



MEMORANDUM

TO: Chief James R. Kruger Jr.
FROM: Deputy Chief Jason Cates
DATE: January 10, 2017
SUBJECT: 2016 Use of Force Analysis

In 2016, the Oak Brook Police Department generated or responded to 23,937 Calls for Service. Six hundred and sixteen of those service calls resulted in arrest. Of the 616 arrests, eleven (11) required the use of force. Force was utilized in three (3) instances to overcome resistance in making an arrest, seven (7) instances for the purpose of providing Officer Safety in accordance with standard police tactics and one (1) instance for the purpose of facilitating an involuntary committal.

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 did not utilize a mechanical force option. 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.

Officers utilized physical force on three (3) 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. The physical force technique most often utilized was a leverage technique.

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. The force option most often "pointed" was the handgun.

Officers did not utilize the display of a mechanical force option. 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.

The offender's level of intoxication seems to have contributed to their level of resistance in one (1) of the eleven (11) instances in which force was used.

The offender's mental health seems to have contributed to their level of resistance in one (1) of the eleven (11) instances in which force was used.

The day on which force was most commonly used was Sunday. The force response option most often utilized was Active Pointing. The greatest level of force used was the application of Physical Force. Force was most often employed by one officer against a single offender.

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

- 16-000116: Multiple officers responded to a domestic disturbance. The offender, the complainant's son, was reportedly "out of control, intoxicated, screaming and pushing people". Officers entered the home and were confronted by the offender. The offender approached the officer with closed fists. Two (2) officers pointed CEW's at the offender in an effort to compel compliance. The offender was restrained without incident and transported for a medical evaluation due to his level of intoxication.
- 16-005925: Multiple Officers responded to a retail theft committed by four (4) female offenders. The offenders separated and fled the area on foot. One offender was located by a single officer. The offender physically resisted efforts to take her into custody. A second officer arrived and a leverage technique was utilized to gain control of her arms and place handcuffs on her wrists.
- 16-006552: Two officers responded to assist the Westmont Police Department in locating the driver of a vehicle that was involved in a traffic crash. Witnesses reported observing the driver flee on foot from the location of the crash. Oak Brook responded with a canine and a second officer to provide security for the canine team. The offender was subsequently located laying face down on the ground with his hands concealed from view under his body. The officer providing security for the canine team pointed his firearm at the offender and subsequently transitioned to his Taser once additional officer arrived to assist. The offender was taken into custody without further incident.
- 16-006944: A single officer attempted to stop a vehicle occupied by four male subjects for speeding (97 MPH in a 55 MPH zone). The driver responded to the officer's emergency lights in a manner that led the officer to believe he was attempting to evade or defeat arrest. The vehicle subsequently stopped and the officer pointed his handgun at the occupants of the vehicle in an effort to compel compliance. Additional officers arrived and the driver was taken into custody without further incident.
- 16-009062: Three officers conducted a felony stop of a vehicle that was entered in LEADS/NCIC as stolen. The officers pointed their handguns at the occupants as they were taken into custody. The vehicle was later determined to have been previously recovered; the reporting agency failed to remove the vehicle from LEADS/NCIC. The occupants were released without charges.
- 16-009736: Two officers responded to a subject in mental crisis behaving in a destructive manner. The subject did not respond to the officer's commands and attempted to enter his residence. The residence was occupied by the by the reporting party. The officers were concerned for the safety of the complainant and utilized a leverage technique to prevent entry. The subject resisted their efforts and began kicking the officers. Additional officers arrived and restrained the subject without further incident.
- 16-012596: A single officer stopped a vehicle in which the occupant was reported to have threatened a motorist with a handgun. The officer pointed his handgun at the occupant of the vehicle in an effort to compel compliance. Additional officers arrived and the driver was taken into custody without further incident.

- 16-013109: Four officers conducted a felony stop of a vehicle that was entered in LEADS/NCIC as stolen. Two of the officers pointed their handguns at the occupants as they were taken into custody. The vehicle was later determined to have been previously recovered; the reporting agency failed to remove the vehicle from LEADS/NCIC. The occupants were released without charges.
- 16-015242: One officer attempted to stop a vehicle occupied by three male subjects for speeding (63 MPH in a 40 MPH zone). The driver responded to the officer's emergency lights in a manner that led the officer to believe he was attempting to evade or defeat arrest. The officer pointed her handgun at the occupants of the vehicle in an effort to compel compliance. Additional officers arrived and the driver was taken into custody without further incident.
- 16-020103: One officer was responding to a retail theft when he observed the offending vehicle stopped in traffic. The vehicle was occupied by three male subjects. The officer pointed his handgun at the occupants of the vehicle in an effort to compel compliance. Additional officers arrived and the driver was taken into custody without further incident.
- 16-021853: One officer was responding to a retail theft when he observed the offender resisting the efforts of a single loss prevention agent. The officer intervened and utilized a leverage technique in an attempt to gain compliance. The officer, loss prevention and the offender fell to the ground where the offender continued to resist. Additional officers arrived and the offender was 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.

2016 Response to Resistance

Incident #	Date	Day	Time	Force Option	# Officers Present	Mode	Injury / Subject	Injury / Officer	M/F Subject	M/F Officer Used	Finding
000116	01/03	Sun	0351	CEW	5	Pointed	None	None	M	M/M	OR
005925	03/24	Thu	1924	LT	2	N/A	None	None	F	M/M	OR
006552	04/03	Sun	0127	HG/CEW	2	Pointed	None	None	M	M	OR
006944	04/08	Fri	1958	HG	1	Pointed	None	None	M/M/M/M	M	OR
009062	05/08	Sun	2032	HG	3	Pointed	None	None	M/F	F/M/M	OR
009736	05/18	Wed	1846	LT/WL/SAB	4	N/A	Abrasion	None	M	M/M/M/F	OR
012596	06/27	Mon	2109	HG	1	Pointed	None	None	M	M	OR
013109	07/05	Tues	1942	HG	4	Pointed	None	None	M/M/F	M/F	OR
015242	08/06	Sat	0223	HG	1	Pointed	None	None	M/M/M	F	OR
020103	10/28	Fri	1244	HG	1	Pointed	None	None	M/M/M	M	OR
021853	11/26	Sat	1237	LT	1	N/A	None	Contusion	M	M	OR

OR = Objectively Reasonable

Force Option Key	
EH	Empty Hand Control Response
TD	Takedown
WL	Wristlock
SAB	Straight Arm Bar
HC	Handshake Control
LT	Leverage Technique
FS	Foot Sweep
WS	Weaponless Strike
KN	Knee Strike
CEW	Conducted Electrical Weapon
HG	Handgun

Incidents of Force Used

Officer	2012	2013	2014	2015	2016	2017	2018
Birdsall		1			1		
D. Jacobs				2			
King							
Ramirez	2		1	1			
Strockis			1	2			
Baca				1			
Barnes			3	1			
Bovio			1	3	2		
Caldera				2			
Christopherson				1	1		
Church			1				
Crook				2			
Foltyniewicz	1		2	1			
Franczak	1	1	7	7	2		
Hall		1	1	1			
Huff					3		
J. Jacobs							
Kadolph							
Kaleciak			1	2	1		
Kolzow				1			
Kozlowski							
Krenner				1			
Mercer				3			
Montgomery				2	1		
Nemec				2			
Perez	1				1		
Peterson					2		
Phillips			1	3	2		
Plinske							
Russell							
Swegler			1	2	3		
Struck			1				
Torlo		1					
Walsh							
Warren							
Wood	1						
Yager		1					

Determination based on Response to Resistance Report completed by Officer.