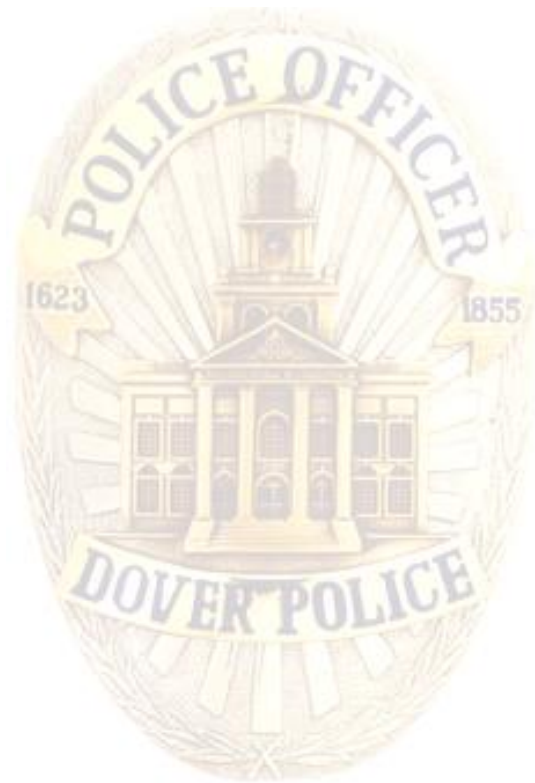


DOVER POLICE DEPARTMENT



2020
Use of Force Analysis

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2020 Use of Force Analysis

Executive Summary

The Dover Police Department remains committed to working with our community to promote and ensure public safety as well as to uphold the community's confidence and trust in the police department. An important part of that is to ensure that our actions are consistent with our community's values and that our policies and training are effective in minimizing the use of force by our officers.

The Dover Police Department's use of force policy and practices are in compliance with all national and state regulations and have met the accreditation standards of the Commission on Accreditation for Law Enforcement Agencies. The Dover Police Department has strict policies on the use, documentation, and administrative review of force used by police officers in the performance of their duties. Officers are required to report and document all uses of force or any use of force they observe used by another officer. Officers have a duty to intervene if they observe inappropriate conduct by another police employee. All uses of force are reviewed to ensure the force used was proper, necessary, and appropriate.

Dover officers are provided training on interactions with persons experiencing a mental health crises, identification and response to persons experiencing medical emergencies, and de-escalation of potentially violent encounters. Officers actively participate in implicit bias training to gain insights on themselves and to understand other perspectives.

In 2020, the Dover Police Department responded to a total of 29,303 calls for service resulting in 95 incidents involving force. This equates to force being used at 0.32% of calls for service. Total use of force incidents were 14% lower in 2020 than 2019 (111 incidents in 2019). All use of the use of force incidents were reviewed by a first line supervisor, a Division Commander, and the Chief of Police and found to be within department policy.

Of the 95 incidents in 2020, there were no incidents in which deadly force was used. Fifteen percent or 14 of the incidents involved sick or injured animals that were humanely euthanized by officers. Forty-three percent of all use of force incidents occurred while officers were making criminal arrests and an additional 16% of the incidents occurred while officers were placing people into protective custody. An additional 15% of incidents occurred while officers were taking people into custody for involuntary emergency mental health admissions. Five percent or 5 of the incidents involved multiple suspects. Forty-seven percent of the individuals on whom force was used were documented to be under the influence of alcohol or

drugs.

Regarding race and gender, 65.9% of use of force incidents involved white males, 24.7% involved white females, and 9.4% involved black males. There were no documented use of force incidents involving black females, or any other minority group. Of the 8 incidents involving black males, all were the result of a police response to a call for service and not the result of an officer initiated contact.

I. Introduction:

The following is an annual analysis of use of force incidents involving police personnel during the 2020 calendar year. Dover Police Department Internal Personnel Practices and Rules (IPR) O-101 *Police Use of Force* requires all incidents involving the use of force to be documented via Administrative Report Forms. These reports are reviewed by a first line supervisor, a Division Commander, and the Chief of Police.

The Commission on Accreditation for Law Enforcement Agencies (CALEA) standard 4.2.4 governing the annual use of force analysis recommends that the review identify the date and time of incidents, types of encounters resulting in the use of force, trends or patterns related to race, age and gender of people involved, trends or patterns related to officer/suspect injury and the impact of the findings on policies, practices, training and equipment.

Department policy recognizes two primary categories of force: Physical Force and Non-Physical Force. Physical Force has two main categories: Deadly Force and Non-Deadly Force. Non-Deadly force has multiple subcategories which include; the use of a firearm to euthanize an animal, taking a firearm to the ready position, the use of impact weapons, the use of a police K9 for apprehension, the use of OC spray, taking a TASER to the ready position, deploying a TASER, and the use physical force/hand control.

II. Incident Tracking:

In 2020, there were 0 incidents involving deadly force and 95 incidents involving non-deadly force. Of these 95 incidents, 14 involved animals that were euthanized because they were either sick or injured, leaving 81 incidents involving force against one or more people.

The Dover Police Department often contacts many of the same subjects repeatedly. Some of these contacts result in the same person being placed in protective custody due to intoxication of alcohol or drugs, arrested for a criminal offense, or taken into custody for an involuntary mental health evaluation more than once and thus may result in more than one application of force against the same person during the year.

In 2020, the police department used force against 3 subjects on more than one occasion. Each of these individuals was involved in two use of force encounters.

In 2020, there were 5 occasions in which force was used against more than one individual during the same incident.

Incidents Involving More Than One Officer:

The level of resistance posed by an individual may require more than one officer to use force; thus a single incident frequently includes more than one officer but may also contain different levels of force. For example, two officers may encounter a subject that actively resists arrest. One officer might employ a justifiable level of physical force while the other opts to utilize his or her TASER. Both responses could be reasonable and justified under the circumstances. Therefore, the department tracks both the total number of *incidents* involving force as well as the total number of *officers* involved.

In 2020, the 81 incidents involved the use of force against one or more individuals involved a total of 204 officers. This excludes the euthanization of animals.

Incidents Involving More than One Subject:

In 2020, the 5 incidents involving the use of force against more than one person were as follows:

Incident #1: On January 24, 2020, several officers responded to a domestic disturbance involving a male and female who were both armed with firearms. Officers arrived and established a perimeter with firearms at the ready position. Both subjects exited the apartment and were detained in handcuffs. Officers confirmed each subject had been in possession of a firearm at some point during the argument, however no crimes had been committed and thus no arrests were made.

Incident #2: On March 14, 2020, officers responded to a local pub for an assault report. The first responding officer located the suspect who fled on foot. The officer caught up to the subject and cornered him by a fence. The suspect took a fighting stance which prompted the officer to bring his TASER to the ready position. The suspect submitted to arrest and was taken into custody without further resistance. The subject's girlfriend then arrived on scene and attempted to interfere with the arrest. The woman physically resisted detention by other officers and both were ultimately arrested.

Incident #3: On March 20, 2020, officers responded to a criminal threatening report involving a firearm. A female victim reported she escaped out a window of an apartment after a male suspect pointed a gun at her. Officers surrounded the apartment with firearms at the ready position and ordered the three remaining occupants out, one of which was the suspect.

Incident #4: On April 10, 2020, multiple officers responded to an apartment complex for the report of an argument involving several people with firearms. Officers established a perimeter with firearms at the ready position and ordered the occupants out. It was later determined that the two occupants were likely involved in drug activity and had been robbed by armed suspects.

Incident #5: On September 7th, officers responded to a trespass complaint after a

caller observed flashlights on in a vacant apartment building. Upon entry, officers observed syringes, a machete, and pistols which were later determined to be pellet guns, on the floor. The officers brought firearms to the low ready position, conducted a building search, and discovered two individuals inside. Both were charged with Criminal Trespass.

Repeated Use of Force Involving the Same Subject:

In 2020, the police department used force against 3 individuals on more than one occasion as follows:

Subject #1: White male, age 34. The first incident this person was involved in was the armed male/female domestic disturbance previously described. During the second incident, the male was involved in another domestic disturbance with the same woman in the parking lot of their apartment complex, but pointed a rifle at an uninvolved party who attempted to intervene. Officers responded and brought firearms and a TASER to the ready position while taking him into custody.

Subject #2: White male, age 41. On August 25th, a patrol supervisor attempted to arrest this subject on an existing warrant. The suspect ran and was tackled to the ground. This male was also one of the two parties involved in the trespass complaint in the vacant building on September 7th.

Subject #3#: White male, age 22. On November 19th, officers attempted to take this individual into custody for a compulsory mental health evaluation. The subject passively resisted, needed to be carried to the cruiser and then into the hospital. This same subject was contacted again the following day when he was involved in an argument with his grandfather in a parking lot. The subject charged at his grandfather during the argument, causing officers to force him to the ground in order to take him into custody and protect the grandfather.

III. Use of Force by Category:

Following is an analysis of the 9 categories of Use of Force for 2020:

Use of Deadly Force:

There were 0 incidents of Deadly Force in 2020.

Use of Firearm to Euthanize an Animal:

There were 14 incidents in which an officer used his/her service weapon to euthanize a sick or injured animal. This is slight decrease from 2019 and is likely a result of reduced vehicle traffic due to the COVID-19 pandemic.

All incidents involving force against animals were deemed justified upon review of the administrative reports. The involved officers made certain the animal was humanely euthanized using a proper, safe background.

Use of Firearm-Ready Position:

Dover Police Department IPR O-101 “*Police Use of Force*” defines the ready position as “any use of or display of a firearm from unholstering to the point of taking aim.” Policy authorizes officers to assume the ready position whenever the officer believes it necessary to protect him/herself or other persons from the potential use of deadly force or serious bodily injury. Officers are required to complete an administrative report form anytime they assume the ready position.

Excluding the euthanization of animals, in 2020 there were 25 incidents involving 77 officers who brought firearms to the ready position. The number of officers who brought firearms to the ready position in 2020 is higher than the previous two years. In 2019 there were 18 incidents involving a total of 55 officers and in 2018 there were 17 incidents involving 35 officers.

In 2020, of these 25 incidents, 10 involved a single officer using force and 15 involved more than one officer. Incidents involving a single officer do not necessarily mean the officer was alone at the call. For example, on February 6, 2020, three officers encountered an armed suspect who resisted arrest. One officer drew his firearm while two others drew their TASERs in order to have a less lethal option available. This one incident is tracked under both “Firearm -Ready Position” and “TASER - Ready Position.”

It is important to note that despite the increase in the number of times officers assumed the ready position, department policy regarding authorization for coming to ready position has not changed and each of these use of force incidents was determined to be within policy.



Strafford County Regional Tactical Operations Unit:

The Dover Police Department continues to contribute officers to the Strafford County Regional Tactical Operations Unit (SCRTOU). The SCRTOU is a countywide tactical team which responds to critical incidents that often occur outside the city of Dover. Almost all of the incidents requiring a SCRTOU response involve armed suspects. These incidents often involve multiple officers bringing firearms to the ready position while establishing a perimeter, making entry into a building, or performing another high risk tactic.

In 2020, Dover personnel responded to 5 SCRTOU activations, only 1 of which was in Dover. This is consistent with the past two years. There were 6 activations in 2019 and 4 in 2018. A synopsis of each incident is as follows:

SCRTOU Activation #1: On April 8th, a 26-year-old male suspect was wanted on a variety of misdemeanor and felony domestic violence offenses as well as a parole violation. The suspect boasted he was armed. SCRTOU personnel conducted surveillance on his residence and arrested him during a high-risk traffic stop. This was the only incident that occurred in Dover.

SCRTOU Activation #2: On May 31st, SCRTOU assisted the Belknap County Special Operations Unit (BCSOU) with an armed suspect. BCSOU responded to an incident in Gilmanton involving a barricaded suspect who fired at an armored police vehicle. SCRTOU responded to assist with a second armored vehicle staffed by 3 Dover officers.

SCRTOU Activation #3: On July 10th, SCRTOU was requested to serve a search warrant at the home of a shooting suspect.

SCRTOU Activation #4: On September 13th, SCRTOU was activated to arrest a burglary/criminal threatening suspect that was reportedly armed. The suspect was eventually located hiding under a deck in possession of a knife. A K9 was deployed to take him into custody.

SCRTOU Activation #5: On October 17th, an armed suspect fired multiple rounds in the Market Basket shopping plaza in Lee. He surrendered when surrounded by SCRTOU personnel.

These 5 SCRTOU activations accounted for 14 officers bringing firearms to the ready position. When SCRTOU operations that occurred outside of Dover were deducted from the annual totals, there were 21 incidents that occurred within the City of Dover involving a total of 64 officers who brought firearms to the ready position. All of the incidents that occurred in 2020 were within policy.

Impact Weapons:

Dover Police officers are authorized to carry the ASP expandable baton as an impact weapon. There were 0 reported incidents involving the use of impact weapons against an individual in 2020. This is consistent with the past 16 years as there has not been an incident in which an officer used an impact weapon

since 2004.

K9 Deployment:

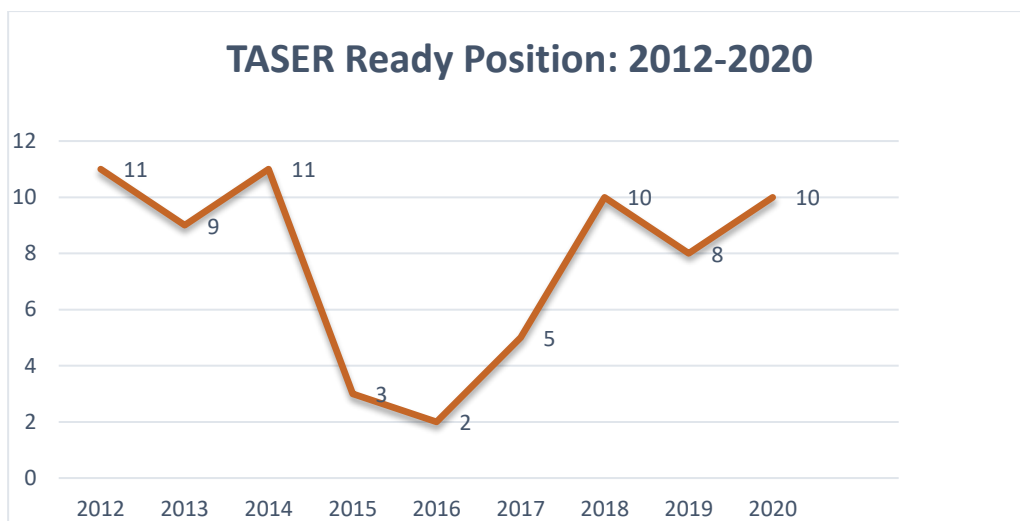
There was 1 K9 apprehension in 2020. This apprehension occurred during the SCRTOU activation in Lee involving a wanted subject found hiding with a knife. This was the first Dover Police K9 bite apprehension in the last 10 years.

OC Spray:

There was 1 reported use of OC spray in 2020. The incident occurred while officers were struggling with a suicidal subject on the stairs of Garrison Hill Tower, making OC a safer option than the TASER. The last time OC was deployed was 2013.

TASER: Ready Position:

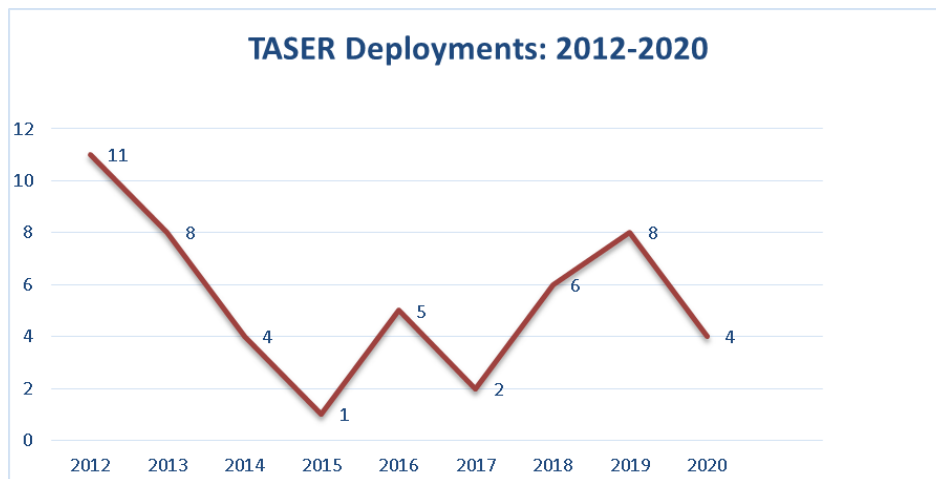
In 2020, there were 10 incidents involving 12 officers who brought TASERs to the ready position. This is consistent with the past two years. In 2019, there were 8 incidents involving 9 officers and in 2018 there were 10 incidents involving 13 officers. All incidents involving the use of the TASER being brought to the ready position were found to be within policy. The number of incidents has fluctuated in recent years as follows:



TASER: Deployments:

There were 4 TASER deployments in 2020. The TASER was used in the drive stun mode 3 times and probe deployment mode 1 time. This is a decrease over the past two years. There were 8 deployments in 2019 and 6 in 2018. Even though more officers assumed the ready position with the TASER in 2020, actual deployments decreased. Every incident involving the TASER being deployed was found to be within policy.

TASER data from 2012 to 2020 is as follows:



Physical Force:

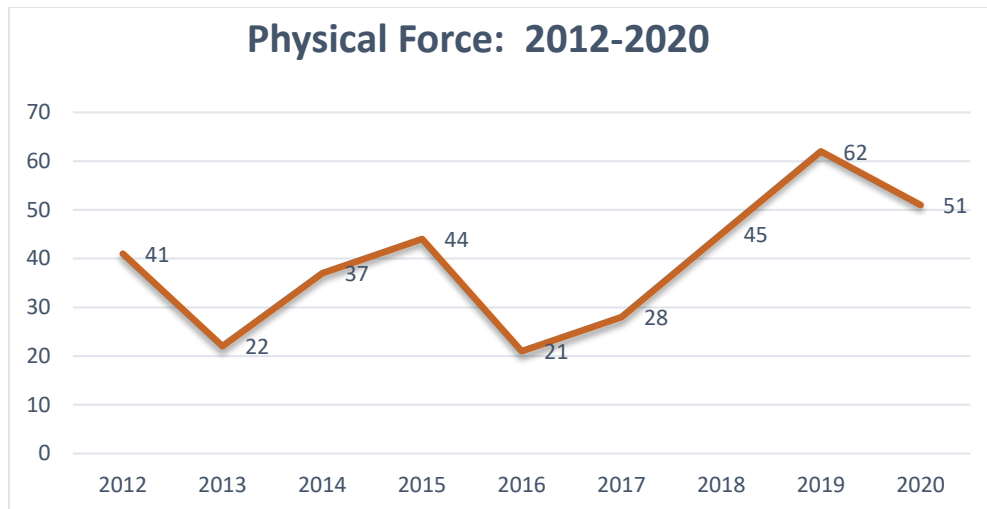
Officers are justified in using non-deadly force upon another person when necessary to effect a lawful arrest or detention or to prevent the escape from custody of an arrested or detained person or to defend himself or a third person from the imminent use of non-deadly force.

Dover Police Department policy defines physical force as any application of force by an officer as:

1. Any application of force (to include compliance techniques) by an officer against an individual where the level of force utilized is sufficient to cause a reasonable possibility of injury to the subject, or;
2. Any application of force where the use of force by the officer involves the use of any weapon.

For the purposes of this review, physical force includes the use of physical control techniques such as wrist locks, arm bars, strikes and takedowns, but may also include the use of force necessary to overcome passive resistance such as when officers are forced to carry someone who refuses to comply. The use of any weapons is tracked separately under OC, Impact Weapons, K9 deployments and TASERS.

In 2020, there were 51 incidents involving a total of 110 officers that involved some measure of physical force. This is slightly lower than 2019, but still higher than years past. Every incident involving the use of physical force was reviewed and found to be within policy.



IV. Use of Force by Calendar Year

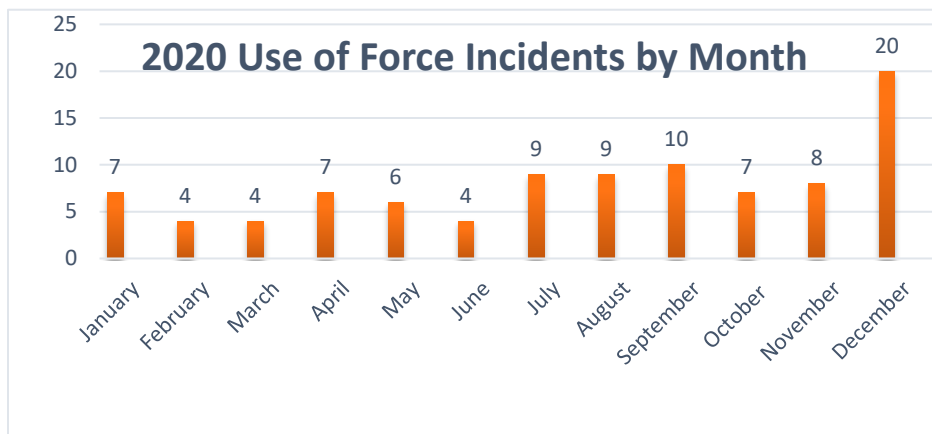
The numbers in parentheses indicates the number of officers involved.

Type	2012	2013	2014	2015	2016	2017	2018	2019	2020
Firearm Deadly Force	0	1(2)	0	0	0	0	0	0	0
Firearm Animal	21	9	16	23	13	11	20	25	14
Firearm Ready Position	7 (12)	8 (16)	20 (23)	10 (20)	9 (18)	8 (30)	17 (35)	18 (55)	25 (77)
Impact Weapon	0	0	0	0	0	0	0	0	0
OC Spray	0	1(1)	0	0	0	0	0	0	1
TASER Ready	11(11)	9(9)	11(11)	3(3)	2 (2)	5(5)	10(13)	8 (9)	10 (12)
TASER Deployed	11(11)	8(8)	4 (4)	1(1)	5 (4)	2(2)	6(7)	8 (8)	4 (4)
Physical Control Hands	41(60)	22(33)	37(54)	44(65)	21 (37)	28(44)	45(86)	62 (105)	51 (110)
Total CFS:					49	54	86	111	95
Category Total:	91	58	88	81	50	54	98	121	105

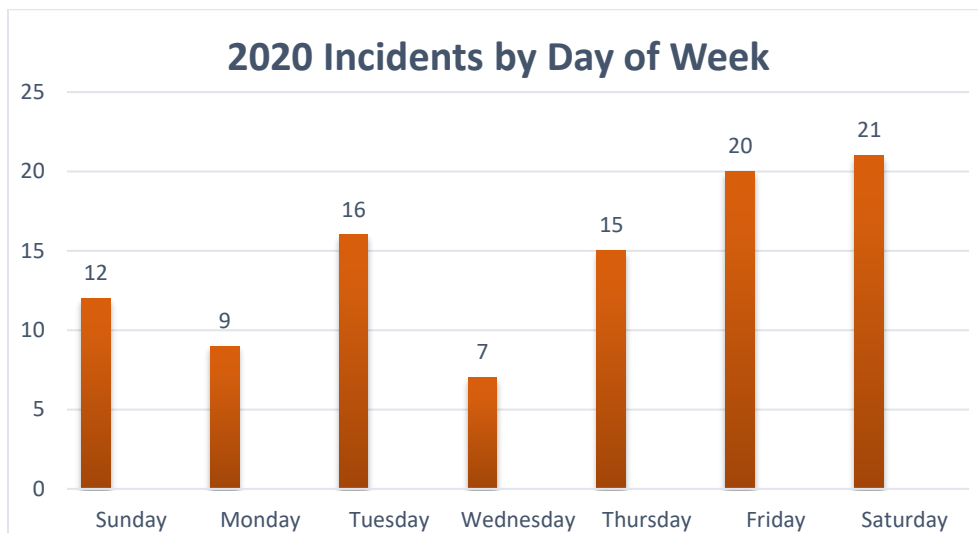
V. Use of Force by date and time

The police department averaged 7.92 use of force incidents per month in 2020. December had significantly more use of force incidents than any other month;

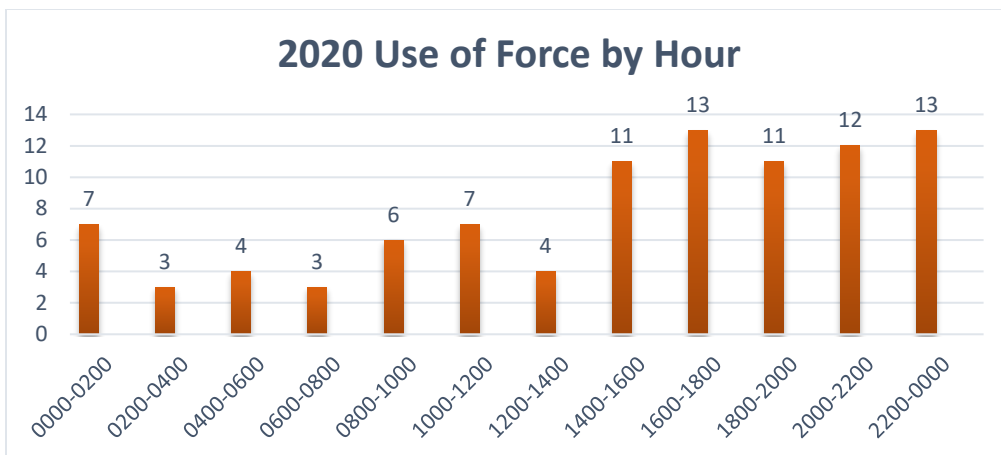
however there were no use of force incidents in December that were determined to be outside of policy. The month with the highest rate of incidents in 2019 was January.



In 2020, Sunday had the lowest frequency and Saturday had the highest. Tuesday through Friday were largely consistent with each other. Friday and Saturday had the highest number of use of force incidents in 2020 which is consistent with 2019 data. In 2019, Sunday had the lowest rate of incidents and that number increased each day of the week ending with Saturday having the highest number. The 2020 data is more evenly distributed, with Thursday, Friday and Saturday generally having more use of force incidents.



Use of force incidents can happen at any time, but the majority occurred between 2pm and 2am. This is mostly consistent with 2019 data, however in 2020 there was a higher number of incidents between 2pm and 4pm. In 2020 there were 11 use of force incidents between 2pm and 4pm, whereas in 2019 there were only 2.

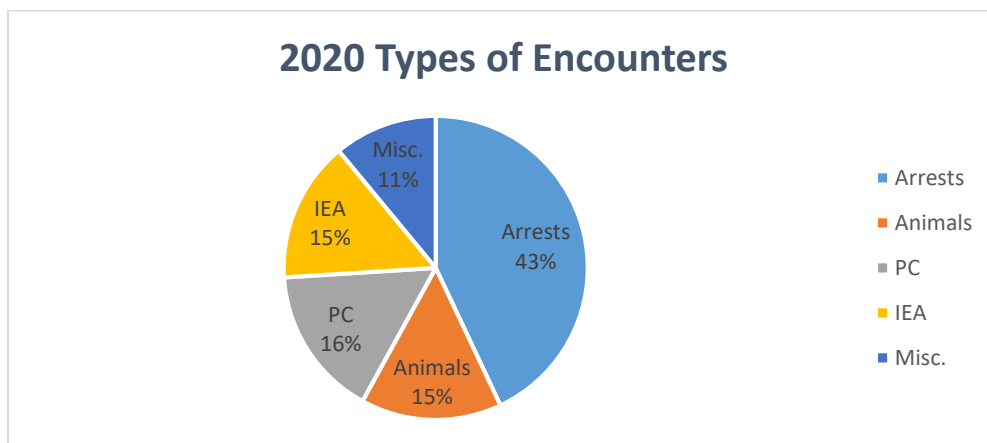


VI. Use of Force by Encounter:

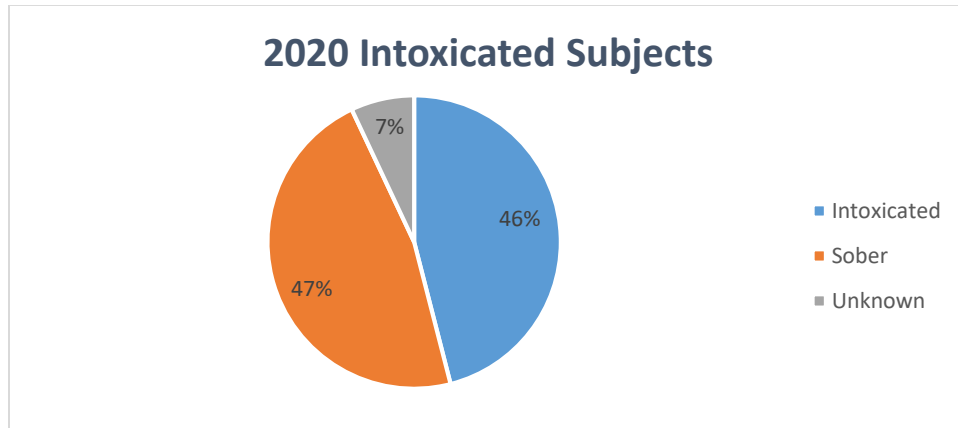
Forty-three percent of all use of force incidents occurred while making criminal arrests. Euthanizing sick or injured animals constituted approximately 15% of use of force incidents followed by resistance encountered while placing people into protective custody at 16% and while making involuntary emergency mental health admissions, commonly referred to as IEAs, which accounted for 15%.

While the specific percentages varied from 2019, the distribution remained the same. In other words, in both 2019 and 2020, the majority of force incidents occurred while making an arrest, followed by the euthanization of animals, protective custody, and then IEAs. The most significant difference between 2019 and 2020 is that IEAs accounted for more use of force incidents in 2020 (15% in 2020 versus 7% in 2019).

The remaining 11% of incidents occurred under various circumstances such as officers coming to the ready position during a building search, establishing a perimeter at a “shots fired” call, or helping paramedics and/or hospital staff gain control of an unruly patient.



Nearly half of all subjects involved in use of force incidents were listed as intoxicated, 7% were listed as unknown:

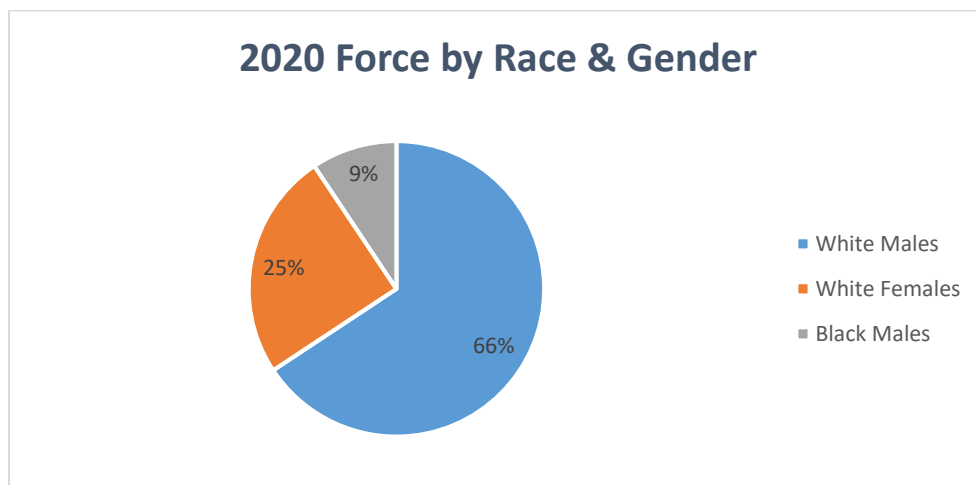


VII. Use of Force by Race and Gender:

As previously stated, the police department used force against 85 individuals in 2020.

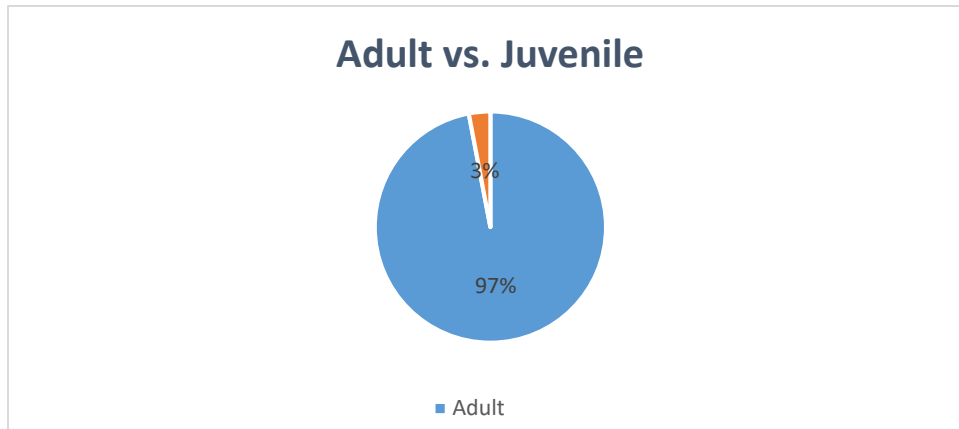
90.6% of all use of force incidents involved people of Caucasian descent and 9.4% of involved minorities. This data is largely consistent, though not identical, to 2019 data. In 2019, 92.9% of incidents involved Caucasians and 7.1% minorities.

65.9% of use of force incidents involved white males, 24.7% involved white females, and 9.4% involved black males. There were no documented use of force incidents involving black females, people of Asian descent, individuals of Hispanic descent, or any other race. All of the incidents of force involving black males were found to be within policy and all were a result of a police response to a call for service and not the result of an officer initiated contact.



VIII. Use of Force by Age:

96.5% of the use of force incidents involved adults and 3 incidents, accounting for 3.5%, involved juveniles under the age of eighteen. Two of the juveniles were male, 1 was female. All of the incidents involving juveniles were within policy.



IX. Use of Force Resulting in Injury:

Nine incidents, or 11% of the 81 use of force incidents (excluding euthanization) resulted in some kind of injury to either the member of the public, the officer(s), or both. A similar percentage of injury occurred in 2019. None of the injuries were serious or life-threatening. The majority of the injuries were minor cuts, scrapes, bruising, or general soreness. A summary of each incident is as follows:

Incident #1: An officer bruised his knee on the floor while struggling with a patient in an emergency room. No medical treatment was required.

Incident #2: Officers responded to a domestic assault and chased the suspect into the woods. The suspect was tackled, but actively resisted arrest and continued to thrash and pull away once handcuffed. One officer strained her back during the process, but did not require medical treatment.

Incident #3: An IEA subject head butted an officer in the chest and scratched his forehead on the officer's nameplate. No medical treatment was required.

Incident #4: Officers responded to a suicidal subject threatening to jump off Garrison Hill Tower. The subject was talked into coming half way down the tower but tried to run back up as officers approached. The officers tackled the subject who actively resisted, tearing open an existing, minor wound on his forehead.

Incident #5: Officers arrested a 17-year-old male for domestic violence related Criminal Mischief. The subject passively resisted arrest and needed to be carried to the cruiser. Once outside, he thrashed on the pavement causing skinned feet. No medical treatment was required.

Incident #6: An intoxicated adult female assaulted an officer at the scene of a domestic disturbance. The woman actively resisted arrest and sustained a superficial cut to her wrist during handcuffing. The cut was treated by Dover Fire & Rescue.

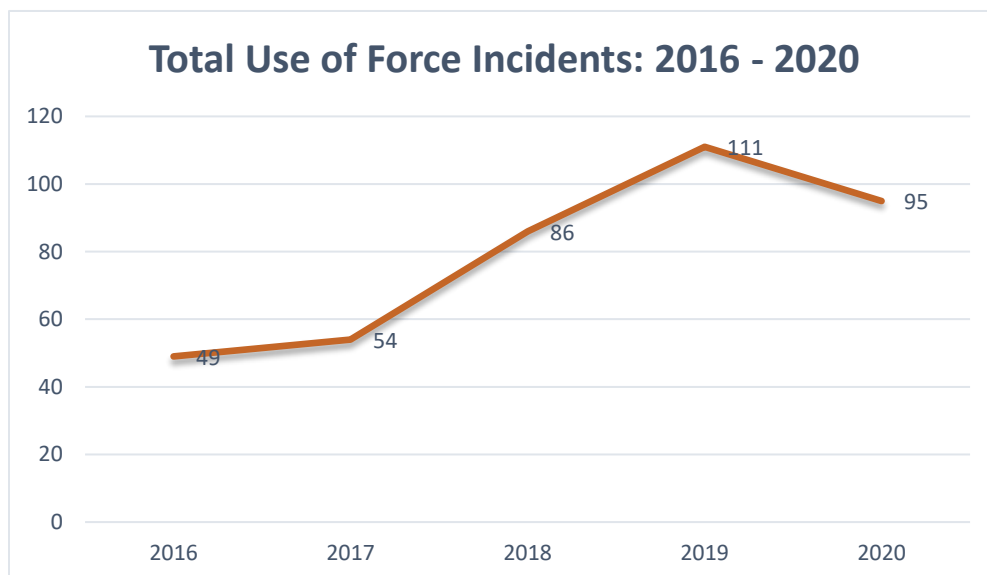
Incident #7: Officers responded to a domestic disturbance in a parking lot involving a 22-year-male suspect and his grandfather. The suspect charged at his grandfather causing the officers to tackle him. One officer bruised his knee, hip and elbow from making contact with the ground, but medical treatment was not necessary.

Incident #8: Officers attempted to arrest a male intoxicated by alcohol and methamphetamine for an electronic bench warrant. The subject actively resisted arrest, received a TASER drive stun, and tore open existing scabs on his hands during the struggle. He was treated by Dover Fire & Rescue for the cuts to his hand and the TASER deployment.

Incident #9: Officers attempted to arrest a male subject for violating a criminal bail order of protection. The subject told the officers they would have to shoot him and a TASER was probe deployed when he reached toward a knife clipped to his back pocket. He was evaluated by Dover Fire & Rescue due to the TASER deployment.

Findings of Analysis:

The total number of use of force incidents was slightly lower in 2020 than 2019, but still higher than any other year.



The decrease in total use of force incidents may be due to reduced call in volume in 2020 because of the COVID-19 pandemic. The pandemic not only resulted in fewer calls for service, but the police department significantly curtailed enforcement

activities for several months in an effort to limit officer exposure and potentially reduce community spread.

More officers brought firearms and TASERs to the ready position in 2020 than in 2019, but TASER deployments and incidents involving physical force decreased.

Internal policies and state law governing police use of force have not changed, nor has the internal review process. The department continues to review all incidents involving the application of force closely, actively conducts early warning system reviews, and does not hesitate to take corrective action when issues arise. With these systems in place, there were zero use of force incidents in 2020 in violation of policy. In all use of force incidents in 2020, officers utilized only the amount of force that was reasonably considered necessary to achieve the lawful objective of the officer. None of the use of force incidents were determined to be excessive or inappropriate given the actions of the subject.

Although the department's overall use of force related trainings remain appropriate, the increase of use of force incidents, specifically associated to mental health related police calls for service highlights the need for the department to continue its efforts in training all personnel in Crisis Intervention Training.