



**Chandler Police Department
PSS Memo No. 23-002**

Date: January 26, 2023

To: Sean Duggan, Chief of Police

Thru: Melissa Deanda, Assistant Chief
Robert Dykstra, PSS Lieutenant
Nicole Vasey, PSS Sergeant

From: George Arias, PSS Detective

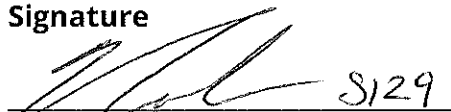
Subject: Annual Use of Force Review, 2022

Procedure

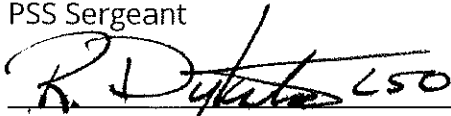
- Please sign below acknowledging your review of the report.
- Forward through the chain of command and return to the Professional Standards Section.

Signature

Date


PSS Sergeant

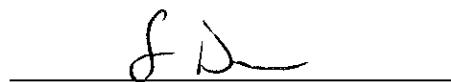
21.2023


PSS Lieutenant

2/1/2023


Assistant Chief

2/2/2023


Chief of Police

2-2-23

Background

The Chandler Police Department recognizes the current Arizona statutory law dictating that “no unnecessary or unreasonable force shall be used in making an arrest, and the person arrested shall not be subjected to any greater restraint than necessary for his detention.”¹ The Chandler Police Department stipulates that officers must adhere to their training unless the situation justifies a deviation from that training.²

The Chandler Police Department began to utilize the Use of Force Review Board in 2008 to ensure the proper documentation of all applications of force, evaluate those applications for adherence to established policy, and determine any additional training needs.³ The board meets monthly to evaluate the prior month’s incidents, and quarterly reviews are prepared in order to share information and findings with the Citizen Review Panel.

This annual analysis contains use of force statistics for the year 2022 in order to identify prevalent trends or deficiencies per the current CALEA standard.⁴ In addition to an internal comparative analysis, this report will also illustrate training issues that emerged throughout the year, as well as injuries sustained by personnel and suspects.

2022 Overview

Historically, the number of arrests reported was taken from the Uniform Crime Report (UCR) which only reflects arrests made by Chandler Officers within the city limits and does not include traffic related arrests. Beginning in 2015, the arrest numbers are a combination of UCR, out of city arrests, and traffic-related arrests reflecting all arrests performed by our officers. *Table 1* illustrates an overview comparison of 2021 and 2022 arrests, Use of Force occurrences, and suspect impairment or mental status when force was used.

Table 1

Use of Force Overview			
	2021	2022	Percentage Change
Total Arrests	7637	8263	8%
Reportable Use of Force	83	70	-16%
Arrests involving use of force	1.1%	.8%	-27%
Emotionally Disturbed or Impaired Suspect	60	49	-18%

¹ ARS § 13-3881.B

² CPD G.O. E-01.200.B.3

³ CPD G.O. E-01.400.E.1

⁴ CALEA 1.3.13

In 2022, Chandler Police Officers conducted 8263 combined adult and juvenile arrests. With reportable use of force incidents amounting to 70, officers were prompted to utilize some type of force to gain compliance or effect an arrest approximately .8% of the time.

An analysis between 2021 and 2022 arrests found an increase of 8% in the number of arrests and a decrease of 16% in total uses of force occurrences.

Comparing 2021 to 2022, the Chandler Police Department experienced a decrease of 18% use of force deployments on suspects who were found to be emotionally disturbed, under the influence of alcohol or drugs, or a combination of both.

All 70 reportable use of force incidents were reviewed by the Use of Force Board, with 68 of the incidents found to be within policy and justifiable. 2 use of force incidents were referred to Internal Affairs for review.

The Use of Force Board identified 12 incidents to have training issues or concerns (see *Training Issues*).

Use of Force Definitions

The Chandler Police Department conducts annual reviews and/or revisions of General Order E-1.200. The most recent revision was effective December 15th, 2022. It lists different types of use of force levels an officer can employ. These levels are classified as Low, Intermediate, and Deadly.

Low Level Force

- Officer Presence
- Verbal Direction
- Empty hand control
 - "Soft" control techniques: Standard handcuffing, wrist lock, touch pressure points
 - "Hard" control techniques: Using the hands, knees, or feet directed at pressure points, or using takedown techniques

Intermediate Level Force

- Oleoresin Capsicum (OC) spray
- Ortho Chlorobenzalmalononitrile (CS) gas
- Impact weapons
- Conducted Electrical Weapon (CEW) (Taser)
- Less Lethal Munition (37 mm & 40 mm Sage munitions, pepper balls, batons)
- Hard Empty Hands
- Primary Strikes
 - Impact push, palm-heel/Linear fist strikes
- Secondary Strikes
 - Hammer fists, elbow strikes, Knee strikes, kicks, Head and knee strikes (Active aggression/aggravated aggression must be present)

- Head and neck strikes
 - Prohibited absent of active aggression / aggravated active aggression
- Police Service Dog (K9)
- Bilateral vascular restraint

Deadly Force⁵

- Force used to stop a threat capable of causing death or serious physical injury.

When an officer decides to use force during an incident, the officer must first consider **Graham v. Connor⁶** factors.

- a) Severity of the crime at issue
- b) Whether the suspect poses an immediate threat to officers or others
- c) Whether he is actively resisting arrest or attempting to evade arrest by flight
- d) Influence of drugs/alcohol or the mental capacity of the subject
- e) Recognize if the person is in crisis
- f) Time available to an officer to make a decision
- g) Availability of additional officers/resources to de-escalate the situation
- h) Proximity of access of weapons to the subject
- i) Environmental factors and/or other exigent circumstances
- j) Availability and practicality of lesser means of force
- k) Ability to give verbal warning prior to use of intermediate or deadly force

In addition to these mandatory considerations, the officer should also consider secondary factors such as availability of resources, environmental factors, and training.

A major factor in determining whether force is necessary depends on the behavior of the suspect. The suspect could decide to be compliant or resistant. The levels of resistance are classified into five different levels per Chandler Police Department General Order E-01.200.

Compliant

- A person contacted by an officer who acknowledges direction or lawful orders given and offers no resistance or aggression.

⁵ *Deadly Force incidents are not reviewed by the Use of Force Board. They are investigated by Professional Standards Internal Affairs (PSS IA) and the findings are presented to the Shooting Review Board.*

⁶ *Graham v. Connor, 490 U.S. 386 (1989) - Case delineates an officer's considerations for force, i.e. severity of the crime, immediate threat to officers or others, actively resisting arrest or attempting to evade arrest by flight. [refer to G.O. E-01.200.A.2 Appendix G]*

Passive Resistance

- The subject is not complying with an officer's commands, is uncooperative, but is taking only minimal physical action (action not directed at officer) to prevent an officer from placing the subject in custody and taking control.

Defensive Resistance

- The subject's verbal or physical actions are intended to prevent an officer from placing the subject in custody and taking control but are not directed at harming the officer.

Active Aggression

- The subject displays the intent to harm the officer, themselves, or another person and prevent an officer from placing the subject in custody and taking control.

Aggravated Active Aggression

- The subject's actions are likely to result in the death or serious bodily harm to the officer, themselves, or another.

2022 Use of Force Applications

In 2022, there were a total of 166 reported applications of low and intermediate use of force that were documented in 70 incidents. This means that more than one use of force technique or tool occurred in some incidents. Also, in one incident there were two individuals where force was used, for a total of 71 individuals whose apprehension required the use of force.

Per General Order E-01.400, not all applications of force are required to be reported. Intermediate applications or attempted applications must always be reported. Low level applications must be reported only when they result in injury or complaint of injury. Medical attention must be offered when there is injury or complaint of injury. *Table 2* shows the breakdown of low level and intermediate use of force for 2022.

Table 2

Reported Low and Intermediate Use of Force		
Low Level Force	39	23%
Intermediate Level Force	127	77%
Total	166	

Types of Encounters Resulting in Use of Force

Force was applied most often during domestic violence related calls (25%), followed by trespassing related calls (12%), and DUI related calls (10%).

Table 3

Most Frequent Day and Time of Use of Force Incidents								
Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total
0000-0759	1	0	2	1	4	5	2	15
0800-1559	6	1	5	2	7	1	0	22
1600-2359	4	5	6	3	3	10	2	33
Totals	11	6	13	6	14	16	4	70

Force was deployed most frequently on Saturday. The time frame in which most uses of force occurred was between 1600 and 2359 hours.

Policy Violations and Fact-Finding Reviews

In 2022, there were 2 use of force incidents which resulted in an Internal Affairs investigation. Both use of force incidents were found to be out of policy.

Training Issues

The Use of Force Board reviewed 70 use of force incidents from January to December of 2022. The board addressed 12 incidents which generated training concerns. These incidents were resolved in an informal setting with personal instruction provided to the involved officers by the Training Sergeant or the officer's chain of command. The training issues identified by the Use of Force Board involved improving the use of body worn cameras, report writing and documentation, proper application of a less lethal device, and refining the officer's de-escalation techniques.

The Chandler Police Training Sergeant (or designee) participates on the Use of Force Board in a non-voting capacity. This arrangement allows the Training Sergeant to assist the board with understanding use of force concepts, techniques, current and past training practices, and emerging use of force trends.

Injuries

In 2022, 14 officers were injured during use of force incidents. The injuries sustained by officers were generally minor in nature, consisting of sprains, abrasions, cuts, or bruising. Most of the officers' injuries were the result of body-to-body contact, takedown techniques, struggling to handcuff suspects, or from direct assaults on the officers themselves.

In 2022, 63 suspects sustained injury or alleged an injury in 70 use of force incidents. Most injuries were minor in nature and consisted of lacerations, abrasions, contusions, and Conducted Electronic Weapon (CEW) puncture markings.

Medical attention was provided to those injured because of a use of force incident when mandated by general orders or requested by the suspect. Medical treatment was provided on scene by health and medical personnel (Paramedics) and/or at the hospital.

In 2022, as in previous years, officers received specific training to hone their teamwork and decision-making process between officers during use of force incidents. This continuing training is designed to encourage officers to communicate and work together during a use of force incident to lessen potential officer and suspect injury.

Use of Force Demographics by Suspect Race/Gender/Age

Table 4

Quantity	Race	Gender	Age Range	Average Age	Percentage of Total
20	White	Male	19-52	37	28%
21	Hispanic	Male	16-47	29	30%
11	African American	Male	15-48	31	15%
8	Native American	Male	20-28	26	12%
1	Asian	Male	46	46	1%
8	White	Female	23-41	30	12%
1	Hispanic	Female	60	60	1%
1	African American	Female	50	50	1%

In *Table 4*, all 71 use of force incidents involving suspects (to include two suspects in one incident) were separated by race and gender. The results indicated 39% of all use of force incidents involved White suspects, 31% Hispanic suspects, 17% African American suspects, 11% Native American suspects, and 1% Asian suspects. The data also showed males were involved in 86% of all use of force incidents, and females were involved in 14%. Included are the age ranges of each group along with an average suspect age.

Interpretation of Data

Conducted Electronic Weapons (CEW)

There were 22 CEW deployments in 2022.

37 MM / 40 MM Sage Gun Less Lethal

There were 8 Sage Gun deployments in 2022.

Police K9 Deployment

There were no K9 deployments in 2022.

Emotionally Disturbed/Impaired

An analysis found 49 of the 71 subjects involved in use of force incidents were found to be emotionally disturbed, under the influence of alcohol or drugs, or a combination of both.

Recognizing the importance of interacting with people in crisis, the Chandler Police Training Unit continues to provide crisis training to all sworn employees on how to recognize and effectively deal with people in crisis.

As of January of 2023, a total of 104 active Chandler Police Officers have completed Crisis Intervention Training (CIT). This is an increase of 4 officers from 2021. Effective 2022 civilians are also able to attend CIT. Two dispatchers attended the training in 2022. A total of 106 sworn and civilian employees have attended and completed CIT.

CIT trained officers and dispatchers are assigned to various shifts and are available to respond to incidents involving people in crisis. The department is committed to expanding the program by continuing to train additional personnel in the future, to include CIT trainings scheduled for 2023.

Conclusion

The Use of Force analysis revealed a decrease of 13 reportable applications of force from 2021 to 2022. Overall, the use of force incidents did not result in an abundance of training concerns, external complaints, or unjustifiable actions. This illustrates that the use of force policy, defensive tactics training, board reviews, and overall departmental philosophy are aligned with established case law, statutory regulations, and the principles of community-oriented policing.

The 2022 Advanced Officer Training courses focused on improving decision making during stressful situations, improvement of de-escalation techniques, and role-playing scenarios. The 2022 training cycle included mandatory review of *Graham v. Connor* mandates for use of force, current legal trends to consider when using force, and mandatory review of all intermediate level use of force methods. The legal trends include discussion of recent State, Federal Circuit Court, and US Supreme Court decisions, which affect police use of force.

Improved decision-making training and CIT personnel have been credited with resolving crisis situations and mental health pickups on patrol. Current procedure focuses on providing a CIT officer on any mental health pickup or crisis related situations when available. These officers have attended and successfully completed a 40-hour training course dealing with people in crisis. Their primary responsibility is to engage verbally with the subject in crisis and attempt to resolve the issue on peaceful terms. During this time, officers or supervisors use additional resources such as additional officers, K-9 officers, and fire and medical personnel to assist. They gather additional information from previous contacts or reports, family members, and witnesses. This information is provided to the CIT officer as intelligence to help peacefully resolve the situation. These best practices allow patrol officers and supervisors the opportunity to contain the situation and allow for a verbal de-escalation and resolution.

There were four CIT certification courses during the 2022 calendar year. The Chandler Police Department has taken initiatives to continue CIT training in the 2023 calendar year, with the first group of officers attending training in the first quarter of 2023.

In 2022, the Chandler Police Department took steps to develop and is in the process of implementing a Mental Health Unit which will be staffed by a sergeant and officers. This unit will be comprised of specially trained and equipped officers committed to safety, understanding, and compassion when working with persons experiencing mental health, behavioral health, and substance abuse crises.

Emphasis continues to be placed on increasing the deployment and activation of body worn cameras. As of March 2021, every sworn Chandler Police Officer has been assigned a body worn camera. The body worn camera policy mandates that officers activate their body worn cameras immediately after being dispatched to a call for service.

The Use of Force policy is reviewed annually by the Training Sergeant and the Legal Unit to ensure it is current with the law and best practices.

Finally, the department's implementation of the Use of Force Review Board has continued to provide department members with a fair examination of each incident and their decision to apply force. It has been instrumental in identifying training needs and addressing these needs either individually or department wide. The trends relative to use of force application and documentation are observed, targeted, and addressed by Use of Force Board members as well as members of the Citizens' Panel for Review of Police Complaints and Use of Force, who are members of the community that are dedicated to the Chandler Police Department's progress and improvement.