**Pearland Police Department**

Annual Use of Force Report

2021



**Policy Statement**:

The Pearland Police Department places its highest value on the life and safety of its officers and the public. The department’s policies, rules and procedures are designed to ensure this value guides employees in their interactions with the public and police officer and jailer use of force. To the extent possible, all employees are required to utilize trained de-escalation techniques in situations which may otherwise require force to be used. Even though all officers and jailers must be prepared to use force when necessary, reasonableness must be exercised in its use. Consequently, an officer or jailer is justified in the reasonable use of force in self-defense; in defense of another; or when faced with a situation that immediately requires force to be used to protect life, property, or lawfully effect an arrest or detention. Just as important, an officer or jailer is expected to refrain from using force when the use of force might threaten the life or safety of an innocent person, or if the use of force is not clearly warranted by the policy and rules of the department.

**Policy Annual Use of Force Report Requirement**:

The Pearland Police Department will prepare an annual report on Use of Force Incidents which will be sent to the Chief of Police by January 31st of the following year. The report will include at a minimum data on the following:

* The number of Citizen Calls for Service and Police Incidents during the year;
* The number of Use of Force Incidents in the year;
* The number of Officers/employees injured and if so, treatment information;
* The number of Subjects injured and if so, treatment information;
* The demographic information of the Subjects;
* The recommended classification of the Use of Force;
* The number found to be within or outside of policy guidelines;

Any other information that will help the department identify trends, training needs, equipment needs or needs for policy revisions.

Upon approval of the report, the Administrative Services Division Commander will direct posting of the report on the department website.

**Policy Requirement for a Use of Force Report to be Submitted**:

To promote transparency and accountability of actions involving the use of physical force against civilians, employees shall immediately or as soon as practical report to an on-duty police supervisor any injury to a prisoner or use of force involving the Pain Compliance (Empty Hand Controls – Hard Techniques, use of an approved chemical agent – OC spray, use of an approve electro-muscular disruption device – TASER), a K9 bite, an approved Baton or discharge of a Less-Lethal Impact Munition, any Deadly Force Option, or Non-Categorized Weapon of Opportunity.

**Policy Definitions for Force Types**:

Pain Compliance – These techniques have a possibility of causing injury and include the following based on the level of resistance:

* Use of an approved chemical agent – Oleoresin Capsicum (OC) spray used in compliance with policy and training.
* Use of an approved electro-muscular disruption device – TASER used in compliance with policy and training.
* Empty Hand Control (Hard Techniques) – Officers/jailers using strikes, kicks, takedowns, throws, or other physical strength or skill which may include martial arts or other fighting techniques.

Trained Police K9 – They have a high probability of causing injury when they bite. As such Police K9s shall only be used pursuant to department policy and training.

Less Lethal Weapons – These weapons have a high probability of causing injury, including soft connective tissue damage or bone fractures. This would include an Approved Baton, or Less-Lethal Impact Munitions.

Deadly Force Options – The following weapons or techniques are likely to cause serious bodily injury or death:

* Discharge of a firearms.
* Ramming of a person with a vehicle.
* Purposeful strikes to the head or neck with a baton or similar item.
* Intentional shots to the head or neck with a Less-Lethal Impact Munition.
* Neck holds, including chokeholds, strangleholds, lateral vascular neck restraints, carotid restraints, chest compressions, or any other tactic that restricts oxygen or blood flow to the head or neck.
* Any purposeful act by a police officer or jailer that the officer/jailer should have reasonably known would lead to the serious bodily injury or death of a person.

Non-Categorized Weapon of Opportunity – A weapon of opportunity should only be used by a police officer/jailer who is facing at a minimum an Assaultive subject and only to the degree the officer/jailer had no other reasonable approved methods to defend him/herself. The officer/jailer must understand the use of such an object/technique will be applied to the closest level of force on this continuum and the application of the object/technique must be justified.

**Analysis**:

The Pearland Police Department initiated or responded to just over 72,800 events in 2021. Traffic stops accounted for just over 26,700 of these events. Officers made a little over 3000 arrests. There were 27 use of force incidents reported and documented as required by Department Policy. Out of 72,800 events, .04% resulted in the use of force.

Below is a synopsis of each use of force incident.

Occurred on 01/03 at 0350 hours as an officer-initiated Suspicious Person call. One officer involved with no injuries. Empty hand technique was used once, effective. Subject was a black male age 28, under the influence alcohol. Subject did not sustain injuries. Subject was arrested, public intoxication, and resisting arrest. Primary officer was a white female assigned to Patrol. This incident was found to be within policy.

Occurred on 01/18 at 1146 hours as an officer-initiated Traffic Stop. Five officers involved with no injuries. K9 apprehension (bite) was used, effective. Subject was a Hispanic male age 32 under the influence of narcotics. Subject did sustain injuries and was transported to the emergency room for treatment. Subject was not arrested on scene. Warrants were obtained for evading arrest, unauthorized use of a motor vehicle, possession of a controlled substance and tampering with evidence. Primary officer was a white male assigned to the K9 unit. This incident was found to be within policy.

Occurred on 01/20 at 1901 hours reported as a Welfare Concern call. Two officers involved with no injuries. Empty hand technique was used twice, effective. Subject was a white male age 32 in mental health crisis. Subject did sustain injuries but refused treatment. Subject was taken to hospital on an Emergency Detention Order and a warrant was obtained for terroristic threat on public servant. Primary officer was a white male assigned to the K9 Unit. This incident was found to be within policy.

Occurred on 03/28 at 2056 hours reported as a Family Violence call. Three officers involved with no injuries. Empty hand technique was used once, effective. Subject was a black female age 28 under the influence of alcohol. Subject did not sustain injuries. Subject was arrested and then released to the hospital due to complaints of a heart attack symptoms. Warrants were obtained for public intoxication and resisting arrest. Primary officer was a white male assigned to patrol. This incident was found to be within policy.

Occurred on 04/24 at 2352 hours reported as a Suspicious Activity call. One officer involved with no injuries. Non-categorized weapon of opportunity was used once, effective. Subject was white male age 25. Subject did sustain minor injuries and refused treatment. Subject was arrested for evading arrest, unlawful possession of firearm by felon and a family violence warrant. Primary officer was an Asian male assigned to patrol. This incident was found to be within policy.

Occurred on 04/25 at 2135 hours reported as a Family Violence call. Two officers involved with no injuries. Empty hand technique was used once, effective. Subject was a white female age 31. Subject did sustain minor injuries and refused treatment. Subject was not arrested or charged. Primary officer was a white female assigned to Patrol. This incident was found to be within policy.

Occurred on 05/10 at 0016 hours reported as a Verbal Disturbance call. Four officers involved with no injuries. OC spray was used once, effective and empty hand technique was also used once, effective. Subject was a Hispanic male under the influence of alcohol. Subject did sustain injuries and was transported to the emergency room for treatment. Subject was arrested for public intoxication and resisting arrest. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 06/19 at 0332 hours as an officer-initiated Suspicious Vehicle call. Three officers involved with no injuries. Empty hand technique was used once, effective. Subject was a Hispanic male age 35 under the influence of alcohol. Subject did sustain minor injuries and refused treatment. Subject was arrested for public intoxication. Primary officer was a white male assigned to patrol. This incident was found to be within policy.

Occurred on 06/22 at 1654 hours as an officer-initiated Traffic Stop. One officer involved with no injuries. Empty hand technique was used twice, effective. Subject was a black female age 21. Subject did sustain injuries and was transported to the emergency room for treatment. Subject was not arrested on scene. Warrants were obtained for eluding in vehicle and resisting arrest. Primary officer was a white male assigned to the DDACTS Unit. This incident was found to be within policy.

Occurred on 06/29 at 2019 hours as an officer-initiated Warrant Service. Two officers involved with no injuries. Taser deployment used once, effective. Subject was a white male age 37. Subject did sustain minor injuries with treatment provided at the scene. Subject was arrested for a theft warrant and evading arrest. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 07/21 at 2319 hours reported as a Verbal Disturbance call. Six officers involved with no injuries. Taser deployment used once, ineffective. Subject was a Hispanic male age 39. Subject was taken to the emergency room due to complaints of a heart condition. Subject was not arrested at the scene. Warrants were obtained for interference with emergency phone call and resisting arrest. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 08/12 at 2245 hours reported as an Assault Past call. Two officers involved with no injuries. Empty hand technique was used once, effective. Subject was a black male age 53. Subject did sustain minor injuries with treatment provided at the scene. Subject was arrested for an outside agency warrant and resisting arrest. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 07/21 at 1417 hours reported as a Verbal Disturbance call. Two officers involved with no injuries. Taser deployment used twice, ineffective. Subject was a white male age 24. Subject did sustain injuries and was transported to the hospital for treatment. Subject was not arrested at the scene. Warrants were obtained for assault on pregnant person, violation of protective order and evading arrest. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 08/21 at 1107 hours reported as a Verbal Disturbance call. Two officers involved with no injuries. Taser deployment used once, effective. Subject was a Hispanic female age 21. Subject was not injured but was treated at the scene by EMS due to Taser probes. Subject was arrested for assault family violence and resisting arrest. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 08/25 at 0040 hours as an officer-initiated Traffic Stop. One officer involved with no injuries. Taser deployment used three times, ineffective and empty hand technique was also used, effective. Subject was an Asian male age 28. Subject did not sustain injuries. Subject was arrested for unauthorized use of motor vehicle failure to identify-fugitive, an outside agency warrant and evading arrest. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 08/27 at 1449 hours as an officer-initiated Traffic Stop. Three officers involved with no injuries. Empty hand technique was used once, effective. Subject was a black male age 32. Subject did not sustain injuries but was transported to the hospital after complaints of COVID and chest pains. Subject was not arrested at the scene; warrant was obtained for resisting arrest. Primary officer was a white male assigned to the DDACTS Unit. This incident was found to be within policy.

Occurred 09/08 at 0019 hours reported as an Assault Past call. Three officers involved with no injuries. Taser deployment used once, effective. Subject was a white male age 32. Subject was not injured but was treated at the scene by EMS due to Taser probes. Subject was arrested for assault family violence, injury to a child, an outside agency warrant and resisting arrest. The primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred 09/12 at 0122 hours as an officer-initiated Traffic Stop. Two officers involved with no injuries. Taser deployment used once, effective. Subject was a black male age 28 under the influence of alcohol. Subject was not injured but was treated at the scene by EMS due to Taser probes. Subject was arrested for driving under the influence, assault on officer, possession of marijuana, evading arrest and resisting arrest. Primary officer was a white female assigned to Patrol. This incident was found to be within policy.

Occurred 09/13 at 1650 hours reported as a Suspicious Person call. Three officers involved with no injuries. Empty hand technique used once, effective. Subject was a Hispanic male age 37 under the influence of narcotics. Subject did sustain minor injuries and was treated at the scene. Subject was arrested for possession of controlled substance and evading arrest. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 09/22 at 0905 hours as an officer-initiated Traffic Stop. Two officers involved. Taser deployment used twice, effective. Subject was a black female age 19. Subject was not injured but was treated at the scene by EMS due to Taser probes. Subject was arrested for resisting arrest and evading arrest. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 09/17 at 1025 hours as an officer-initiated Warrant Service. Four officers involved with no injuries. Less lethal impact munitions used four times, effective. Subject was a white male age 35. Subject did sustain minor injuries and was transported to the emergency room for treatment. Subject was arrested for aggravated robbery, aggravated assault on public servant and harassment of public servant. Primary officer was a white male assigned to the Training Division but serving in a SWAT capacity. This incident was found to be within policy.

Occurred on 09/30 at 0313 hours as an officer-initiated Traffic Stop. Three officers involved with no injuries. Taser deployment used once, effective. Subject was a Hispanic male age 32. Subject was not injured but was treated at the scene by EMS due to Taser probes. Subject was arrested for outside agency warrants and resisting arrest. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 10/03 at 2114 hours as an officer-initiated Traffic Stop. Three officers involved with no injuries. Less lethal impact munitions used once, effective. Subject was a white female age 36. Subject did sustain minor injuries and was treated at the scene. Subject was arrested evading arrest. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 10/17 at 1831 hours reported as a Theft in Progress call. One officer involved with no injuries. Taser deployment used once, effective. Subject was a white male age 48. Subject was not injured but was treated at the scene by EMS due to Taser probes. Subject was arrested for theft, evading arrest and outside agency warrants. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 10/25 at 2254 hours reported as a Meet Other Agency call. Three officers involved with no injuries. Empty hand technique used twice, effective. Subject was a Hispanic male age 33 under the influence of alcohol. Subject did not sustain injuries. Subject was arrested for assault family violence, obstruction or retaliation, failure to identify and resisting arrest. Primary officer was a Hispanic male assigned to the Jail. This incident was found to be within policy.

Occurred on 11/28 at 2319 hours reported as an UUMV In Progress call. One officer involved. Taser deployment used once, effective. Subject was a black male age 18. Subject did not sustain injuries. Subject was arrested for possession of drug paraphernalia and a warrant was obtained for evading arrest. Primary officer was a white female assigned to Patrol. This incident was found to be within policy.

Occurred on 12/09 at 2107 hours reported as an Accident Hit and Run call. Two officers involved. Empty hand technique used once, effective. Subject was a Hispanic male age 35 under the influence of alcohol. Subject did sustain minor injuries and was treated at the scene. Subject was arrested for driving while under the influence, resisting arrest and accident involving damage to vehicle. Primary officer was an Asian male assigned to Patrol. This incident was found to be within policy.

A breakdown of the subject’s race and sex are depicted in the chart below.

|  |  |  |  |
| --- | --- | --- | --- |
| SUBJECTS | FEMALE | MALE | TOTAL |
| Asian | 0 | 1 | 1 |
| Black | 3 | 5 | 8 |
| Hispanic | 1 | 8 | 9 |
| White | 2 | 7 | 9 |
| TOTAL | 6 | 21 | 27 |

One subject sustained injury requiring inpatient treatment, though this was a result of the subject jumping off a third-floor balcony while fleeing officers. Three subjects were taken to the emergency room after complaints of chest pains or heart attack symptoms.

All incidents were found to be within policy. 20 of the incidents involved officers assigned to one of the four Patrol Squads. Of the 27 incidents, there were 21 individual officers involved as the primary officer in the use of force incident. 19 of the officers were male. 14 of the officers were white, six were Hispanic and one was Asian. Four officers had two or fewer years on the Department. Seven of the officers had 10 or more years on the Department. There were no injuries to officers.

A breakdown of the primary method of force used is depicted in the chart below.

Primary Use of Force Count

LESS LETHAL WEAPON – IMPACT MUNITION 2

NON-CATEGORIZED WEAPON OF OPPORTUNITY 1

PAIN COMPLIANCE (EMPTY HAND CONTROL HARD TECHNIQUES) 11

PAIN COMPLIANCE (OC SPRAY) 1

PAIN COMPLIANCE (TASER) 11

TRAINED POLICE K9 1