



2018

University of Texas System Police Use of Force Report

By: University of Texas System Police Academy Staff

Inspector Geoffrey Merritt

Summary

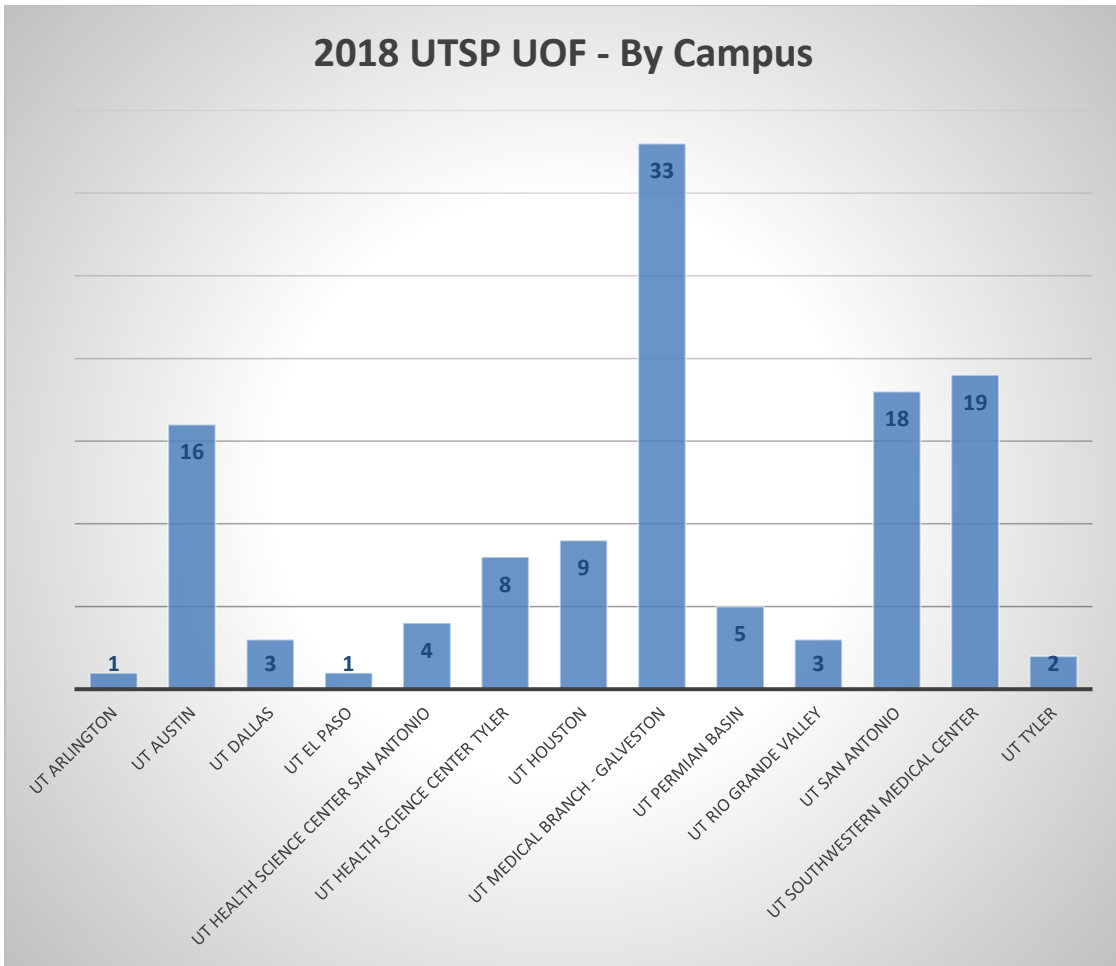
During the period of January 1, 2018 to December 31, 2018, UT System Police Officers encountered 122 situations that required the use of force above the level of command presence, verbal commands and low-level handcuffing techniques. This represents a 10% increase from the 111 situations from the 2017 Use of Force Report.

The 122 situations involved the uses of force against 129 individual subjects, a 7.5% increase from the 2017 report of 120 subjects. An average of 1.99 officers were involved in uses of force against an average of 1.08 subjects. The largest number of officers involved in one event was six, and the largest number of subjects involved was three. The average age of officers involved in uses of force events was 37.61 (versus 36.39 for 2017). The youngest officer was 22 years of age and the oldest was 64 years old. The average age of the subjects was 30.72 (versus 29.93 in 2017) with 76 years old as the oldest (In this incident, officers were responding to a disturbance in a medical facility where the subject was using Passive Resistance, Verbal Resistance and Empty Hand Aggression. Officers used Soft Empty Hand measures to assist emergency room staff). Three juveniles were subjects of uses of force in disturbances in emergency rooms at medical institutions. One 15-year-old was a driver of a vehicle from a traffic stop who was on juvenile probation and resisted detention. One 16-year-old was a driver of a vehicle that was involved in a Texas Department of Public Safety pursuit (UT Officers assisted DPS Troopers with a high-risk stop). In two incidents, officers used firearms to dispatch three animals who were seriously injured for humanitarian measures. Twenty percent of uses of force situations involved an Emergency Detention of the subject(s) (24 total in 2018 – a 33% increase over the 18 incidents in 2017).

| | 2018 | 2017 | 2016 | 2015 | 2014 |
|---------------------------------------|------|------|------|------|------|
| Use of Force – Incidents | 122 | 111 | 78 | 93 | 109 |
| Taser Use or Exhibition | 9 | 7 | 12 | 11 | 8 |
| Pepper Spray Use of Exhibition | 0 | 0 | 2 | 3 | 1 |
| Baton Use or Exhibition | 1 | 0 | 0 | 0 | 1 |
| Empty Hand Tactics | 75 | 67 | 48 | 47 | 78 |
| Exhibit Firearm | 34 | 26 | 17 | 26 | 20 |
| Use of Firearm (3 animals euthanized) | 3 | 0 | 1 | 0 | 1 |

Institution

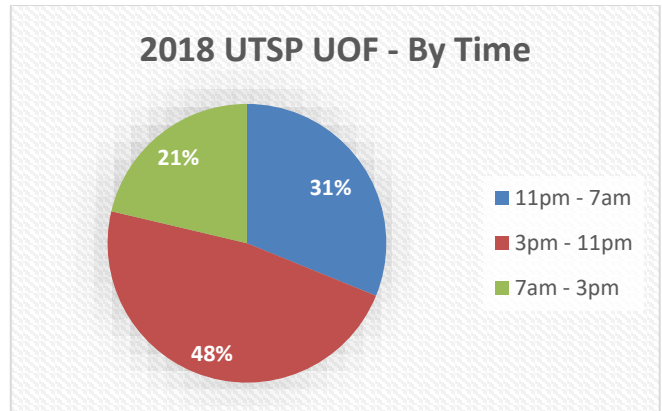
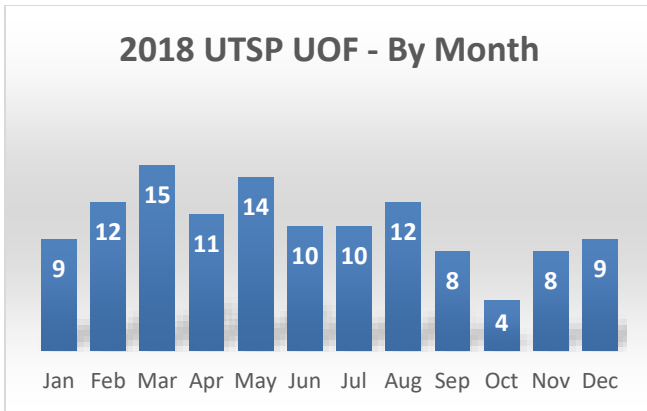
Demographically by campus, 27% of all uses of force occurred at UT Medical Branch - Galveston with 33 incidents. Forty-seven percent of the incidents at UTMB were officers using control measures to assist emergency room staff. UT Southwestern had nineteen use of force incidents and UT San Antonio had eighteen use of force incidents. UT Austin had sixteen incidents and UT Houston had nine use of force events. UT Health Science Center - Tyler had eight and UT Permian Basin had five. Of the 122 uses of force reports, 25% (30 incidents) occurred at medical facilities where officers used low level control measures to assist medical staff.



Date & Time

The majority of uses of force by University of Texas System Police (UTSP) officers in 2018 occurred in March (total of 15) compared to May (total of 16) in 2017. May had the next most occurrences of uses of force with 14. The months of February and August had twelve each of occurrences of uses of force.

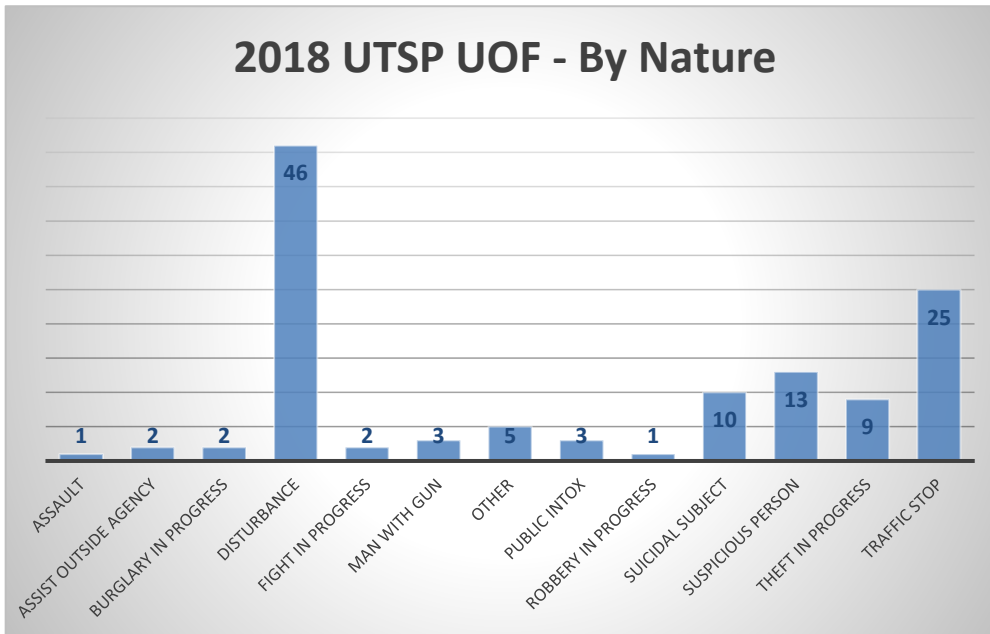
The majority of uses of force occurred between the hours of 3pm and 11pm at 48%. The 11pm to 7am shift saw 31% of the uses of force followed by 21% for the hours between 7am to 3pm.



Incident Conditions

The reason for the contact that brought the officer and the suspects together varied. In 54% of the reports, the incident was classified as a “Dispatched Call” in which the officer was assigned a call via the radio or telephone. Twenty-five percent of officer/subject contacts occurred when the officer directly saw the event unfold, which is classified as “On-view Offense/Incident” (30 total in 2018, compared to 27 in 2017). Events classified as “Traffic Stop” accounted for 16% or twenty incidents of all uses of force (compared to a percentage of 14% in 2017). “Other” (various events) made up 5% of reported uses of force.

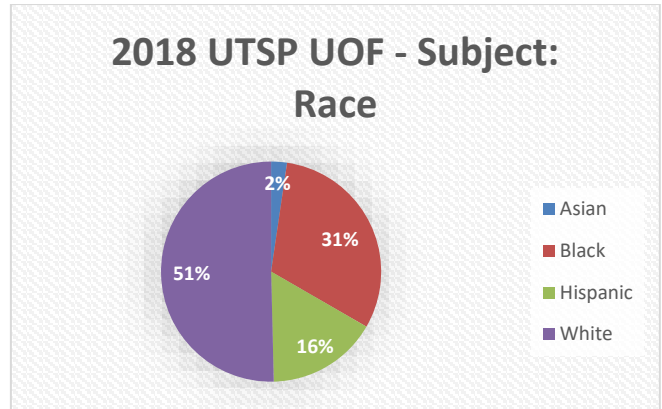
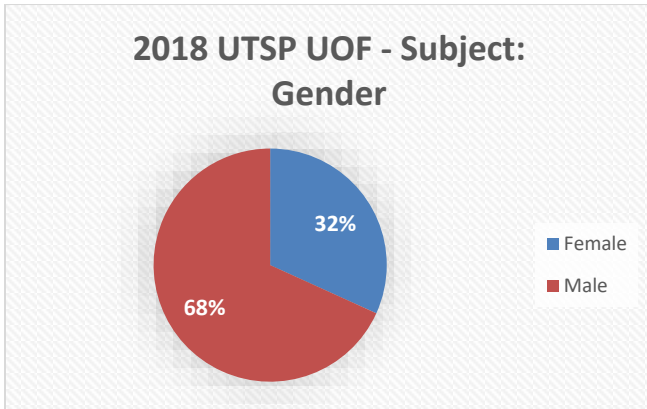
When classifying the nature of the situation in which uses of force occurred, there were several factors involved.



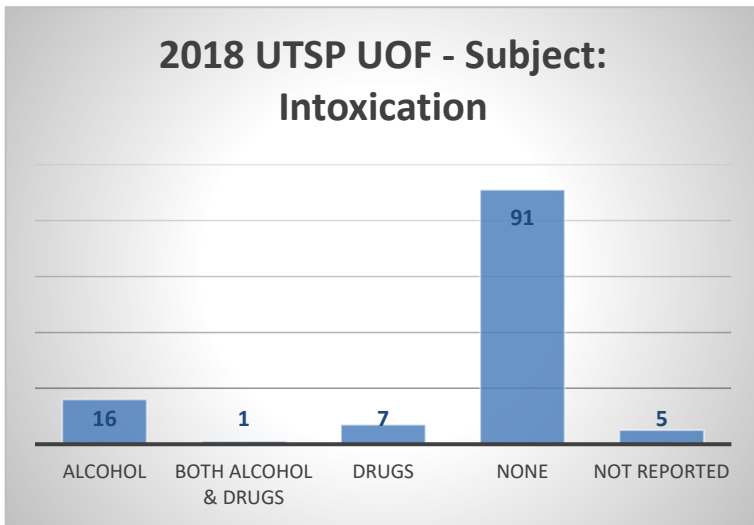
“Disturbance” accounted for 38% concerning the nature of the situation (46 total). Other incident conditions where officers used force included traffic stops, suspicious persons, theft in progress and suicidal subject(s). These four categories combined accounted for 46% of all uses of force in 2018. In three incidents, officers responded to a report of a subject with a firearm. One incident documented

a suspect armed with pepper spray threatening the officer(s) involved. One incident involved a subject armed with a knife. In another incident, an officer was able to restrain a subject who was attempting to commit suicide by jumping off a building, thereby saving the subject’s life.

Subject Demographics



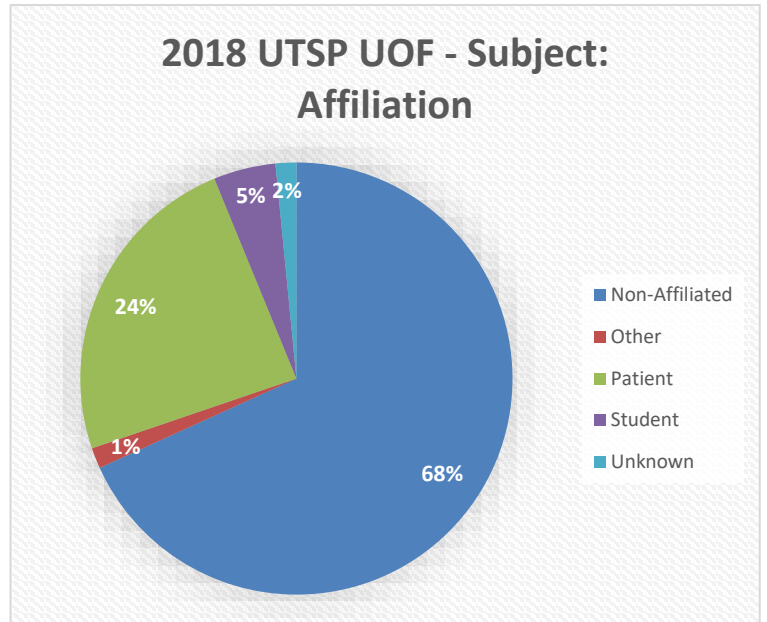
In 2018, 68% of all subjects involved in uses of force situations by UTSP officers were male. This is a 9% decrease from 2017. Female subjects accounted for 32% of events which is an increase of 39% over last year. When classifying subjects by ethnicity, 51% of subjects were white, 31% were black, and 16% were Hispanic.



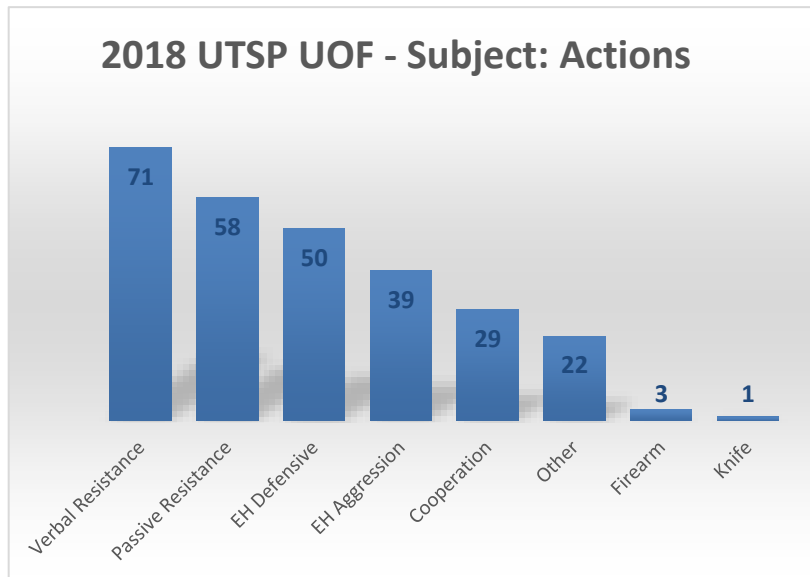
During use of force events, 13% of the subjects were under the influence of alcohol when they encountered UTSP officers in 2018, which is similar to the 14% in 2017. Another 6% were under the influence of drugs/controlled substances and 1% were under the influence of both alcohol and drugs. This means that 20% of the force incidents involved subjects who were under the influence of drugs, alcohol or both. This is a slight increase from the 18% of the 2017 report. In 76% of force incidents, the subject(s) were not under the influence of

drugs or alcohol. In 4% of the reports the use of drugs/alcohol was not indicated or documented.

When analyzing affiliation of subjects in use of force situations, 68% were classified as “Non-Affiliated” with the institution, an increase of 33% over last year. Twenty-four percent of subjects were patients who were assaultive, combative or threatening physical violence to emergency room staff that occurred at the medical campuses. Only 5% were classified as students. Two percent of the reports did not indicate the affiliation of the subject on the report and were labeled as “Unknown”.



Subject Actions/Behaviors

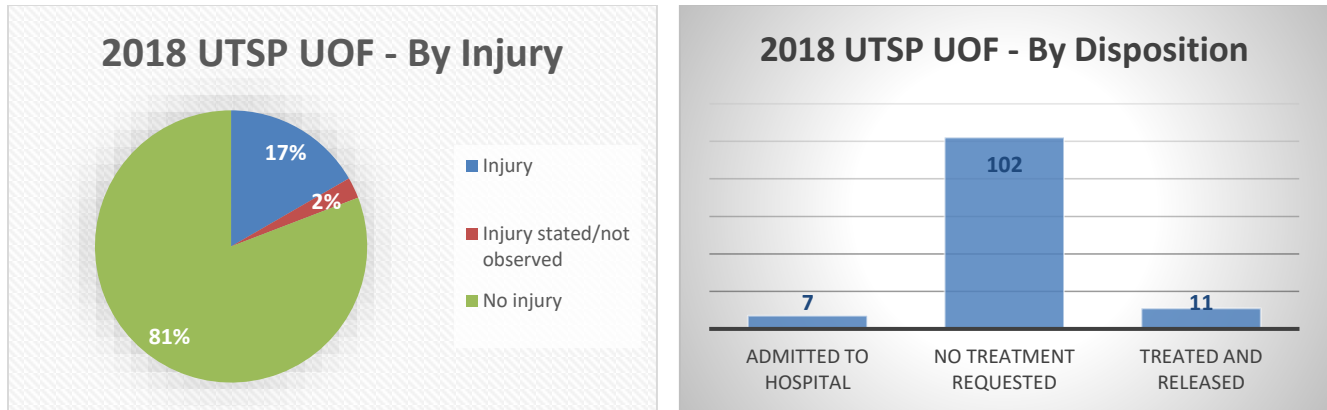


A total of 273 separate actions or behaviors exhibited by the 129 subjects were documented in 2018. This is an 18% increase in the number of subject actions. The majority of the actions took place in combinations where the subject exhibited two or more actions/behaviors together. Forty-seven percent of the time, subjects exhibited resistance to the officer either through verbal resistance, passive resistance or both. Examples of passive resistance include dropping to the ground or using body weight to counter the officer’s actions. In 32% of the incidents,

empty hand resistance was used by the subject towards the officer(s). Examples of these actions include pulling away, pushing away or hitting, kicking and biting the officer. No subjects attempted to disarm a UTSP officer in 2018. There were twenty-nine high-risk/felony stops conducted by UTSP officer (or were assisting an outside agency with a high-risk/felony stop) where a firearm was displayed due to the potential danger of the incident, which represented 23% of all use of force incidents. There was one family violence situation where force was

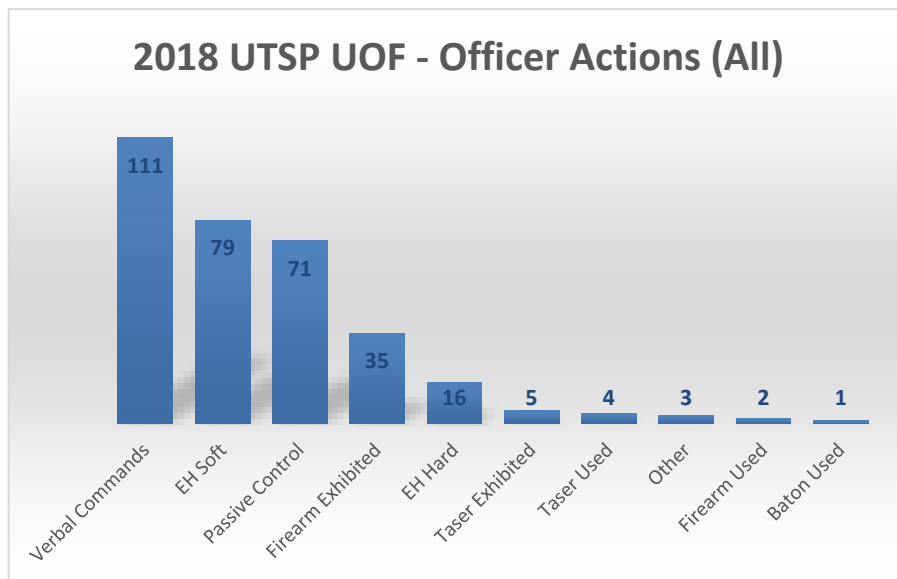
used against officers. Six uses of force incidents occurred when warrants for blood draws were served for the investigation of Driving While Intoxicated.

Subject Injuries



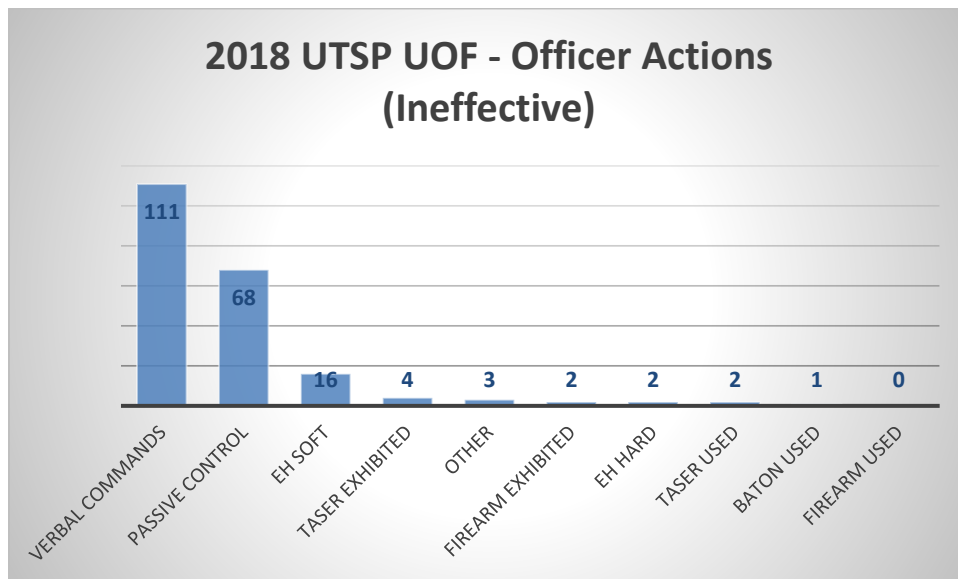
In 2018, there were twenty actual injuries sustained by the subject during the use of force event (17% of all events). In 2% (3 total) of the use of force reports, an injury was complained of by the subject(s); however, no injury was observed by the officers involved. There was no treatment required for subject(s) in 81% of use of force events. Six percent of subjects required hospitalization due to injuries (7 total). Nine percent of subjects (10) were treated and released at the scene.

Officer Actions/Responses



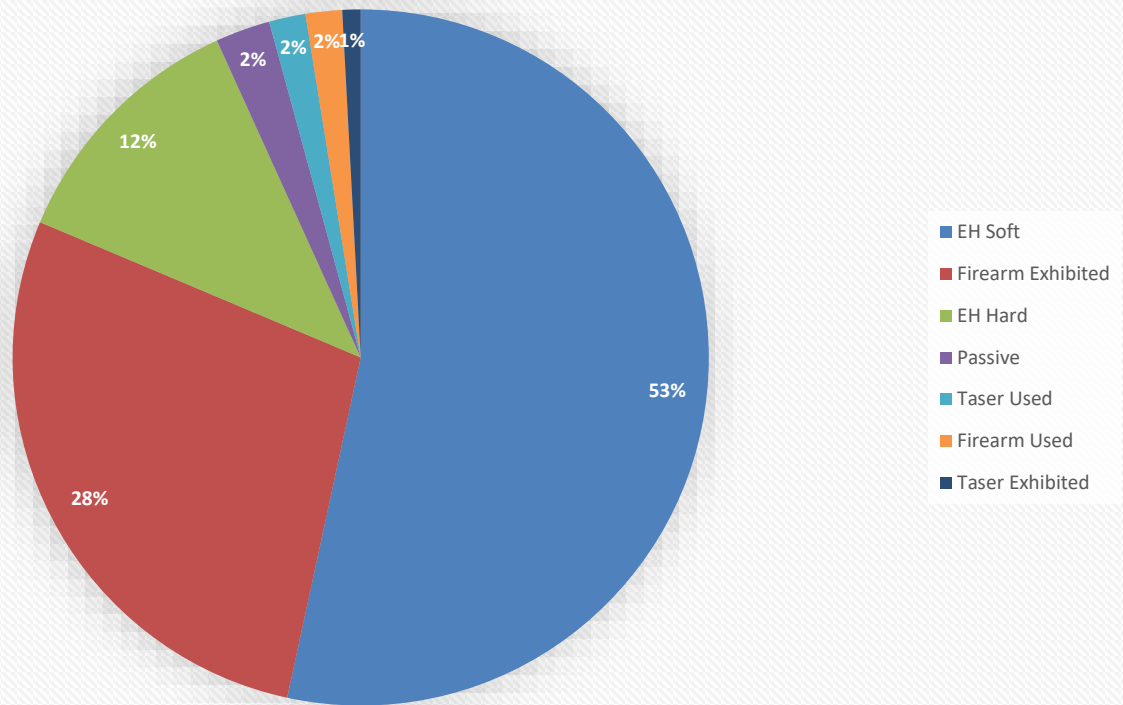
A total of 327 separate actions/responses exhibited by the 239 involved officers were documented in 2018. That is an increase of 20% in officer actions/responses from 2017 and an increase of 15% of total number of officers involved from 2017 (207 officers). A majority of the actions took place in combinations where the officer utilized two or more actions together.

Ineffective Responses: Two hundred and nine of the force option responses selected by officers proved ineffective in gaining compliance from the subject(s). Ineffective Verbal Commands accounted for a majority of these at 53%. Examples of this include officers ordering the subject to comply, to put their hands behind their back, to stop resisting, etc. Passive techniques (use of bare hands to guide or hold) were ineffective in 33% of reports. Empty hand techniques (such as arm bars, pressure points & takedowns or striking techniques such as brachial stun or other strikes to key motor points) were ineffective in 9% of events. There were two incidents where an Electronic Control Device (Taser) was deployed but ineffective in controlling the subject due to probes missing the subject. In four incidents, the display of a Taser was ineffective in gaining compliance from the subject. There were two incidents where force was not effective at all (subject escaped). There were no deployments of OC Spray in 2018.



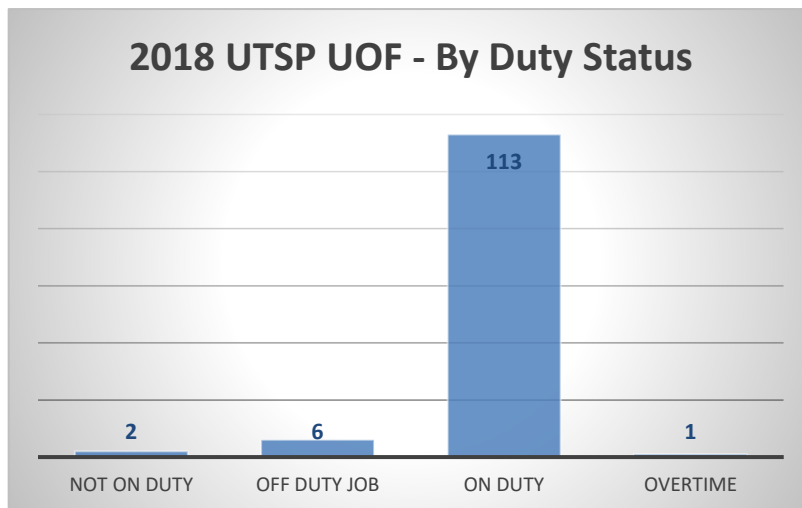
Effective Responses: UTSP officers took 118 separate actions that resulted in effective force responses within the Use of Force Report situations. An Empty Hand technique was the most common use of force and was effective in 65% of events. These techniques include arm bars, pressure points and takedowns or striking techniques such as the brachial stun or other strikes to key motor points to restrain an individual. Twenty-eight percent of the time an exhibition of a firearm by the officer(s) proved effective in gaining compliance from the subject(s), which is similar to 2017 with 24%. These primarily occurred during potentially dangerous events such as a high-risk traffic stop. There were no deployments of OC Spray in 2018. There were 3 events where the display of an Electronic Control Device (Taser) or the actual use of a Taser by officers proved effective in gaining compliance from the subject(s) which accounted for 3% of effective use of force actions.

2018 UTSP UOF - Officer Actions (Effective)

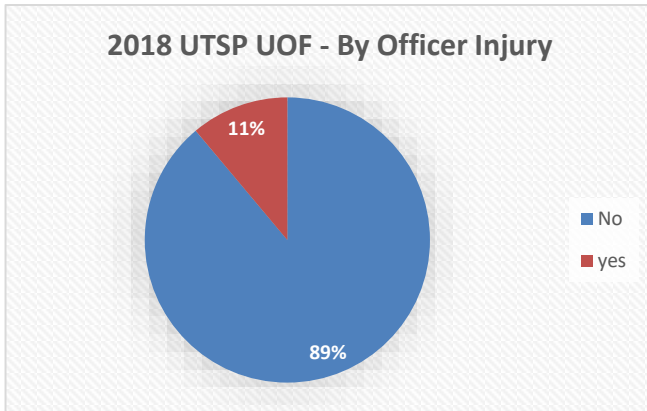


Officer Involvement; Duty Status

2018 UTSP UOF - By Duty Status



In 92% of the reports, UTSP Officers were on-duty at the time of the use of force events. In two incidents (2% of total), UTSP officers were not on duty when uses of force were used. In 5% of incidents (6 total) UTSP officers were working off-duty jobs (secondary law enforcement related employment), a 2% increase from 2018. One event occurred while an officer was engaged in an overtime event on campus.



Officer Injuries

In 2018, 14 officers (11%) were injured because of the use of force events, which is a 75% increase from 2017 (8 officers were injured or 7% of reports in 2017). No officers were hospitalized due to their injuries as recorded in the narrative portion of the DP-54.

Found Reasonable by Chief

UTSP Chiefs/Command Staff found that the uses of force by the officer(s) was reasonable in all incidents; however, Chiefs recommended additional training in three uses of force incidents. The additional training has been provided to the officers at the institution level or at the UTSP Police Academy.

Conclusion

The following conclusions can be made:

- The UTSP Academy and Training Division will continue to assess the use of force training provided to officers against the real world experience reflected in this report. Training will be adjusted and modified accordingly.
- This report will be distributed in full to all institution Chiefs of Police and their command staffs as well as all institution Police Department training officers.