

# 2020 Annual Use of Force Analysis & Assault on Officer Review

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Albany Police Department

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Approved by: \_\_\_\_\_

Chief of Police

Date: \_\_\_\_\_

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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 2018, 2019, and 2020. The Albany Police Department used force in 216 incidents in 2018, 263 incidents in 2019, and 166 incidents in 2020. Data graphed and charted 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
- Number of Officers Responding to a Use of Force Call
- Injuries to Any Person Including Officers
- Day and Time of Incident

## Synopsis

The 2020 Use of Force Report was completed using the Albany Police Department's use of force database. The Albany Police Department responded to 36,960 calls, resulting in 5,960 arrests, with only 166 incidents requiring use of force as defined by the Albany Police Department. 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. In July 2020, APD changed the policy regarding display of firearm. The previous policy required officers to report a use of force anytime they unholstered their firearm. The new 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." This policy change reduced the number of use of force reports for handgun display.

This analysis revealed the uses of force over the past three years are relatively consistent, between 166 and 263 incidents; however, there was a decline in 2020. It was determined that when comparing the volume of calls for service and actual arrests made by the Albany Police Department to the number of use of force incidents, only 2.8 percent of arrests required use of force and .45 percent of all calls for service required use 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.

## **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 be utilized to identify patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications.

## **Policy Review and Revisions**

The Use of Force Policy 240 is continuously reviewed for accuracy to ensure department policy aligns with current best practice and updated laws. The policy was last updated August 4, 2020. Changes to the use of force policy included complying with the Presidential Executive Order 13929 “Safe Policy for Safe Communities”. While our policies included duty to intervene and prohibition of chokehold, the language was changed to match language in the executive order. It should also be noted that the Albany Police Department received the Law Enforcement Federal Funding Certification on January 6, 2020. This certification is required by the Presidential Executive Order 13929 for the Albany Police Department to receive federal funding.

In addition, the Albany Police Department added language to the use of force policy to include Oregon legislative changes regarding prohibition of chokeholds and neck restraints, duty to intervene, and prohibition of deadly force against individuals who pose a danger only to themselves. 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.

## **Impacts of the Pandemic**

The largest contributing factor to the decline in use of force is due to the COVID-19 pandemic. The Linn County Jail placed restrictions on the number of inmates that are housed at any given time. Due to these restrictions, officers are not taking physical custody of arrestees in many incidents. In lieu of arrest, officers are issuing citations to appear in court for their criminal charges.

## 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 eight 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 Disabled 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.

**Other - Multiple Offenses:** This category references situations where more than one type of call initiated the use of force. No specific call types are listed here as all fall into another category when separated.

Classification of Initiating Call	2018	2019	2020	2018	2019	2020
Fight or Disturbance	54	67	49	25.0%	25.5%	29.5%
Assist Other Agency/Warrant	69	80	36	31.9%	30.4%	21.7%
Traffic	22	21	9	10.2%	8.0%	5.4%
Property Crime	24	33	30	11.1%	12.5%	18.1%
Mental Health or Suicidal	7	10	6	3.2%	3.8%	3.6%
Drug Related	5	18	7	2.3%	6.8%	4.2%
Other	35	30	29	16.2%	11.4%	17.5%
Other - Multiple Offenses	0	4	0	0.0%	1.5%	0.0%
<b>Total Responses</b>	<b>216</b>	<b>263</b>	<b>166</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Of the 166 use of force incidents during 2020, 29.5% were the result of a fight or disturbance call, 22% were for warrant arrests/assisting other agencies, and the remaining six categories were all 18% or below. The classification of initiating call where force has been used over the past three years has been very consistent with most categories.

## Breakdown and Comparison by Gender, Race and Age

There were 166 total incidents of use of force, but some of those incidents involved multiple subjects. In 2020, there were 177 subjects that had force used against them. During 2020, 80.2% of use of force incidents involved male subjects compared to 19.8% female subjects.

<b>Gender</b>	<b>2018</b>		<b>2019</b>		<b>2020</b>	
Male	198	85.3%	225	77.6%	142	80.2%
Female	34	14.7%	65	22.4%	35	19.8%
<b>Total</b>	<b>232</b>	<b>100.0%</b>	<b>290</b>	<b>100.0%</b>	<b>177</b>	<b>100.0%</b>

During 2020, 82.5% of use of force incidents involving persons identifying as White, 10.2% involving Hispanic, 4.5% involving Black, and 0.6% involving Asian/Pacific Islander and 1.7% involving Native American. The most recent Census information for the City of Albany was reported on July 1, 2019. The Census information states the City of Albany demographics are: 86.6% White, 12.6% Hispanic, 1.8% Asian/Pacific Islander, 1.1% Native American, and 0.5% Black.

<b>Race</b>	<b>2018</b>		<b>2019</b>		<b>2020</b>	
Asian/Pacific Islander	1	0.4%	2	0.7%	1	0.6%
Native American	0	0.0%	2	0.7%	3	1.7%
Black	5	2.2%	16	5.5%	8	4.5%
Hispanic	19	8.2%	22	7.6%	18	10.2%
Unknown	0	0.0%	0	0.0%	1	0.6%
White	207	89.2%	248	85.5%	146	82.5%
<b>Total</b>	<b>232</b>	<b>100.0%</b>	<b>290</b>	<b>100.0%</b>	<b>177</b>	<b>100.0%</b>

When reviewing use of force by gender, race, or age there is no concerning information.

<b>Age</b>	<b>2018</b>		<b>2019</b>		<b>2020</b>	
17 and Younger	17	7.3%	15	5.2%	5	2.8%
18 - 20	8	3.4%	25	8.6%	5	2.8%
21 - 30	79	34.1%	100	34.5%	65	36.7%
31 - 40	69	29.7%	68	23.4%	56	31.6%
41 - 50	32	13.8%	53	18.3%	28	15.8%
51 - 60	23	9.9%	18	6.2%	16	9.0%
60 and Older	4	1.7%	11	3.8%	2	1.1%
<b>Total</b>	<b>232</b>	<b>100.0%</b>	<b>290</b>	<b>100.0%</b>	<b>177</b>	<b>100.0%</b>

## Resistance Encountered by Officers

The resistance encountered by officers is broken down into 18 different areas, many of which are seldom encountered. The category 'Other' has been highly utilized in the past but shows a significant decline in 2020. In reviewing what factors are listed as other, it was discovered that many instances have multiple resistance factors or variable risk factors such as using a vehicle as a weapon, high risk traffic stop, or if the history of the subject is known. Hiding/Barricaded had zero incidents in the past two years and 27 incidents in 2020. This category was utilized more by officers rather than the Other category. Due to the relatively low number of some 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 Encountered by Officers

Resistance	2018	2019	2020	
Other	151	189	49	9.5%
Verbally Aggressive	120	165	97	18.7%
Passive Resistance	82	126	62	12.0%
Attempt to Escape	76	71	54	10.4%
Push/Shove/Pull	50	68	72	13.9%
Elude on Foot/Bicycle	45	57	38	7.3%
Fighting Stance	32	47	40	7.7%
Elude Vehicle	24	30	18	3.5%
Leg/Knee/Foot Strike	12	21	15	2.9%
Suicidal	11	17	11	2.1%
Hand/Elbow Strike	9	11	10	1.9%
Firearm - Handgun	8	10	8	1.5%
Stabbing Instrument	7	11	14	2.7%
Impact Weapon	6	7	1	0.2%
Firearm - Shotgun	0	3	0	0.0%
Firearm - Rifle	0	1	2	0.4%
OC Chemical Spray	1	0	0	0.0%
Hiding/Barricaded	0	0	27	5.2%
<b>Total</b>	634	834	518	100.0%

## Type of Force Used

The type of force used by officers is broken down into 27 different types, which was reduced from previous years. To consolidate the various methods of use of force, a few adjustments to data reporting were made. Arm Bar and Arm Bar Takedown have been combined into one category: Arm Bar/Takedown. Hand/Elbow Strike, Front Kick, Leg/Knee/Foot Strike, Palm Heel Strike, Punch, and Focused Blow have been combined into one category: Focused Blow. Taser Drive Stun and Taser Deploy have been combined into: Taser Deploy. Taser Laser, Taser Verbal, and Taser Display have been combined into: Taser Display. It was discovered in the second quarterly use of force report in 2020 that our taser data was duplicated for most of the incidents involving a taser.

Officers have been reporting all steps taken during an incident involving a taser, rather than the end result of the effective use of force. For example, if an officer displayed their taser, then gave a verbal warning, and pointed the laser at the subject, this was being reported as three uses of force, when it should only be reported as one taser display. The same duplication was occurring for K9 display, deploy and bite. Both of these categories have significant reductions in 2020 due to the change in reporting.

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	2018	2019	2020	
	Times Used	Times Used	Times Used	2020
40mm LL Display	14	13	13	3.5%
40mm LL Deploy	2	4	3	0.8%
Arm Bar/Takedown	30	38	34	9.1%
ASP Baton Deploy	1	0	2	0.5%
ASP Baton Display	0	1	1	0.3%
Bent Wrist Lock	24	4	27	7.2%
Carbine Display	21	20	9	2.4%
Carbine Deploy	0	0	0	0.0%
Escort Hold	4	19	14	3.7%
Focused Blow	17	32	19	5.1%
Hair Hold Takedown	7	7	4	1.1%
Handgun Display	103	107	65	17.3%
Handgun Fired	0	0	0	0.0%
K-9 Bite	6	4	7	1.9%
K-9 Deploy	16	13	5	1.3%
K-9 Display	16	13	4	1.1%
Leg Sweep	10	23	14	3.7%
Mandibular Pressure Point	6	3	2	0.5%
O.C. Deploy	1	0	0	0.0%
O.C. Spray Display	0	0	0	0.0%
Other	39	10	17	4.5%
Push/Shove	0	1	5	1.3%
Shotgun Display	1	4	3	0.8%
Subclavian/Shoulder Lock	2	2	2	0.5%
Tackle/Takedown	~	~	12	3.2%
Taser Deploy	37	44	33	8.8%
Taser Display	122	257	51	13.6%
Wrap Restraint	49	43	29	7.7%
<b>TOTAL</b>	<b>528</b>	<b>662</b>	<b>375</b>	<b>100.0%</b>

## Total Arrests Versus Total Use of Force Incidents

There was a significant reduction in arrests in 2020. This is likely due to the COVID-19 pandemic. As previously mentioned in this report, the Linn County Jail placed restrictions on the number of inmates that are housed at any given time. Due to these restrictions, officers are not taking physical custody of arrestees in many incidents. In lieu of arrest, officers are issuing citation to appear in court for their criminal charges.

### Percentage of Arrests Requiring Use of Force

Arrests vs. Incidents	2018	2019	2020
Arrests	6,932	7,214	5,960
Use of Force Incidents	216	263	166
<b>Total Percentage</b>	<b>3.1%</b>	<b>3.6%</b>	<b>2.8%</b>

## 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 declined 19% in 2020, which is likely due to the COVID-19 pandemic. Use of force incidents decreased as well, which is likely due to the changes with Linn County Jail.

### Percentage of Calls for Service Requiring Use of Force

Calls for Service vs. Incidents	2018	2019	2020
Calls for Service	43,266	45,606	36,960
Use of Force Incidents	216	263	166
<b>Total Percentage</b>	<b>0.50%</b>	<b>0.58%</b>	<b>0.45%</b>



## Number of Officers Responding to a Use of Force Call

In 2020, 75% of use of force incidents involved calls with three or fewer officers. Two officers were involved in 34.9% of the calls which is the highest likelihood. These results are reasonable because more than one officer is typically dispatched to dangerous calls and officers ask for assistance if they perceive force may be necessary. Examining the incidents revealed no concerning patterns or trends.

### Number of Officers Responding to Call

Number of Officers	2018	2019	2020	
1 Officer	34	51	27	16.3%
2 Officers	62	90	58	34.9%
3 Officers	41	38	40	24.1%
4 Officers	34	40	18	10.8%
5 Officers	34	35	19	11.4%
6 Officers	7	8	4	2.4%
7 Officers	2	0	0	0.0%
8 Officers	0	0	0	0.0%
9 Officers	2	1	0	0.0%
10 or more Officers	0	0	0	0.0%
<b>Total</b>	<b>216</b>	<b>263</b>	<b>166</b>	<b>100.0%</b>

## Day of Week/Time of Day

The Albany Police Department use of force incidents by day of week in 2020 ranged from 19 to 31 incidents. Most days of the week had similar numbers of incidents, with Thursday and Saturday having the highest incidents.

Use of force incidents by time of day were broken down in four-hour increments beginning at midnight. Most use of force incidents occurred between 2001 hours and 0400 hours at 45.2%, and the least between 0400 hours and 0800 hours at 7.8%.

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

Day of Incident	2018	2019	2020
Sunday	37	39	19
Monday	33	31	19
Tuesday	25	39	25
Wednesday	24	39	21
Thursday	33	36	31
Friday	32	40	22
Saturday	32	40	29
<b>Total</b>	<b>216</b>	<b>264</b>	<b>166</b>

Time of Incident	2018	2019	2020	
0001 - 0400	32	44	37	22.3%
0401 - 0800	13	12	13	7.8%
0801 - 1200	36	37	21	12.7%
1201 - 1600	37	63	25	15.1%
1601 - 2000	47	48	32	19.3%
2001 - 0000	51	59	38	22.9%
<b>Total</b>	<b>216</b>	<b>263</b>	<b>166</b>	<b>100.0%</b>

## 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, Multiple Interactive Learning Objectives (MILO), 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 2020 consisted of:

March 2020	4 hours	Firearms/Verbal Judo Training
July 2020	8 hours	Survival Skills/Use of Force Training
October 2020	4 hours	Firearms/Defensive Tactics Training
December 2020	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. Sworn officers also received numerous training bulletins on force issues. De-escalation training occurred during the eight-hour survival skills/use of force training in July, in addition to several training bulletins related to de-escalation. Training bulletins in 2020 that related to use of force included: de-escalation, stress recognition, bias based policing, mental health, duty to intercede, and civil unrest.

## 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 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 complete, the use of force is reviewed through the use of force review process. The use of force report is combined with the incident report and reviewed by the sergeant, lieutenant, training coordinator, and captain. The review includes policy adherence, training needs, equipment status, and disciplinary issues.

## Equipment Review

There were no equipment issues noted during the analysis.

## Officer Injuries

Most use of force incidents (95.5%) were resolved with no injury to an officer. Of the 220 officers involved in use of force incidents, 10 (4.5%) resulted in a minor injury to the officer. Officer injuries reduced by 4.8% since 2018. Minor injuries that did not require medical attention include injuries such as a scratch, bruise, or complaint of pain.

<b>Officer Injuries During Use of Force</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	
No Injury	301	371	210	<b>95.5%</b>
Minor - No Medical Attention	21	17	8	<b>3.6%</b>
Minor - Medical Attention	2	0	2	<b>0.9%</b>
Hospital	1	1	0	<b>0.0%</b>
Fatality	0	0	0	<b>0.0%</b>
<b>Total</b>	<b>325</b>	<b>389</b>	<b>220</b>	<b>100.0%</b>

## Other Persons Injured

Most use of force incidents (75.8%) were resolved with no injury to any person. Minor injuries that did not require medical attention include injuries such as a scratch, bruise, or complaint of pain. The number of persons injured has been consistent over the past three years. The 2018 data does not include multiple suspects per use of force incident. The 2019 and 2020 data includes all suspects involved.

<b>Person Injuries During Use of Force</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	
No Injury	173	247	134	<b>75.7%</b>
Minor - No Medical Attention	24	26	17	<b>9.6%</b>
Minor - Medical Attention	13	11	18	<b>10.2%</b>
Hospital	6	6	8	<b>4.5%</b>
<b>Total</b>	<b>216</b>	<b>290</b>	<b>177</b>	<b>100.0%</b>

## Summary of Hospitalizations

### 20-00192

Suspect was tased and sustained injury to the head during the incident. The subject was transported to the hospital, treated for injuries and released.

### 20-00881

K9 was deployed and bit the suspect. The suspect was transported to the hospital to be treated for the K9 bite. The suspect was treated and released to be transported to jail.

**20-02822**

Officers responded to a report of a robbery where victim had been stabbed. Officers tended to the victim, while other officers searched for the suspect. One officer located the suspect and ordered the suspect to the ground while pointing a taser at the suspect. Two more officers arrived and assisted with detaining the subject. The officers struggled to detain the subject as the subject resisted arrest. The subject sustained injury to the face and medics were called to the scene. The subject also had cuts to the arm that were injuries prior to officers arriving. The subject was transported to the hospital for further medical care.

**20-02946**

An officer was flagged down just after 11:00 p.m. by a person stating that two subjects were throwing bottles at vehicles and walking in the street. One subject was uncooperative and failed to comply with commands. The subject was tased and eventually placed in handcuffs after fighting with two officers for almost two minutes. The subject was transported to the hospital, rather than waiting for medics to arrive on scene. When a person is tased it is standard practice that they are evaluated by medical personnel. The hospital medically cleared the subject and was transported to jail for disorderly conduct.

**20-03015**

An on-duty officer observed what appeared to be a theft of a motor vehicle in progress. The subject started running from the officer, the officer deployed his K9 and yelled multiple warnings for the subject to stop or they would be bit by the K9. The subject laid down in a surrender position and the officer commanded the K9 into a down position. A second officer started giving commands to the subject and the two officers attempted to handcuff the subject. The K9 officer attempted to gain physical control of the K9, the K9 lunged toward the subject, and bit the subject's shoulder. The officers placed handcuffs on the subject and released the K9 from its bite. The K9 bite was not commanded by the K9 handler. The K9 bite was investigated, and training was adjusted to correct the behavior. The subject was transported to the hospital and treated for the K9 bite. The subject was medically cleared from the hospital and cited for possession of burglary tools and false information to police.

**20-03045**

Officers responded to a mental health regarding a subject yelling and waving his fists. Officers located the subject who was sweaty, anxious, and appeared to be paranoid. The officers attempted to detain the subject with handcuffs when the subject kicked one officer and pulled away from the other officer. One of the officers tased the subject in the back of the leg causing the subject to fall face first on the ground. The subject was handcuffed and properly restrained. The subject was transported to the hospital to be treated for the face laceration and mental health evaluation. The subject was charged with harassment, disorderly conduct, criminal trespass, and menacing.

**20-07072**

Officers were advised via dispatch that an outside agency was actively pursuing a vehicle that was heading towards Albany. The outside agency asked for assistance with deploying spike strips if our officers could get in position to do so safely. One APD officer was able to get into position and successfully deploy spike strips. The suspect vehicle continued to flee until the vehicle came to a stop two suspects fled from the vehicle. One suspect surrendered and the other continued to flee from officers. An outside agency was able to deploy drone with thermal imaging as the suspect fled to an area with heavy brush. An APD K9 unit deployed to track the suspect. The drone was able to assist the K9 unit to the location of the suspect. The suspect would not surrender and the K9 was deployed and bit the suspect on the leg attempting to drag the suspect out of the brush. Officers noticed the suspect had a knife sheath on his hip. Officers warned the suspect to surrender or the K9 would be deployed for a second bite. The officers were able to successfully apprehend the suspect and transported the suspect to the hospital for medical treatment prior to being lodged in jail.

**20-08313**

Officers were dispatched to the report of a domestic disturbance. A female was yelling and making threats to her neighbors. Officers arrived and were unable to calm the female subject down. The female disregarded officer commands and increased her aggression. One officer held out his arm to stop the female subject from going back across the street toward the neighbor's house. She continued to push past the officer and not follow commands. The officer held her shoulder and escorted her to the ground where she was asked to remain seated. The female subject complained of shoulder pain. Officers called for medics to the scene to evaluate her injuries. Medics decided that further evaluation was needed, and the female subject was transported to the hospital. No arrests were made during this incident.

## **Assault on Officer Review**

During 2020, there were eleven reported assaults on officers.

### **20-00240**

Officers were called to a trespass complaint. Officers contacted the female subject in her vehicle and asked her to leave the property. The female subject refused to leave the property. Officers struggled to place the subject into custody but were finally successful. The subject was seated in the back of the patrol vehicle and kicked the officer several times in the legs. The officer sustained several marks on to the leg, soreness, and tender to the touch. The subject was arrested for Criminal Trespass and Assault on a Public Safety Officer.

### **20-04344**

While patrolling a sergeant found three individuals trespassing and sleeping on private property. Two of the individuals were cooperative and left the location. One subject refused to leave, continuing to trespass, and was being uncooperative. The subject throw items at the sergeant, which did not cause injury. The sergeant requested another officer to the scene to assist with detaining the subject. The subject punched the sergeant while attempting to place her in handcuffs. The subject spit on the officer. She was arrested via citation and charged with Aggravated Harassment, Resisting Arrest, and Criminal Trespass II.

### **20-04345**

Officers responded to a report of a trespass at a gas station convenience store. The female subject refused to leave the store. Officer escorted her out of the store and to the public sidewalk. The subject spit three times at the officers. The subject was arrested and placed in handcuffs. The subject was charged with Aggravated Harassment and Criminal Trespass II.

### **20-04346**

Officers responded to a report of an assault. Two officers interviewed several witnesses. The female subject was located and became increasingly agitated. The subject started to throw items while yelling and threatening bystanders and officers. The subject was taken to the ground by an officer and was detained with assistance from other officers. The subject spit on the officers. The subject was arrested for Probable Cause Affidavit for Harassment x2 and Aggravated Harassment.

### **20-00954**

An officer was dispatched to a report of trespass and a possible theft. The female subject was argumentative and uncooperative with the officer. The subject threatened the officer with physical harm and bodily fluid. The female subject then swung at the officer with her fists twice and neither punch connected with the officer. The officer attempted to detain the subject as she continued to fight with him. A second officer arrive on scene and the two officers were able to detain the subject and place a spit hood over her head. The subject was arrested for Harassment Aggravated, Assault on a Public Safety Officer, Resisting Arrest, and Disorderly Conduct.

**20-00994**

An officer approached three subjects who were trespassing on private property. The female subject refused to leave the premises. The officer placed the three subjects under arrest. The female subject punched the officer in the face with a closed fist. The officer was able to detain the female subject. The officer sustained a cut, bruising and swelling to his left cheek. The female subject was arrested for Assaulting a Public Safety Officer and Resisting Arrest.

**20-05370**

A female subject was walking in the middle of the road trying to flag down cars. An officer arrived on scene, finding the woman talking at a high rate of speed and with an aggressive tone. A witness stated she almost ran over the subject because she was standing in the roadway. A second officer arrived on scene and attempted to calm down the subject. The subject became more agitated and verbally combative. The officers attempted to detain the woman by placing her in handcuffs. She resisted and kicked one of the officers in the knee. The officer took the subject to the ground in attempt to control her. The subject bit the officer's wrist and would not release her bite. The officer told her to stop biting him and then delivered two focused blows to her head and she released the bite. The officer and subject were taken to the hospital for medical attention. The officer sustained a bite, which drew blood on his wrist and a sore knee. The subject was arrested for Disorderly Conduct in the Second Degree, Resisting Arrest, Aggravated Harassment, and Assaulting a Public Safety Officer.

**20-06270**

Officers responded to a report of a disturbance between a mother and daughter. An officer was able to talk the mother into driving her somewhere else to separate the two. While that officer and the mother walked to the patrol vehicle, the daughter followed and was harassing her mother. The officer put her hand up in a motion to stop the daughter from following them and requested her to not come closer. The daughter pushed the officer's arm away, started yelling at the officer and slapped the officer in the face. The officer took the daughter to the ground in an effort to place handcuffs on her, the daughter continued to resist and disobey commands. Two other officers were able to assist, and the three officers were able to place handcuffs on the daughter. The daughter (adult) was arrested for Assault on a Public Safety Officer, Disorderly Conduct, and Resisting Arrest. The subject was transported to jail. The officer sustained minor injury to her face.

**20-07068**

Officers were dispatched to a report of an assault. Officers arrested the subject and drove him to the Albany Police Department. When the officer attempted to remove the subject from the back seat of the patrol vehicle, the subject became combative. The subject kicked and spit at the officer. The officer sustained sharp pain to his leg from the kick. The subject was arrested for Assault on Public Safety Officer, Disorderly Conduct II, and Harassment.

**20-08381**

Officers were dispatched to a trespass complaint. Officers located the subject and the subject fled on foot. Officers attempted to apprehend the subject and the subject fought with the

officers. The subject attempted to kick one of the officers. The officers were able to place handcuffs on the subject and place him under arrest. The subject was arrested for Resisting Arrest and Attempted Assault on a Public Safety Officer.

## **20-08445**

An irate subject approached an officer out front of a store. The subject was aggressive and was cussing at the officer. The officer attempt to de-escalate the situation and asked the subject to leave. An additional officer arrived on scene. The officers verbally placed the subject under arrest for Disorderly Conduct. The subject continued to be verbally aggressive, started to fight with the officers, and fled on foot. A third officer arrived on scene. The officers were able to detain the subject while the subject continued to struggle and resisted arrest, the subject attempted to punch one of the officers with a closed fist. The officers were able to detain the subject. The subject was arrested for Disorderly Conduct II, Resisting Arrest, and Attempted Assault on a Public Safety Officer.

### **Trends and patterns for these incidents are:**

- Calls resulting in Assault or Attempted Assault on a Police Officer stemmed from both self-initiated work and calls for service.
- Every individual who used or attempted to use physical force used their hands, feet, or head to inflict injury. No other weapons were used in the assaults or attempts.
- Four incidents involved the subject kicking at the officer.
- Five incidents involved the subject spitting at or on the officer.
- Six incidents involved female subjects.
- Most incidents mentioned above occurred during a stop or an arrest of a subject. Prior to the detention or stop, most of the subjects displayed some type of fight or flight behavior. Most incidents were rapidly evolving and had little known risk factors.

### **Conclusion and Recommendations**

The review of use of force incidents during 2020 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 2020, the department has continued to train patrol officers in the area of de-escalation and critical incident recognition. The department has 17 patrol officers who have attended and passed a 40-hour Crisis Intervention Training (CIT) course. It is the goal of the department to have as many officers as possible trained in CIT. Verbal Judo training was 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 2020. Tactics involving distance, communication, approach, resources, and reasonable force were all included in the trainings. These trainings 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.