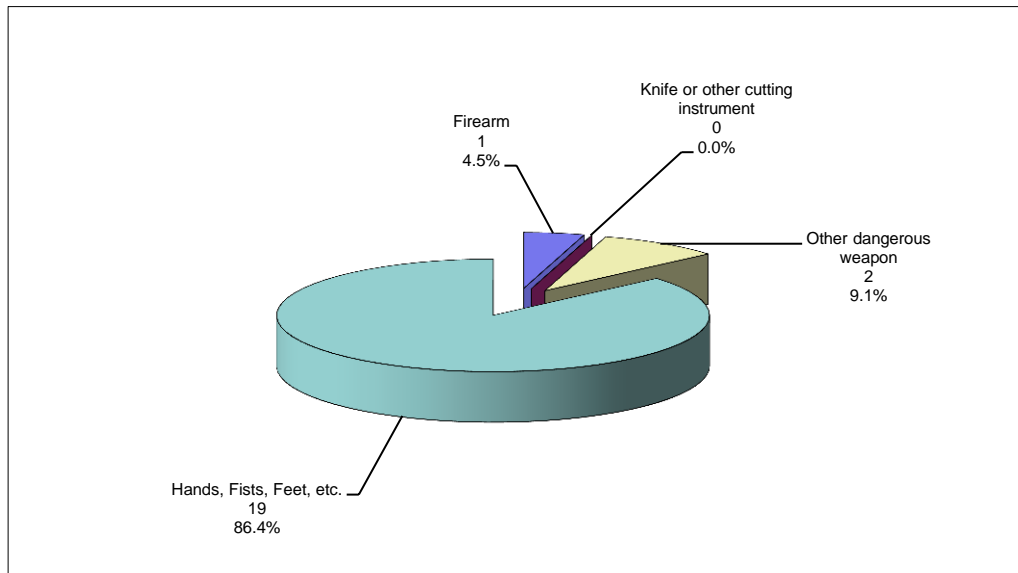
Not all suspects who received medical review were injured. Per Department policy, any person subjected to a chemical agent/mace, electronic immobilizing device (taser), less lethal impact projectile, or any force which causes injury or renders temporary disability to an arrestable subject, is automatically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

OFFICER'S ASSAULTED *



76 officers were assaulted.

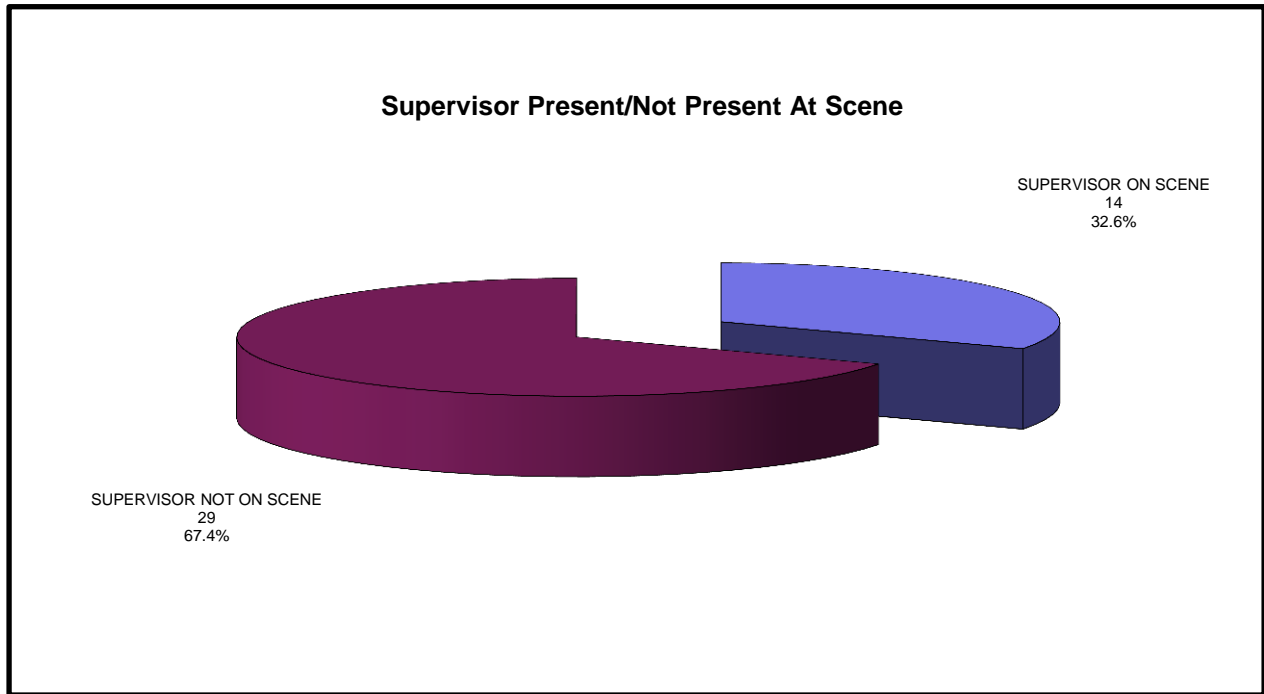
OFFICER'S INJURED *



22 officers were injured requiring immediate medical treatment.

* Data based on the 3rd Qtr 2020 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."