

Memorandum

City of Lawrence

Police Department

TO: Gregory Burns Jr., Chief of Police
FROM: Casey Cooper, Police Captain
Date: January 19, 2018
RE: 2017 Lawrence Police Use of Force Reporting

DISCUSSION

Between January 1, 2017 and December 31, 2017, seventeen Use of Force Reports were submitted in accordance with the department's Use of Force policy. The Use of Force Committee reviewed each of these reports to determine if any of the applied force used by officers were in violation of department policy and/or established laws, specifically *Graham vs. Connor*.

All of the Use of Force Reports involved subjects who were actively resisting arrest and/or presented an assaultive behavior directed against the officer(s), another person, or displayed the intent to harm themselves. A subject who displays assaultive behavior towards the officer(s) or another person presents injury risks to all persons involved, including the officer(s) who must accomplish their lawful objectives. Of the seventeen (17) reported incidents, five (5) officers were injured while defending themselves from attack or taking a resisting subject into custody.

SCOPE OF REPORT

In recent years, the Lawrence Police Department would produce two end of year reports pertaining to use of force incidents. One of the end of year reports detailed Taser exposures during criminal incidents, as well as the cost to maintain related Taser equipment. The second end of year report detailed use of force incidents, excluding Taser exposures. As to not cause confusion on the total use of force incidents reported in 2017, this report will provide an overview of all circumstances which led to these Use of Force Reports being submitted. Cost to maintain Tasers is a departmental expenditure, and is not related to the Use of Force Committee's review process.

INCIDENT SYNOPSIS

January 1, 2017:

An officer conducted an adult welfare check in the 1300 block of Ohio Street. During the encounter a male subject pushed another male on the chest. The officer intervened and grabbed a hold of the aggressive subject. The male resisted the officer's action and the officer used a control hold to take the subject to the ground. As the subject was being taken to the ground his head struck the concrete, leaving a laceration to his face. The subject was arrested, treated at the hospital for his injuries, and then booked into jail for disorderly conduct, interference with duties, and unlawful use of a driver's license.

January 20, 2017:

Officers were dispatched to a fight in progress in the 900 block of Louisiana Street. Shortly after making contact with a male subject, the male charged the officer. The officer defended against the attack, and redirected the male away from the officer's body. As the male fell away from the officer, the subject fell backwards striking the back of his head against the sidewalk. The subject became dazed and the officer was able to arrest him. The subject was treated at the hospital for his injuries, and was then booked into jail for battery on a law enforcement officer and disorderly conduct.

January 30, 2017:

Officers were dispatched to a criminal trespassing in the 3000 block of E 25th Street. Officers arrested the subject, and the subject began striking his head on the wall repeatedly, causing damage to property. An officer turned the subject away from the wall and took the subject to the ground. The subject struck his head on the concrete floor. The subject received treatment for injuries to his mouth, and was booked into jail for criminal trespassing and criminal damage.

February 11, 2017:

Officers responded to a shoplifting in the 3300 block of Iowa Street. As the officer made contact with the male subject, the subject fled on foot from the officer. The officer grabbed ahold of the subject, and the subject turned around and struck the officer on the head. Continuing to struggle with the subject, the officer used control holds to subdue the individual until other officers arrived. The subject was arrested, treated at the hospital for his injuries, and was then booked into jail for theft, battery on a law enforcement officer, and interference with duties. The officer received minor injuries to an eye during the incident.

February 23, 2017:

Officers responded to the 5100 block of W 6th Street in reference to an intoxicated subject making criminal threats. During the arrest, the male subject resisted officers' actions by becoming tense and rigid during handcuffing. While en-route to the jail the subject complained of injuries to his wrist and hands, and was banging his head against the plexiglass partition in the patrol vehicle. The subject was transported to the hospital for medical evaluation. The subject was released and booked into jail for criminal threats.

March 27, 2017:

During a traffic stop in the 800 block of Michigan Street, officers encountered a male subject suspected of being under the influence of illicit drugs. While arresting the subject for outstanding warrants he became assaultive towards officers, striking an officer on the head with his elbow. Using control holds, officers took the subject to the ground and used several compliance techniques to control and arrest the subject. During his arrest, the subject made several suicidal statements. He was transported to the hospital for a mental health and medical evaluation. The subject was arrested for his warrants, possession of drug paraphernalia, interference with duties, battery on a law enforcement officer, and possession of controlled substances. The officer that was struck on the head received minor bruising and injuries from the attack.

April 11, 2017:

During a suspicious vehicle investigation in the 1200 block of Rhode Island Street, officers encountered a male and female occupant. While arresting the male subject, the female subject fled the scene on foot. An officer ran after the female, tackling the female to the ground. After

being tackled, the female was immediately placed into handcuffs and started convulsing. The female was transported to the hospital for medical evaluation, and was then booked into jail for possession of stolen property and possession of controlled substance. The officer that tackled the female sustained a broken nose.

May 16, 2017:

Officers were dispatched to 9th and Massachusetts Street in reference to a burglary in progress. Upon arrival officers encountered a male subject exiting the business. The subject ran back into the business and was tackled by officers. During the struggle to arrest the subject, an officer sprayed the subject in the face with Oleoresin Capsicum (OC) spray on two separate occasions. Once additional officers arrived on scene, the subject was arrested. The subject was seen and released by medics at the scene, and booked into jail for burglary, criminal damage, and interference with duties.

May 23, 2017:

Officers were dispatched to the 100 block of Pinecone Drive in reference to an armed suicidal subject. Determining the male needed to be taken into custody for a mental health evaluation, and after several attempts to get the male to drop the knife, an officer deployed a Taser and the deployment was unsuccessful. As the individual stood up, the officer exposed the individual to another Taser deployment, causing him to fall to the ground. During the second Taser exposure officers were able to safely secure the knife and place the individual in handcuffs. The individual did not receive any injuries during the incident, and was transported to the hospital for a mental health evaluation.

June 19, 2017:

Officers were dispatched to the 500 block of Graystone Drive in reference to a stabbing. Upon arrival officers made contact with an uncooperative male subject. As the subject began to walk away from officers, an officer grabbed ahold of the subject. The male subject pulled away from the officer, and was sprayed on the face with Oleoresin Capsicum (OC) spray. The subject was placed into handcuffs, and was later determined to be the victim of the stabbing.

June 20, 2017:

An officer conducted a pedestrian check in the 1400 block of Maple Lane. During the encounter the officer attempted to secure the subject in handcuffs. The subject pulled away from the officer after the first handcuff was applied, and the subject tackled the officer to the ground. The suspect struck the officer on the arm and chest, and fled the scene on foot. The officer caught the subject and sprayed him on the face with Oleoresin Capsicum (OC) spray. Using control holds, the officer was able to take the subject to the ground and arrest him. The subject was treated at the scene by medics, and then booked into jail for battery on a law enforcement officer, interference with duties, possession of marijuana, possession of opiates and other controlled substances. The officer received minor abrasions during the incident.

June 29, 2017:

Officers were dispatched to the 100 block of North Michigan Street in reference to an adult welfare check. Upon arrival officers made contact with a male subject who was intoxicated and extremely agitated. The subject pushed an officer in the chest, followed by punching the officer on the face. Officers quickly grabbed ahold of the male subject, and used control holds to take him to the ground. After securing him in handcuffs, officers observed the subject received a laceration

to his forehead from being taken to the ground. The subject was transported to the hospital where he remained in the care of medical physicians for medical and mental treatment. The subject was suspected of being under the influence of alcohol and/or drugs.

July 23, 2017:

While arresting a male subject whom was involved in a fight near 11th Street and Massachusetts Street, officers encountered a hostile crowd. During a struggle on the ground with the male subject, a female from the hostile crowd approached the officers carrying a glass bottle and yelling at officers. After failing to obey several commands to step back, an officer sprayed the female on the face with Oleoresin Capsicum (OC) spray. The female ran through the crowd and was not located.

September 7, 2017:

Following a brief vehicle pursuit, the male subject fled on foot near E 8th Street and Delaware Street, and the initiating officer ran after the subject. As the officer grabbed ahold of the subject's shirt the subject turned towards the officer and attempted to strike the officer on the face. The officer deployed the Taser, in which the exposure had minimal impact on the male. Switching to control holds, the officer was able to subdue the male subject until other officers arrived. The male subject was arrested and transported to the hospital for medical evaluation, and was then booked into jail for driving while intoxicated, flee and elude, interference with duties, and leaving the scene of an accident.

October 1, 2017:

Several officers responded to a mass shooting incident at 11th Street and Massachusetts Street. While trying to secure the crime scene and safeguard evidence, a large crowd became hostile towards each other and officers. An officer protecting the scene, observed a fight break out in the crowd. The crowd disobeyed the officer's commands to disperse, and the officer sprayed the crowd with his Oleoresin Capsicum (OC) spray. The crowd dispersed and no subjects were located.

October 16, 2017:

Officers were on scene for a barricaded male subject that had discharged a firearm and was threatening citizens in the 1000 block of E 27th Street. The male subject eventually exited his residence, but continued to disobey officers' commands and was possibly armed. A nearby officer deployed a less lethal impact round into the male subject's leg, causing the subject to fall and comply with officers' commands. The subject was secured in handcuffs and transported to the hospital for mental and medical evaluation.

December 10, 2017:

While on scene at a medical emergency in the 1700 block of W 24th Street officers encountered a male subject who was upset at the patient for being in his house. The male subject turned his anger towards officers and physically assaulted an officer by throwing an object at an officer's head. The male charged and tackled the officer, landing on top of the officer. Once on the ground, the male subject repeatedly struck the officer on the face with a fist. Another officer on scene deployed the Taser and the exposure was successful. The male subject was arrested, and continued to be non-compliant and resistive. The subject was treated by medics at the scene and transported to the hospital for further treatment. The subject was later booked into jail for

battery on a law enforcement officer, and assault on a law enforcement officer. The officer that was attacked received injuries to a shoulder.

CONCLUSION

In 2017, the Lawrence Police Department logged 95,708 calls for service, which includes officer initiated activity and citizens' requests for police services. From these calls for service, 3,064 individuals were arrested and taken into custody based on the officers' probable cause. Of these 95,708 calls for service, seventeen (17) resulted in some level of reportable use of force that the Use of Force Committee reviewed.

Of the seventeen Use of Force Reports reviewed by the Use of Force Committee, there was one (1) less lethal impact round deployed, three (3) Taser incidents with four (4) exposures, five (5) Oleoresin Capsicum (OC) spray with six (6) exposures, and eight (8) personal weapons and/or control holds only that resulted in the subjects being seen by medics or a physician. The Use of Force Committee's review process found departmental procedures and policies were followed in all seventeen Use of Force Reports. None of the reviewed incidents were related to a formal complaint.

The individuals in which officers used force to gain control or defend from attack were comprised of twelve (12) Caucasian Males, one (1) Native American Male, one (1) African American Male, one (1) African American Female, and a large crowd of individuals. Their ages were between 19 and 52 years of age.

The following Kansas Statutes and Lawrence Municipal Ordinance violations were identified by the arresting officers in the above use of force incidents:

- Aggravated Assault of a Law Enforcement Officer
- Aggravated Assault
- Assault of a Law Enforcement Officer
- Assault
- Aggravated Battery
- Battery
- Battery of a Law Enforcement Officer
- Criminal Damage
- Criminal Threat
- Criminal Trespassing
- Discharge of a firearm
- Disorderly Conduct
- Driving While Under the Influence
- Fake Driver's License
- Failure to Appear (Felony)
- Flee or Attempt to Elude a Law Enforcement Officer
- Interference with Law Enforcement Duties
- Leaving the scene of an accident
- Possession of Controlled Substance
- Possession of stolen property
- Theft