

Terre Haute Police Department

Use of Force Annual Report 2019-2020

Date: June 25, 2020

To: Chief Shawn Keen
Captain Aaron Loudermilk

From: Captain Michael Mikuly

The Employee Use of Force Annual Report covers the period of June 1, 2019 through May 31, 2020. This report includes the review of all agency use of force reports.

During the above stated period, the Terre Haute Police Department responded to 46,987 calls for service. There were 564 Use of Force Reports filed for 338 separate incidents of force. It should be noted that there were only 309 calls for service in which force was used, but in several calls for service force was used on multiple arrestees. During these incidents, Electro-Muscular Disruption Technology devices (Tasers) were used 74 times. The taser being drawn resulting in compliance was reported 30 times. It was used in drive stun only deployment 21 times. The taser was fired 23 times recording 10 failures. It was fired and used in drive stun mode both in three reports. One time it was used in drive stun mode after a failure.

Police K-9s were deployed 25 times resulting in 13 bites. One of these incidents resulted in serious bodily injury and the arrestee (W/M/37) was admitted to the hospital. Impact weapons were used four times, but two of the uses were as leverage for handcuffing control. Chemical spray (OC) was also deployed one time. Firearms were drawn/pointed 101 times, and fired in one of those incidents resulting in serious bodily injury and the arrestee (Biracial/M/37) was admitted to the hospital.

During this period, 32 arrestees were treated for injuries after a use of force incident. Two separate incidents resulted in two arrestees being admitted to the hospital, with those two instances resulting in serious bodily injury. One of those incidents was the K9 deployment noted above. Another armed arrestee was shot during an altercation involving a handgun. 33 use of force incidents resulted from the immediate detention or emergency detention of the arrestee. 19 arrestees were treated at a hospital facility for minor injuries and released.

14 officers received injuries as a result of incidents involving the use of force. All injuries were minor. During use of force incidents, five suspects were armed with guns (two were later determined to be toy guns (BB guns). Six were armed with knives. Four others had other weapons including bats and yard tools.

During this period, 310 (92%) use of force incidents occurred during the officer's shift, and 28 (8%) use of force incidents occurred when officers were working off duty. Off duty use of force incidents occurred 14 times at hospital facilities, four times at bars/taverns, four times at a school assignment, and three times at a juvenile correctional facility.

There was not a correlation or set pattern of any employee that stands out as using or demonstrating excessive force to affect an arrest or using force disproportionately toward one specific demographic over another.

	Number of force reports
<u>Sex</u>	
Male	267 (79%)
Female	71 (21%)
<u>Race</u>	
Caucasian	265 (78%)
Black	61 (18%)
Hispanic	9 (3%)
Other/Unknown (Biracial or undetermined)	3 (<1%)
<u>Shift</u>	
A Shift	61 (20%)
B Shift	119 (39%)
C Shift	122 (40%)

2018/19-2019/20 Comparison

	2019	2020
Calls for service	49,387	46,987
Calls resulting in use of force	255	309
Force Reports filed	443	564
Individuals involved in use of force incidents	278	338
Tasers drawn	75	74
Tasers fired	26	23
Impact weapons used	2	4
Chemical Spray used	7	1
K9 deployed / bites	17/15	25/13
Firearms drawn / fired	83/1	101/1

2019/2020 Use of Force Comparisons by Race

Type of force used	Number of incidents	White	Black	Hispanic	Other/Unknown
Individuals involved in use of force incidents	338	265	61	9	3
Tasers deployed (drawn)	74	64	10	0	0
Tasers fired	23	22	1	0	0
Drive Stun mode	24	21	3	0	0
Impact weapons used (leverage/strike)	4	2/1	0/1	0/0	0/0
Chemical Spray used	1	1	0	0	0
K9 bites	13	12	1	0	0
Firearms drawn / fired	101/1	81/0	14/0	3/0	3/1

On June 17, 2020, Sgt. Blunk met with Defensive Tactic Instructors Ptl. Bahr and Ptl. Brewer. Less Lethal Instructor Sgt. Chambers was present by phone. Prior to the meeting, they were given copies of all Use of Force Reports filed during this period. Any issues were addressed as they occurred throughout the year. The suggestion was made to start conducting Police One training over certain issues related to use of force throughout the year in lieu of roll call trainings on these topics.

During a review of our policy, suggestions were made regarding changes to our current policy and use of force reporting form. Changes to the reporting form included adding a box to mark if the arrestee is a resident of the City of Terre Haute, whether the suspect was armed, and whether there was, drugs or alcohol involved. Sgt. Chambers also requested that the approximate distance an officer was from a suspect when utilizing the taser should be documented on the form for tracking purposes. I had also requested a box to check if the use of force was the result of a pursuit. This would assist in better tracking when handguns are drawn during the initiation of a “felony stop” which is the standard practice during the termination of a pursuit.

We revisited a change in policy to allow officers to carry OC/CS spray in lieu of OC spray. This was approved by Chief Keen after last year’s review, but had not been reflected in policy yet.

From the 2019 report:

Ptl. Chambers stated that the previous decision was likely based upon the flammability on OC/CS if an offender had been pepper sprayed prior to or during an active tasing. He advised that his opinion as a less lethal instructor is that we should be allowed the option due to the fact that we already have a policy in place regarding not using OC spray when a taser has been deployed and vice versa.

He suggested we stay with the current brand, Defense Technology (First Defense), that we have been trained to use. A review of their online publication for First Defense OC/CS MK-3 Stream Aerosol states: This formulation has been tested and is non-flammable, but is NOT Electronic Discharge Weapon (EDW) safe. I believe the above stated policy covers not using the spray in conjunction with a Taser. It would also be important to cover this at the regularly scheduled recertification trainings.

Sgt. Blunk also requested that our use of force policy reflect moving arrestees into the recovery position once tactically safe to do so.

On 6/25/20, I met with Sgt. Blunk and we discussed the meeting he had conducted. I was unable to attend the original meeting due to unforeseen circumstances.

Upon administrative review, any accepted changes will be placed into practice as soon as possible, and version 20-1 of the Terre Haute Police Department Use of Force Report will go into effect.