

# Memorandum

## City of Lawrence

### Police Department

TO: Gregory Burns Jr., Chief of Police  
FROM: Casey Cooper, Police Captain  
Date: January 17, 2019  
RE: 2018 Lawrence Police Use of Force Reporting

#### **DISCUSSION**

In accordance with the department's Use of Force policy, fifteen (15) Use of Force Reports were submitted to the Use of Force Board for incidents that occurred between January 1, 2018 and December 31, 2018. The Use of Force Board reviewed twelve (12) of the fifteen (15) reports to determine if any of the applied force used by the involved officers were in violation of department policy and/or Federal or State laws. The three (3) reports that were not reviewed by the board were three (3) officer-involved shooting reports. Each officer-involved shooting report was investigated by outside agencies for possible violation of laws, and the Office of Professional Accountability (OPA) for possible policy violations. The findings of the officer-involved shooting investigations will be part of the OPA annual report. However, data from the submitted reports will be referenced in this memo.

#### **INCIDENT SYNOPSIS**

February 20, 2018:

Officers were dispatched to the 300 block of Maine Street, in reference to a disturbance with weapons. It was reported that a male subject was outside Lawrence Memorial Hospital threatening security personnel with a hatchet, while attempting to gain entry into the hospital. Officers arrived on scene and contacted the armed subject in the parking lot. After repeated commands, the subject dropped the hatchet but advanced toward the officers in an assaultive manner. An officer deployed the Taser but it was ineffective. The subject continued to advance on the officers and a second Taser deployment occurred. The Taser deployment was again ineffective. Officers tackled the subject to the ground and secured him in handcuffs. The subject received scratches to his face during the incident, and he was checked into the hospital where he remained in the care of medical physicians for medical and mental treatment. An affidavit was submitted for charges of aggravated assault.

March 13, 2018:

Officers were dispatched to check the welfare of an adult in the 1100 block of N 3<sup>rd</sup> Street. Shortly after making contact with a male subject, it was determined the subject was experiencing a drug induced medical and mental health emergency. During the contact, the subject lunged towards the officers and pushed one of the officers on the chest in an effort to flee from officers. A Taser was deployed and was ineffective. Officers tackled the subject as he was running away, and were eventually able to secure him in handcuffs. The subject was transported by ambulance to the hospital where he remained in the care of medical physicians for medical and mental

treatment. The subject obtained rug burns to his body while resisting officers' attempts to handcuff. No charges were pursued.

April 29, 2018:

Officers responded to a disturbance in the 2500 block of Redbud Lane, and contacted a male subject who was standing in the street yelling. He advanced towards the officers and disobeyed repeated commands to back up. The subject shoved an officer on the chest twice, and another officer on scene deployed the Taser, with the exposure being successful. The male subject was arrested, and began having a medical emergency. The subject was transported to the hospital via ambulance where he remained in the care of medical physicians for medical and mental treatment. The subject later admitted to officers that he used illicit drugs prior to the contact. An affidavit was submitted for charges of battery on a law enforcement officer and drug possession.

May 29, 2018:

Case not reviewed by Use of Force Review Board

June 15, 2018:

Officers responded to the 1500 block of Massachusetts Street in reference to a trespassing in-progress. Shortly after contacting the male subject inside the business, he pushed his way past officers and fled outside. The officers pursued after the subject and tackled him to the ground. During the struggle to arrest the subject, an officer sprayed the subject on the face with Oleoresin Capsicum (OC) spray on two separate occasions before he was secured in handcuffs. The subject was seen and released by medics at the scene, and booked into jail for criminal trespassing and interference with duties. The arresting officers received minor scratches during the incident but did not require medical attention.

June 29, 2018:

Case not reviewed by Use of Force Review Board

June 30, 2018:

An officer contacted a male subject in the 900 block of Vermont Street in reference to a battery. Upon contact, the subject began walking away from the officer. The subject disobeyed commands to stop walking, and the officer grabbed onto the subject's arm. The subject pulled away from the officer and then grabbed the officer by the shoulders. The officer pushed the subject away and sprayed the subject on the face with Oleoresin Capsicum (OC) spray. Additional officers arrived on-scene, and the subject continued to resist but was eventually arrested and booked into jail for unrelated warrants, battery on a law enforcement officer and interference with duties.

July 2, 2018:

Case not reviewed by Use of Force Review Board

July 30, 2018:

Officers were dispatched to the 2300 block of Iowa Street in reference to a disturbance. Upon arrival an officer contacted an agitated male subject who refused to cooperate with the officer's request. After taking an assaultive stance, and disobeying repeated commands to calm down, the officer grabbed ahold of the subjects' arm to secure him in handcuffs. The subject pushed

the officer on the chest, and the officer and the subject briefly struggled with each other. The officer deployed the Taser but it was ineffective. The officer again deployed the Taser, which proved to be ineffective and the subject fled on foot. Additional officers arrived on-scene and the subject was eventually arrested. After being treated and released by medics at the scene, the subject was booked into jail for battery on a law enforcement officer and interference with duties.

August 12, 2018:

Officers were dispatched to the 1500 block of W 22<sup>nd</sup> Street in reference to a domestic violence incident. Upon arrival an officer contacted a male subject who was walking away from the residence. As the officer contacted the subject and tried to stop him from leaving, the subject began wrestling with the officer. While on the ground, the subject was on top of the officer and was pulling on the officer's duty belt and firearm. The officer struck the subject on the face two (2) to three (3) times with a closed fist before breaking free from the subject. Additional officers arrived on scene and the subject was arrested. The subject was treated and released by medics at the scene, and he was booked into jail for battery on a law enforcement officer and domestic violence criminal damage.

August 30, 2018:

Officers were dispatched to the 400 block of Graystone Drive in reference to criminal trespassing. Officers were advised that a male subject was high on illicit drugs, taking off his clothing, and refused to leave the residence. The officers were able to get the male subject dressed and outside of the residence, but after being told not to return the subject tried to enter the residence again. The officers stopped the subject from entering, and he struck one of the officers on the face with a fist. Officers took the subject to the ground and sprayed him on the face with Oleoresin Capsicum (OC) spray. Additional officers arrived on scene and the subject was arrested. After being treated and released by medics at the scene, the subject was booked into jail for criminal trespassing, interference with duties and battery on a law enforcement officer.

September 26, 2018:

An officer on routine patrol observed a male subject walking in traffic in the 700 block of Vermont Street. Traffic was backed up due to the subject, and the officer asked the subject to get out of the street, but he ignored the officer's request. The officer exited the patrol vehicle and approached the subject. The subject became verbally aggressive and began walking towards the officer with his fist up in a fighting stance. The officer ordered the subject to stop, and sprayed the subject on the face with Oleoresin Capsicum (OC) spray three (3) times before stopping the subject's assaultive behavior. Additional officers arrived on-scene and attempted to arrest the subject. Officers had to take the subject to the ground using control holds, and sprayed him on the face with Oleoresin Capsicum (OC) spray one (1) more time before getting him secured in handcuffs. After the subject was treated and released by medics at the scene for exposure to the spray and an abrasion to his head, he was booked into jail for interference with duties, battery on a law enforcement officer, assault on a law enforcement officer, and pedestrian yield right of way.

November 7, 2018:

Officers were dispatched to the 2300 block of Ridge Court in reference to a domestic battery. Upon arrival officers contacted a male subject standing outside of the residence. The subject was verbally aggressive with officers, and had placed his hands down the front of his pants, concealing his hands from the officers. Officers ordered the subject to show his hands, but he

refused to comply with the officers. As the officers approached the subject he took a fighting stance and an officer sprayed the subject on the face with Oleoresin Capsicum (OC) spray. The subject began swinging his fist at the officers and fled on foot. Officers located the subject a short distance away and eventually arrested him. After being treated and released by medics at the scene, the subject was booked into jail for domestic battery and interference with duties.

November 28, 2018:

Officers were dispatched to the 2500 block of Iowa Street in reference to a disturbance with weapons. A male subject had been inside a business acting erratic and saying inappropriate comments. The subject then walked outside and threatened citizens with a knife. Officers arrived on-scene and located the subject standing on Iowa Street. After repeated commands to get out of the busy intersection the officers approached the subject in an effort to gain physical control of him. The subject assaulted the officers and took a fighting stance. An officer on-scene deployed both Taser cartridges and the exposures were successful. The male subject was arrested without further incident. The subject was transported to the hospital for a head laceration and exposure to the Taser. After being treated for his injuries, the subject was booked into jail for aggravated assault and possession of opiates.

December 9, 2018:

Officers were dispatched to the 300 block of Maine Street in reference to a disturbance at Lawrence Memorial Hospital. A male subject had been brought into the hospital by another law enforcement agency earlier in the day for a mental health emergency. The subject had now become resistive with staff and was making statements about fleeing the hospital before he could be screened. The originating law enforcement agency asked for the subject to be detained, and fearing he was going to leave prior to being screened, the officers attempted to place the subject into handcuffs. The subject resisted the officers' efforts, but he was ultimately placed into handcuffs. After being placed in handcuffs the subject complained that officers injured his rib. The subject remained in the care of medical physicians for medical and mental treatment. No charges were pursued.

## **CONCLUSION**

In 2018, the Lawrence Police Department logged 95,702 calls for service, which includes officer initiated activity and citizens' requests for police services. From these calls for service, 3,079 individuals were arrested and taken into custody based on the officers' probable cause. Of the 95,702 calls for service, fifteen (15) encounters resulted in some level of reportable use of force occurring. Of the fifteen (15) Use of Force Reports submitted, each incident 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 fifteen (15) reported incidents, four (4) officers were injured while defending themselves from attack.

Of the fifteen (15) Use of Force Reports submitted, officers documented two (2) personal weapons and/or control holds used that resulted in the subject being injured or struck on the head; five (5) Oleoresin Capsicum (OC) spray incidents, with nine (9) exposures; five (5) Taser incidents with eight (8) exposures; and three (3) discharge of firearms. The Use of Force Board found that departmental procedures and policies were followed in all twelve (12) of the reviewed

Use of Force Reports. None of the reviewed incidents were related to a formal complaint. As previously stated the three (3) discharge of firearms reports were not reviewed by the board and the findings were not included in this report.

Of the fifteen (15) reports submitted, the individuals in which officers used force to gain control or defend from attack were comprised of six (6) Caucasian Males, and nine (9) African American Males. Their ages were between 20 and 60 years of age.

The following Kansas Statutes and Lawrence Municipal Ordinance violations were identified by the arresting officers in the fifteen (15) submitted Use of Force Reports:

- Aggravated Assault of a Law Enforcement Officer
- Aggravated Assault
- Aggravated Burglary
- Assault of a Law Enforcement Officer
- Assault
- Attempted Murder x 3
- Battery
- Battery of a Law Enforcement Officer
- Criminal Damage
- Criminal Possession of Firearm
- Criminal Trespassing
- Discharge of a firearm
- Failure to Appear (Misdemeanor)
- Interference with Law Enforcement Duties
- Leaving the scene of an accident
- Pedestrian Yield Right of Way
- Possession of Controlled Substance