

Pearland Police Department

Use of Force Report

2022



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 Pain Compliance (Empty Hand Controls – Hard Techniques, use of an approved chemical agent – OC spray, use of an approved conducted energy weapon – TASER), a K9 bite, an approved Baton, discharge of a pneumatic launcher or 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 conducted energy weapon – 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.

Pneumatic Launcher (Byrna) - Less-lethal chemical agent delivery system that uses high pressure CO2 to deliver a spherical projectile containing a chemical agent such as OC.

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 firearm.
- 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 80,625 events in 2022. Traffic stops accounted for 30,927 of these events. Officers made 3936 arrests. There were 24 use of force incidents reported and documented as required by Department Policy. Out of 80,625 events, .03% resulted in the use of force.

Below is a synopsis of each use of force incident:

Occurred on 01/21 at 0200 hours reported as a Suspicious Person call. Four officers involved with no injuries. Pain compliance - empty hand control technique was used once, effective. Subject was a white male 59 years of age. Subject sustained minor injuries and was treated on scene by EMS. Subject was charged with resisting arrest. Primary officer was a white female assigned to Patrol. This incident was found to be within policy.

Occurred on 01/27 at 0300 hours reported as a Suspicious Activity call. Officers were called to investigate reports of multiple subjects breaking into vehicles when a vehicle believed to be associated with subjects accelerated towards the responding officers. Two officers involved with no injuries. Deadly force option – handgun was used twice by a single officer, effective. Subject was a Hispanic male 16 years of age. Subject sustained a gunshot wound and was transported to the emergency room for treatment. Subject was charged with evading arrest. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 02/10 at 2200 hours reported as a Psychiatric Abnormal Behavior call. Four officers involved with no injuries. Pain compliance - empty hand control technique was used once, effective. Subject was a black male 13 years of age in a mental health crisis. Subject did sustain minor injuries was treated on scene by EMS. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 03/09 at 0530 hours reported as a Weapons Incident call outside of Pearland's jurisdiction. Members of the Combined Agency Response Team were activated to support the Clear Lake Shores Police Department. Deadly force option – rifle was used, effective. Subject was a white male 46 years of age. Subject was fatally shot. Primary officer was a white male assigned to Patrol. This incident was found to

be within policy.

Occurred on 04/01 at 1450 hours reported as a Verbal Disturbance call. Three officers involved with one officer receiving minor injuries. Pain compliance - empty hand control technique was used once, effective. Subject was a white male 55 years of age under the influence of narcotics. Subject did sustain minor injuries and was treated on scene by EMS. Subject was charged with resisting arrest and arrested on an outside agency warrant. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 04/27 at 1400 hours reported as a Welfare Concern call. Three officers involved with no injuries. Taser deployment was used three times, effective. Subject was a black male 40 years of age. Subject did sustain injuries and was transported to the emergency room for treatment. Subject was charged with violating a protective order, resisting arrest, evading arrest and arrested on outside agency warrants. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 06/11 at 0200 hours reported as a Suspicious Activity call. Two officers involved with no injuries. Taser deployment was used once, effective. Subject was a Hispanic male 17 years of age under the influence of alcohol. Subject did not sustain injuries. Subject was charged with criminal trespass and resisting arrest. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 06/23 at 0200 hours as an officer-initiated Assault call. Two officers involved with no injuries. Taser deployment was used once, effective. Subject was an Asian female 39 years of age in a mental health crisis. Subject did sustain minor injuries and refused treatment. Subject was charged with assault. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 07/23 at 0645 hours reported as a Welfare Concern call. Two officers involved with no injuries. Taser deployment was used once, effective. Subject was a black male 34 years of age appearing to be under the influence of narcotics. Subject did sustain minor injuries and transported to the emergency room for evaluation. Subject was charged with disorderly conduct. Primary officer was a black female assigned to Patrol. This incident was found to be within policy.

Occurred on 08/07 at 0400 hours reported as a Family Violence call. One officer involved with minor injuries. Pain compliance - empty hand control technique was used once, effective. Subject was a black male 31 years of age under the influence of alcohol. Subject did sustain minor injuries though he refused treatment. Subject was charged with resisting arrest and public intoxication. Primary officer was an Asian male assigned to Patrol. This incident was found to be within policy.

Occurred on 08/07 at 0330 hours reported as a Suspicious Activity call. Two officers involved with no injuries. Taser deployment used once, effective. Additionally, empty hand technique was also used five times, effective. Subject was a black male 19 years of age under the influence of alcohol. Subject refused medical treatment. Subject was charged with resisting arrest and arrested on a theft warrant. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 08/10 at 0300 hours as an officer-initiated Traffic Stop. One officer involved with no injuries. Pain compliance - empty hand control technique was used once, effective. Subject was a black male 26 years of age. Subject sustained injuries and was transported to the emergency room for treatment. Subject was charged with unauthorized use of a temporary tag and failure to maintain financial responsibility. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 08/23 at 0045 hours reported as a Psychiatric Abnormal Behavior call. Two officers involved with no injuries. Taser deployment used three times, effective. Subject was an Asian male 28 years of age in a mental health crisis. Subject did sustain injuries and was treated on scene by EMS. Subject was detained on an emergency detention order. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 08/30 at 2300 hours reported as a Trespass in Progress call. Three officers involved with no injuries. K9 apprehension, effective. Subject was a black male 41 years of age. Subject did sustain injuries and was treated on scene by EMS. Subject was charged with criminal trespass, unlawful use of criminal instrument and arrested on multiple warrants. Primary officer was a white male assigned to the K9 unit. This incident was found to be within policy.

Occurred on 09/10 at 2200 hours reported as a Family Violence call. Three officers involved with no injuries. Taser deployment was used once, effective. Subject was a Hispanic male 32 years of age under the influence of alcohol. Subject did sustain minor injuries and was treated on scene by EMS. Subject was charged with 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 09/27 at 1700 hours reported as a Family Violence call. One officer involved with no injuries. Taser deployment was used once, effective. Subject was a Hispanic male 31 years of age. Subject did sustain minor injuries and was treated on scene by EMS. Subject was charged with evading arrest. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred 09/28 at 1115 hours reported as a Trespass in Progress call. One officer involved with no injuries. Pain compliance - empty hand control technique was used once, effective. Subject was a black male 25 years of age. Subject did sustain minor injuries not requiring treatment. Subject was issued a criminal trespass warning at the request of the business. The primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred 10/07 at 1840 hours reported as an Information call. One officer involved with injuries requiring treatment. Taser deployment was used three times, effective. Subject was a black male 32 years of age. Subject did receive injuries and was transported to the emergency room for treatment. Subject was charged with assault on peace officer, resisting arrest and abuse of 911. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred 10/15 at 0045 hours as an officer-initiated Traffic Stop. One officer involved with minor injuries not requiring treatment. Taser deployment used three times, effective. Subject was a Hispanic male 47 years of age. Subject did sustain minor injuries and was treated at the scene by EMS. Subject was charged 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 10/20 at 0350 hours reported as a Theft in Progress call. One officer involved. Less lethal weapon – Byrna pepper ball gun was used six times, effective. Subject was a black male 23 years of age. Subject was not injured. Subject charged with unlawful use of criminal instrument, evading arrest and arrested on an outside agency warrant. Primary officer was an Asian male assigned to Patrol. This incident was found to be within policy.

Occurred on 10/22 at 1930 hours reported as Theft in Progress call. Two officers involved with one officer receiving minor injuries requiring treatment. Taser deployment used once, ineffective. Pain compliance - empty hand control technique was used once, effective. Subject was a Hispanic male 21 years of age. Subject did not sustain injuries. Subject was charged with theft, evading arrest and failure to identify. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 11/15 at 1300 hours as an officer-initiated Warrant Service. Four officers involved with no injuries. Officers were attempting to arrest the subject for multiple felony warrants. Primary officer was a white male assigned to the Special Investigation Unit. No officer injuries. Deadly force option – rifle used, effective. Subject was a white male 41 years of age. Subject sustained injuries and was transported to the emergency room for treatment. This incident is under review.

Occurred on 11/19 at 1603 hours reported as a Family Violence call. Three officers involved with no injuries. Taser deployment used twice, effective. Subject was a black male 15 years of age. Subject did sustain minor injuries and was treated at the scene by EMS. Subject was charged with assault family violence and resisting arrest. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 12/15 at 2000 hours reported as a Welfare Concern call. Two officers involved. Taser deployment used once, effective. Subject was a black female 14 years of age in mental health crisis. Subject did not sustain any injuries. Subject was detained on an emergency detention order. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

This completes the list of use of force incidents for calendar year 2022.

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

Subjects	Female	Male	Total
Asian	1	1	2
Black	1	11	12
Hispanic	0	6	6
White	0	4	4
Total	6	21	24

One subject was fatally shot during a Combined Agency Response Team call out supporting another agency. The subject pointed a shotgun at officers.

Two subjects were wounded during shootings.

One subject (vehicle passenger) was shot as the driver accelerated his vehicle towards officers as the officers attempted to contact him while responding to a report of subjects breaking into vehicles.

Another subject was shot during a warrant service. This incident is still under review.

Three other subjects suffered injuries requiring transport to the hospital, none of these injuries were deemed serious.

At the time of this report, 23 incidents were found to be within policy, with one still under policy review. 21 of the incidents involved officers assigned to one of the four Patrol Squads. Of the 24 incidents, there were 18 individual officers involved as the primary officer in the use of force incident. 17 of the officers were male, 1 was female. 10 of the officers were white, six were Hispanic, one was Asian, and one was black. Eight officers had two or fewer years on the Department. Three of the officers had 10 or more years on the Department. There were no injuries to officers requiring time off or light duty.

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

Primary Use of Force	Count
DEADLY FORCE OPTION – FIREARM – HANDGUN	1
DEADLY FORCE OPTION – FIREARM – RIFLE	2
LESS LETHAL WEAPON – BYRNA	1
PAIN COMPLIANCE (EMPTY HAND CONTROL HARD TECHNIQUES)	6
PAIN COMPLIANCE (TASER)	13
TRAINED POLICE K9	1

