



January 10, 2017

2016 Annual Report on Use of Force in the La Porte Police Department

Following is the 2016 Annual Report regarding documented uses of force within the City of La Porte Police Department. It is a basic analysis of use of force as deployed by LPPD personnel occurring from January 1, 2016 through December 31, 2016. The report is required by the Texas Police Chiefs Association Recognition Foundation as an element of their Best Practices Recognition Program. The report analyzes data involving use of force.

Statistics were collected from the LPPD’s IA Pro internal affairs database and various reports as documented by officers and reviewed by supervisors and Internal Affairs. There were a total of twelve (12) documented deployments of use of force consisting of various types for the established time frame. Other uses of force in previous reporting years were as follows:

- 2015- 18
- 2014- 9
- 2013- 11
- 2012- 11
- 2011- 11
- 2010- 24
- 2009- 28

The charts below provide additional information related to the data:

Justification for the deployment of force:

- a. Assault on police officer/displaying aggressive force toward officer/charging at the officer: 9
- b. Resisting arrest/search: 12
- c. Prevent subject from committing suicide: 1

Type of force deployed:

- a. Electronic control device: 10
- b. Hands: 2

In last year’s reporting, the deployment of the electronic control device (ECD) by officers was effective in all deployments except one during 2015 (90 percent effectiveness). In 2014 we observed 100 percent effectiveness. We experienced 88 percent effectiveness in 2013, and 50 percent effectiveness in 2012. Our refresher training on deployment of electronic control devices



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appears to have increased our successful deployments since 2009, when in that year we suffered almost fifty percent failure in ECD deployments.

Examining the effectiveness of the deployments of electronic control devices in 2016, we observed a total ten deployments by our personnel. Effectiveness was reported in 60 percent of the ten deployments. Accounting for the 40 percent failure rate:

- A. In the 021116 incident, the suspect was actively fighting the officer hand to hand and this resulted in an ineffective deployment, with only one barb striking the suspect. Ultimately, the suspect was controlled.
- B. In the 052516 incident, the suspect was in jail and resisting transport to county by the female officer and the attending jailer. The female officer attempted to drive stun the suspect as he pushed the jailer to the floor but the prisoner continued to resist. Ultimately, he was controlled once other officers responded to the jail.
- C. In the 060116 incident, the suspect was actively fighting two officers hand to hand. A supervisor arrived and observed a handgun fall from the suspect, to the ground. He then attempted to deploy his ECD but the suspect kicked it away, causing an accidental discharge and barbs deploying to the sergeant and one officer. Both police personnel received an electric charge but continued combat with the suspect, ultimately bringing him to the ground and taking control of him.
- D. In the 071616 incident, two officers responded to a fight in progress inside a home. A male officer discharged his ECD when a male suspect attacked him and attempted to fight him. The ECD was not effective due to the attack by the suspect but he was ultimately brought under control with assistance from the female backup officer.

It appears from the observations of the reports that the ineffectiveness of the ECD's in the above instances was not due to a lack of adequate training or improper use/techniques by officers. Rather, it appears each ineffective use was due to the level of violence and the swiftness of the attack by assailants on officers.

There have been no discharges with firearms documented since 2011, when we observed two accidental discharges that were documented. This helps to illustrate the value of continued and enhanced basic firearms handling training and refresher courses as offered by our range master.

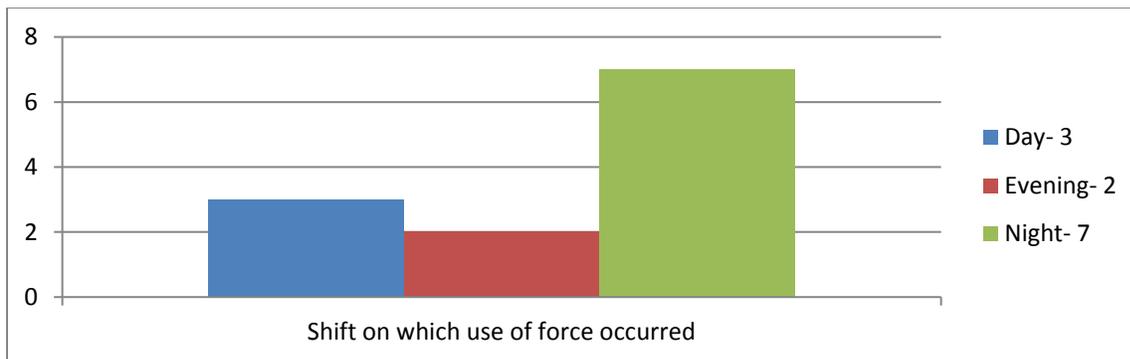
In 2016, officers opted to use hand techniques to take charge of suspects in two of the incidents. Ultimately, where ECD's were ineffective in deployment, officers also had to resort to hand techniques in order to ultimately gain control. For this reason, it is important that officers realize that tools available to them may not always be efficient or effective and they may have to resort to "hands on methods" in order to be successful. It should be noted that in past Annual Reports on Use of Force in LPPD, when officers opted with "hands on" methods as their primary weapon with suspects, the chances for injury to officers and/or suspects increased.



Observing the twelve deployments of force for 2016, we found that officers received documented injuries in four of the events and only one suspect was reported as injured. It was disturbing that 2016 reflected what appeared to be the exhibition of more open and aggressive violence against our officers and jailers than in years past. It is also disturbing that such violent encounters with our officers occurred in almost 70 percent of the situations where multiple officers were on-scene.

Shift on which use of force was used:

- a. Day 3
- b. Evening 2
- c. Night 7



Suspect gender on which use of force occurred:

- a. Male: 10
- b. Female: 2

Suspect race on which use of force occurred:

- a. White: 8
- b. Hispanic: 2
- c. Black: 2

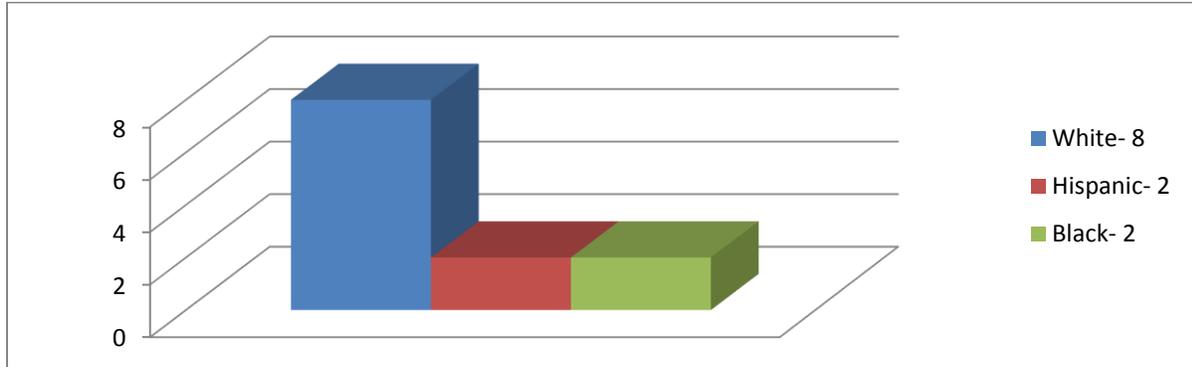


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Suspect Race

Officer's gender deploying use of force:

- a. Male: 11
- b. Female: 1

Race of officer on suspect (cross-analysis) on which use of force was used:

- a. White officer on white suspect: 5
- b. White officer on Hispanic suspect: 1
- c. White officer on Black suspect: 2
- d. Hispanic officer on white suspect: 2
- e. Hispanic officer on Hispanic suspect: 1
- f. Hispanic officer on Black suspect: 1

Years of experience of officer deploying use of force:

- a. 0-2 years: 1
- b. 3-5 years: 3
- c. 6-10 years: 5
- d. 11 years or greater: 3

Were additional officers on the scene as backup, when force was deployed:

- a. Yes: 8
- b. No: 4

Officers deploying force by name and number of incidents during the time period:

- a. Officer (REDACTED), ineffective deployment of ECD on 021116 with suspect actively attacking officer without warning and fighting him with fists, on disabled vehicle in



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roadway and no backup present. Suspect fled officer but was eventually taken in to custody after search of the area.

- b. Officer (REDACTED), effective deployment of ECD on 022216 with suspect who attacked officer at parking lot during call of suspicious person. Suspect struck police vehicle with hands and told officer to shoot him, then attacked officer as he exited vehicle. Officer's ECD deployment disabled suspect and he was taken in to custody.
- c. Sergeant (REDACTED), on 031616, used empty hands techniques to take a suspect to the ground as he resisted arrest for a Blue Warrant. Other officers were present. Subject continued to resist and kick at officers even after in custody.
- d. Officer (REDACTED), ineffective deployment of ECD on 052516, on suspect who refused to be transported to county jail. Prisoner attacked jailer and took jailer to the floor, then assaulted both jailer and officer. Officer utilized ineffective drive stun techniques as jailer used empty hands to try and fight off prisoner. Subject finally restrained after other officers responded to assist.
- e. Officer (REDACTED), effective deployment on 053116, on suspicious female carrying an open knife in a threatening manner around children at a local park. Officer contacted suspect and she attacked officer. Although she dropped the knife she charged the officer and took him to the ground and actively and violently resisted, biting the officer and striking him. The officer was able to deploy his ECD effectively and take her in to custody.
- f. Sergeant (REDACTED) responded on 060116 to backup other officers on a Burglary of Motor Vehicle in progress. On his arrival, he observed the suspect actively engaged in violent hand to hand combat and fighting the other two officers on scene. Sergeant (REDACTED) approached and observed a hand gun had fallen to the ground later found to belong to the suspect. The supervisor deployed his ECD to help gain control but as he did, the suspect kicked the ECD causing the barbs to deploy in to the supervisor and an officer. The officers received an electric current from the ECD but remained in combat with the suspect, utilizing drive stun techniques, and eventually gained control of him after other assisting officers arrived, taking him in to custody.
- g. (Two deployments of use of force on this incident)- Officers (REDACTED) and (REDACTED) responded on 061116 to a local hotel along with other officers on reports of a large disturbance. Officers arrived and were met with a violent attack by a number of male subjects who were not welcome there by hotel representatives. Several effective ECD deployments were established by the above officers as other officers struggled with other subjects to gain control of the situation. Several of our officers were struck by suspects on scene and pushed to the ground, resulting in minor injuries to a few of our personnel. Ultimately, police were able to take the subjects in to custody and gain control of the scene.
- h. Officer (REDACTED) on 071616, ineffective ECD deployment on a subject creating a disturbance inside a home. He and his female backup officer arrived and on entering the home to investigate, attempted to break up a physical disturbance. One of the suspects



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then turned on Officer (REDACTED) and attacked him with his fists. The officer attempted to deploy his ECD but due to the swiftness of the encounter was unable to make contact. He then delivered a drive stun and was able to place the subject in to custody.

- i. Jailer (REDACTED) observed a female prisoner on 082416 attempting to commit suicide by hanging herself with a blanket. He intervened and attempted to remove the blanket but she assaulted him as he tried to stop her. Although the female continued to strike the jailer and stop his rescue, he delivered a drive stun technique, which caused the female prisoner to surrender. She was then removed from the jail for further treatment.
- j. Sergeant (REDACTED) responded to the jail on 091716 at the request of jailer and officers to check on a prisoner. The male prisoner was agitated and violent. Sergeant (REDACTED) requested a restraint chair and as they attempted to place the subject in the chair he became more violent. The subject resisted the supervisor and other personnel present and was ultimately taken to the floor with empty hands in order to gain control. He was then restrained.
- k. Officer (REDACTED), on 122616, responded to a parking lot for a suspicious male sleeping in a car. As he and other officers arrived they learned the subject was wanted out of the Dallas area. As they made contact the suspect resisted and fled on foot. Officers gave chase through several adjacent properties and Officer (REDACTED) was eventually able to effectively deploy his ECD. The subject was then taken in to custody. The subject continued to resist in the jail during processing but was eventually brought under control.

Summary: All deployments involving use of force were found to be within policy and appropriately utilized and documented after review by supervisors and the Assistant Chief of Patrol Operations. In 2016, the department will continue to require mandatory training and re-certifications on firearms and electronic control devices. It is recommended as well that we offer close quarter combat tactics to include empty hands techniques and other use of force subject matter in order to better train our officers for situations where ECD deployment is not effective.

Our personnel should also be reminded that there has been a nationwide trend of increased violence toward police and they should always be vigilant in encounters with persons of interest. They should try to always have a backup officer or jailer present in potentially violent situations.

This report is submitted to the Chief of Police for review, as required by the Texas Police Chief's Association Recognition Foundation and the general orders manual of the La Porte Police Department.