**Pearland Police Department**

Use of Force Report

2023



**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 March 1st 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 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 76,300 events in 2023. Traffic stops accounted for just over 29,200 of these events. Officers made slightly over 3,800 arrests. There were 32 use of force incidents reported and documented as required by Department Policy. This was an increase of six incidents over last year. Out of 76,300 events, .04% resulted in the use of force.

Below is a synopsis of each use of force incident.

Occurred on 01/01 at 0203 hours reported as a Welfare Concern call. Two officers involved with one officer sustaining minor injuries not requiring medical treatment. Pain compliance - empty hand control technique was used; effective. Subject was a Hispanic male 26 years of age under the influence of alcohol. Subject sustained minor injuries but refused medical treatment. Subject was charged with resisting arrest and public intoxication. Primary officer was a black male assigned to Patrol. This incident was found to be within policy.

Occurred on 02/11 at 1720 hours reported as a Suspicious Person call. Officers responded to a subject in mental health crisis within the fenced-in area of the Public Safety Building. Five officers involved with no injuries. Less lethal option – Byrna was used three times; effective. Subject was a Hispanic male 24 years of age. Subject sustained minor injuries and was transported to the hospital for treatment. Subject was charged with retaliation and criminal mischief. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 03/04 at 2352 hours reported as a Robbery in Progress call. Three officers involved with no injuries. Two types of force were used: Less lethal option – Byrna was used once; ineffective as the rounds failed to strike the subject. Taser deployment was used once; ineffective as the prongs failed to penetrate the subject’s outerwear. Subject was eventually taken to the ground by officers. Subject was a black male 24 years of age. Subject sustained minor injuries and was transported to the hospital for treatment. Subject was charged with aggravated robbery, evading arrest in a vehicle and evading arrest on foot. Primary officers were an Asian male and white male, both assigned to Patrol. This incident was found to be within policy.

Occurred on 03/14 at 2135 hours initiated as a Traffic Stop. One officer involved with no injuries. Pain compliance - empty hand control technique was used; effective. Subject was a black male 73 years of age under the influence of alcohol. Subject sustained minor injuries and was transported to the hospital for treatment. Subject was charged with resisting arrest. Primary officer was a white male assigned to patrol. This incident was found to be within policy.

Occurred on 03/19 at 1734 hours reported as a Meet other Agency call. Three officers involved with no injuries. K9 apprehension was used; effective. Subject was a black male 22 years of age. Subject sustained minor injuries but refused treatment. Subject was arrested on existing warrants and charged with evading arrest in a vehicle and evading on foot. Primary officer was a white male assigned to the K9 unit. This incident was found to be within policy.

Occurred on 03/26 at 1709 hours reported as a Family Violence call. Four officers involved with no injuries. Taser deployment was used once; ineffective. Subject was a Hispanic male 35 years of age under the influence of alcohol. Subject sustained minor injuries and was treated on scene. Subject was charged with family violence assault and resisting arrest. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 03/31 at 1023 hours reported as a Welfare Concern call. Two officers involved with no injuries. K9 apprehension was used; effective. Subject was a white male 39 years of age. Subject sustained minor injuries and was treated on scene. Subject arrested on an existing probation violation warrant. Primary officer was a white female assigned to the K9 unit. This incident was found to be within policy.

Occurred on 04/05 at 1844 hours reported as a Psychiatric Abnormal Behavior call. Five officers involved with no injuries. Pain compliance - empty hand control technique was used; effective. Subject was a white female 17 years of age in a mental health crisis. Subject sustained minor injuries and no medical treatment was necessary. 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.

Occurred on 04/13 at 0936 hours reported as a LPR (License Plate Reader) Hit call. Three officers involved with no injuries. K9 apprehension was used; effective. Subject was a white male 40 years of age. Subject sustained minor injuries and was transported to the hospital for treatment. Subject was arrested on existing warrants and charged with evading arrest. Primary officer was a white male assigned to the K9 unit. This incident was found to be within policy.

Occurred on 04/17 at 2154 hours reported as a Suspicious Activity call. This incident occurred in the Pearland jail. Four officers involved no injuries. Pain compliance - empty hand control technique was used; effective. Subject was a white female 18 years of age under the influence of narcotics. Subject did not sustain injuries. Subject was already in the Pearland jail and had been arrested for an outstanding warrant. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 04/24 at 1413 hours reported as a Psychiatric Abnormal Behavior call. Four officers involved with no injuries. Taser deployment used three times; ineffective. Additionally, empty hand technique was also used; ineffective. Subject was a white male 39 years of age under the influence of narcotics. Subject sustained minor injuries and was transported to the hospital for treatment. Subject was charged with assault family violence, two counts of possession of a controlled substance and resisting arrest. and arrested on an existing warrant. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 04/25 at 1849 hours as a Welfare Concern call. Three officers involved with no injuries. Pain compliance - empty hand control technique was used; effective. Subject was a Hispanic male 38 years of age in a mental health crisis. Subject did not sustain injuries. This incident occurred at the HCA Hospital. Primary officer was an Asian male assigned to Patrol. This incident was found to be within policy.

Occurred on 05/03 at 1846 hours reported as a Psychiatric Abnormal Behavior call. This incident occurred in the Pearland jail. Six officers involved with no injuries. Pain compliance - empty hand control technique was used; effective. Subject was a Black male 27 years of age under the influence of alcohol. Subject did not sustain any injuries. Subject was in the Pearland jail and had been arrested for public intoxication. Additional charges of criminal mischief and harassment of a public servant were filed. Primary jailer was a White male assigned to the Jail. This incident was found to be within policy.

Occurred on 06/24 at 1133 hours reported as a Theft in Progress call. One officer involved with no injuries. Taser deployment used once; effective. Subject was a black male 27 years of age. Subject sustained minor injuries and was transported to the hospital for treatment. Subject was charged with theft and evading arrest. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 06/27 at 2117 hours initiated as a Traffic Stop. Two officers involved with one officer suffering strain/sprain injuries requiring treatment. Pain compliance - empty hand control technique was used; effective. Subject was a black male 20 years of age. Subject did not sustain injuries. Subject was charged with possession of controlled substance, theft of firearm, unlawful carry weapon and resisting arrest. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 06/30 at 2043 hours reported as a Theft in Progress call. Three officers involved with no injuries. Taser deployment was used once; effective. Subject was a black female 20 years of age. Subject sustained minor injuries but refused treatment. Subject was charged with theft and evading arrest. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred 07/04 at 0849 hours reported as a Welfare Concern call. Five officers involved with one suffering minor injuries requiring no treatment. Taser deployment was used five times; ineffective. OC spray was used once; ineffective. Pain compliance - empty hand control technique was used by multiple officers; effective. Subject was a Hispanic male 25 years of age under the influence of narcotics. Subject sustained minor injuries and was transported to the hospital for treatment. Subject was charged with assault on a public servant, robbery, criminal mischief and resisting arrest. The primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred 07/28 at 1609 hours reported as a Family Violence call. Ten officers involved with no injuries. Less lethal weapon – Byrna pepper ball gun was used 13 times; ineffective. K9 apprehension was used; effective. Subject was a white male 41 years of age. Subject sustained minor injuries and was transported to the hospital for treatment. Subject was charged with family violence assault, unlawful restraint and evading arrest. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred 08/06 at 1458 hours reported as a Theft in Progress call. Two officers involved with no injuries. Pain compliance - empty hand control technique was used; effective. Subject was a Hispanic male 26 years of age. Subject did not sustain injuries. Subject was charged with theft. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred 08/10 at 1841 hours reported as a Theft in Progress call. One officer involved with no injuries. Taser deployment used once; effective. Subject was a Hispanic male 32 years of age. Subject sustained minor injuries and was transported to the hospital for treatment. Subject was charged with theft and evading arrest. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 08/11 at 1928 hours reported as a Psychiatric Abnormal Behavior call. Three officers involved with one officer suffering strain / sprain injuries requiring treatment. Pain compliance - empty hand control technique was used; effective. Subject was an Asian male 32 years of age in a mental health crisis. Subject was not injured and was detained on an emergency detention order. Primary officer was a white female male assigned to Patrol. This incident was found to be within policy.

Occurred on 08/19 at 1952 hours reported as an Assault in Progress call. One officer involved with no injuries. Pain compliance - empty hand control technique was used; effective. Subject was a Hispanic female 17 years of age. Subject sustained minor injuries and was treated on scene. Subject was charged with harassment of public servant and resting arrest. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 09/02 at 1730 hours reported as a Theft Past call. One officer involved with no injuries. Pain compliance - empty hand control technique was used; effective. Subject was a black female 17 years of age. Subject did not sustain injuries. Subject was charged with robbery and resisting arrest. Primary officer was an Asian male assigned to Patrol. This incident was found to be within policy.

Occurred on 09/13 at 1318 hours reported as a Theft in Progress call. Two officers involved with no injuries. Pain compliance - empty hand control technique was used; effective. Subject was a Hispanic male 17 years of age. Subject sustained minor injuries and was treated on scene. Subject was cited for theft. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 09/20 at 1548 hours initiated as a Traffic Stop. Six officers involved with no injuries. OC spray was used once; effective. Pain compliance - empty hand control technique was used; effective. Subject was a black female 33 years of age. Subject sustained minor injuries and was transported to the hospital for treatment. Subject was arrested on an existing warrant and charged with assault on a public servant, resisting arrest and failure to identify. Primary officer was a white male assigned to the Crime Reduction Unit. This incident was found to be within policy.

Occurred on 10/09 at 2233 hours reported as a BMV in Progress call. Four officers involved with no injuries. Less lethal option – Byrna was used five times; effective. Subject was a black male 17 years of age. Subject sustained minor injuries but refused treatment. Subject was charged with criminal mischief and evading arrest. Primary officer was an Asian male assigned to Patrol. This incident was found to be within policy.

Occurred on 11/27 at 1858 hours reported as a Suspicious Person call. Three officers involved with no injuries. Taser deployment used once; effective. Subject was a black male 34 years of age under the influence of a combination of medications and alcohol. Subject sustained minor injuries and was treated on scene. Subject was charged with deadly conduct, unlawful possession of firearm by felon and criminal mischief. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 12/08 at 1810 hours reported as a DWI Driver. Two officers involved. Pain compliance - empty hand control technique was used; effective. Subject was a Hispanic male 18 years of age. Subject sustained minor injuries but refused treatment. Subject was charged with fleeing or eluding. Primary officer was a Hispanic male assigned to Patrol. This incident was found to be within policy.

Occurred on 12/14 at 1007 hours initiated as a Warrant Service. Two officers involved. Pain compliance - empty hand control technique was used; ineffective. Subject was a Hispanic male 18 years of age. Subject sustained minor injuries but refused treatment. Subject was arrested on an existing warrant and charged with evading arrest and resisting arrest. Primary officer was a white male assigned to the Crime Reduction Unit. This incident was found to be within policy.

Occurred on 12/17 at 0210 hours reported as a Burglary Past call. One officer involved. Less lethal option – Byrna was used once; effective. Subject was a black male 13 years of age. Subject did not sustain any injuries. Subject was charged with evading arrest. Primary officer was a white male assigned to Patrol. This incident was found to be within policy.

Occurred on 12/19 at 1542 hours reported as an Information call. Two officers involved. Taser deployment used once, effective. Subject was a black male 40 years of age. Subject sustained minor injuries but refused treatment. Subject was charged with criminal mischief and resisting arrest. Primary officer was a white 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 | 11 | 14 |
| Hispanic | 1 | 10 | 11 |
| White | 2 | 4 | 6 |
| **Total** | **6** | **26** | **32** |

The age of the subjects involved ranged from 13 to 73 with an average age of 30-years old. Eleven subjects received injuries requiring transport to the emergency room for treatment, four subjects received treatment by EMS on scene. None of the subjects were listed as having received inpatient treatment.

All 32 incidents of use of force were found to be within policy. 4 incidents were officer initiated. 26 of the incidents involved officers assigned to one of the four Patrol Squads. Of the 32 incidents, there were 25 individual officers involved as the primary officer in the use of force incident. 23 of the officers were male. 15 of the officers were white, 7 were Hispanic, 2 were Asian, and 1 was black. 5 officers had two or fewer years on the Department. 8 of the officers had ten or more years on the Department. There were 2 officers receiving injuries that required doctor follow up.

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

|  |  |
| --- | --- |
| **Primary Use of Force** | **Count** |
| LESS LETHAL WEAPON – BYRNA | 5 |
| PAIN COMPLIANCE (EMPTY HAND CONTROL HARD TECHNIQUES) | 14 |
| PAIN COMPLIANCE (OC SPRAY) | 1 |
| PAIN COMPLIANCE (TASER) | 9 |
| TRAINED POLICE K9 | 3 |
|  |  |