



Use of Force by the Portland Police Bureau

Analysis and Recommendations

From the Force Task Force to
Chief of Police Rosie Sizer

Spring 2007



CITY OF PORTLAND, OREGON



Bureau of Police

Tom Potter, Mayor

Rosanne M. Sizer, Chief of Police

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MEMORANDUM

April 16, 2007

TO: Gary Blackmer
City Auditor

Leslie Stevens
Director, Independent Police Review Division

Members of the Force Task Force

SUBJECT: Use of Force Report

I am pleased to be able to share this report on use of force by Portland Police Bureau members with my organization and the community. The Portland Police Bureau began collecting data on use of force in August 2004. This report represents our first attempt to analyze the data and use it to inform our decision making. Data alone does not answer every question. In some cases, data merely serves to help us formulate the questions. But in this case, a careful consideration of the use of force data by thoughtful people led to 16 recommendations. As Portland Police Chief, I commit the organization to advancing the recommendations made by the committee.

I think it is important to highlight that this report examines use of force incidents. Use of force should not be viewed as synonymous with excessive force. Force is an occasional and unfortunate outcome of the work that we ask the men and women of the Portland Police Bureau to do. As the report describes, Portland officers apply force in less than 1% of all calls for service and 5% of total arrests.

It is the goal of the Portland Police Bureau that all members be capable of using effective and reasonable force when appropriate to protect the public, subjects, and officers. It is also the goal of the Portland Police Bureau that, when force is appropriate, members apply those reasonable and effective force options that carry lower risks of injury to subjects and officers. Many of the recommendations contained in the report are oriented toward continuing to develop best practices in how we manage force as an organization—our use of force policy, how we train our members, how we supervise around force issues, and how we investigate and review allegations of excessive force.

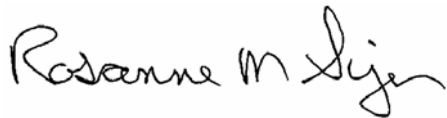
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I would like to point out several facts related to the use of force by Portland Police Bureau members:

- With this report, the Portland Police Bureau is one of only a few police departments that publicly reports on force.
- The report shows that Portland Police officers are forthcoming with information about force incidents and, in fact, seem to be over-reporting.
- The Police Bureau has agreed to work with the Michigan State University on a National Institute of Justice-funded study of force in eight American cities. The researchers intend to make recommendations regarding force policy nationally.

I would like to personally thank the citizen and Bureau members of the committee for the mature and thoughtful way they went about their work on this report. They brought a variety of perspectives to the analysis of data, but shared a commitment to the safety of the public, subjects and police officers.

I would like to particularly thank Independent Police Review Division Director Leslie Stevens for her leadership and hard work on this issue and on this report. Director Stevens provided both clear headed thinking and an ability to clearly articulate the unique perspective her position gives her. The Independent Police Review Division under her leadership is a national model for police oversight and a true partner in providing the most effective police services for the City of Portland.



ROSANNE M. SIZER
Chief of Police

RMS/lsm

c: Mayor Tom Potter
Maria Rubio
John Doussard

Members of the Force Task Force

Lynnae Berg: Assistant Chief of Police, Operations Branch, Portland Police Bureau

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Leslie Stevens: Task Force Chairperson, Director, Independent Police Review Division, City of Portland

Analyst: **Kathryn Nichols**, Performance Auditor, Consultant

Advisor: **David Woboril**, Deputy City Attorney, City of Portland

Message from Force Task Force Chair

It has been both a privilege and a challenge to work these past months with a group of dedicated public servants and citizen volunteers on this one of a kind Force Task Force. I especially want to thank the citizen volunteers who put in many hours on this endeavor.

This first careful and thoughtful analysis of the Bureau's use of force data was difficult at times, but ultimately led to sixteen unanimous recommendations for the Chief's consideration.

Overall, the analysis shows that Portland, like similar jurisdictions, uses force in a very small percentage of calls. Less than 1% of all calls for service involve force by police and less than 5% of total arrests involve force. The data also affirms that when force is used, officers generally use more force and higher levels of force on suspects who exhibit higher levels of resistance.

The Task Force did not examine individual incidents for tactical soundness or compliance with policy. For that reason, nothing in our analysis or this report shows that officers in Portland use force inappropriately. However, in an ever changing world, it is always appropriate to examine new information and look for ways to improve.

I hope that is what the Bureau will do with the information and recommendations and that the public will support its efforts. I look forward to continuing to work with the Task Force to follow up on Bureau actions taken and prepare periodic reports for the public.

A handwritten signature in black ink, appearing to read 'Leslie Stevens', with a long horizontal flourish extending to the right.

Leslie Stevens
Chair

I. Introduction

In November 2006, the City of Portland's Independent Police Review (IPR) Division and Police Bureau (PPB or Police Bureau) convened a Force Task Force (FTF or Task Force) consisting of members of the Police Bureau, staff at IPR, and members of Portland's Citizen Review Committee (CRC).

IPR is a division of the City Auditor's Bureau and receives all citizen initiated complaints of alleged police misconduct. IPR is also charged under City ordinance with recommending changes in policies and procedures to "promote higher standards of competency, efficiency, and justice in the provision of community policing services."

Consistent with this charge, the Task Force analyzed the data contained in the Police Bureau's Use of Force reports in an effort to identify any distinct patterns in the Use of Force data, and to develop recommendations for the Chief of Police designed to improve the Bureau's management of force and reduce the number of public complaints involving force. The Task Force met 10 times between November 2006 and April 2007.

In August 2004, PPB implemented a new Use of Force (UOF) reporting system which requires each officer to complete a special Use of Force Report every time the officer uses physical force, defined to include pointing a firearm, Taser or impact munitions weapon, in the performance of duties. A copy of the Bureau's *Use of Force Report* form is included at the end of this report as Appendix A. The Task Force analyzed the data from these reports with the help of an independent analyst. The Task Force did not review individual incidents for tactical soundness or compliance with policy.

The Task Force also reviewed the limited amount of comparable data available from other jurisdictions. In addition, the Task Force reviewed the standards approved by the Commission on Accreditation for Law Enforcement Agencies (CALEA) and policies from other police departments including Charlotte-Mecklenburg, Denver, Beaverton, Los Angeles, Phoenix, San Francisco, and Seattle.

Finally, the Task Force reviewed training practices for the State of Oregon's Basic Academy, as well as PPB's Advanced Academy, Field Training Officer program, Roll-Call and In-Service trainings, and written training materials on Use of Force reporting.

The Task Force formulated recommendations in the areas of data collection and analysis, policy and training, supervision and management, and intra-bureau patterns of force.

II. Methodology

PPB officers submitted approximately 8,500 UOF reports between August 1, 2004 and October 4, 2006. Elements from each report are entered into the Bureau's computerized database system. The Task Force excluded data from reports involving incidents in which:

- Handcuffing was the only force reported and the suspect was not injured. Although PPB policy does not require a UOF report under such circumstances, some officers have filled out a UOF report for these circumstances.
- Pointing of a firearm or impact munitions weapon was the only force reported. The Task Force found that in a number of incidents, every officer who pointed a firearm filed a UOF report, even though PPB policy requires only one officer to file one report.
- Pointing of a Taser in "light-mode" was the only force reported and the Taser was not actually used.
- A firearm was discharged with or without injury. Officer involved shootings are subjected to external review by a national expert hired by IPR.

After these exclusions, the resulting data on Use of Force Reports submitted between August 1, 2004 and September 30, 2006 covers:

- 4,579 UOF Reports (one for each officer-suspect encounter),
- 3,903 incidents (police cases which may involve more than one officer and/or suspect),
- 669 officers, and
- 3,706 suspects.

To assess the validity of the data, the Task Force conducted a "mini-audit" on a random sample of 70 reports. Members of the Task Force compared the elements of the computerized data (suspect conditions, type of force, and injuries) to the officers' detailed narrative reports about the same incidents. The Task Force concluded that, in general, officers accurately and completely reported their use of force. Overall, use of force data was well supported in 86% of the reports reviewed. In the remaining, there were a small number of errors identified. For example, there were date inconsistencies and over-reporting of force including injuries reported on the Use of Force Report form that were not a result of the use of force.

The Task Force also reviewed data on officer assignments and workloads, use of force complaints, and arrest charges associated with incidents involving force. The Task

Force obtained workload data on the total number of arrests and calls for service (self initiated and dispatched) for each officer in 2005 and data on the total number of force related complaints received between January 1, 2004 and December 15, 2006. Associations between variables were analyzed using appropriate statistical tests.

The Task Force did not receive or analyze suspect data such as gender, race, or age. The Task Force agreed a meaningful analysis in this area would not be possible within the time or funding provided for this project.

III. Analysis and Comparisons

Portland officers use force in a very small percentage of their encounters with citizens. Because systems for monitoring police force rates are relatively new and vary from jurisdiction to jurisdiction, it is difficult to compare force rates between jurisdictions. In fact, there are few jurisdictions that report publicly on police use of force and are roughly similar in size. Also, jurisdictions define reportable force somewhat differently. For example, Portland reporting includes control tactics which are not reported by officers in other cities. Some jurisdictions report on force at the incident level and Portland requires a separate force report for each officer. After making adjustments for these differences, the data confirmed that in Portland, like other jurisdictions, less than 1% of total calls for service involve force by police and less than 5% of total arrests involve force. In Portland, police officers use force against suspects in 1 out-of-every 274 calls and in 1 out-of-every 24 arrests.

The data suggests that Portland officers report using force slightly more frequently than publicly reported by their peers in Minneapolis, San Diego, San Jose, and Seattle.

Portland Overview

2005 UOF Incidents	1,583
2005 Calls for Service	434,196
2005 Arrests	37,900
Calls per UOF Incident	274
Arrests per UOF Incident	24
Percent of Calls involving Force	0.36%
Percent of Arrests involving Force	4.18%

Portland's Use of Force reporting system generally includes five types of force: physical control, blunt impact strikes, Taser, less-lethal munitions, and pepper spray. Each type of force can include several different types of tactics. For example, "physical control" includes the use of handcuffs, control holds, take downs, pressure points, and hobbles.

In Portland, the most frequently reported force type used is physical control. About 83% of the reported incidents involved physical control. Tasers were used in 19% of the reported force incidents and blunt impact strikes were used in 17% of the force incidents. Pepper spray and less-lethal impact munitions (e.g. bean bags) are used less frequently.

Types of Force Reported

	Number of UOF Reports	Percent of Total Reports	Number of Officers Reporting	Number of UOF Reports per Reporting Officer	Estimated Number per Officer per Year
Reports Based on FTF Definition of Force	4,579	100%	669	6.8	3.2
Physical Control	3,821	83%	620	6.2	2.8
Control Holds	2,456	54%	548	4.5	2.1
Takedowns	1,804	39%	454	4.0	1.8
Handcuffing w/ Injury	986	22%	354	2.8	1.3
Pressure Points	335	7%	176	1.9	0.9
Hobble	238	5%	166	1.4	0.7
Taser	861	19%	368	2.3	1.1
Probe	613	13%	301	2.0	0.9
Drive Stun	248	5%	179	1.4	0.6
Blunt Impact Strike	757	17%	293	2.6	1.2
Hands/Feet	584	13%	253	2.3	1.1
Baton	55	1%	47	1.2	0.5
Other (e.g. Knees)	134	3%	15	8.9	4.1
Flashlight	15	0%	79	0.2	0.1
Pepper Spray	307	7%	182	1.7	0.8
Non-Lethal Impact Munitions	110	2%	66	1.7	0.8

In three-quarters of the reported force incidents, only one type of force was used.

Types of Force Reported

	Percentage of Force Reports
One type of force used	75%
Two types of force used	22%
Three types of force used	3%
Four or more types of force used	0%

Although the Task Force was satisfied that the data was sufficiently reliable for purposes of this analysis, the Task Force’s analysis was constrained by limitations in a number of areas. This should not be surprising, given the fact that this was the first analysis of Police Bureau Use of Force data from a new reporting system. The following reporting issues were identified during the analysis:

- There was concern expressed and anecdotal evidence that there is widespread misunderstanding within the Bureau about what is reportable and by whom.
- When reviewing the reports, the Task Force found that the form is not always used as a narrative report, even though there is a space for narrative. This area on the form is often filled in with reference to another report containing the narrative.
- Officer and citizen information had to be extracted separately when these data elements were not entered or not stored with the rest of the use of force data.
- The Bureau does not currently have the capability of linking some Use of Force data with related Bureau of Emergency Communications (BOEC) dispatch information on calls for service.
- Officer assignment codes were too detailed and inconsistent to allow meaningful analysis of use of force patterns by assignment below the precinct level.
- IPR’s complaint tracking system does not currently distinguish between force complaints that are filed by person against whom the force was used versus complaints filed by independent eyewitnesses to an event.

For all of these reasons, the Task Force makes the following recommendations related to data reporting, collection, and analysis.

Recommendation 1: The Bureau should identify the uses for the Use of Force form and redesign the form to capture all relevant data. Uses should include:

- Providing data for the Bureau’s new Employee Information System (EIS);
- Enabling the Bureau to benchmark and make comparisons to other jurisdictions;
- Supporting intra-bureau comparisons and analyses;
- Permitting the bureau to evaluate and assess training and policy issues; and
- Allowing the Bureau to publicly report and demonstrate its commitment to public accountability and transparency.

Recommendation 2: The Bureau should change the name of the required use of force form from “Report” to “Data Collection Form.”

Recommendation 3: The Bureau should deliver clear and direct training about how and when to use the Use of Force form. A “Tips and Techniques” memo is not sufficient.

Recommendation 4: The Bureau should require officers to provide a complete and accurate justification for the level of force used during an incident.

Recommendation 5: The Bureau should conduct at least an annual analysis of its data.

Recommendation 6: IPR should track the frequency of force complaints received from eye witnesses and third parties.

IV. Force Complaints

Since 2002, IPR has received an average of 101 complaints each year involving one or more force allegations against a Portland police officer. These force complaints make up about 14% of all complaints received by IPR.

PPB did not sustain a single citizen force complaint between 2004 and 2006. According to 2002 data compiled by the U.S. Bureau of Justice Statistics (BJS), other jurisdictions sustain an average of 8% to 14% force complaints per year. Furthermore, PPB exonerated officers in 62% of the complaints, more than double the national rate averaging 21% to 28%. The Police Bureau members of the Task Force point out that these national rates should be viewed cautiously because it is not clear what effect, if any, results from differences in the way jurisdictions receive, process and record complaints. Also, the Police Bureau notes that although no allegations of force were sustained in any citizen-generated complaints, in nine force cases between 2004 and 2006, other allegations such as profanity and rude or unprofessional behavior were sustained. One bureau-generated complaint (not brought to the Bureau's attention by a citizen) was sustained during the same period.

In its 2004 Annual Report, IPR attributes the low rate of sustained force complaints, in part, to the Portland Police Bureau's *Levels of Control* training matrix, which gives officers discretion to use force based on very broadly defined levels of suspect resistance. Other reasons may include:

- A lack of clarity in the Bureau's Directive defining when physical force may be used;
- Higher expectations by citizens;
- Inconsistent standards applied by Bureau supervisors; or
- The Bureau's practice of assessing the reasonableness of the use of force only at the moment force is used, without a clear way to consider tactical choices or decisions leading up to the use of force.

The Bureau's current physical force policy establishes a standard adopted by the United States Supreme Court for purposes of civil liability under the US Constitution. That is, the Bureau requires only that use of force be "reasonable." However, the use of force, even if it meets the constitutional standard, can generate citizen complaints and can erode the public's trust in the Police Bureau.

The data shows a strong correlation between the number of force complaints filed against each officer (January 1, 2004 through December 15, 2006) and reported use of force statistics over the 26-month reporting period reviewed (August 2004 through September 2006). Officers who use force more frequently are significantly more likely to be the subject of force complaints.

Force Complaints Compared to Officers Reporting Use of Force Incidents

Force Complaints*	Number of Officers	Average UOF Incidents Reported
None	425	4.5
One	162	8.6
Two	50	11.3
Three	17	18
Four	8	26.5
Five or More	7	29.6

*Includes citizen-initiated and bureau-initiated complaints.

Given the correlation between use of force and force complaints, it is not surprising that precincts with relatively high use of force are also those whose officers are more likely to be the subject of excessive force complaints by citizens.

Complaints Compared to Precinct Use of Force Incidents

Precinct	Number of 2005 Calls per UOF Reports	Force Complaints	Officers Reporting Use of Force	Number of Complaints per Reporting Officer
Central	144	124	107	1.2
East	220	68	107	0.6
NE	223	40	84	0.5
N	252	28	34	0.8
SE	216	50	88	0.6
Transit	68	37	32	1.2
Other	87	9	46	0.2
Total		356	498	0.7

The data shows that the great majority of Portland police officers use force very infrequently. Conversely, a small number of officers using force more frequently account for a disproportionate number of force incidents. The 10% of officers who each submitted more than 15 UOF reports account for 39% of the total incidents reported.

Frequency of Use of Force Reporting by Officers

Number of UOF Reports Submitted	Number of Reporting Officers	Percent of Reporting Officers	Total Reports	Percent of Total Reports
1	143	21%	143	3%
2	100	15%	200	4%
3	65	10%	195	4%
4	47	7%	188	4%
5	44	7%	220	5%
6	43	6%	258	6%
7	32	5%	224	5%
8	26	4%	208	5%
9	22	3%	198	4%
10	22	3%	220	5%
11	18	3%	198	4%
12	17	3%	204	4%
13	9	1%	117	3%
14	7	1%	98	2%
15	8	1%	120	3%
More than 15	66	10%	1,788	39%
Total	669	100%	4,579	100%

The strong correlation between citizen complaints and use of force, as well as the fact PPB is markedly different from its peers in terms of exonerating officers and not finding citizen-generated use of force complaints to be out of policy resulted in several recommendations for changes in force policies, Police Bureau procedures for addressing complaints, and immediate use of current data. The Task Force recommends that the Bureau clarify its expectations relating to the use of force in its policies to:

- Inform the public about PPB’s expectations for how officers will use force;
- Provide supervisors and command staff who review force incidents with clear criteria so the policies are applied consistently; and
- Fairly identify for officers the standards that will be applied to their actions.

The Task Force also recommends that the Bureau revise its physical force directive to incorporate a higher standard.

Recommendation 7: The Bureau should revise its force policy(s) to:

- Better define the “reasonableness” standard;
- Allow the Bureau to manage its employees toward the goal of using lower force options when appropriate;
- Incorporate in its physical force policy a broader look at force incidents consistent with the requirement in Directive 1010.10 that officers should ensure that their actions do not recklessly create the need to use force;
- Require officers to report possible violations of force policies;
- Require supervisors to review reports for completeness, accuracy and justification for the use of force; and
- Require managers to address all of the requirements of force policies when preparing proposed findings in misconduct investigations, including assessing the amount of force used and considering more than the suspect’s actions at the moment before force was used.

Recommendation 8: The Bureau should amend training practices to incorporate whatever revisions are made to the Bureau’s force policy(s) and revise force training curriculum, philosophy, and personnel delivery style in all training components, including but not limited to the Advanced Academy, In-Service training, Sergeants Academy and Field Training Officer levels.

Recommendation 9: The Bureau should require a debriefing with officers in all citizen or bureau-initiated force complaints containing use of force allegations. The Internal Affairs Division (IAD) and Independent Police Review (IPR) should work together to determine the timing and format of the required debriefing documentation.

Recommendation 10: The Bureau should count all numbered misconduct complaints when determining whether an officer should be reviewed under the Bureau’s current early warning system and that, as required by Directive 345, reviews are conducted if an officer receives two or more complaints with allegations of use of force or improper control techniques within six months.

Recommendation 11: Consistent with the current considerations for EIS reviews, the Bureau should immediately identify officers whose arrest to force ratios exceed three times that of their relief/unit average and officers who use force in more than 15% of their arrests. The Bureau should initiate EIS reviews of those officers within 90 days.

Recommendation 12: After one year, the Bureau should re-evaluate EIS use of force thresholds for mandatory supervisor reviews.

Recommendation 13: The Bureau should require semi-annual performance discussions that include a review of use of force incidents.

V. Intra-Bureau Patterns In The Use Of Force

The data showed patterns in the frequency and types of force used by precinct. The Bureau's Central Precinct accounts for 28% of the total Use of Force Reports submitted over the 26-month period reviewed, followed by East Precinct (19%) and Southeast Precinct (17%). Physical control and blunt impact strikes are used at relatively higher rates by officers at Central Precinct and the Transit Police Division, compared to their peers at other precincts. Officers at the East and North Precincts are more likely to use Tasers than those at other precincts.

Types of Force Used by Precinct

Precinct	Total Force Reports	Percent of Bureau Total	Percentage of Total Precinct Reports involving:				
			Physical Control	Blunt Impact Strikes	Taser	Pepper Spray	Impact Munitions
Central	1,263	28%	85%	21%	15%	8%	1%
East	876	19%	80%	16%	28%	5%	5%
NE	663	14%	87%	10%	18%	8%	3%
N	317	7%	80%	12%	23%	9%	1%
SE	785	17%	86%	12%	17%	6%	2%
Transit	393	9%	89%	25%	13%	5%	1%
Other*	282	6%	69%	20%	18%	4%	4%
Total	4,579	100%	83%	17%	19%	7%	2%

* Includes officers in special units which are not precinct affiliated, such as Tactical Operations, Detectives, Traffic, and School Police.

These precinct patterns also surfaced in use of force rates which take into account officer workloads. Central Precinct and Transit Police Division again had the highest officer ratios of force reports to calls for service. For example, officers in the Transit Police Division used force in 1-out-of-every 68 calls for service compared to the North Precinct where only 1-out-of-every 252 police calls involved the use of force. The Central and Northeast Precincts were highest on force to arrest rates, but the Transit Police Division was also relatively high.

Comparison of Arrests and Call Workload to Use of Force Reports

Precinct	2005 UOF Reports as a Percent of Arrests	Number of 2005 Calls per UOF Reports
Central	7.6%	144
East	5.8%	220
NE	7.2%	223
N	5.2%	252
SE	5.9%	216
Transit	6.9%	68
Other	8.3%	87

The Task Force also reviewed charge patterns associated with use of force by precinct. Force-related incidents reported by officers at Central and those working in the Transit Police Division, are more likely to involve suspects arrested on drug charges, resistance related charges, and public order offenses.

Precinct Force Reports by Most Serious Arrest Charge

Precinct	Aggravated Assault	Assault IV	Disorderly Conduct	Drugs	Larceny	Resisting Arrest	Traffic	Warrant
Central	4%	6%	8%	23%	4%	23%	1%	3%
East	5%	10%	4%	10%	4%	17%	5%	6%
NE	5%	10%	8%	10%	4%	16%	5%	4%
N	6%	11%	5%	4%	4%	22%	6%	6%
SE	3%	6%	6%	12%	5%	15%	5%	8%
Transit	3%	2%	8%	32%	3%	33%	1%	1%
Other	5%	2%	2%	15%	2%	12%	6%	18%

Note: Based on force reports in which suspect was arrested

Precincts where force is used most frequently are also those with the highest force-related injury rates. The percentage of force incidents involving injuries to suspects is highest at Central (30%) while the injury rate for officers is highest at the Transit Police Division (12%).

Injuries and Use of Force

Precinct	Percentage of Total UOF Reports Involving Injury to Suspect	Percentage of Total UOF Reports Involving Injury to Officer
Central	29.8%	9.0%
East	25.1%	9.2%
NE	25.5%	9.8%
N	24.9%	8.2%
SE	23.7%	6.6%
Transit	24.4%	11.7%
Other	27.7%	9.2%

These patterns within the Central Precinct and Transit Police Divisions resulted in the following recommendations.

Recommendation 14: The Bureau should attempt to reduce forcible encounters, particularly in the Central Precinct and Transit Police Division, by broadening the strategies the Bureau uses to control street level drug dealing, street disorder in the Entertainment District at closing, and public order offenses.

Recommendation 15: The Bureau should partner with TriMet to provide public information on fare missions, enforcement strategies and behavior expectations, making TriMet a more visible partner.

Recommendation 16: IPR, the Assistant Chief of Operations and supervisors of street crime units should meet semi-annually to share and review information, including complaint data and tactics.

VI. Additional Analysis

Use of Force and Incident Characteristics

Consistent with the national research on police use of force, Portland officers used force most frequently in order to arrest a suspect. See Appendix B, Table 1. The type of force used is related to the force rationale. See Appendix B, Table 2. For example, blunt impact strikes are more likely to be used when officers are defending themselves (24% of the incidents with this force rationale involved strikes) and less likely to be used in civil holds (16%). Tasers and pepper spray are more likely to be used when officers are defending others.

Use of Force and Suspect Characteristics

Portland police officers are authorized by state statutes and Bureau policy to use force when it is “reasonably necessary.” The Bureau’s current “Levels of Control” training model guides officers to choose the type and level of force used based broadly on the suspect’s level of resistance. The data affirms that officers are generally using more force and higher levels of force on suspects who exhibit higher levels of resistance. See Appendix B, Tables 3 and 4.

About 37% of the suspects on whom force is used are reportedly under the influence of alcohol and 19% are under the influence of drugs. Roughly 14% are reportedly mentally ill. See Appendix B, Table 5.

Although they constitute a small percentage of force incidents (5%), suspects who reportedly assault police officers are the subject of more force types and are more likely to be subject to blunt impact strikes. See Appendix B, Tables 5 and 6.

Force was used but no charges filed in 25% of the cases. From the available data it appears that some of these cases may involve mental health holds. Debriefing incidents resulting in force against a person when no charges are filed should help the Bureau evaluate whether this is an area for future action. See Appendix B, Table 7.

Injuries Associated with Use of Force

Portland’s force-related injury rates are consistent with national research. About 30% of the incidents in which force is used by Portland officers result in injury either to the suspect or the officer. Suspects are more likely to be injured by force (26%) compared to officers (9%). See Appendix B, Table 8.

Officers report injury by incident (each officer-suspect encounter involving force) and more than one type of force can be used in each incident. As a result, injuries cannot be

directly tied to a particular force type used. Although non-lethal impact munitions are used infrequently, when they are used suspects are quite likely to sustain injuries. Although the data should be viewed cautiously, it does provide some evidence that blunt impact strikes or Tasers are used more often in cases involving injuries.

However, the apparent injury rate in cases where Tasers have been used may be exaggerated because officers are required to report Taser probe impacts as injuries, even if there are no other injuries. Furthermore it is not clear whether there are more reported injuries because Tasers tend to be used in more aggravated incidents. It is a matter worth analyzing in the future.

Use of Force and Officer Characteristics

Consistent with the national research, female officers report using force less frequently than male officers. Female officers in Portland submitted an average of four reports over the last 26 months, compared to seven for male officers. Women are less likely than male officers to use blunt impact strikes, but they are more likely to use Tasers. Injuries are less likely to result when female officers use force (25% of force incidents) compared to male officers (30%). See Appendix B, Table 9.

There were no statistically significant differences by officer race in the frequency or type of force reported. Nor were there differences in reported injuries.

Again consistent with research, officer age is negatively correlated with use of force. Younger officers are generally more likely to use force than older officers, with the highest use of force frequencies reported by 26 to 30 year old officers. Further analysis controlling for officer workload in 2005 (calls and arrests) confirms that younger officers report using force more often because they are typically the most active and productive officers. Older officers are more likely to be working as supervisors with low call workload, but are more likely to be involved in more serious calls involving force. See Appendix B, Table 10.

There were no statistically significant differences between officers with Crisis Intervention Team (CIT) training and those without in the frequency or type of force reported. Nor were there differences in reported injuries.

Task Force Recommendations

1. The Bureau should identify the uses for the Use of Force form and redesign the form to capture all relevant data. Uses should include:
 - Providing data for the Bureau's new Employee Information System (EIS);
 - Enabling the Bureau to benchmark and make comparisons to other jurisdictions;
 - Supporting intra-bureau comparisons and analyses;
 - Permitting the bureau to evaluate and assess training and policy issues; and
 - Allowing the bureau to publicly report and demonstrate its commitment to public accountability and transparency.
2. The Bureau should change the name of the required use of force form from "Report" to "Data Collection Form."
3. The Bureau should deliver clear and direct training about how and when to use the Use of Force form. A tips and techniques memo is not sufficient.
4. The Bureau should require officers to provide a complete and accurate justification for the level of force used during an incident.
5. The Bureau should conduct at least an annual analysis of its data.
6. IPR should track the frequency of force complaints received from eye witnesses and third parties.
7. The Bureau should revise its force policy(s) to:
 - Better define the "reasonableness" standard;
 - Allow the Bureau to manage its employees toward the goal of using lower force options when appropriate;
 - Incorporate in its physical force policy a broader look at force incidents consistent with the requirement in Directive 1010.10 that officers should ensure that their actions do not recklessly create the need to use force;
 - Require officers to report possible violations of force policies;
 - Require supervisors to review reports for completeness, accuracy and justification for the use of force; and
 - Require managers to address all of the requirements of force policies when preparing proposed findings in misconduct investigations, including assessing the amount of force used and considering more than the suspect's actions at the moment before force was used.

8. The Bureau should amend training practices to incorporate whatever revisions are made to the Bureau's force policy(s) and revise force training curriculum, philosophy, and personnel delivery style in all training components, including but not limited to the Advanced Academy, In-Service training, Sergeants Academy and Field Training Officer levels.
9. The Bureau should require a debriefing with officers in all citizen or bureau-initiated force complaints containing use of force allegations. The Internal Affairs Division (IAD) and Independent Police Review (IPR) should work together to determine the timing and format of the required debriefing documentation.
10. The Bureau should count all numbered misconduct complaints when determining whether an officer should be reviewed under the Bureau's current early warning system and that, as required by Directive 345, reviews are conducted if an officer receives two or more complaints with allegations of use of force or improper control techniques within six months.
11. Consistent with the current considerations for EIS reviews, the Bureau should immediately identify officers whose arrest to force ratios exceed three times that of their relief/unit average and officers who use force in more than 15% of their arrests. The Bureau should initiate EIS reviews of those officers within 90 days.
12. After one year, the Bureau should re-evaluate EIS use of force thresholds for mandatory supervisor reviews.
13. The Bureau should require semi annual performance discussions that include a review of use of force incidents.
14. The Bureau should attempt to reduce forcible encounters, particularly in the Central Precinct and Transit Police Division, by broadening the strategies the Bureau uses to control street level drug dealing, street disorder in the Entertainment District at closing, and public order offenses.
15. The Bureau should partner with TriMet to provide public information on fare missions, enforcement strategies and behavior expectations, making TriMet a more visible partner.
16. IPR, the Assistant Chief of Operations and supervisors of street crime units should meet semi-annually to share and review information, including complaint data and tactics.

APPENDIX A

Portland Police Bureau						USE OF FORCE REPORT						PAGE/OF																				
Case No.			Refer Case No.			Classification																										
Date/Time Reported			Date/Time Occurred			Location of Occurrence																										
Name of Subject			DOB			Sex		Race		DOB																						
Address			Hgt		Wgt		Hair		Eyes																							
Conditions																																
Lighting Conditions: <input type="checkbox"/> 01 DARK <input type="checkbox"/> 02 LOW LIGHT <input type="checkbox"/> 03 BRIGHT																																
Applicable Suspect Conditions (Check all that apply)													Under the Influence (Check all that apply)																			
<input type="checkbox"/> 01 Actually armed <input type="checkbox"/> 02 Reported to be armed <input type="checkbox"/> 03 Assaulted officer <input type="checkbox"/> 04 Assaulted citizen <input type="checkbox"/> 05 History of violence <input type="checkbox"/> 06 Failure to comply													<input type="checkbox"/> 01 Alcohol <input type="checkbox"/> 02 Drugs <input type="checkbox"/> 03 Mental illness <input type="checkbox"/> 04 None apparent <input type="checkbox"/> 05 Other (explain)																			
<input type="checkbox"/> 07 Engaged in or indicated the intent to engage in physical resistance <input type="checkbox"/> 08 Engaged in or indicated the intent to engage in aggressive physical resistance <input type="checkbox"/> 09 Other _____																																
Event Conditions: <input type="checkbox"/> 01 High risk incident <input type="checkbox"/> 02 Search warrant <input type="checkbox"/> 03 Other _____																																
Use of Force / Control Necessary to:																																
<input type="checkbox"/> 01 Defend self <input type="checkbox"/> 02 Defend another <input type="checkbox"/> 03 Make arrest <input type="checkbox"/> 04 Prevent escape <input type="checkbox"/> 05 Civil hold <input type="checkbox"/> 06 Accomplish official purpose (explain) <input type="checkbox"/> 07 Other _____																																
Warning Given Before Deployment: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Not feasible																																
Control																																
Physical Control: <input type="checkbox"/> 01 Pressure points <input type="checkbox"/> 02 Handcuffing <input type="checkbox"/> 03 Control holds <input type="checkbox"/> 04 Takedowns <input type="checkbox"/> 05 Hobble <input type="checkbox"/> 06 Not applicable													Effective? <input type="checkbox"/> YES <input type="checkbox"/> NO																			
Impact Weapons: <input type="checkbox"/> 01 Hands/Feet <input type="checkbox"/> 02 Baton <input type="checkbox"/> 03 Flashlight <input type="checkbox"/> 04 Not applicable <input type="checkbox"/> 05 Other _____													Effective? <input type="checkbox"/> YES <input type="checkbox"/> NO																			
Pepper Spray: Distance (Feet) <input type="checkbox"/> 01 1-3' <input type="checkbox"/> 02 4-7' <input type="checkbox"/> 03 7'+ <input type="checkbox"/> 04 Not applicable													Effective? <input type="checkbox"/> YES <input type="checkbox"/> NO																			
Duration (Seconds) 1st _____ 2nd _____ 3rd _____																																
Pointing of Firearm: # of Officers _____ # of Subjects _____																																
<input type="checkbox"/> 01 Handgun Distance (feet) _____ <input type="checkbox"/> 02 Shotgun Distance (feet) _____ <input type="checkbox"/> 03 AR-15 Distance (feet) _____ <input type="checkbox"/> 04 Impact Munitions Distance (feet) _____ <input type="checkbox"/> 05 Not applicable																																
Discharge of Firearm <input type="checkbox"/> Not applicable																																
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Weapon</th> <th colspan="2">Subject</th> <th colspan="2">Result</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> 01 Handgun (Primary)</td> <td><input type="checkbox"/> 03 Shotgun</td> <td><input type="checkbox"/> 01 Person</td> <td><input type="checkbox"/> 03 Other</td> <td><input type="checkbox"/> 01 Death</td> <td><input type="checkbox"/> 03 Missed</td> </tr> <tr> <td><input type="checkbox"/> 02 Handgun (Secondary)</td> <td><input type="checkbox"/> 04 AR-15</td> <td><input type="checkbox"/> 02 Animal</td> <td></td> <td><input type="checkbox"/> 02 Injury</td> <td></td> </tr> </tbody> </table>													Weapon		Subject		Result		<input type="checkbox"/> 01 Handgun (Primary)	<input type="checkbox"/> 03 Shotgun	<input type="checkbox"/> 01 Person	<input type="checkbox"/> 03 Other	<input type="checkbox"/> 01 Death	<input type="checkbox"/> 03 Missed	<input type="checkbox"/> 02 Handgun (Secondary)	<input type="checkbox"/> 04 AR-15	<input type="checkbox"/> 02 Animal		<input type="checkbox"/> 02 Injury			
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Impact Munitions <input type="checkbox"/> Not applicable																																
Type/Distance													Effective? <input type="checkbox"/> YES <input type="checkbox"/> NO If not, why?																			
<input type="checkbox"/> 01 Bean bag _____ Feet <input type="checkbox"/> 02 Stingers _____ Feet <input type="checkbox"/> 03 Sage _____ Feet <input type="checkbox"/> 04 Other _____ Feet													<input type="checkbox"/> 01 Clothing <input type="checkbox"/> 02 Missed <input type="checkbox"/> 03 Malfunction <input type="checkbox"/> 04 No physical effect <input type="checkbox"/> 05 Other _____																			
Rounds Fired _____ Hits _____																																
Reporting Officer			DPSST		Prec/Div		Rtl/Shift		Assn/Dist		Supervisor's Signature																					

Case No. _____	Use of Force Report	PAGE/OF _____														
Taser <input type="checkbox"/> Not applicable																
Application <input type="checkbox"/> 01 Probe <input type="checkbox"/> 02 Drive stun <input type="checkbox"/> 03 Laser only	Cycles <input type="checkbox"/> 1 <input type="checkbox"/> 4 <input type="checkbox"/> 2 <input type="checkbox"/> 5 <input type="checkbox"/> 3 <input type="checkbox"/> OTHER _____	Distance (Feet) <input type="checkbox"/> 01 0-5' <input type="checkbox"/> 03 11-15' <input type="checkbox"/> 02 6-10' <input type="checkbox"/> 04 16-21'														
Did Probes Penetrate the Skin? <input type="checkbox"/> YES <input type="checkbox"/> NO																
Effective? <input type="checkbox"/> YES <input type="checkbox"/> NO If not, why? _____ <input type="checkbox"/> 01 Heavy clothing <input type="checkbox"/> 04 Subject moved <input type="checkbox"/> 07 One probe <input type="checkbox"/> 02 Close probe strikes <input type="checkbox"/> 05 Missed <input type="checkbox"/> 08 Other _____ <input type="checkbox"/> 03 Low muscle mass <input type="checkbox"/> 06 Malfunction																
Taser Serial # _____		Cartridge # _____														
		Injuries <table style="width:100%; border: none;"> <tr> <td style="width:50%;">Officer</td> <td style="width:50%;">Suspect</td> </tr> <tr> <td><input type="checkbox"/> 01 None</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/> 02 Bruises</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/> 03 Abrasions</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/> 04 Lacerations</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/> 05 Broken bones</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/> 06 Other</td> <td><input type="checkbox"/></td> </tr> </table>	Officer	Suspect	<input type="checkbox"/> 01 None	<input type="checkbox"/>	<input type="checkbox"/> 02 Bruises	<input type="checkbox"/>	<input type="checkbox"/> 03 Abrasions	<input type="checkbox"/>	<input type="checkbox"/> 04 Lacerations	<input type="checkbox"/>	<input type="checkbox"/> 05 Broken bones	<input type="checkbox"/>	<input type="checkbox"/> 06 Other	<input type="checkbox"/>
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<input type="checkbox"/> 05 Broken bones	<input type="checkbox"/>															
<input type="checkbox"/> 06 Other	<input type="checkbox"/>															
Checked by Medical Officer <input type="checkbox"/> YES <input type="checkbox"/> NO Suspect <input type="checkbox"/> YES <input type="checkbox"/> NO		Taken to Hospital Where Officer: <input type="checkbox"/> YES <input type="checkbox"/> NO _____ Suspect: <input type="checkbox"/> YES <input type="checkbox"/> NO _____														
Notification: Superv. Notified: <input type="checkbox"/> YES <input type="checkbox"/> NO At Scene: <input type="checkbox"/> YES <input type="checkbox"/> NO Name / DPSST _____																
Narrative: <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>																

APPENDIX B

Table1 Reported Rationale for Force*

	Percentage of Force Reports
Self-Defense	35%
To Defend Others	21%
To Make Arrest	74%
To Prevent Escape	37%
High Risk Incident	36%
For Civil Hold	12%
To Accomplish Official Purpose	14%

*More than one may apply

Table 2 Rationale and Types of Force Reported*

	Physical Control	Blunt Impact Strike	Other Non-Lethal	Pepper Spray	Taser
Self-Defense	81%	24%	3%	7%	24%
To Defend Others	77%	22%	4%	10%	31%
To Make Arrest	83%	18%	2%	6%	20%
To Prevent Escape	85%	20%	2%	5%	23%
High Risk Incident	82%	18%	6%	5%	21%
For Civil Hold	86%	16%	2%	7%	20%
To Accomplish Official Purpose	87%	12%	2%	7%	13%

*More than one may apply

Table 3 Reported Resistance and Number of Types of Force Used

Highest Level of Resistance	Percentage of Force Reports	Average Number of Types of Force Used per Incident (up to 5)
No Resistance Indicated	17%	1.1
Failed to Comply	15%	1.2
Physically Resistant	41%	1.2
Aggressively Physically Resistant	27%	1.5

Table 4 Reported Resistance and Types of Force Used

Highest Level of Resistance	Physical Control	Blunt Impact	Other Non-Lethal	Pepper Spray	Taser
No Resistance Indicated	89%	5%	4%	3%	4%
Failed to Comply	80%	10%	5%	8%	14%
Physically Resistant	86%	14%	1%	6%	18%
Aggressively Physically Resistant	79%	31%	2%	10%	31%

Table 5 Reported Suspect Characteristics and Average Number of Force Types

Suspect Characteristics	Percentage of Force Reports	Average # of Types of Force Used per Incident (up to 5)
Actually Armed	7%	1.4
Reportedly Armed	9%	1.3
Assaulted Officer	5%	1.6
Assaulted Citizen	8%	1.3
History of Violence	10%	1.4
Under Influence of Alcohol	37%	1.3
Under Influence of Drugs	19%	1.4
Mentally Ill	14%	1.3

Table 6 Reported Suspect Characteristics and Types of Force Used

Suspect Characteristics	Physical Control	Blunt Impact	Other Non-Lethal	Pepper Spray	Taser
Actually Armed	77%	18%	9%	4%	31%
Reportedly Armed	77%	10%	14%	3%	24%
Assaulted Officer	85%	42%	2%	8%	26%
Assaulted Citizen	72%	17%	2%	13%	27%
History of Violence	83%	19%	3%	6%	26%
Under Influence of Alcohol	84%	17%	2%	9%	19%
Under Influence of Drugs	84%	22%	2%	7%	22%
Mentally Ill	83%	16%	4%	6%	26%

Table 7 Charges Associated with Use of Force Incidents

Most Serious Arrest Charge	Percentage of Use of Force Reports
No Charges Filed	25%
Resisting Arrest	15%
Drugs	12%
Assault IV	5%
Disorderly Conduct	5%
Arrested on Warrant	4%
Aggravated Assault	3%
Larceny	3%
Traffic	3%
Harassment	3%
DUII	2%
All other charges	20%

Table 8 Comparison of Incidents Involving Injury and Type of Force Reported

	Percent of Cases with Injury to Officer or Suspect	Percent of Cases with Injury to Suspect	Percent of Cases with Injury to Officer
Total Reports**	30%	26%	9%
Physical Control	32%	28%	10%
Control Holds	25%	21%	10%
Takedowns	37%	31%	15%
Handcuffing w/ injury	100%	91%	24%
Pressure Points	36%	33%	13%
Hobble	46%	41%	17%
Taser	46%	41%	11%
Probe	46%	42%	10%
Drive Stun	45%	40%	15%
Blunt Impact Weapon	48%	42%	21%
Hands/Feet	49%	42%	24%
Baton	55%	49%	20%
Other (e.g. Knees)	47%	44%	15%
Flashlight	53%	53%	13%
Pepper Spray	26%	23%	12%
Non-Lethal Impact Munitions	56%	56%	2%

* Injuries cannot be directly tied to the force type.

** Incidents in which injury was not reported were treated as non-injury.

Table 9 Use of Force Reporting by Officer Gender

	Average UOF Reports*	Average Number of Force Types Reported	Percentage of UOF Reports Involving:					Injury to Suspect or Officer
			Physical Control	Blunt Impact Strikes	Other Non-Lethal	Pepper Spray	Tasers	
Female	4.1	5.1	82%	7%	1%	7%	28%	25%
Male	7.3	9.3	84%	17%	2%	7%	18%	30%

*Average per officer August 2004 through September 2006

Table 10 Use of Force Reporting by Officer Age

Officer Age	Average UOF Incidents*	Average Number of Force Types Reported	2005 UOF Reports as a Percent of Arrests	2005 Number of Calls per UOF Reports
25 and under	6.6	8.2	6.2%	247
26 to 30	10.4	13.3	5.4%	204
31 to 35	8.7	11.2	6.7%	173
36 to 40	6.2	7.9	7.5%	186
41 to 50	5.8	7.3	8.0%	164
Over 50	2.5	3.2	7.0%	292

*Average per officer August 2004 through September 2006