



MEMORANDUM

TO: Chief James R. Kruger Jr.
FROM: Deputy Chief Jason Cates
DATE: January 15, 2020
SUBJECT: 2019 Use of Force Analysis

In 2019, the Oak Brook Police Department generated or responded to 19,219 Calls for Service. Of those service calls, 505 resulted in arrest. Of the 505 arrests, ten required the use of force. Force was utilized in six instances to overcome resistance in making an arrest and four instances for the purpose of providing Officer Safety in accordance with accepted police tactics.

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 (no other force option used) on four 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 (no other force option used) on three 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 un-holstering 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 (no other force option used). 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 active pointing in conjunction with the display of a mechanical force option on two occasions.

Officers utilized active pointing or the display of a mechanical force option in conjunction with a physical force technique on one occasion.

The offender's level of intoxication or impairment seems to have contributed to their resistance in two of the ten instances in which force was used.

The days on which force were most commonly used were Tuesday (3) and Saturday (3). The force response option most often utilized was a physical force technique. The greatest level of force used was the application of physical force.

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

- 19-000309: On Saturday January 5, 2019, two officers responded to a retail theft in progress. As the first officer arrived she observed a female offender strike a male loss prevention agent in the face with a closed fist. A struggle ensued as the loss prevention agent attempted to restrain the offender. The officer pointed her Taser at the offender in an effort to compel compliance. The second officer arrived and the offender was taken into custody without further incident. The offender was charged with aggravated battery and retail theft.
- 19-003519: On Thursday February 21, 2019, three officers responded to a report of a battery. The male offender, a guest at the Marriott Hotel, had reportedly struck a female hotel employee. The victim did not want to pursue a complaint but did want the offender to leave the property. Upon arrival, the officers spoke with the offender and determined he was in mental crisis. The officers walked the offender out of the hotel and then attempted to obtain contact information for his family. The offender became agitated and spit in the face of an officer. Officers advised the offender he was under arrest however, the offender resisted efforts to be taken into custody. One officer then utilized a leverage technique and the offender was handcuffed without further incident. The offender was charged with battery.
- 19-003519: On Tuesday, February 26, 2019, five officers responded to a report of a fight in progress involving two males and two females. Upon their arrival, officers observed one of the male subjects and a female subject seated in a vehicle. A witness stated the male claimed to be in possession of a firearm. One officer pointed his handgun at the male in an effort to ensure the safety of the officers and compel compliance with their commands. The male was removed from the vehicle without incident. The female occupant refused to exit and an officer subsequently used a leverage technique to remove her from the car. The officers did not locate a firearm. The female was arrested and charged with domestic battery.
- 19-004084: On Friday March 1, 2019, three officers responded to a suicidal female subject possibly armed with a firearm. Upon their arrival, the officers conducted a search of the incident location and located the female hiding within the basement of a private residence. The female did not obey the officer's commands to "show her hands". In an effort to ensure their safety and compel compliance with their commands, one officer pointed his handgun at the female while a second officer unholstered his Taser. The female was taken into custody without further incident. She was not in possession of a firearm and was subsequently transported for psychiatric evaluation.
- 19-004145: On Saturday March 2, 2019, three officers responded to a report of shots fired at a private residence. Upon their arrival, the officers were met by the male homeowner. The homeowner stated the two female tenants residing in his basement had discharged a firearm. Officers took a position at the top of the basement stairs, identified themselves and initiated verbal commands. One officer unholstered his handgun and one officer pointed his weapon at the females as they ascended the staircase. The females were

handcuffed without incident. The firearm and ejected casing were recovered from the basement. One female was charged with violating the conditions of her bail bond.

- 19-010460: On Saturday June 8, 2019, two officers responded to a retail theft that had just occurred. One of the officers observed a female that matched the description of the offender. The officer approached the female and she fled on foot. The officer pursued on foot and pushed the offender to the ground where she was taken into custody without further incident. The offender was charged with retail theft.
- 19-011661: On Sunday June 30, 2019, two officers were attempting to complete a custodial search of an offender prior to entering the municipal lock-up facility. The female offender, in custody for DUI, repeatedly resisted the efforts of a female officer to conduct the search. The male officer physically held the female offender's hands to the wall so that the search could be completed without further incident.
- 19-012149: On Tuesday September 10, 2019, three officers responded to a domestic dispute during which the complainant's boyfriend locked the homeowner out of her residence. The complainant stated her boyfriend was bipolar and had not been taking his medication. Additionally, it was determined the boyfriend had an active warrant for his arrest. The complainant hired a locksmith to gain access to the home after which the officers conducted a search to ensure the boyfriend was not present. The boyfriend was subsequently located sleeping in a bedroom. One officer pointed his handgun at the offender while a second pointed his Taser. The third officer took the offender into custody without incident. The warrant was served and the offender was charged with possession of controlled substance.
- 19-012160: On Wednesday September 11, 2019, one officer responded to a report of a retail theft that had just occurred. Oakbrook Center Security was utilizing the CCTV system to monitor the offenders as they drove through the parking lot. Security directed the officer to the vehicle at which time he used his squad to block their path. The officer exited his vehicle and commanded the male and female occupants to "show" him their hands. The occupants did not comply. The officer unholstered his weapon but did not point it at the occupants. The occupants complied with the officers' commands and were detained pending investigation. It was subsequently determined the male and female were not involved in the retail theft. Both were released without charges.
- 19-012559: On Tuesday, November 12, 2019, three officers were dispatched to a domestic disturbance between two brothers. The aggressor was reportedly in mental crisis and had consumed a large amount of alcohol and cannabis. Upon their arrival, the offender became physically aggressive and pushed one of the officers. Two officers subsequently utilized leverage techniques (leg sweep and wristlock) to restrain the offender who was subsequently transported for psychiatric evaluation.

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.

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.