

2023 Annual Use of Force Analysis & Assault on Officer Review

Albany Police Department



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Introduction

The Albany Police Department conducts an annual analysis of its use of force activities every calendar year. This report includes an analysis of department policy and practices as well as a review of assaults on sworn officers as required by CALEA standards 4.2.4 and 4.2.5. The use of force incidents analyzed are officer responses to calls with a display of force requiring a supervisor's review and report per the department's Use of Force Policy 240.

A review of incidents of force may reveal patterns or trends that could indicate training needs, equipment upgrades, policy modifications, and/or disciplinary actions. The process of collecting and reviewing the reports is also critical to this analysis.

This use of force analysis was completed using Albany Police Department data from 2021, 2022, and 2023. The Albany Police Department used force in 172 incidents in 2021, 195 incidents in 2022, and 200 incidents in 2023. Data analyzed for this report include the following:

- Classification of Initiating Call (what officers responded to)
- Breakdown and Comparison by Gender, Race, and Age
- Resistance Encountered by Officers
- Type of Force Used
- Total Arrests and Calls for Service versus Total Use of Force Incidents
- Mental Health Related Issue and/or Intoxication
- Day and Time of Incident
- Injuries to Any Person Including Officers

Synopsis

The 2023 Use of Force Report was completed using the Albany Police Department's use of force database. The Albany Police Department (APD) responded to 36,305 calls, resulting in 4,965 arrests, with only 200 incidents requiring use of force as defined by the Albany Police Department. Use of force incidents occurred during 0.55% of all calls for service in 2023 and 4.0% of incidents involving arrests. It is important to note that the Department of Public Safety Standards and Training (DPSST) and many agencies across the country do not include "handgun displayed" as a formal use of force for reporting purposes. The policy language states, "Display of firearm is defined as the pointing of an officer's firearm at a person as a means to gain compliance or in reasonable anticipation of use of deadly force."

Force is counted per event, per officer, per subject, by force type, and number of applications. For example, if there are four subjects in the vehicle during a high-risk stop, and five officers who each display their handgun at the subjects, this one incident results in twenty uses of force.

Officers use de minimis force whenever possible. De minimis force is defined as a physical interaction meant to separate, guide, and/or control without the use of formal control techniques or other techniques that are intended to, or reasonably likely to cause any pain or injury. The use of force requires notification and report when physical force, except de minimis force, is used. The analysis reveals that sworn officers of the Albany Police Department have

effectively responded with physical force in compliance with department policy and legal standards.

Reporting

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for the purposes of training, resource allocation, analysis, and related purposes, the department requires the completion of a Use of Force Report which is reviewed by a supervisor. Once the use of force report is approved by the supervisor as being accurate, the use of force incident is reviewed through the use of force review process. The use of force review process includes review by the sergeant, lieutenant, training coordinator, and captain of each officer's use of force report, incident report, and video/audio recordings including body worn camera footage. The review includes policy adherence, training needs, equipment status, and disciplinary issues.

Reporting Display as Type of Force Used

APD officers report any display of a firearm or less lethal weapon as a type of force used. As previously stated, display is defined as the pointing of an officer's weapon at a person as a means to gain compliance or in reasonable anticipation of use of deadly force. Of the 200 use of force incidents in 2023, 95 of those reports used display only as the type of force used. This accounts for 47.5% of the total use of force incidents reported. A total of 162 types of force reported were display only types of force which include handgun display, taser display, 40mm display, rifle display, and shotgun display. It's important to report displays of force for justification of the officers' actions as these incidents can be high-risk and require urgent compliance. Even though the displays of force do not involve any physical force, they are still reported as a use of force due to the risk and liability of displaying a weapon as a means of compliance.

Quarterly Reports

Beginning in 2020, APD started compiling quarterly use of force reports. These reports offer much of the same information that the annual report offers. The quarterly reports are designed to provide supervisors and training coordinators with information regarding use of force incidents. This information is utilized to identify patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications.

Please note that calls for service and arrest data may slightly differ in the quarterly reports due to reporting changes or errors. The annual report provides the final data for the year.

Policy Review

The Use of Force Policy 240 is continuously reviewed for accuracy to ensure department policy aligns with current best practices and updated laws. The Albany Police Department follows best practices set by the Police Executive Research Forum (PERF). PERF created the [Guiding Principles on Use of Force](#) in 2016. Our policies and practices reflect PERF’s 30 Guiding Principles on Use of Force. No additional changes are recommended at this time. Our department policies are available to the public via our website at <https://www.albanyoregon.gov/police/about/apd-policies>.

Use of Force Training

All sworn personnel receive various use of force instruction during basic police training including case law, defensive tactics, baton, oleoresin capsicum spray (OC), handcuffing, firearms, less lethal, APEX Officer, and more. Continuing education for all Albany police sworn personnel on use of force occurs multiple times each year. The formal use of force training during 2023 consisted of:

January 2023	4 hours	Use of Force Training and Recertification
March 2023	4 hours	Firearms/Night Range
May 2023	8 hours	Defensive Tactics
June 2023	4 hours	Firearms/Range
July 2023	1 hour	Firearms Qualifications
August 2023	4 hours	Firearms/Range
October 2023	4 hours	Defensive Tactics
November 2023	4 hours	Firearms/Night Range

DPSST requires eight hours of ongoing Firearms/Use of Force training each year. The Albany Police Department consistently trains more than the minimum required. In 2023, officers received 33 in-person training hours directly related to firearms and use of force which accounts for over four times the required amount. Sworn officers also received numerous training bulletins on force issues. De-escalation training occurred during the eight-hour defensive tactics training in May, in addition to several training bulletins related to de-escalation. Training bulletins in 2023 that related to use of force included: de-escalation, stress recognition, bias-based policing, mental health, foot pursuits, all hazard response, officer involved shooting, employee-involved critical incidents, and ethics.

Equipment Review

Equipment related to use of force include firearms, tasers, asp batons, and more. In 2023, red dot sights were added to all department issued handguns. The process of adding red dot sights to all department issued rifles began in 2023 and will be complete in the coming year or two. Several tasers were replaced and upgraded to the new version. There were no equipment issues noted during the analysis.

Classification of Initiating Call

The following information outlines the types of calls that initiated the need for use of force by the Albany Police Department. Due to the large number of call types, this information has been condensed into seven categories.

Fight or Disturbance: Assault, Disorderly Conduct, Interfering, Resisting Arrest, Domestic, Harassment, Menacing, Weapons.

Assist Other Agency/Warrant: Warrants served by the department, or while assisting other agencies.

Traffic: Traffic Crime, DUII, Pursuit, Elude, Hit & Run, Careless Driving.

Property Crime: Burglary, Theft, Criminal Mischief, Fraud, Shoplifting, Stolen or Recovered Vehicle.

Mental Health or Suicidal: Emotionally Disturbed Person, Suicidal Subject, Police Officer Hold.

Drug Related: Narcotics warrant or any other incident where drugs were a primary causal factor.

Other: Miscellaneous Crime, Warrant, Welfare Check, Public Indecency, Trespass, Curfew, Exclusion, Restraining Order Violation, Sex Offense, Runaway, Suspicious Person, Suspicious Circumstances, Reckless Endangering, MIP, Robbery, Animal Complaints.

Classification of Initiating Call	2021	2022	2023	2021	2022	2023
Fight or Disturbance	52	66	58	30.2%	33.8%	29.0%
Assist Other Agency/Warrant	37	26	38	21.5%	13.3%	19.0%
Traffic	20	18	23	11.6%	9.2%	11.5%
Property Crime	16	36	25	9.3%	18.5%	12.5%
Mental Health or Suicidal	11	6	10	6.4%	3.1%	5.0%
Drug Related	1	0	3	0.6%	0.0%	1.5%
Other	35	43	43	20.3%	22.1%	21.5%
Total Responses	172	195	200	100.0%	100.0%	100.0%

Breakdown and Comparison by Gender, Race, and Age

There were 200 total incidents of use of force, but some of those incidents involved multiple subjects. In 2023, there were 209 subjects that had force used against them. The male to female ratio for use of incidents has remained relatively consistent over the past three years.

Perceived Gender	2021		2022		2023	
Male	148	81.3%	179	84.0%	169	80.9%
Female	34	18.7%	34	16.0%	40	19.1%
Total	182	100.0%	213	100.0%	209	100.0%

Use of force incidents have remained relatively consistent regarding race of the subject over the past three years. The most recent U.S Census Bureau information for the City of Albany was reported on July 1, 2023; the information states the City of Albany demographics are: 82.7% White, 14.1% Hispanic, 1.8% Asian/Pacific Islander, 1.1% Native American, and 0.5% Black.

Perceived Race	2021		2022		2023	
White	151	83.0%	175	82.2%	173	82.8%
Hispanic	21	11.5%	24	11.3%	21	10.0%
Black	10	5.5%	11	5.2%	10	4.8%
Native American	0	0.0%	1	0.5%	0	0.0%
Asian/Pacific Islander	0	0.0%	2	0.9%	5	2.4%
Total	182	100.0%	213	100.0%	209	100.0%

The age of subjects involved in use of force incidents has remained relatively consistent over the past three years.

Age	2021		2022		2023	
17 and Younger	10	5.5%	5	2.3%	12	5.7%
18 - 20	10	5.5%	12	5.6%	8	3.8%
21 - 30	51	28.0%	72	33.8%	63	30.1%
31 - 40	64	35.2%	69	32.4%	67	32.1%
41 - 50	26	14.3%	32	15.0%	33	15.8%
51 - 60	18	9.9%	16	7.5%	19	9.1%
60 and Older	3	1.6%	6	2.8%	7	3.3%
Unknown	0	0.0%	1	0.5%	0	0.0%
Total	182	100.0%	213	100.0%	209	100.0%

Resistance Encountered by Officers

The resistance encountered by officers is broken down into 21 different categories, many of which are seldom encountered. The category “other” was highly utilized in 2021 due to reporting changes. In reviewing what factors are listed in the “other” category, it was discovered that many instances have multiple resistance factors or variable risk factors. Beginning in the third quarter of 2021, two new categories were added to this list: high-risk subject and active resistance. For the purposes of being consistent with previous years’ data, these were added to the other category for 2021. The 2022 and 2023 data include a full year of data reporting with those added categories. During the second quarter use of force meeting in July 2022, it was determined that “charging” needed to be added as a category of resistance encountered as this was often reported in the “other” category. Due to the relatively low number of certain encounters, small differences in data points can sometimes indicate large percentage changes in the data. Changes in the data, positive or negative, are not always an accurate indicator of a trend or a result of officer actions.

Resistance	2021		2022		2023	
Verbally Aggressive	99	17.8%	120	13.5%	108	11.7%
Push/Shove/Pull	57	10.3%	85	9.6%	82	8.9%
Fighting Stance	48	8.6%	45	5.1%	48	5.2%
Passive Resistance	49	8.8%	61	6.9%	73	7.9%
Attempt to Escape	68	12.3%	43	4.8%	56	6.0%
Other	110	19.8%	28	3.1%	13	1.4%
Hiding/Barricaded	20	3.6%	40	4.5%	55	5.9%
Elude on Foot/Bicycle	32	5.8%	41	4.6%	44	4.8%
Leg/Knee/Foot Strike	8	1.4%	8	0.9%	14	1.5%
Hand/Elbow Strike	5	0.9%	6	0.7%	9	1.0%
Stabbing Instrument	11	2.0%	8	0.9%	15	1.6%
Elude Vehicle	21	3.8%	38	4.3%	20	2.2%
Suicidal	13	2.3%	13	1.5%	22	2.4%
Firearm - Handgun	6	1.1%	6	0.7%	27	2.9%
Impact Weapon	8	1.4%	6	0.7%	6	0.6%
Firearm - Shotgun	0	0.0%	0	0.0%	0	0.0%
Firearm - Rifle	0	0.0%	5	0.6%	4	0.4%
OC Chemical Spray	0	0.0%	1	0.1%	0	0.0%
High Risk Subject			188	21.1%	174	18.8%
Active Resistance			144	16.2%	138	14.9%
Charging			4	0.4%	18	1.9%
Total	555	100.0%	890	100.0%	926	100.0%

Type of Force Used

The type of force used by officers is broken down into 29 different categories. During the second quarter use of force meeting in July 2022, it was decided to add “lateral recovery restraint” as a category of type of force used. The lateral recovery restraint allows officers to gain control of the subject without restricting their airway. This technique was taught to officers during annual defensive tactics training earlier this year.

There were several new officers in training during 2022 and 2023. When officers are in training, they ride with a Field Training Officer. With two officers arriving on scene for many incidents, this could be a reason the total number of types of force used increased in the past two years.

Display of a weapon is defined as the pointing of an officer’s firearm or less lethal weapon at a person as a means to gain compliance. Due to the relatively low number of some uses, small differences in data points can sometimes indicate large percentage changes in the data. Changes in the data, positive or negative, are not always an accurate indicator of a trend or a result of officer actions.

Type of Force Used	2021 Times Used		2022 Times Used		2023 Times Used	
40mm LL Display	7	1.8%	15	2.6%	10	1.9%
40mm LL Fired	0	0.0%	1	0.2%	3	0.6%
Arm Bar/Takedown	26	6.8%	22	3.9%	13	2.5%
ASP Baton Deploy	2	0.5%	0	0.0%	0	0.0%
ASP Baton Display	0	0.0%	1	0.2%	1	0.2%
Bent Wrist Lock	31	8.2%	27	4.8%	28	5.4%
Escort Hold	32	8.4%	42	7.4%	35	6.7%
Focused Blow	12	3.2%	8	1.4%	12	2.3%
Hair Hold Takedown	4	1.1%	3	0.5%	2	0.4%
Handgun Display	67	17.6%	103	18.2%	93	17.9%
Handgun Fired	1	0.3%	1	0.2%	0	0.0%
K-9 Bite	2	0.5%	1	0.2%	0	0.0%
K-9 Deploy	14	3.7%	7	1.2%	10	1.9%
K-9 Display	2	0.5%	11	1.9%	3	0.6%
Leg Sweep	11	2.9%	17	3.0%	13	2.5%
Mandibular Pressure Point	2	0.5%	1	0.2%	2	0.4%
O.C. Deploy	0	0.0%	0	0.0%	0	0.0%
O.C. Spray Display	1	0.3%	0	0.0%	0	0.0%
Other	12	3.2%	19	3.4%	17	3.3%
Push/Shove	30	7.9%	85	15.0%	78	15.0%
Rifle Display	10	2.6%	11	1.9%	14	2.7%
Rifle Fired	0	0.0%	0	0.0%	2	0.4%
Shotgun Display	1	0.3%	7	1.2%	2	0.4%
Subclavian/Shoulder Lock	7	1.8%	14	2.5%	10	1.9%
Tackle/Takedown	24	6.3%	47	8.3%	38	7.3%
Taser Deploy	21	5.5%	14	2.5%	19	3.7%
Taser Display	33	8.7%	71	12.5%	76	14.6%
Wrap Restraint	28	7.4%	29	5.1%	19	3.7%
Lateral Recovery Restraint			10	1.8%	20	3.8%
TOTAL	380	100.0%	567	100.0%	520	100.0%

Total Arrests Versus Total Use of Force Incidents

During 2022, officers used force 4.1% of the time when making an arrest. During 2023, officers used force 4.0% of the time. This is a slight decrease, but not a significant change. In 2021, the COVID-19 pandemic continued to cause some changes for booking at the Linn County Jail, which placed restrictions on the number of inmates housed at any given time. Due to these restrictions, officers were not taking physical custody of arrestees in many incidents. In lieu of arrest, officers issued a citation to appear in court for their criminal charges.

Arrests vs. Incidents	2021	2022	2023
Arrests	5,030	4,811	4,965
Use of Force Incidents	172	195	200
Total Percentage	3.4%	4.1%	4.0%

Total Calls for Service Versus Total Use of Force Incidents

Use of force incidents based on calls for service have remained at a similar percentage over the past three years. Calls for service likely decreased in 2021 and 2022 due to reduced police officer staffing levels. In 2023, APD maintained a higher staffing level and achieved full staffing at one point. Refer to [APD's 2023 Annual Crime Analysis Report](#) for more details regarding calls for service.

Calls for Service vs. Incidents	2021	2022	2023
Calls for Service	31,643	32,442	36,305
Use of Force Incidents	172	195	200
Total Percentage	0.54%	0.60%	0.55%

Mental Health Related Issue and/or Intoxication

In 2021, we began tracking whether the use of force incident involved a mental health issue and if the subject was under the influence of alcohol or drugs based on the perceptions of the officers involved. This is the second full year of tracking both these factors. The “both” category includes subjects that were perceived as under the influence of intoxicants and experiencing a mental health related issue. In 2023, 51.2% of subjects involved in a use of force incident were either intoxicated, experiencing a mental health issue, or both.

Other Factors	2022		2023	
Intoxicated	82	38.5%	83	39.7%
Mental Health Crisis	46	21.6%	41	19.6%
Both	28	13.1%	17	8.1%
Subjects Involved in UOF Incident	213	46.9%	209	51.2%

Day of Week/Time of Day

The Albany Police Department use of force incidents by day of week in 2023 ranged from 17 to 44 incidents. Most days of the week had similar numbers of incidents, with Saturday, Sunday, and Monday having the highest incidents.

Day of Incident	2021		2022		2023	
Sunday	25	14.5%	27	13.8%	44	22.0%
Monday	25	14.5%	28	14.4%	34	17.0%
Tuesday	29	16.9%	24	12.3%	23	11.5%
Wednesday	22	12.8%	31	15.9%	17	8.5%
Thursday	25	14.5%	25	12.8%	24	12.0%
Friday	28	16.3%	30	15.4%	23	11.5%
Saturday	18	10.5%	30	15.4%	35	17.5%
Total	172	100.0%	195	100.0%	200	100.0%

Use of force incidents by time of day are broken down in four-hour increments beginning at midnight. Most use of force incidents occurred between 1601 hours and 0000 hours at 50.5%, and the least between 0401 hours and 0800 hours at 7.0%.

Time of Incident	2021		2022		2023	
0001 - 0400	38	22.1%	29	14.9%	26	13.0%
0401 - 0800	13	7.6%	17	8.7%	14	7.0%
0801 - 1200	21	12.2%	37	19.0%	33	16.5%
1201 - 1600	33	19.2%	34	17.4%	26	13.0%
1601 - 2000	28	16.3%	42	21.5%	46	23.0%
2001 - 0000	39	22.7%	36	18.5%	55	27.5%
Total	172	100.0%	195	100.0%	200	100.0%

There is nothing within the day of week or time of day data which indicates a concerning pattern or reoccurrence.

Officer Injuries

Most use of force incidents (95.0%) were resolved with no injury to an officer. Of the 339 officers involved in use of force incidents, 15 (4.4%) resulted in a minor injury to the officer requiring medical attention. Minor injuries that did not require medical attention include injuries such as a scratch, bruise, or complaint of pain.

Officer Injuries During Use of Force	2021		2022		2023	
No Injury	234	91.1%	335	95.2%	322	95.0%
Minor - No Medical Attention	18	7.0%	11	3.1%	15	4.4%
Minor - Medical Attention	5	1.9%	5	1.4%	1	0.3%
Hospital	0	0.0%	1	0.3%	1	0.3%
Fatality	0	0.0%	0	0.0%	0	0.0%
Total	257	100.0%	352	100.0%	339	100.0%

Summary of Hospitalization

23-00556

On January 25, 2023, officers were dispatched to a domestic disturbance. The caller reported he had assaulted his girlfriend. As the officers knocked on the door the caller fired a single shot from a rifle through the front door. Glass and debris flew into the officers' faces injuring one officer. The injured officer had glass embedded in his eye and multiple cuts to his face. The officers tactically retreated as the suspect exited the house. The officers, while injured, maintained poise, and gained compliance from the suspect who was taken into custody. The suspect was charged with Attempted Murder in the First Degree, Attempted Assault, Aggravated Attempted Murder, and Assault II.

Other Persons Injured

Most use of force incidents (84.7%) were resolved with no injury to any person. Of the 209 subjects involved in use of force incidents, 15 (7.2%) resulted in a minor injury to the subject requiring medical attention. Minor injuries that did not require medical attention include injuries such as a scratch, bruise, or complaint of pain.

Person Injuries During Use of Force	2021		2022		2023	
No Injury	149	81.9%	182	85.4%	178	85.2%
Minor - No Medical Attention	17	9.3%	14	6.6%	14	6.7%
Minor - Medical Attention	13	7.1%	16	7.5%	15	7.2%
Hospital	3	1.6%	1	0.5%	1	0.5%
Fatality	0	0.0%	0	0.0%	1	0.5%
Total	182	100.0%	213	100.0%	209	100.0%

Summary Fatality

23-00862

The Albany Police Department was called the morning of February 8th, 2023, due to concern that a 34-year-old male Albany resident may be suicidal. Officers from APD as well as Deputies from the Linn County Sheriff's Office located the male in his vehicle parked at Freeway Lakes Park. Despite APD and LCSO attempts to diffuse the situation, the male pointed a handgun at the officers and deputies. In response to the man's actions, two APD officers fired one round each. The man died as a result of his injuries. A handgun was found on scene near the deceased. Corvallis police department detectives, assisted by members of the Linn/Benton Major Crimes Teams, conducted a thorough investigation of the incident. The Linn County District Attorney's decision regarding this officer involved shooting can be accessed by clicking [this link to FlashAlert](#).

Summary of Hospitalization

23-04959

An officer observed a motorcycle driving recklessly at a high rate of speed through a residential neighborhood. The officer activated his overhead lights to initiate a traffic stop and the motorcycle driver fled on foot. The officer attempted to hold the subject at taser point while waiting for a backup officer to arrive on scene, but the subject refused to comply. The subject removed his helmet and backpack and ran from the officer. The officer warned the subject that he would be tased if he did not comply. The subject ignored the warnings, the officer tased the subject, and the subject fell to the ground. The subject sustained an abrasion to his forehead and nose from the fall after being tased. The subject was taken to the hospital where he was evaluated and treated for his injuries. The subject was transported to the jail and charged with: Elude, Possession of Burglary Tools, and Reckless Driving.

Assault on Officer Review

During 2023, there were 23 reported assaults or attempted assaults on officers. These crimes are charged as Assault of Public Safety Officer, Attempted Assault of Public Safety Officer, and Aggravated Harassment.

Trends and patterns for these incidents are:

- Assaults on officers occurred in 11.5% of the 200 use of force incidents in 2023.
- Fifteen incidents (65.2%) involved subjects who were intoxicated or experiencing a mental health issue.
- Nine incidents (39.1%) involved the subject kicking at the officer(s).
- Eight incidents (34.8%) involved the subject striking the officer(s).
- Eight incidents (34.8%) involved female subjects.
- Five incidents (21.7%) involved subjects spitting on the officer(s).
- Seven incidents (30.4%) resulted in the use of the WRAP restraint device.

Conclusion and Recommendations

The review of use of force incidents during 2023 revealed the actions by Albany Police Department staff in each incident were justified and within policy. The force used reasonably appeared necessary to bring each incident under control, given the facts and circumstances perceived by the officer at the time of the event.

During 2023, the department has continued to train patrol officers in the area of de-escalation and critical incident recognition. The department has a total of 59 officers certified in Crisis Intervention Training (CIT), which is a 40-hour course. In 2023, 25 officers attended CIT. It is the goal of the department to have the remaining 8 officers trained in CIT within the next year. Tactical communication training continues to be implemented and integrated with defensive tactics and de-escalation in-service training.

The department continually looks for balance between using de-escalation techniques, physical force, and control devices. Officers received situational scenario training during use of force in-service training in 2023. Tactics involving distance, communication, approach, resources, and reasonable force were all included in the training. These training courses provided officers tools to adequately and reasonably deal with potential hostile situations or events. Use of force training will continue to emphasize de-escalation techniques, control holds, proper use of control devices, duty to intercede, and de minimis tactics.

The department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.