



Angleton Police Department

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Aaron Ausmus
Chief of Police

Angleton Police Department

2019



Department Use of Force Analysis





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Use of Force Analysis for 2019

This analysis was conducted for the purpose of reviewing the Angleton Police Department's Use of Force for calendar year 2019. The Angleton Police Department takes its obligations seriously to provide the most effective and efficient police service with the least adverse impact on our citizens. The Angleton Police Department is committed to protecting the rights of all persons and in using force only when necessary, and to the extent necessary, to achieve legal objectives. This analysis is conducted each year to comply with Texas Law Enforcement Best Practice 6.10 and to attempt to identify methods for reducing the number of incidents and the inherent risks involved.

Officers are trained by the department to use only the level of force necessary to bring a person under control and complete a legal objective. Police/citizen encounters can however, change instantly, and officers may be required to react quickly in using force to subdue a resisting subject. While officers prefer to escalate their level of force in an orderly manner in order to use the lowest level possible, the response of a subject may limit that ability and force officers to use whatever level of force is immediately available to protect themselves and the public.

Use of Force Reporting Requirements

Texas Law Enforcement Best Practice 6.03 and Angleton Police Department Directive 06.03.01, requires a written report be completed anytime an officer uses force. Any use of reportable force by a member of this department shall be documented in a Use of Force Supplement on any Use of Force incident (e.g., arrest report, crime report, incident report). This includes any use of force using less than lethal or lethal weapons.

Each individual Use of Force Report is immediately reviewed by the Officer's Supervisor, and through the Chain of Command to the Chief of Police. At the time of the incident, the Use of Force is reviewed to ensure the use was appropriate and within the guidelines of Department Policy and Law. If the officer used force inappropriately, a departmental investigation is required and the officer may receive additional training or in some cases discipline up to and including termination from employment. This analysis is not intended to determine if an officer acted inappropriately, but to identify department wide trends that may suggest changes in policy, training, equipment or supervision.





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Use of Force Comparison 2018/2019

There were a total of 16 Reported Uses of Force this year compared to last year. This represents a difference of 5 or a 24% percent reduction. There were a total of 15,254 citizen contacts this year (calls for service, arrests, citations, field interviews, and other contacts) which creates an index of only one Use of Force for every 953 citizen contacts.

The Use of Force incidents are listed below by type with comparison to the previous year.

	2018	2019	Difference
Physical Control	13	10	-3
OC Pepper Spray	0	0	0
Impact Weapon/Baton	0	0	0
Non/Less Lethal Weapon	0	0	0
Electronic Control Device (Taser)	3	5	+2
Firearm	0	0	0
Pointed Firearm (no discharge)	5	1	-4
Total	21	16	-5

Individual Officer Use of Force

The average officer used force less than one time in 2019. A number of officers used force more than the average and these officer's activities and actions were reviewed by the department for appropriateness. While each individual use of force is reviewed immediately after the event to ensure it is in compliance with department policy and law, patterns of behavior can also indicate the need for additional training or supervision. Officers can have significantly different rates in their use of force depending on the crime activity in the part of the city where they are assigned, their type of assignment, the time of day they work and their experience level.





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Physical Control

Directive: 3.02.1

1. Officers are justified in the use of force they reasonably believe necessary to effect an arrest. They need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest.
2. Officers are justified in the use of force against another when and insofar as the officer reasonably believes that such conduct is necessary to defend the officer or another person against the imminent use of unlawful force.
3. Only the amount of force reasonably necessary to affect an arrest or control a person shall be used.
4. Force shall not be used punitively and officers will always discontinue the use of force when the offender stops resisting

Physical Control is defined as muscling, joint locks, pressure points, and shoulder pins.

In 2019, Angleton Police Officers used physical control 10 times during incidents they were assigned to deal with.

Included in the category are all those incidents requiring only physical force to complete handcuffing or bring a resisting subject under control. If physical control was insufficient to bring the individual under control and a higher level of force was used, that incident is reported in the highest level used by the officers.

In 10 instances this year, physical control was sufficient to bring the person under control. In 0 instances, physical control was insufficient and a higher level of force was required.

Included in this category are all those instances where simple use of or issuance of verbal commands was not sufficient or effective. It includes those instances where officers place their hands on a subject and use more force than simply a strong grip, must forcibly handcuff a person, the use of pressure point control tactics or other soft hand techniques. This category also includes taking the person to the ground in order to forcible handcuff.





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OC Pepper Spray

Directive: 3.02.1

1. An officer need not attempt empty-hand control before using O/C Spray. The officer need only justify that
2. empty-hand skill would not be sufficient or practical to safely and effectively place an offender under control.
3. O/C Spray is generally useful against drug abusers, emotionally disturbed persons, intoxicated persons, violent individuals who have reduced sensitivity to pain, and animals.
4. O/C may be used to effect the removal of a person(s) from a locked vehicle who refuses to exit when lawfully ordered to do so by an officer.
5. O/C may be released into a building to effect the removal of a person(s) who refuses to voluntarily exit the building and may also be used when a forced exit is necessary.

In 2019, Angleton Police Officers used department issued Oleoresin Capsicum (OC) spray chemical agent 0 times during an arrest or other incident.

Oleoresin Capsicum is a chemical compound derived from various pepper plants and is mixed with a propellant that is used by many law enforcement agencies as a less-lethal alternative to higher and more injury producing levels of force. The chemical spray is usually directed at a resisting subject's face and the spray immediately causes a burning of the eyes, nose, and mouth causing the subject to close their eyes and in most cases stops any physical resistance. The burning will usually dissipate within 30 minutes and most often has no long term after effects.

Included in the category are those incidents where OC Spray was the highest level of force needed to complete handcuffing or bring a resisting subject under control. If the use of OC Spray was insufficient to bring the individual under control and a higher level of force was used, that incident is reported in the highest level used by the officers.





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In 0 instances this year, OC Spray was sufficient to bring the person under control. In 0 instances, OC Spray was insufficient and a higher level of force was required.

Also included in this category are all those instances where simple use of or issuance of verbal commands was not sufficient or effective and may include other instances where other lower levels of force were used but were ineffective in resolving the issue.

Impact Weapons / Baton

Directive: 3.02.1

1. Impact weapons are considered to be less-than-lethal weapons. An officer need not attempt empty-hand control or the use of O/C Spray before using an impact weapon. The officer need only justify that empty-hand control or the use of O/C Spray would not be sufficient or practical to safely and effectively place an individual under control.
2. Officers who employ an impact weapon should do so with the intent to temporarily disable an individual and not to cause permanent injury or dispense punishment. Primary targets of a strike from an impact weapon should be an individual's major muscle groups, motor points, abdomen, limbs and/or joints. 6.01.1, 6.05.1, 6.06.1 Use of Force 7 Striking an individual with an impact weapon in the groin, any part of the body above the shoulders, or the back is permitted only in situations where deadly force would be justified.
3. After striking an individual with an impact weapon, and control of the person has been obtained, the officer will afford the individual medical treatment should, in the officer's judgment, medical treatment be required or if requested by the person himself.
4. Impact weapons are permitted to be used for other lawful purposes during an officer's duties (e.g., gaining entry to vehicles, gaining entry to residences, destroying animals, etc.).
5. If there is an emergency, other objects or pieces of equipment may be used as an impact weapon "of necessity" (e.g. flashlights, tree branches, metal or plastic pipes, or tubes).

In 2019, Angleton Police Officers used department issued some form of impact weapon 0 times during an arrest or other incident.





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Impact weapons include the use of the department issued ASP Baton, the use of a closed fist or any other implement that was used to deliver a strike to a person.

If an officer does not have the time or opportunity to deploy the ASP or other less-lethal options, officers may have to defend themselves with their bare hands. If closed fist strikes were required then those instances are reported in this category.

Included in the category are those incidents where an impact weapon was the highest level of force needed to complete handcuffing or bring a resisting subject under control. If the use of an impact weapon was insufficient to bring the individual under control and a higher level of force was used, that incident is reported in the highest level used by the officers.

In 0 instances this year, an impact weapon was sufficient to bring the person under control. In 0 instances, the use of an impact weapon was insufficient and another level of force was required.

Also included in this category are all those instances where simple use of or issuance of verbal commands was not sufficient or effective and may include other instances where other lower levels of force were used but were ineffective in resolving the issue.

Non/Less Lethal Weapon

In 2019, Angleton Police Officers used department issued Non or less lethal Weapon 0 times during an arrest or other incident.

The department has a number of less lethal munitions available that can be fired from specially designed firearms that are designed to inflict surprise, pain or trauma that is less severe than the use of deadly force. These less lethal munitions include bean bag rounds, rubber pellets, wooden baton rounds, as well as pepper-ball munitions fired from guns similar to paintball guns. While these rounds are designed to be less lethal than regular firearms, they are still able to cause significant damage to an individual and as such are used only as a last resort when time and opportunity permit.

Included in the category are those incidents where a non/less lethal weapon was the highest level of force needed to bring a subject under control. If the use of OC Spray was insufficient to bring the individual under control and a higher level of force was used, that incident is reported in the highest level used by the officers.





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In 0 instances this year, non/less lethal munitions were sufficient to bring the person under control. In 0 instances, non/less lethal munitions were insufficient and a different level of force was required.

Also included in this category are all those instances where other lower levels of force were used but were ineffective in resolving the issue.

Conducted Electrical Weapon (CEW)

Directive: 3.04.1

1. A Conducted Electrical Weapon (CEW) is used to electrically disrupt muscular control and allow officers to quickly subdue a resisting subject without having to resort to the use of deadly force. The CEW is considered a less than lethal weapon.
2. There are precautions that must be observed as in the use of any weapon and it is our responsibility to monitor subject who have been controlled with the CEW for any medical problems.
3. The use of the CEW affords officers the opportunity of controlling individuals who are actively resisting without endangering themselves, the suspect, or the public.
4. It shall be the responsibility of supervisors of officers issued the CEW to ensure proper supervision, managerial controls, and compliance with this order.

In 2019, Angleton Police Officers used department issued Conducted Electrical Weapon 5 times during an arrest or other incident.

Conducted Electrical Weapon, commonly called Tasers, are pistol type devices that fire two small darts that are designed to imbed themselves in the skin or clothing of a resisting or combative suspect. The darts are connected to the device by small flexible wires which transmit a short 5 second high voltage/low amperage charge through the darts. This causes disruption of muscle activity and is accompanied by pain which most often temporarily disables the individual. There are usually no long term side effects of the use of the device on healthy individuals.





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The Angleton Police Department trains their officers in the proper and appropriate use of Conducted Electrical Weapon and has policies designed to only allow its use against active aggression toward officers and not in cases of passive non-compliance or as punishment of any kind.

Included in the category are those incidents where the use of an CEW was the highest level of force needed to bring a subject under control. If the use of an CEW was insufficient to bring the individual under control and a higher level of force was used, that incident is reported in the highest level used by the officers.

In 0 instances this year, the mere threat of the use of an CEW was sufficient to bring the person under control. In 5 instances, the actual use of an CEW was sufficient to bring the person under control. In 0 instances, the actual use of an CEW was insufficient and a higher level of force was required.

Firearms

In 2019, Angleton Police Officers used their firearms 1 time during an arrest or other incident. The firearm was pointed only and was not discharged.

Firearms are by definition Deadly Force, and their use is very restricted. Officers must comply with not only their intensive training, but with the department's Deadly Force Policy and state law. When an officer fires their weapon in the line of duty, whether or not an individual is hit, a detailed investigation is undertaken to determine if that use was in compliance with both policy and law.

Included in the category are those incidents where Firearms were the highest level of force used to bring a resisting subject under control.

In 1 instances this year, a use of a firearm was sufficient to bring the person under control. In 0 instances, Firearms were insufficient.

Citizen and Internal Complaints Regarding the Use of Force

During 2019, the Angleton Police Department received a total of 0 complaints of unnecessary or inappropriate use of force.





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General Observations

There were no significant changes in use of force policy or procedures in 2019. There were 16 reported use of force incidents in 2019 compared to the 21 reported use of force incidents in 2018. The overall use of force was reduced by approximately 21%. Each reported use of force incident was reviewed by a Patrol Sergeant, Patrol Lieutenant, and Chief of Police. This review process is objective and thorough. All reported use of force incidents were in compliance with Angleton Police Department policy and procedure.

Recommendations

Based on the analysis, I believe that there should be annual training for the Angleton Police Department use of force policy (Directive: 3.04.1).

Due to the number of physical control use of force's (63%), I believe the Angleton Police Department should begin an annual hands-on defensive tactics training course.

Command Review:

Any Actions to be Taken:

1. Assign training a use for force training for staff that recognizes this report and focuses it on defensive tactics and use of taser training.
2. Employee Taser training into simulator along with firearm shoot/don't shoot.

Chief of Police

3/20/2020

Date

