

Montgomery County Police Department



Annual Use of Force Report 2013

Policy and Planning Division

Overview

The department has established policies and guidelines that all officers on the department are expected to follow in situations when force is used. An officer is required to complete a MCP 37, "Use of Force Report," and an incident report for any of the below listed occurrences:

1. Use of force to counteract a physical struggle
2. Use of force resulting in injury or a claim of injury
3. When force is applied by use of a protective instrument
4. Firearm discharge other than target practice, animal destruction (except domestic) or accidental discharge
5. When a department canine inflicts an injury in conjunction with a search, arrest or apprehension
6. An assault on a police officer

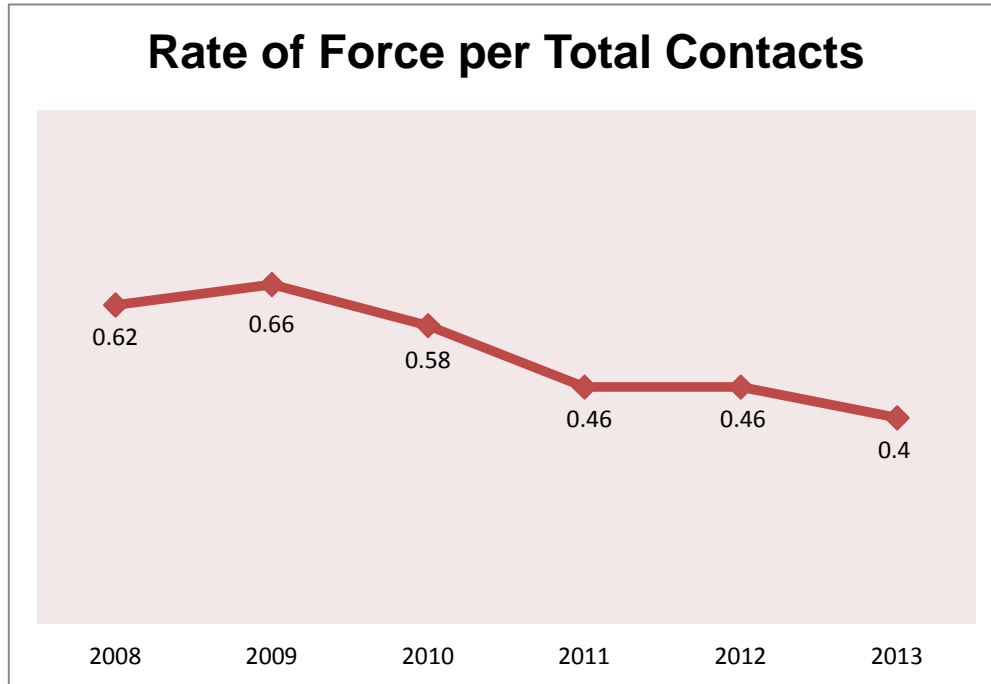
The information in this report is obtained from all completed MCP 37 reports for the calendar year of 2013. This report is intended to provide an overview of the incidents involving use of force and also to identify trends or any training issues that need to be addressed. Because each incident is reviewed at several levels of the command staff, individual events are not captured in this report except for unusual circumstances or clarification.

Total Contacts/Rate of Force Used:

MCP made contact with the public 100,248 times during traffic events with citations issued 15,136 times during arrest situations, and 1,964 times for the service of Emergency Evaluation Petitions. The total of these events for 2013 is 117,390.

Number of Contacts by District for 2013			
District	Traffic Events With Citations Issued	Arrest Contacts	Emergency Evaluation Petitions Contacts
1D	8,871	6,719	296
2D	18,071	1,143	254
3D	25,798	2,189	348
4D	21,965	2,068	456
5D	9,408	1,320	220
6D	12,390	1,697	432
HQ	3,745	N/A	N/A
Total	100,248	15,136	2,006

For 2013, there were a total of 481 reported incidents in which force was used. This resulted in force being used in 0.40% of total contacts, which is a decrease of .06% from 2012. The rate of force used per total contacts has decreased over the previous five years, as seen in the chart below.

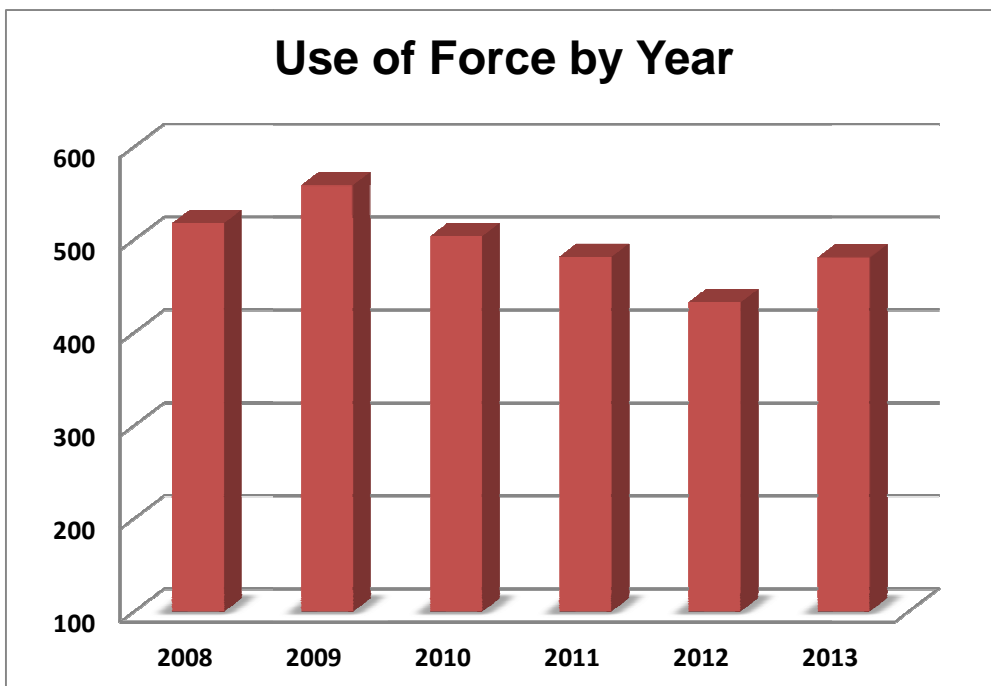


Use of Force by District

The following is a breakdown of reported use of force incidents by district of occurrence and a comparison to 2011 and 2012. The 2nd, 3rd, 5th, and 6th District's experienced an increase whereas the 1st and 4th Districts showed decreases.

District	2011	2012	2013
1D	39	33	24
2D	63	55	64
3D	133	102	139
4D	122	138	131
5D	62	36	37
6D	63	69	86
Total	482	433*	481

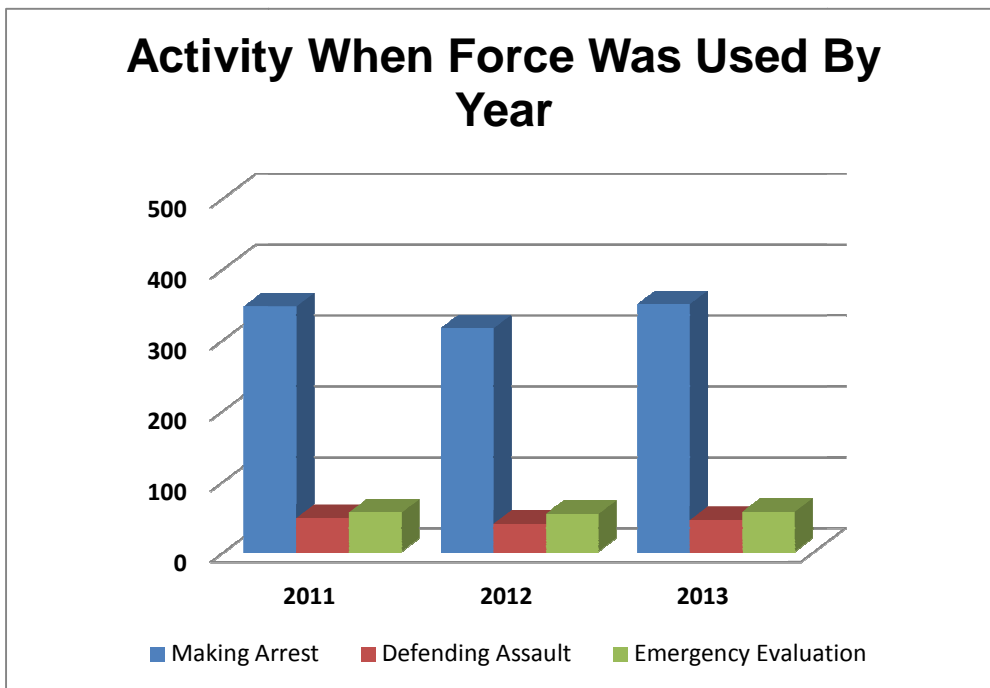
*Three incidents occurred out of the county and are not captured for district totals.



Activity When Force Was Used

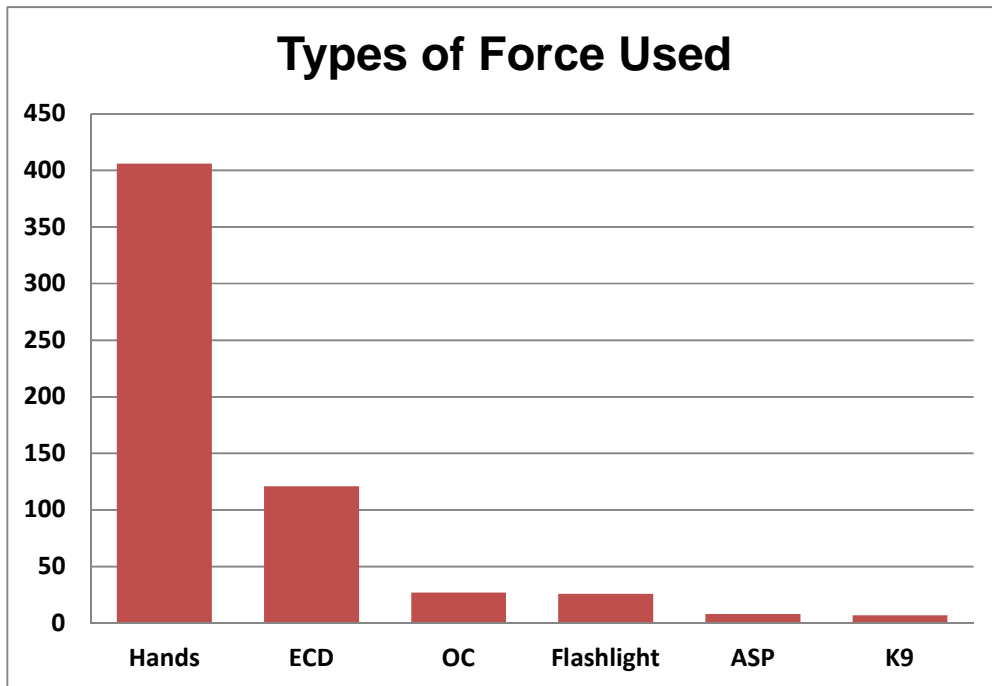
Force was used in 73% (349) of incidents because officers were making or attempting to make an arrest. In many instances, officers meet resistance when making an arrest and must counteract a struggle during the handcuffing process.

The next highest reported activity, serving an Emergency Evaluation Petition, had 56 (12%) incidents, followed by defending an assault which constituted 44 (9%) incidents. The percentage for Emergency Evaluation Petitions and defending an assault remained exactly the same from the previous year. Other various activities accounted for 32 of the incidents.



Force Used

The type of force most widely used is the use of hands, occurring in 406 (84%) incidents, which is consistent with departmental policy to use the least amount of force necessary. In 67% of circumstances where force is applied, two or more officers are involved. The Electronic Control Device (ECD) has become a more commonly used tool for counteracting force for those officers that are certified in its use. ECD was used in 121 (25%) of use of force incidents. Out of the 121 incidents where an ECD was deployed, 5 occurred with a drive stun only. Officers were able to indicate both, drive stun and cartridge on the MCP 37. OC spray is the next most commonly used protective instrument which was used in 27 (6%) incidents, followed by the flashlight used in 26 (5%) incidents. The ASP (expandable baton) was used in 8 (2%) incidents. K9 force was used in 7 (1%) of incidents.

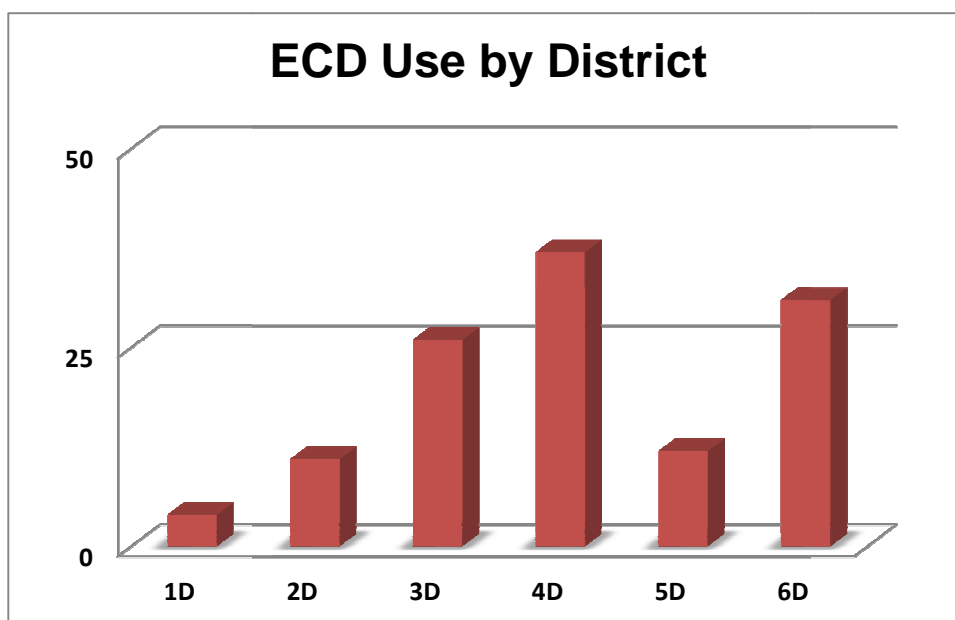


Electronic Control Devices (ECD)

ECDs were used in 25% (121) cases in 2013 which is a decrease from 2012 in which ECDs were used in 27% of the cases. There were 22 cases where two or more ECDs were deployed during an incident. The Department currently has 561 ECDs issued to qualified officers. Officers must attend 40 hours of crisis intervention training and receive certification in the use of the ECD before one can be obtained. The ECD is predominately deployed when affecting an arrest. Below is the breakdown for ECD deployment for 2013 by district:

District	Total Number of Issued ECD's	Total Force Reports	Total ECD Incidents	% of ECD Incidents
1D	52	24	4	17%
2D	51	64	11	17%
3D	97	139	26	19%
4D	74	131	37	28%
5D	37	37	12	32%
6D	74	86	31	36%
Other Units/Div.	176	n/a*	n/a*	n/a*
Total	561	481	121	25%

*For this chart, ECD use is reported by location, not by duty assignment of the officer

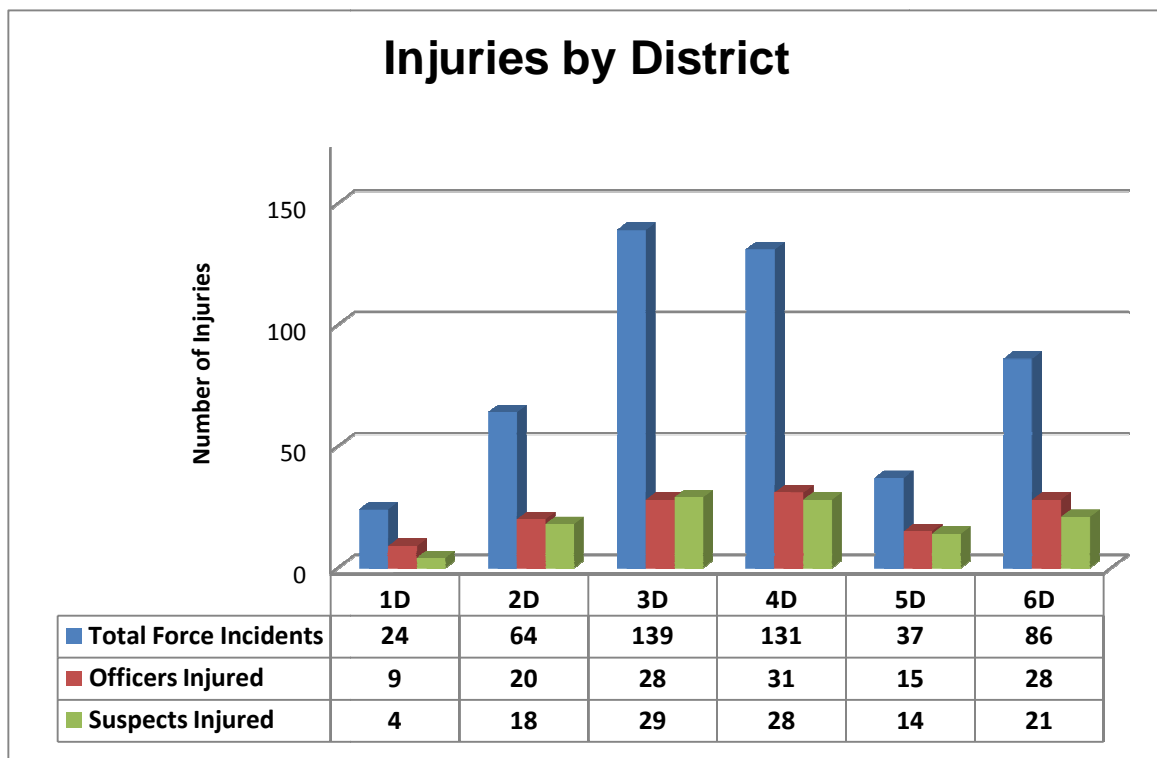


* These totals are for each incident in which an ECD was deployed. Multiple uses of an ECD on one incident was only counted as one use of force.

Injuries

In 2013, 131 officers claimed injury during a use of force situation. Most were minor in nature and 26 needed some type of medical follow-up. This is a 2% decrease from 2012 when there were 134 reported injuries. Defendant injuries decreased slightly, going from 92 injuries in 2012 to 114 injuries in 2013. This is a 19% increase from the number of defendant injuries in 2012. For defendants, an injury is indicated on the MCP 37 regardless of whether it is a visible injury or a claim of injury.

Below is the breakdown for each district indicating the number of MCP 37 reports that were completed, the number of injuries claimed by officers, and the number of injuries claimed by defendants:



For state and federal reporting requirements, the department captures the information when an officer reports being assaulted or ambushed. In 2013, 252 officers reported being assaulted and two officers reported being ambushed. Of the 252 officers that were assaulted, 70 reported injury on the MCP 37 and 10 required treatment at a hospital.

Contributing Factors

In 245 (51%) of the 481 incidents where an MCP 37 was completed, the suspect/defendant was reported to have consumed some level of alcohol. This is slight increase from 2012, where alcohol was a factor in 49% of incidents.

In addition, some form of drug (other than alcohol) consumption was reported in 28% (134) of incidents. Alcohol was also considered a factor in 42 drug related incidents.

In 20% (95) of incidents, the suspects/defendants were reported as suffering some type of mental illness. This is the same percentage from reported incidents of possible mental illness as the previous year. Officers receive Crisis Intervention Training which provides the skills to effectively communicate and lessen the possibility of having to use any type of physical force.

Allegation and Investigations

Use of force complaints decreased in 2013 with 23, compared to 37 in 2012. These investigations are formal investigations conducted by the Internal Affairs Division in accordance with the Law Enforcement Officer's Bill of Rights.

Suspect/Defendant Background

The below chart shows a breakdown for suspect/defendant background information for 2013:

Race/Ethnicity	Arrests	Use of Force	Percentage*
African American	6,786	245	3.6%
Caucasian	5,476	159	2.9%
Hispanic	2,549	71	2.7%
Asian	320	6	1.8%

*Percentage of arrests for each Race/Ethnicity resulting in a Use of Force report.

Of the suspects involved in use of force incidents, 86% were males and 14% were female.

Deadly Force

Deadly force was used in four incidents in 2013, resulting in two fatalities, and one in-custody death. There were six incidents of deadly force in 2012. Below is a summary of each event which led to deadly force being deployed in 2013. All situations were cleared by a Grand Jury.

On April 19th, 2013, MCP responded to the area for a report of a mental observant in the neighborhood of Cross Country Place. Officers observed a suspect standing on top of a parked SUV. The suspect was acting erratically and was holding a large rock in his hand. The officer gave the suspect verbal commands to drop the rock and to get off of the vehicle. The suspect jumped off of the vehicle with the rock in his hand. The officer deployed his OC spray to gain control of the suspect which had no effect. The suspect then ran to a nearby yard, picked up a large flower pot, raised it over his head and threw it at the officer. After many verbal orders to obtain compliance, the officer deployed his ECD against the suspect, which resulted in the suspect being apprehended. Fire/Rescue transported the suspect to SGAH, where he was pronounced deceased. A medical examination determined that the suspect died from agitated delirium associated with cocaine intoxication and a prior heart condition.

On June 24th, 2013, a suspect involved in a Howard County shooting fled to Potomac Horse Center in N. Potomac. MCP responded and stopped suspect in his vehicle. The suspect reached for a shotgun on the seat of the vehicle and the officer fired his weapon, striking the suspect. The suspect fled and was taken into custody when he was involved in a personal injury collision at Quince Orchard Blvd. & Great Seneca Hwy.

On October 29th, 2013, MCP dispatched to assist Fire/Rescue with a violent individual. The suspect began acting violent by punching the walls of the home. When the officer arrived and approached the residence, the suspect opened the door armed with a rifle. The officer then discharged his handgun - striking no one. The suspect put the gun down and additional units arrived and he was taken into custody.

On November 18th, 2013, the suspect called ECC and stated he killed his grandmother and roommate. The suspect advised he was armed with an AR-15 rifle and wanted SWAT to respond and to use deadly force on him. The suspect was observed at the intersection of Grotto and Great Seneca and officers converged and contained him. ERT negotiations began but officers were ultimately forced to shoot the suspect. The suspect died as a result of injuries sustained.

In all officer involved shootings, a criminal investigation is conducted by the Major Crimes Division. When the criminal investigation is completed, the case is taken to the Office of the State's Attorney and before the Grand Jury for a citizens' review. An administrative investigation is conducted by the Internal Affairs division to ensure policy was followed. The Use of Force Committee reviews the incidents for any training issues that need to be addressed.

