



USE OF FORCE

Annual Review & Analysis

A REVIEW OF USE OF FORCE INCIDENTS

By members of the

MARYLAND STATE POLICE

Between

JANUARY 1, 2016 - DECEMBER 31, 2016

Prepared by

MSP Use of Force Committee
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PART I – AGENCY MESSAGE

This first Annual Review of Use of Force Incidents was created in 2013, as an annual review and analysis of use of force incidents by members of the Maryland State Police (MSP). On occasion, troopers must engage a person physically either to take them in to custody, to protect them, or to restore safety and order. Any use of force must be lawful and objectively reasonable. All use of force incidents are reviewed by a supervisor, the commander of the Education and Training Division, and the commander of the Internal Affairs Division (IAD). All allegations of excessive force are investigated by IAD.

During 2016 there were 297 reported use of force incidents. It was determined MSP personnel used some level of force in only 1.3% of all arrests. The vast majority (91%) of force used involved troopers using their hands. This could mean anything from grabbing and guiding a person who is passively resisting, to engaging in a violent struggle to gain control of an individual.

Accountability and transparency are necessary elements to building confidence and trust between police and the community we serve. This report is one of the many ways we are working to build and sustain that trust.

PART II – INTRODUCTION

The information presented in this report was obtained from “BlueTeam” and IAPro. BlueTeam is an online reporting system that began on January 1, 2015 and replaced the prior paper system. Personnel create a use of force incident in BlueTeam to include troopers involved and then each trooper enters their involvement to include force used and other factors. All reports are forwarded through channels to the IAD and the Education and Training Division (ETD) to provide an overview of each incident and to identify trends or training areas. The other data related to arrests and contacts is obtained from the Online Data Management System (DMS). This report is required by the Commission on Accreditation for Law Enforcement Agencies (CALEA) to help agencies identify policy modifications, trends, improve training and officer safety, and provide timely information for the agency to address use of force issues within the community it serves.

Maryland State Police troopers receive extensive entry-level and in-service training focused on using only the amount of force necessary to control an incident, effect an arrest, or protect themselves or others from harm or death as specified in department policy and procedures. An integral component of these training programs is communication, de-escalation techniques, and the use of various less lethal options to help safely diffuse situations that may otherwise escalate to circumstances requiring officers to resort to deadly force.

Troopers will employ an objectively reasonable amount of force when necessary to effect an arrest and overcome any resistance offered in accordance with OPS 10.03. Troopers are permitted by law and MSP policy to employ force, including deadly force, in certain situations. Troopers must evaluate each situation, often in a split second, to determine the level of resistance offered and ensure that their response is appropriate for that level of resistance. The MSP policy is for internal use only and does not apply in any criminal or civil proceedings. The use of excessive force, regardless of the provocation or action of the offender, will result in administrative sanctions and disciplinary action and may result in criminal prosecution. Violations of law will form the basis for civil and criminal sanctions.

PART III – OVERVIEW

Based on a comprehensive review and analysis of use of force incidents submitted by MSP personnel in 2016, the following are highlights of the results that are detailed in various sections throughout this report:

- Troopers reported a total of 297 use of force incidents in 2016 compared to 241 in 2015
- There were 462 troopers who used force in the 297 use of force incidents
- According to the MSP CAD (computer aided dispatch that capture calls for service) and the DMS (data management system that captures traffic stops), force was used by troopers in a fraction of all citizen contacts (.02%)
- Troopers used force in 1.3% of all arrests (22,300 arrests)
- Making an arrest (or attempting to make an arrest) accounted for the majority of all incidents (56%)
- Troopers with 0-7 years tenure represented 66% of personnel who used force
- 47% of all incidents occurred on weekends (Fri-Sun)
- The type of force most commonly used by troopers (91%) involved using their hands (open hand technique, muscling technique, or pressure points)
- A majority of use of force incidents (86%) were reported by field personnel
- The barracks with the highest use of force incidents were Leonardtown (29), Salisbury (21) and, North East (20)
- White suspects accounted for the majority of incidents at 49%, black suspects at 44%, Hispanic suspects at 3%, and others/unknown race at 4%
- A majority of suspects were male at 79%
- Injuries sustained by troopers increased by 74% from the previous year and injuries to suspects increased by 37%
- Of the 462 Troopers who used force in 2016, 19% reported being injured, and 6% reported being transported to the hospital.
- Suspects were injured in 36% of the total 297 Use of Force incidents resulting in them being taken to the hospital in 23% of those incidents.
- There were 21 complaints of excessive force involving 33 troopers compared to 5 complaints involving 5 troopers the previous year (3 of the 21 were internal complaints).
- Deadly force was used in 2 incidents, compared to 3 incidents reported in 2015

PART IV – DEADLY FORCE SUMMARY

Deadly Force Incidents (Shootings) by Year

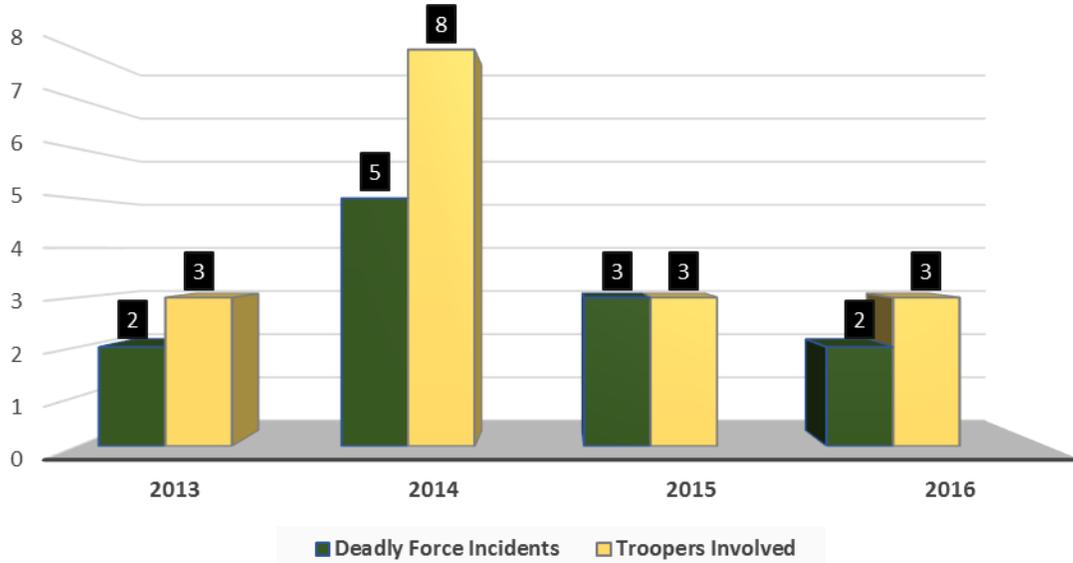


Figure 1-Deadly Force Incidents

Year	Number of Incidents	Number of Involved Troopers	Outcome	Conformed to Policy
2013	2	3	All – Justified	All – Yes
2014	5	8	All - Justified	All – Yes
2015	3	3	All - Justified	All-Yes
2016	2	3	Pending	Pending

Figure 1a – Deadly Force Incidents (Shootings), “Troopers Involved” includes only those who fired, and not the total on scene.

PART V – COMPLAINTS OF EXCESSIVE FORCE

Year	Number of Complaints	Number of Involved Troopers	Outcome
2013	12	17	4 Unfounded, 7 Non-Sustained, and 1 Closed Admin.
2014	11	18	3 Unfounded, 2 Non-Sustained, 3 Sustained, and 3 Closed Admin.
2015	5	5	4 Unfounded and 1 Pending
2016	21	33	5 Unfounded, 7 Non-sustained, 1 Withdrawn, 8 Pending

Figure 2 – Excessive Force Complaints

PART VI – USE OF FORCE STATISTICS AND INFORMATION

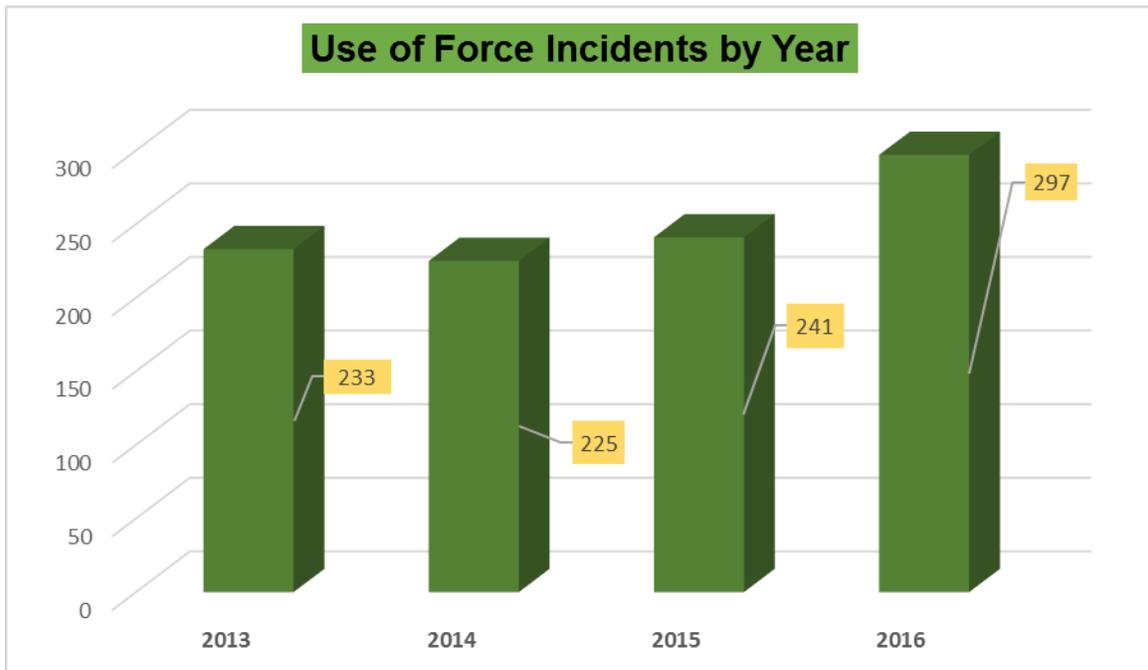


Figure 3 – Summary of Use of Force Incidents by Calendar Year

	2013	2014	2015	2016
Use of Force Incidents	233	225	241	297

Figure 3 a – Summary of Use of Force Incidents by Calendar Year

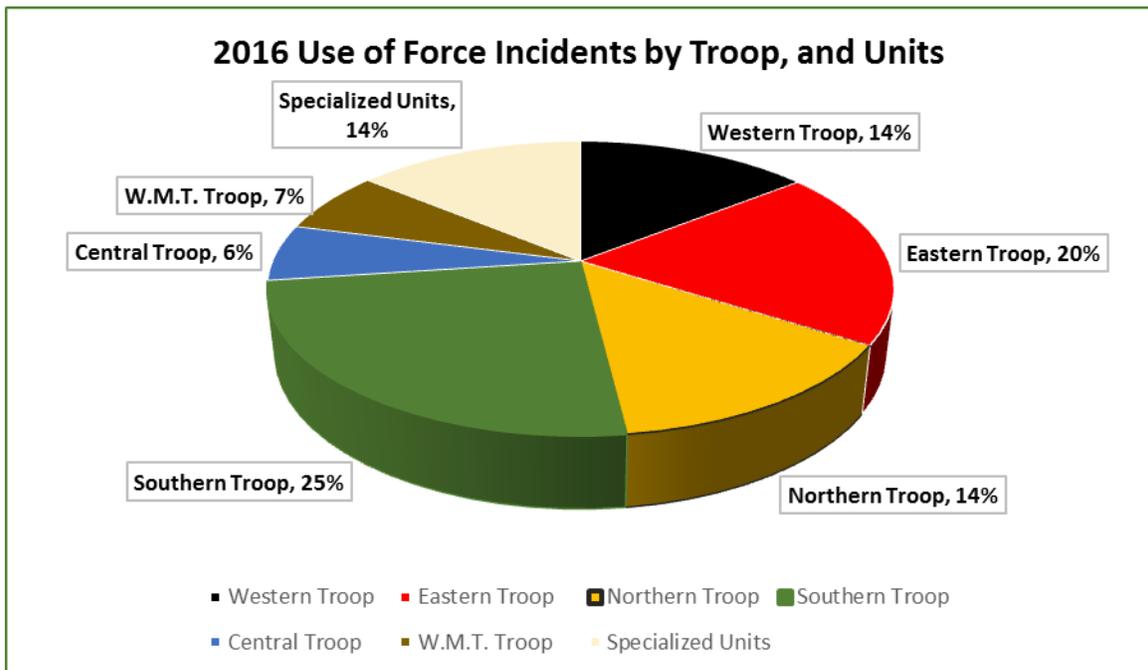


Figure 4 – Use of Force Incidents by Troop and Units

USE OF FORCE STATISTICS AND INFORMATION (CONTINUED)

	2013	2014	2015	2016
Barracks				
Barrack A – Waterloo	0	2	2	3
Barrack B – Frederick	10	12	4	18
Barrack C – Cumberland	11	8	1	9
Barrack D – Bel Air	11	9	12	15
Barrack E – Salisbury	18	18	23	21
Barrack F – North East	31	30	19	20
Barrack G – Westminster	12	11	17	9
Barrack H – La Plata	14	9	17	8
Barrack I – Easton	11	9	2	8
Barrack J - Annapolis	N/A	N/A	1	6
Barrack L – Forestville	0	7	7	6
Barrack M – JFK Highway	14	6	10	8
Barrack N – Rockville	0	7	11	4
Barrack O – Hagerstown	0	5	7	8
Barrack P – Glen Burnie	0	5	12	15
Barrack Q – College Park	7	7	7	11
Barrack R – Golden Ring	0	7	10	7
Barrack S – Centreville	11	10	14	18
Barrack T – Leonardtown	12	12	14	29
Barrack U – Prince Frederick	15	10	10	18
Barrack V – Berlin Barrack	11	4	6	8
Barrack W – McHenry	0	0	6	9
Barrack X – Princess Anne	5	2	2	5
SPIDRE	N/A	3	2	0
BARRACK SUBTOTAL	193	193	216	263
Specialized Units	20	22	25	43
*Other	20	10	0	0
SPECIALIZED/OTHER SUBTOTAL	40	32	25	43
TOTAL	233	225	241	306
<p>Figure 4 a – Use of Force Incidents by Barrack or Unit *Specialized Units include S.T.A.T.E., C.E.B., Command, AVIATION, C.I.S., C.V.E.D., and P.A.C.E. *It should be noted there were 9 use of force incidents where troopers from two separate installations used force. (306-9= 297 USE OF FORCE INCIDENTS)</p>				

USE OF FORCE STATISTICS AND INFORMATION (CONTINUED)

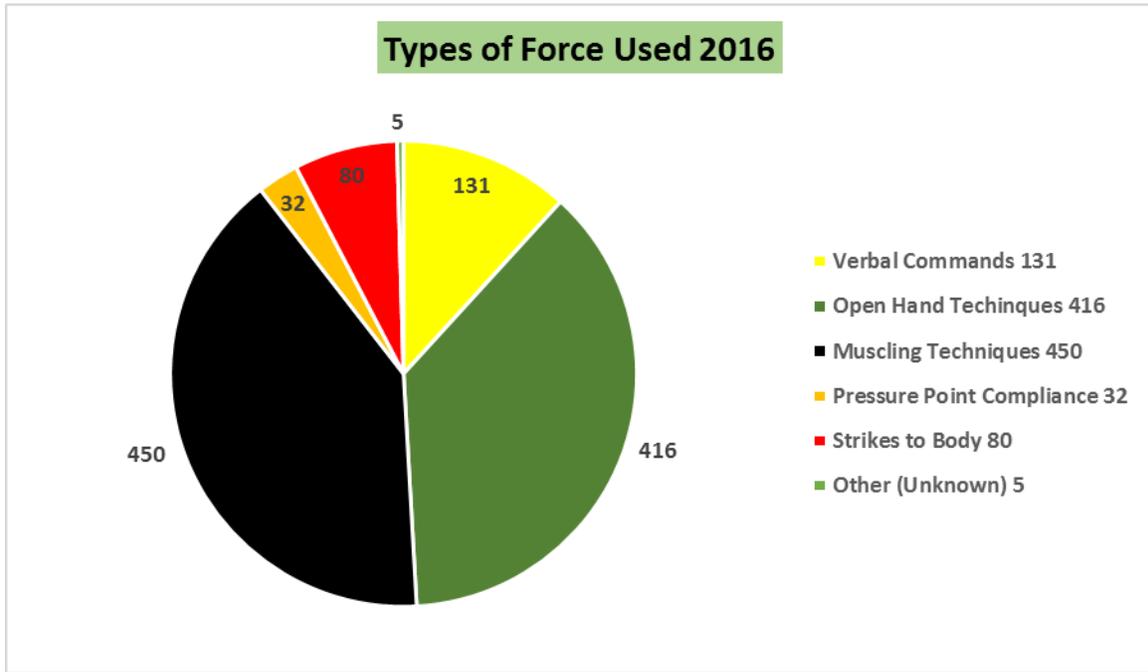


Figure 5 – Type of Force Used

	2013	2014	2015	2016
Verbal Commands	318	326	145	131
Open Hand Techniques	17	84	187	416
Muscling Techniques	441	413	386	450
Pressure Point Compliance	44	43	49	32
Strikes to Body	36	67	61	80
Other (unknown)			3	5

Figure 5 a – Type of Force Used

Within a single use of force incident, Troopers may use multiple techniques, which is why many of the above numbers exceed the 297 incidents reports. Also, each Trooper who uses force must report it within the BlueTeam incident report; therefore, multiple Troopers can report using force during one incident. While verbal commands alone are not a reportable use of force, troopers are required to report whether or not they used verbal commands during an otherwise reportable use of force incident.

USE OF FORCE STATISTICS AND INFORMATION (CONTINUED)

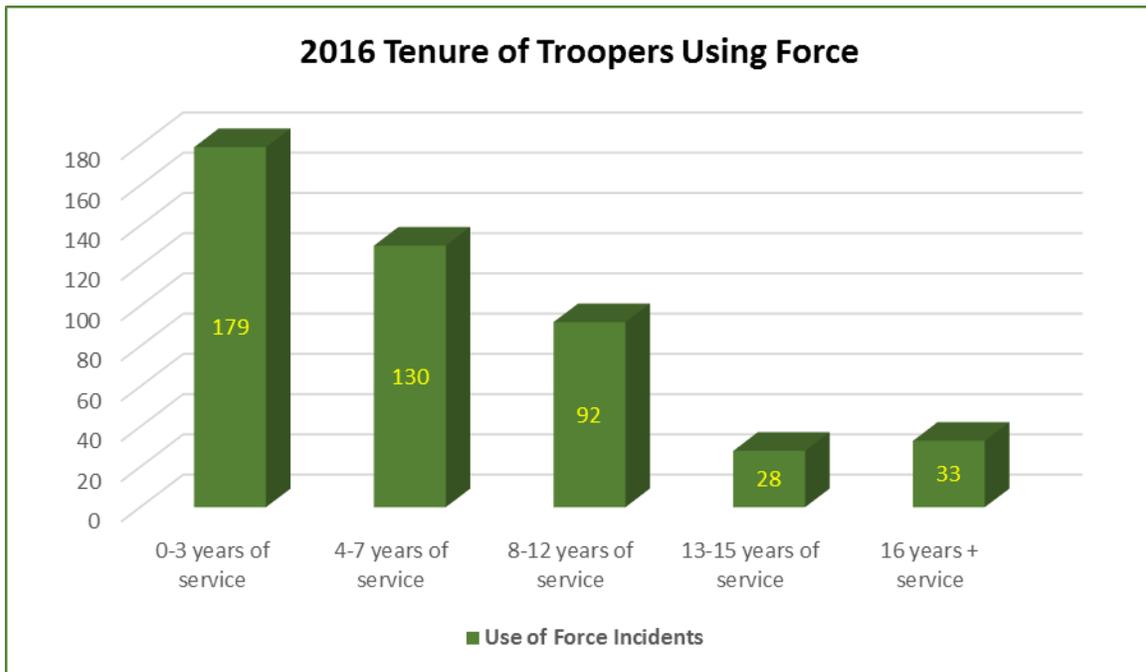


Figure 6 – Tenure of Troopers Using Force

	2013	2014	2015	2016
Years as a Trooper	Number	Number	Number	Number
0 to 3 year	61	138	110	179
4 to 7 years	79	98	65	130
8 to 12 years	63	63	41	92
13 to 15 years	13	17	13	28
16 + years	17	21	12	33
Total Number of Troopers	233	337	241	462

Figure 6 a – Tenure of Troopers Using Force
*2016 This number (462) accounts for every trooper that reported using force.

	2013	2014	2015	2016
Age of Trooper	Number	Number	Number	Number
21 to 31 years	126	208	163	292
32 to 41 years	82	91	55	131
42 to 51 years	24	33	19	36
52 to 60 years	1	5	4	3
Total Number of Troopers	233	337*	241	462

Figure 7 – Age Demographics of Trooper Using Force
No age reported in 4 incidents in 2014.

USE OF FORCE STATISTICS AND INFORMATION (CONTINUED)

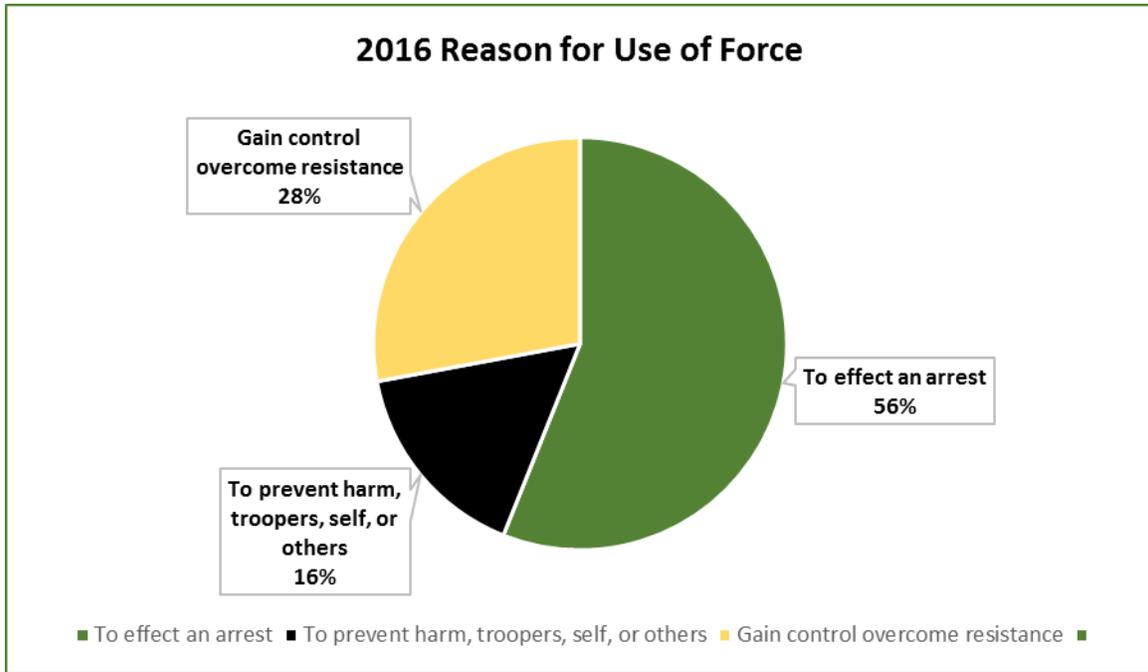


Figure 8 -Reason For Use of Force

Reason	2013		2014		2015		2016	
	Number	% Change	Number	% Change	Number	% Change	Number	% Change
To Effect Arrest	201	8%	191	-5%	136	-29%	259	90%
To Prevent Harm to Trooper, Self, or Others	29	53%	32	10%	43	34%	74	72%
Gain Control/Overcome Resistance	3	+3	2	-33%	62	3000%	129	108%

Figure 8 a -Reason For Use of Force, 2016 Numbers are based on the 462 troopers who used force in the 297 incidents

USE OF FORCE STATISTICS AND INFORMATION (CONTINUED)

Day of Week	2013		2014		2015		2016	
	Number	% Change	Number	% Change	Number	% Change	Number	% Change
Sunday	43	8%	38	-12%	34	-11%	42	23%
Monday	20	-39%	31	55%	30	-3%	37	23%
Tuesday	34	31%	28	-18%	38	36%	39	2%
Wednesday	28	8%	29	4%	27	-7%	44	62%
Thursday	24	-20%	22	-8%	33	50%	36	9%
Friday	36	-16%	31	-17%	36	16%	49	36%
Saturday	48	60%	46	-6%	43	-7%	50	16%

Figure 9 – Use of Force by Day of Week (297 total Incidents)

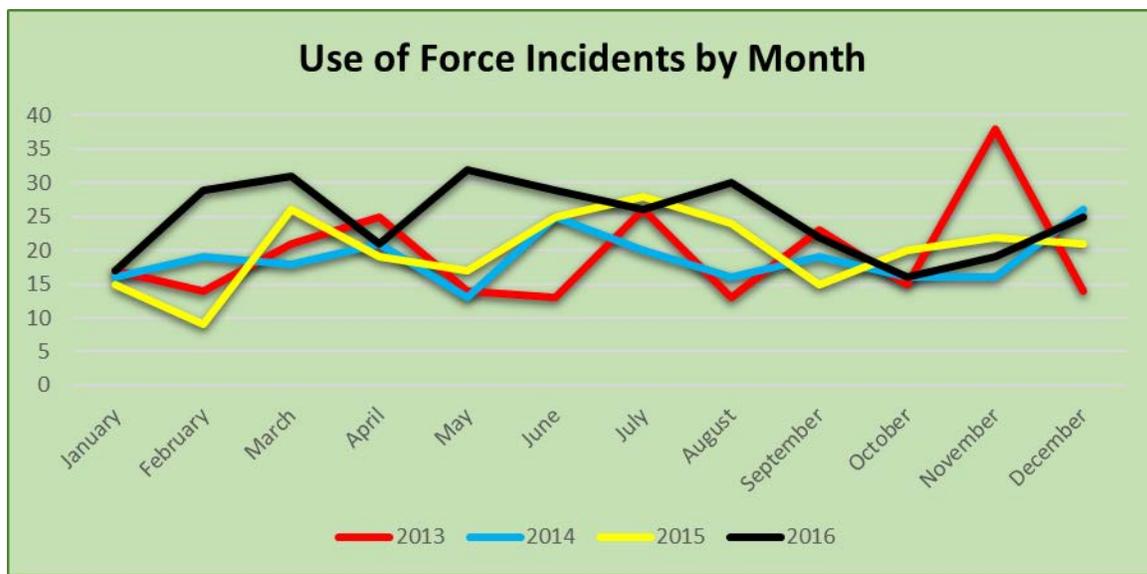


Figure 10 – Use of Force Incidents by Month

Month	2013		2014		2015		2016	
	Number	% Change	Number	% Change	Number	% Change	Number	% Change
January	17	21%	16	-6%	15	-6%	17	13%
February	14	-22%	19	36%	9	-53%	29	222%
March	21	-13%	18	-14%	26	44%	31	19%
April	25	19%	21	-16%	19	-10%	21	10%
May	14	-30%	13	-7%	17	31%	32	88%
June	13	-52%	25	92%	25	0%	29	16%
July	26	53%	20	-23%	28	40%	26	-7%
August	13	-38%	16	23%	24	50%	30	25%
September	23	10%	19	-17%	15	-21%	22	46%
October	15	7%	16	7%	20	25%	16	-20%
November	38	138%	16	-58%	22	38%	19	-13%
December	14	-7%	26	86%	21	-19%	25	19%

Figure 10 a – Use of Force Incidents by Month, (2016 Numbers are based on the 297 total incidents)

USE OF FORCE STATISTICS AND INFORMATION (CONTINUED)

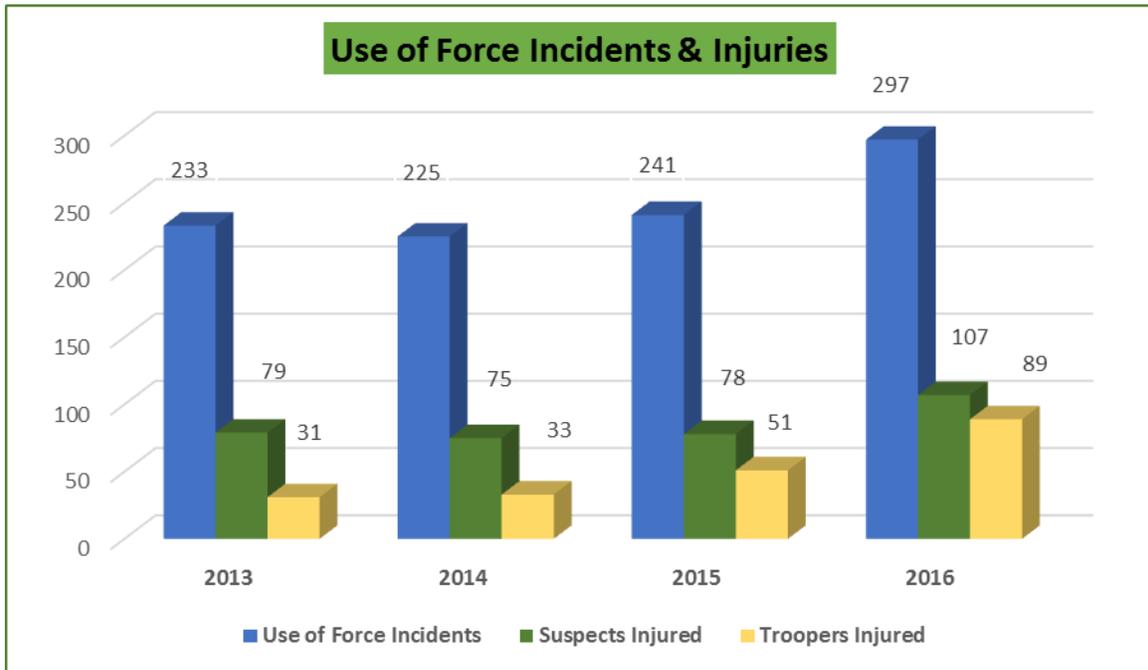


Figure 11 – Injury to Trooper/Suspect

Year	Total Incidents	Troopers Injured	Medical Treatment	
			Taken to Hosp.	Not Taken to Hosp.
2013	233	31	2	29
2014	225	33	6	27
2015	241	51	16	35
2016	297	89	30	59
Figure 11 a– Injury to Trooper * Out of the 297 Incidents in 2016, 89 troopers who reported being injured were based on the 462 troopers who used force				

Year	Total Incidents	Suspects Injured	Medical Treatment	
			Taken to Hosp.	Not Taken to Hosp.
2013	233	79	54	25
2014	225	75	57	18
2015	241	78	43	35
2016	297	107	68	39

Figure 11 b – Injury to Suspect

Use of Force Statistics and Information (Continued)

	2013		2014		2015		2016	
	Number	% Change						
Male	190	20%	184	-3%	193	5%	240	24%
Female	41	-41%	40	-2.5%	48	20%	64	33%
Unknown / Other	2	+2	1	-1	0	-1	1	0
TOTAL	233		225		241		305	

Figure 12 – Suspect Gender (2013 % Change is in comparison to 2012)
 *2016- There were eight separate incidents where there was more than one citizen involved.

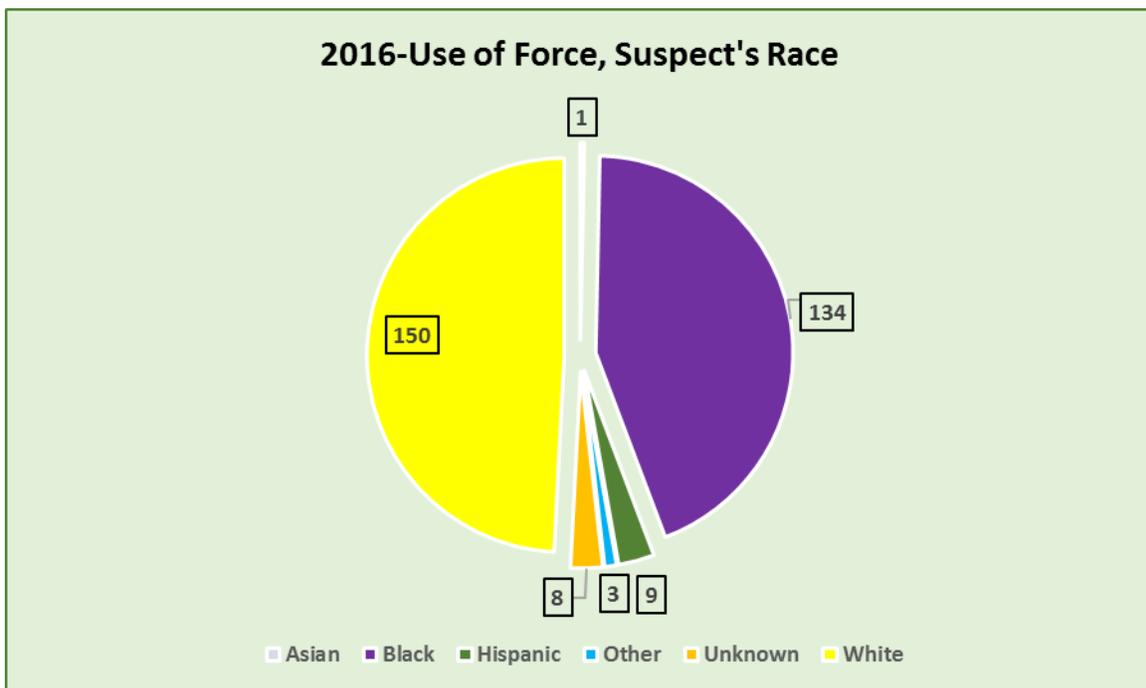


Figure 13 – Suspect Race

	2013		2014		2015		2016	
	Number	% Change						
Asian	0	-1	3	+3	1	-67%	1	0
Black	87	24%	79	-9%	94	19%	134	42%
Hispanic	6	-50%	8	+2	15	86%	9	-40%
Other	0	0	1	+1	2	100%	3	50%
Unknown	2	-2	3	+1	7	133%	8	14%
White	138	-2%	131	-5%	122	-7%	150	23%
TOTAL	233		225		241		305	

Figure 13 a- Suspect Race (2013 % Change is in comparison to 2012)
 *2016- There were eight separate incidents where there was more than one suspect involved.

Use of Force Statistics and Information (Continued)

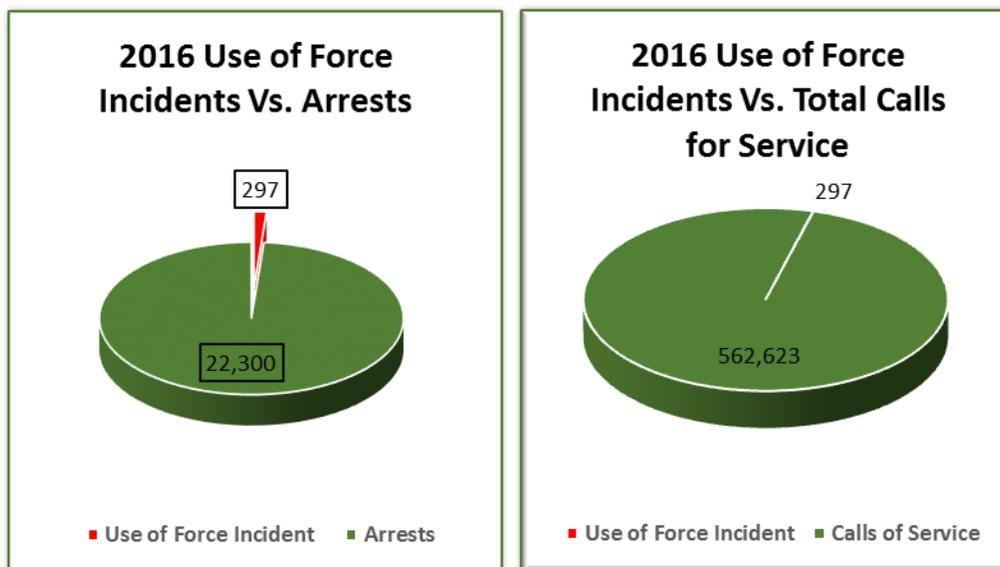


Figure 14– Use of Force Statistics Conclusion

In conclusion, the rate of the use of force compared to the calls for service and arrests has remained relatively consistent in comparison to 2015. In 2015, troopers responded to 537,758 calls of service and made 21,595 arrests using force in 241 incidents. Force was used in 2015 in 0.04 percent of the calls of service and in 1.1 percent of arrests. In 2016, use of force was used in 0.05 percent of the calls for service and in 1.3 percent of arrests. This data reflects that, for the overwhelming majority of calls for service and arrest situations, troopers are rarely required to use force to safely resolve a situation.

Part VII – USE OF FORCE LITIGATION AND OUTCOMES

Consultation with the Office of Legal Counsel showed no current lawsuit resulting from use of force incidents that occurred during 2016. This number is subject to change as litigants have three years to file a lawsuit.

PART VIII – SIGNIFICANT ISSUES INVOLVING MEDIA AND COMMUNITY GROUPS

The Office of Media Communications remains engaged with media and community groups. This Office issues news releases whenever a trooper uses deadly force. News releases are distributed to the media, citizens who has signed up to receive them, and are posted on the MSP website. The Office of Media Communications and the Public Information Act Coordinator receives occasional requests regarding policies, training, and accountability. The Maryland State Police is committed to the strength of its use of force policy and its training related to de-escalation techniques. The fact remains that troopers, on occasion need to engage a person physically to take them in to custody, to protect themselves or others, or to overcome resistance offered.

SIGNIFICANT ISSUES INVOLVING MEDIA AND COMMUNITY GROUPS (CONTINUED)

Throughout the State, barrack commanders and staff meet with various community organizations to share information and build relationships. During these meetings, personnel are sometimes asked about local incidents and/or national events where police officers employed force for various reasons. This affords MSP staff an opportunity to help educate citizens about the complex nature of police work, including police use of force.

PART IX – USE OF FORCE COMMITTEE

The Use of Force Committee is comprised of the Commander of the Internal Affairs Division, the Chair of the Use of Force Committee, a representative from the Support Services Bureau, a representative from the Criminal Investigative Bureau, the Commander of the Education & Training Division, a member of the Education & Training Division Physical Skills Unit, and a Assistant Attorney General assigned to the Office of Legal Counsel.

PART X – COMPLIANCE WITH POLICY & DISCIPLINARY ACTIONS TAKEN

A review of the use of force incidents in 2016 revealed that out of the 462 troopers who used force, 461 of those troopers were found in compliance with the MSP use of force policy. The one other trooper was found not in compliance with policy, but justified in the force they used.

PART XI – SUMMARY

In 2016, troopers reported 297 use of force incidents, an increase of 19% from 2015. While total use of force incidents increased, deadly force incidents decreased from 3 in 2015 to 2 in 2016. There is insufficient data to determine the reason for the increase in use of force incidents.

The use of force by troopers constitutes a very small percentage of total daily contacts (i.e. calls for service, traffic stops) with citizens (.02%). The majority of incidents occurred because troopers were attempting to arrest suspect(s) for various violations, and force was used in just over 1% of all of those arrests (1.3%).

The type of force most commonly used by troopers involved open hand techniques, muscling techniques, or pressure point compliance, which in total remained the same from the prior year. Troopers continued to document their issuance of verbal commands to show their attempts to de-escalate situations to limit the usage of additional or higher levels of force. Troopers were injured 19% of the time with 6% of all involved being taken to the hospital. Suspects were injured 36% of the time with 23% of suspects being taken to the hospital.

Summary (Continued)

In 2016, 79% of all suspects involved in use of force incidents were male. White suspects accounted for 49%, Black suspects were 44%, Hispanic suspects 3%, and others accounted for 4%. Troopers with 0-7 years of tenure represented 67% of the personnel who reported using force. Troopers with 7 years of tenure or less make up 46% of the Field Operations Bureau, and are more likely to face a confrontational situation.

The Maryland State Police is committed to ensuring the safety of the public and its troopers. The Department continues its commitment to making Maryland a safer place to live, work, and visit. Moving forward, the Department will continue its commitment to community involvement to and to build and maintain public trust, confidence, and mutual respect among troopers and the communities they serve and protect.

SPECIFIC RECOMMENDATIONS

1. Continue to review current use of force policy and compare it to best practices/policy recommendations of the International Association of Chiefs of Police and other agencies.
2. It is recommended that the agency maintain current recording capabilities for trooper and citizen contacts and explore the feasibility of expanding recording capabilities.