USE OF FORCE
Annual Review & Analysis

A REVIEW OF USE OF FORCE INCIDENTS

By members of the

MARYLAND STATE POLICE

Between

JANUARY 1, 2017 - DECEMBER 31, 2017

Prepared by

MSP Use of Force Committee
Captain Daniel C. Pickett
Chair

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PART I – AGENCY MESSAGE

The 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 gain control or overcome resistance, to prevent harm to troopers themselves or others, or to effect an arrest. Any use of force must be lawful and objectively reasonable. All use of force incidents are reviewed by a supervisor, Commander of the Education Training Division, and the Commander of the Internal Affairs Division (IAD). All allegations of excessive force are investigated by IAD.

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 IAPro, as a result of the information entered into use of force BlueTeam entries. BlueTeam is an online reporting system that began on January 1, 2015 and replaced the prior paper system. Troopers create a use of force incident in BlueTeam, 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 Computer Aided Dispatch (CAD) and the Report Management System (RMS). 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 employing an objectively reasonable amount of force when necessary in accordance with OPS 10.03. 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 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 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 2017, the following are highlights of the results that are detailed in various sections throughout this report:

- ➢ Troopers reported a total of 300 use of force incidents in 2017 compared to 297 in 2016
- ➢ There were 441 troopers who used force in the 300 use of force incidents
- ➢ According to the MSP CAD (calls of service) and Etix (traffic stops), force was used by troopers only in a fraction of all citizen contacts (.03%)
- ➢ Troopers used force in 1.9% of all arrests (15,465 arrests)
- ➢ Making an arrest (or attempting to make an arrest) accounted for the majority of all incidents (73%)
- ➢ Troopers with 0-7 years tenure represented 70% of personnel who used force
- ➢ 50% 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 (89%) were reported by field personnel
- ➢ The barracks with the most use of force incidents were North East (33), Prince Frederick (32), and Leonardtown (28)
- ➢ White suspects accounted for the majority of incidents at 52%, African American suspects at 42%, Hispanic suspects at 3%, and unknown race at .6%
- ➢ The majority of suspects were male at 77%
- ➢ Injuries sustained by troopers decreased by 23% from the previous year and injuries to suspects increased by .9%
- ➢ Troopers reported being injured in 22% of the incidents, resulting in the troopers being treated at hospitals in 8% of those incidents
- ➢ Suspects were injured in 36% of all the incidents, resulting in the suspects being treated at the hospital in 18% of those incidents
- ➢ There were 12 complaints of excessive force involving 16 troopers in 2017, compared to 21 complaints of excessive force involving 33 troopers in 2016
- ➢ Deadly force was used in 2 incidents in 2016 and 2 incidents in 2017
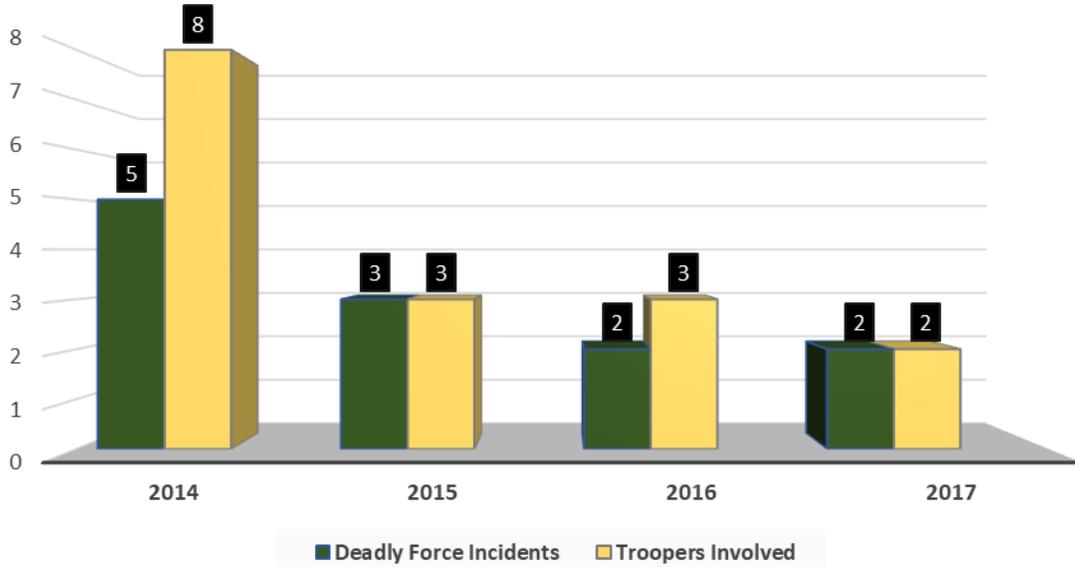
Deadly Force Incidents (Shootings) by Year

Figure 1-Deadly Force Incidents
*Source – IAPro, BlueTeam

Year	Number of Incidents	Number of Involved Troopers	Outcome	Conformed to Policy
2014	5	8	All - Justified	All - Yes
2015	3	3	All - Justified	All - Yes
2016	2	3	All - Justified	All - Yes
2017	2	2	All - Justified	All - Yes
Figure 1a – Deadly Force Incidents (Shootings), * "Troopers Involved" includes only those who fired, and not the total on scene. **Source – IAPro, BlueTeam				

PART V – COMPLAINTS OF EXCESSIVE FORCE

Year	Number of Complaints	Number of Involved Troopers	Outcome
2014	11	18	3 Unfounded, 2 Non-Sustained, 3 Sustained, and 3 Closed Admin
2015	5	5	4 Unfounded, 1 Sustained
2016	21	33	11 Unfounded, 7 Non-sustained, 1 Withdrawn, 1 Pending, 1 Conformed to policy
2017	**12**	**16**	**3 Unfounded, 1 Non-sustained, 2 Withdrawn, 6 Pending**
Figure 2 – Excessive Force Complaints *Source – IAPro, BlueTeam			
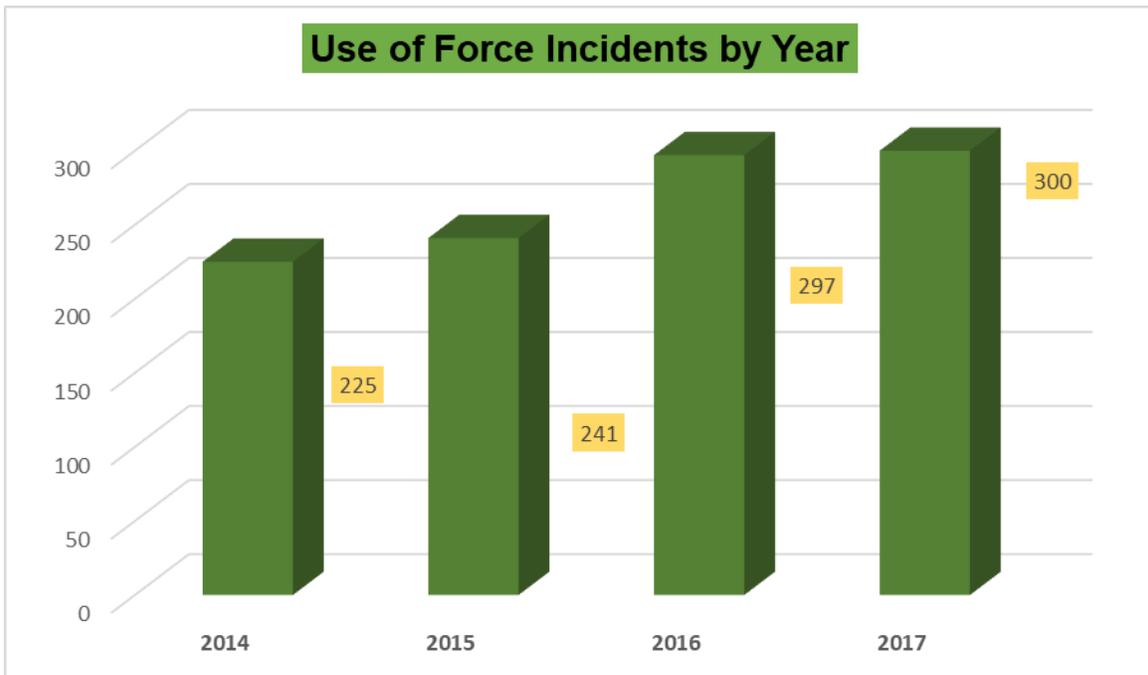
Figure 3 – Summary of Use of Force Incidents by Calendar Year
*Source – IAPro, BlueTeam

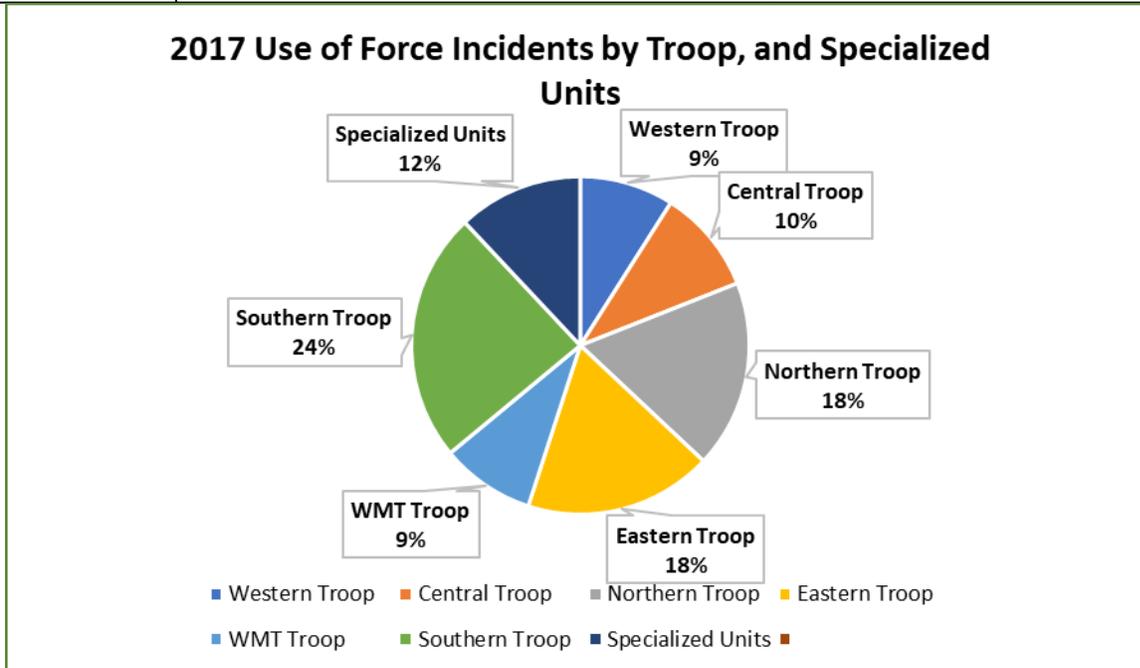|	**2014**	**2015**	**2016**	**2017**
Use of Force Incidents	**225**	**241**	**297**	**300**
	Figure 3 a – Summary of Use of Force Incidents by Calendar Year *Source – IAPro, Blueteam

Figure 4 – Use of Force Incidents by Troop and Units *Source – IAPro, BlueTeam

USE OF FORCE STATISTICS AND INFORMATION (CONTINUED)

	2014	2015	2016	2017
Barracks				
Barrack A – Waterloo	2	2	3	5
Barrack B – Frederick	12	4	18	11
Barrack C – Cumberland	8	1	9	6
Barrack D – Bel Air	9	12	15	14
Barrack E – Salisbury	18	23	21	11
Barrack F – North East	30	19	20	33
Barrack G – Westminster	11	17	9	19
Barrack H – La Plata	9	17	8	5
Barrack I – Easton	9	2	8	16
Barrack J - Annapolis	N/A	1	6	5
Barrack L – Forestville	7	7	6	9
Barrack M – JFK Highway	6	10	8	9
Barrack N – Rockville	7	11	4	9
Barrack O – Hagerstown	5	7	8	8
Barrack P – Glen Burnie	5	12	15	6
Barrack Q – College Park	7	7	11	10
Barrack R – Golden Ring	7	10	7	8
Barrack S – Centreville	10	14	18	12
Barrack T – Leonardtown	12	14	29	28
Barrack U – Prince Frederick	10	10	18	32
Barrack V – Berlin Barrack	4	6	8	4
Barrack W – McHenry	0	6	9	4
Barrack X – Princess Anne	2	2	5	12
BARRACK SUBTOTAL	**190**	**214**	**263**	**274**
*Specialized Units	25	27	43	36
*Other	10	0	0	0
SPECIALIZED/OTHER SUBTOTAL	**35**	**27**	**43**	**36**
TOTAL	**225**	**241**	**306**	**312****
	Figure 4 a – Use of Force Incidents by Barrack or Unit *Specialized Units include SPIDRE, S.TA.T.E., C.E.D., Command, AVIATION, C.I.S., C.V.E.D., and P.A.C.E. **It should be noted there were 12 use of force incidents where troopers from two separate installations used force. (312-12= 300 USE of FORCE INCIDENTS) ***Source – IAPro, BlueTeam			

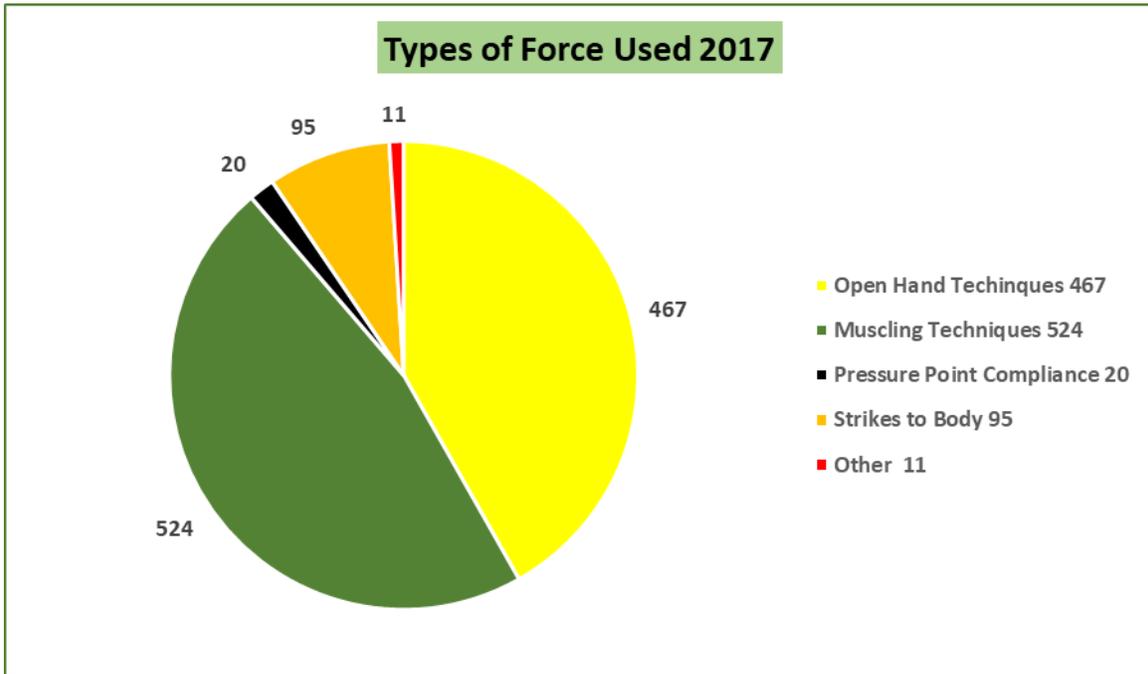**USE OF FORCE STATISTICS AND INFORMATION (CONTINUED)**

USE OF FORCE STATISTICS AND INFORMATION (CONTINUED)

Figure 5 – Type of Force Used
*Source – IAPro, BlueTeam

	2014	2015	2016	2017
Open Hand Techniques	84	187	416	**467**
Muscling Techniques	413	386	450	**524**
Pressure Point Compliance	43	49	32	**20**
Strikes to Body	67	61	80	**95**
Other**	0	3	5	**11**

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 300 incidents reported. Also, each trooper who uses force must report it within the BlueTeam incident report; therefore, multiple troopers can report using force during one incident.
**Other-any other force not listed as an option in BlueTeam ***Source – IAPro, BlueTeam
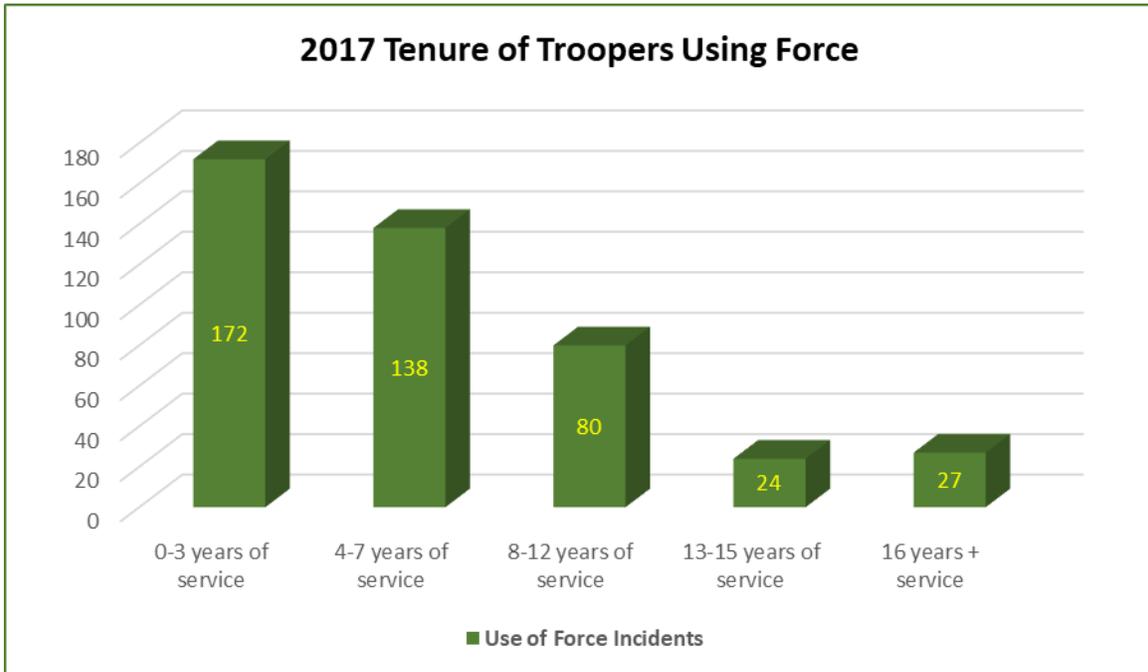
Figure 6 – Tenure of Troopers Using Force *Source – IAPro, BlueTeam

	2014	2015	2016	2017
Years as a Trooper	Number	Number	Number	Number
0 to 3 year	138	110	179	**172**
4 to 7 years	98	65	130	**138**
8 to 12 years	63	41	92	**80**
13 to 15 years	17	13	28	**24**
16 + years	21	12	33	**27**
Total Number of Troopers	**337**	**241**	**462**	**441***
Figure 6 a – Tenure of Troopers Using Force *2017 This number 441 accounts for every trooper that reported using force. **Source – IAPro, BlueTeam				

	2014	2015	2016	2017
Age of Trooper	Number	Number	Number	Number
21 to 31 years	208	163	292	**282**
32 to 41 years	91	55	131	**116**
42 to 51 years	33	19	36	**35**
52 to 60 years	5	4	3	**8**
Total Number of Troopers	**337***	**241**	**462**	**441**
Figure 7 – Age Demographics of Trooper Using Force *No age reported in four(4) incidents in 2014. **Source – IAPro, BlueTeam				
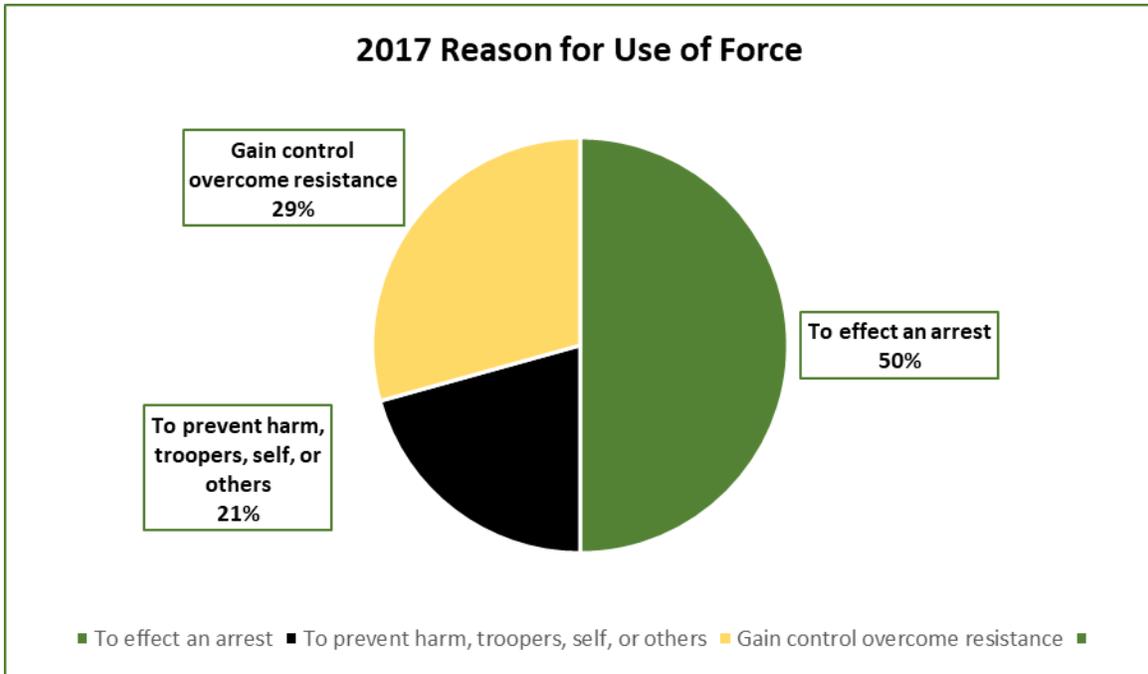
Figure 8 -Reason for Use of Force

*Source – IAPro, BlueTeam

Reason	2014		2015		2016		2017	
	Number	% Change	Number	% Change	Number	% Change	Number	% Change
To Effect Arrest	191	-5%	136	-29%	259	90%	221	-15%
To Prevent Harm to Trooper, Self, or Others	32	10%	43	34%	74	72%	91	23%
Gain Control/Overcome Resistance	2	-33%	62	3000%	129	108%	129	0%
Figure 8 a -Reason for Use of Force, *2017 Numbers are based on the 441 troopers who used force in the 300 incidents. The percent change is based on the previous year's total number. **Source – IAPro, BlueTeam								

USE OF FORCE STATISTICS AND INFORMATION (CONTINUED)

Day of Week	2014 Number	2014 % Change	2015 Number	2015 % Change	2016 Number	2016 % Change	2017 Number	2017 % Change
Sunday	38	-12%	34	-11%	42	23%	**48**	**14%**
Monday	31	55%	30	-3%	37	23%	**38**	**2%**
Tuesday	28	-18%	38	36%	39	3%	**42**	**7%**
Wednesday	29	4%	27	-7%	44	62%	**30**	**-31%**
Thursday	22	-8%	33	50%	36	9%	**38**	**5%**
Friday	31	-17%	36	16%	49	36%	**41**	**-16%**
Saturday	46	-6%	43	-7%	50	16%	**63**	**26%**

Figure 9 – Use of Force by Day of Week (300 total Incidents).
*The percent change is based on the previous year's total number. **Source – IAPro, BlueTeam
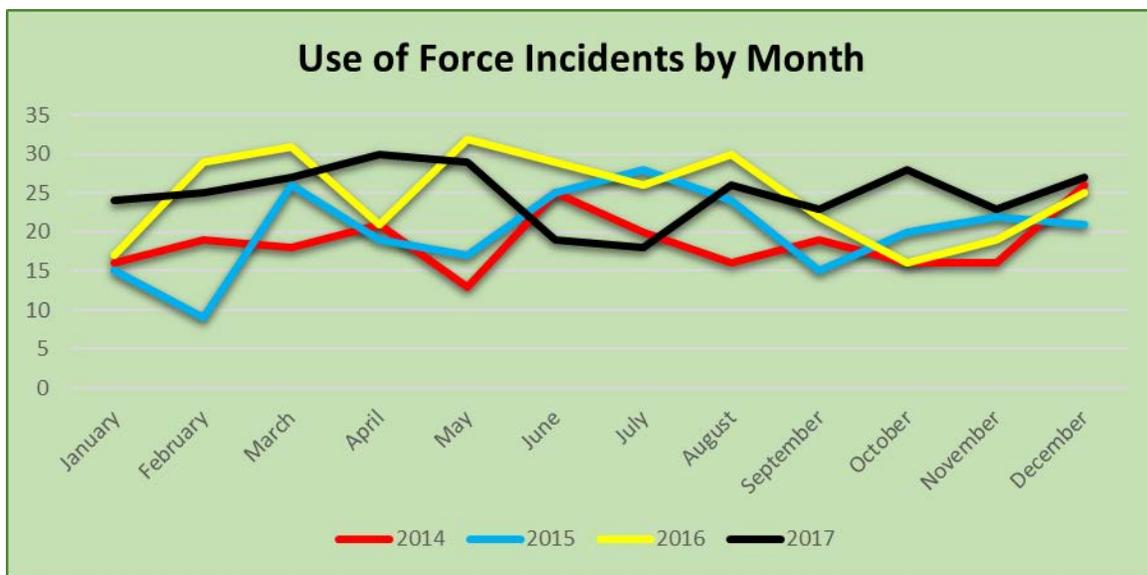

Figure 10 – Use of Force Incidents by Month *Source – IAPro, BlueTeam

Month	2014 Number	2014 % Change	2015 Number	2015 % Change	2016 Number	2016 % Change	2017 Number	2017 % Change
January	16	-6%	15	-6%	17	13%	**24**	**41%**
February	19	36%	9	-53%	29	222%	**25**	**-13%**
March	18	-14%	26	44%	31	19%	**27**	**-12%**
April	21	-16%	19	-10%	21	10%	**30**	**42%**
May	13	-7%	17	31%	32	88%	**29**	**-9%**
June	25	92%	25	0%	29	16%	**19**	**-34%**
July	20	-23%	28	40%	26	-7%	**18**	**-30%**
August	16	23%	24	50%	30	25%	**26**	**-13%**
September	19	-17%	15	-21%	22	46%	**23**	**4%**
October	16	7%	20	25%	16	-20%	**29**	**81%**
November	16	-58%	22	38%	19	-13%	**23**	**21%**
December	26	86%	21	-19%	25	19%	**27**	**8%**

Figure 10 a – Use of Force Incidents by Month. *2017 Numbers are based on the 300 total incidents.
**The percent change is based on the previous year's total number. ***Source – IAPro, BlueTeam
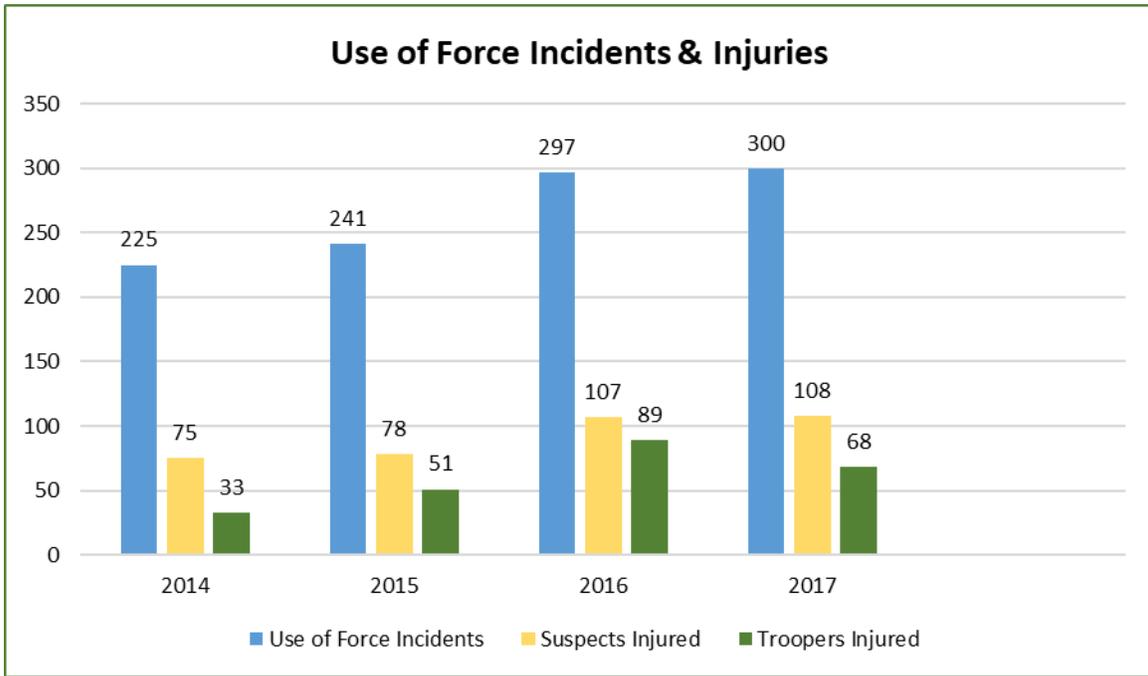
USE OF FORCE STATISTICS AND INFORMATION (CONTINUED)

Figure 11 – Injury to Trooper/Suspect *Source – IAPro, BlueTeam

| Year | Total Incidents | Troopers Injured | Medical Treatment | |
			Taken to Hosp.	Not Taken to Hosp.
2014	225	33	6	27
2015	241	51	16	35
2016	297	89	30	59
2017	300*	68	24	44

Figure 11 a– Injury to Trooper * Out of the 300 Incidents there were 441 troopers who used force. **Source – IAPro, BlueTeam

| Year | Total Incidents | Suspects Injured | Medical Treatment | |
			Taken to Hosp.	Not Taken to Hosp.
2014	225	75	57	18
2015	241	78	43	35
2016	297	107	68	39
2017	300	108	56	52

Figure 11 b – Injury to Suspect
*Source – IAPro, BlueTeam

Use of Force Statistics and Information (Continued)

	2014*		2015		2016		2017	
	Number	% Change	Number	% Change	Number	% Change	Number	% Change
Male	184	-3%	193	5%	240	24%	235	-2%
Female	40	-2.5%	48	20%	64	33%	67	4%
Unknown / Other	1	-1	0	-1	1	0	0	-100
TOTAL	**225**		**241**		**305**		**302****	

Figure 12 – Suspect Gender *2014 % Change is in comparison to 2013.
**2017- There were two separate incidents where two male citizens were entered within the same Use of Force Report (302-2=300 total incidents). ***The percent change is based on the previous year's total number. ****Source – IAPro, BlueTeam
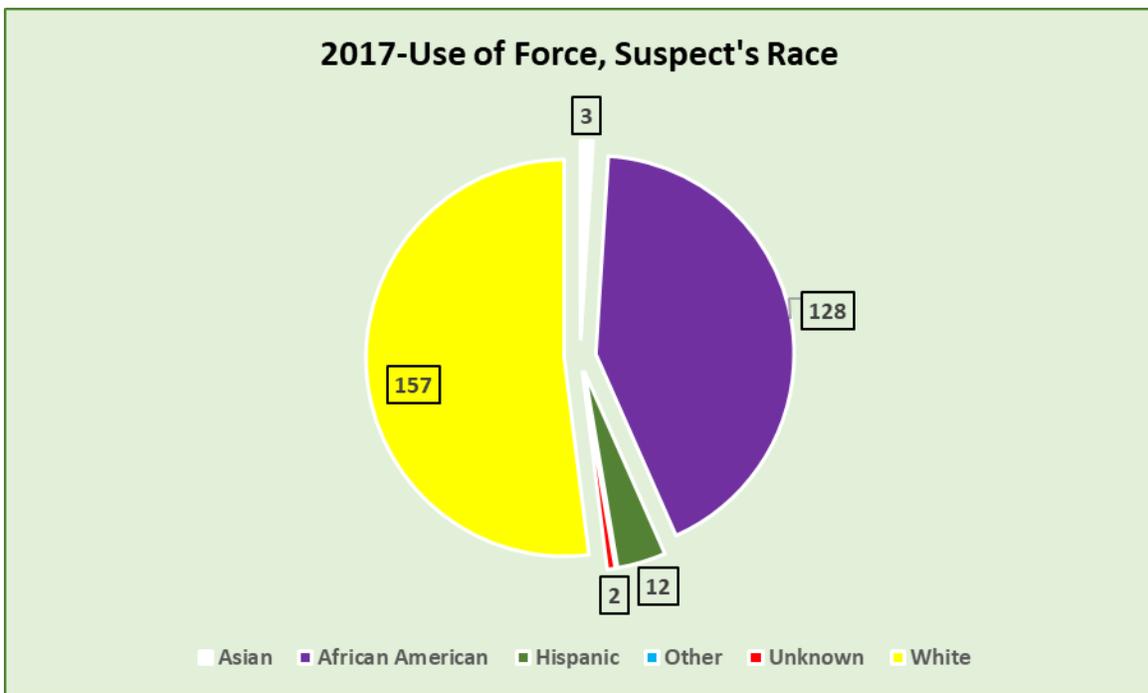

Figure 13 – Suspect Race *Source – IAPro, BlueTeam

	2014*		2015		2016		2017	
	Number	% Change	Number	% Change	Number	% Change	Number	% Change
Asian	3	+3	1	-67%	1	0	3	200%
African American	79	-9%	94	19%	134	42%	128	-4%
Hispanic	8	+2	15	86%	9	-40%	12	33%
Other	1	+1	2	100%	3	50%	0	-100%
Unknown	3	+1	7	133%	8	14%	2	-75%
White	131	-5%	122	-7%	150	23%	157	4%
TOTAL	**225**		**241**		**305**		**302****	

Figure 13 a– Suspect Race *2014 % Change is in comparison to 2013.**2017- There were two separate incidents where two African American citizens were entered within the same Use of Force Report (302-2=300). ***Source – IAPro, BlueTeam

Use of Force Statistics and Information (Continued)
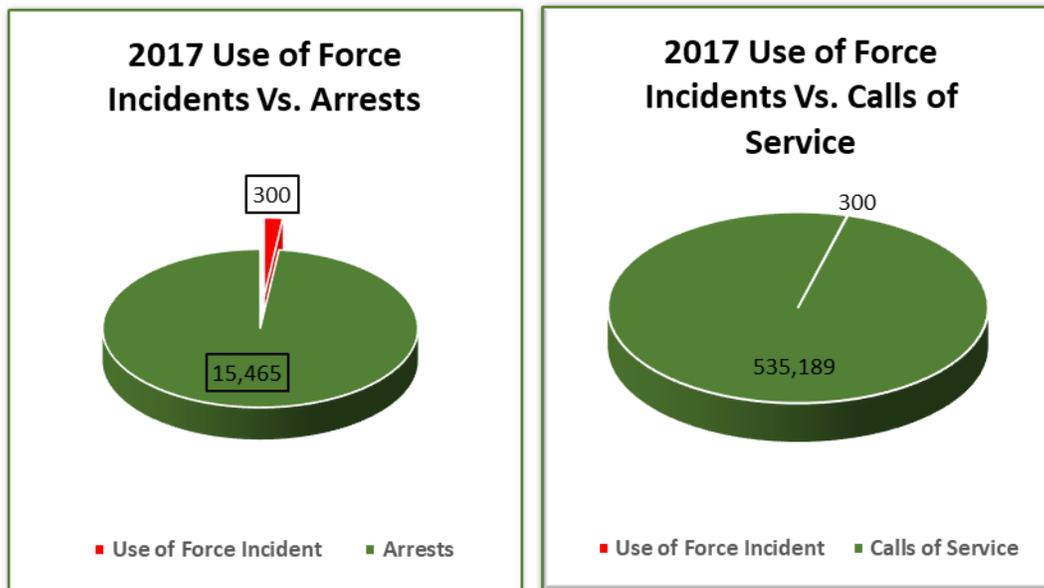

Figure 14– Use of Force Statistics Conclusion
* Source Incidents Vs. Arrests – Report Management System (RMS), Field Arrest Report System (FARS)
**Source Incidents Vs. Calls of Service – Computer Aided Dispatch (CAD)

In conclusion, the rate of the use of force compared to the calls for service and arrests has remained relatively consistent in comparison to 2016. In 2017 use of force was used in 0.06 percent of the calls for service and in 1.9 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 2017. 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. The Office issues news releases regarding each use of deadly force incident by troopers that are provided to media, distributed to those citizens who have signed up to receive news, and additionally they are posted on the MSP website. The Office of Media Communications and the Public Information Act Coordinator receive 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.

Use of Force Statistics and Information (Continued)

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

PART IX – USE OF FORCE REVIEW COMMITTEE

The Use of Force Review Committee is comprised of the Chair of the Use of Force Committee, Commander of the Internal Affairs Division, 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 an Assistant Attorney General assigned to the Office of Legal Counsel. The Use of Force Review Committee reviews current policies and trends related to use of force. In 2017, the Use of Force Review Committee identified there were too many types of use of force options within the BlueTeam system. The options were narrowed from 31 to 11. A definition list for the force type was developed and implemented within the BlueTeam system beginning in 2018. The reason for the use of force was also amended based on recommendations from the 2017 Use of Force Review Committee meeting.

PART X – DEADLY FORCE REVIEW COMMITTEE

The Deadly Force Review Committee is designed to provide the Superintendent with a recommended duty status for trooper(s) who use force resulting in a life-threatening injury or death. The Deadly Force Review Committee is comprised of the Chief of Staff, all Bureau Chiefs, Education & Training Division Commander, and the Human Resources Director.

PART X – COMPLIANCE WITH POLICY

A review of the use of force incidents in 2017 revealed that out of the 441 troopers who used force, two were found in non-conformance to policy and, one was found in non-conformance, but the use of force was still found to be justified. The remaining 438 troopers were found justified and in conformance with the MSP use of force policy.

PART XI – SUMMARY

In 2017, troopers reported 300 use of force incidents, an increase of 1% from 2016. While total use of force incidents increased slightly, deadly force incidents remained the same compared to 2016 (2). There is insufficient data to determine the reason for the slight increase.

The type of force most commonly used by troopers involved open hand and muscling techniques. Troopers continued to document their issuance of verbal commands to

Summary (Continued)

show their attempts to de-escalate situations to limit the usage of additional or higher levels of force. Troopers were injured 22% of the time with 8% of all involved being taken to the hospital. Suspects were injured 36% of the time with 18% of suspects being taken to the hospital.

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 maintain and continue to build 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 the agency continue to update the mobile video technology within the Department's vehicle fleet.