



MEMORANDUM

TO: Chief James R. Kruger Jr.

FROM: Deputy Chief Jason Cates

DATE: January 15, 2016

SUBJECT: 2015 Use of Force Analysis

In 2015, the Oak Brook Police Department generated or responded to 19,450 Calls for Service. Five hundred and sixty-eight of those service calls resulted in arrest. Of the 568 arrests, nineteen (19) required the use of force. Force was utilized in eleven (11) instances to overcome resistance in making an arrest, five (5) instances for the purpose of providing Officer Safety in accordance with standard police tactics, two (2) instances for the purpose of facilitating an involuntary committal and one (1) instance for the purpose of limiting the resistive movement of an offender during the booking process.

Officers did not utilize Deadly Force. Deadly Force is defined as: Any use of force that is likely to cause death or great bodily harm, or which creates some specified degree of risk that a reasonable and prudent person would consider likely to cause death or serious physical injury.

Officers utilized a mechanical force option on three (3) occasions. A Mechanical Force is defined as: The application of a device or substance, other than a firearm, to make an arrest or achieve a law enforcement objective. The mechanical force option used (activated) in all three instances was a CEW.

Officers utilized physical force on ten (10) occasions. Physical Force is defined as: Actual contact with a subject beyond that which is generally utilized to make an arrest or achieve a law enforcement objective.

Officers utilized Active Pointing on eight (8) occasions. Active Pointing is defined as: The actual pointing of a firearm or mechanical force option at another person to gain compliance or affect a lawful arrest. The act of unholstering or carrying a firearm for the purpose of conducting a building search or providing general security is not considered active pointing.

Officers utilized the Display of a Mechanical Force Option on one (1) occasion. Display is defined as: The visible deployment a firearm or mechanical force option to gain compliance or affect a lawful arrest when that force option is not pointed at another person.

Officers utilized a combination of mechanical force options and physical force on three (3) occasions.

The offender's level of intoxication seems to have contributed to their level of resistance in four (4) of the nineteen instances in which force was used.

The offender's mental health seems to have contributed to their level of resistance in four (4) of the nineteen instances in which force was used.

The day on which force was most commonly used was Saturday. The force response option most often utilized was the application of a Physical Force technique. The greatest level of force used was the application of an activated CEW. Force was most often employed by two or three officers against a single offender.

I have included a brief synopsis of each incident in which force was used:

- 15-000107: A male offender wanted for Retail Theft was located on foot by a single officer. The officer unholstered his CEW and ordered the offender to drop his shopping bags and place his hands behind his back. The offender was handcuffed and taken into custody without further incident.
- 15-000288: Officers responded for an involuntary committal. The male subject exhibited behavior consistent with that of an individual suffering a mental health crisis. The male resisted efforts to provide medical attention; refused commands and took a fighting stance with fists raised. A CEW was pointed at the male in an effort to compel compliance and facilitate restraining the individual for transport to an area medical facility.
- 15-002181: A single officer responded to a request for assistance from the Oakbrook Terrace Police Department for involuntary committal. The male subject exhibited behavior consistent with that of an individual suffering a mental health crisis. The male physically resisted efforts to provide medical attention; pulling away from officers and flailing his arms. The officer utilized a wristlock to facilitate restraining the individual for transport to an area medical facility.
- 15-002775: A male offender wanted for obstructing ignored verbal commands and physically resisted handcuffing. Three (3) officers applied a combination of compliance techniques (leverage, straight arm bar & two knee strikes to the leg) to gain control. The offender was subsequently handcuffed and taken into custody without further incident.
- 15-003847: Two male offenders reportedly told an armored car guard that they were going to rob him. The offenders left without committing or attempting a robbery. Officers located the offending vehicle and conducted a felony stop. The officers pointed their handguns at the offender during course of the felony stop. The occupants were taken into custody without further incident.
- 15-005044: A motorist refused to provide identification and refused to exit his vehicle when instructed to do so. An officer pointed his Taser at the driver after he was told he was under arrest and he refused to be taken into custody. Two (2) officers applied a combination of compliance techniques (straight arm bar & handshake control) to gain control. The offender was subsequently handcuffed and taken into custody without further incident.
- 15-006661: Officers responded to a Commercial Burglary in progress. Upon their arrival they located the two male offenders within the building. The officers pointed their handguns at the offenders as they ordered them to the ground. The offenders were subsequently taken into custody without further incident.
- 15-007076: A female offender wanted for Retail Theft fled on foot from responding officers. Officers utilized a combination of leverage techniques (grasp and leg sweep) to force the offender to the ground. The offender was handcuffed and taken into custody without further incident.

- 15-007470: Officers responded to a Battery in progress. The offender was reported to be in mental crisis. Upon their arrival the offender was pulling the victim's arm in an effort to control her movement. The offender ignored verbal commands and became increasingly aggressive in his efforts to control the victim. A CEW was used to overcome resistance (2 activations). Officers then utilized a combination of leverage techniques (straight arm bars and counter pressure) to handcuff the offender without further incident.
- 15-008110: A single officer assigned to a seatbelt enforcement detail was on foot when he made contact with a vehicle in which the occupants were smoking cannabis. The occupants refused to comply with verbal commands and would not acknowledge the officer. The officer believed the offenders intended to flee once the traffic signal changed to green. The officer pointed his CEW at the driver in an effort to compel compliance. The offenders were taken into custody without further incident.
- 15-0011515: A male offender wanted for Violation of Order of Protection failed to comply with verbal commands. The offender had a history of violence and aggressively closed on the officers. A CEW was used (3 activations) to overcome the offenders continued resistance. The offender was subsequently handcuffed and taken into custody without further incident.
- 15-012556: A female offender arrested for DUI refused to comply with commands related to her behavior during the booking process. The offender attempted to leave the booking area several times. Officers utilized leverage techniques, and on one occasion a wristlock, to control the offender's movement and facilitate the completion of processing the arrest.
- 15-012598: Officers responded to a subject in mental crisis that had fled on foot after committing a Domestic Battery. The subject returned as the officer was interviewing the victim. The subject subsequently struck the officer in the face and punched a paramedic. The offender ignored all verbal commands. A CEW was used (5 activations) by the officer to overcome the offenders continued resistance until additional officers arrived to assist.
- 15-012722: Officers responded to a fraud in progress. Upon observing the officers the offender attempted to flee on foot. The offender ran into an officer after which he was tackled by a second officer. The officers then used a handshake control technique and a wristlock to handcuff the offender.
- 15-017747: Officers responded to remove an intoxicated female that was causing a disturbance. The female spit in the face of an officer after which she was told she was under arrest. The offender refused to comply with commands and spit in the face of a second officer. A foot sweep was utilized to take the female to the ground. In doing so, the officer supported the weight of the offender to minimize the force of her impact with the ground. The offender was taken into custody and although she continued to resist, no additional force was used.
- 15-018391: Officers conducted a felony stop of a vehicle reportedly stolen in a vehicular hijacking. The Officer pointed his handgun at the offender as he was taken into custody. The vehicle was later determined to have been previously recovered; the reporting agency failed to remove the vehicle from LEADS. The driver was cited for Driving While License Revoked and released.
- 15-018181: Officers attempted to arrest an intoxicated motorist. The motorist refused to comply with repeated commands to exit his vehicle and acted in a manner that caused officers to believe he was going to flee. The officers used a single closed hand strike to the offender's arm which caused him to release his grip on the steering wheel. Officers were then able to utilize a straight arm bar and handshake

control to remove the offender from the vehicle. The offender and officers fell to ground where the offender was handcuffed without further incident.

- 15-018828: Officers conducted a felony stop of a vehicle entered as stolen in LEADS. The Officers pointed their handguns at the occupants as they exited the vehicle. The vehicle was later determined to have been previously recovered; the reporting agency failed to remove the vehicle from LEADS. The occupants were released without charges.
- 15-018527: A male offender wanted for DUI and Fleeing and Eluding ran from officers after his vehicle was disabled through the use of “stop sticks”. The officer pointed his CEW at the offender to compel compliance. The offender was handcuffed and taken into custody without further incident.

Each instance of force was reviewed in accordance with General Order FOR-501. All were found to be objectively reasonable and necessary for the purpose of accomplishing a lawful objective.

I have attached a statistical summary of each incident as well as a table depicting the number of occasions in which force was used by an officer during each calendar year (beginning with 2012).

A review of all documents associated with each instance in which force was used did not reveal any pattern or trend that would necessitate additional training, policy modification or changes in equipment.

I have completed a review of our training and find that the frequency and content of our Use of Force Program is sufficient. In 2015 instructors expanded the use of scenario based training. The incorporation of additional scenario-based exercises was well received and served to better prepare our officers to respond to resistive behavior.

Additionally, I have completed a review of our policies and practices and find them to be consistent with applicable laws, court decisions and contemporary police tactics.