

SAN DIEGO COUNTY SHERIFF'S DEPARTMENT



Use of Force/Internal Affairs Statistical Report 2008

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Introduction

Law enforcement agencies across the nation are collecting use of force statistics in order to review and analyze the reasonableness of force being used by officers. The San Diego County Sheriff's Department is committed to reviewing use of force incidents from multiple perspectives, including training, tactics, policies, procedures, and equipment use with the ultimate goal of identifying problem areas, applying appropriate corrective solutions and making improvements.

Enforcement of the law and the performance of law enforcement duties may require the use of physical force and/or physical restraint. The preservation of order and the observance of law are best achieved through voluntary compliance rather than force or compulsion. The higher the level of public voluntary compliance and cooperation, the less need for force. To that end, the use of force must always be considered secondary to the desirability of voluntary compliance. When the need for the use of force arises, deputies may use objectively reasonable force to effect an arrest, prevent escape, overcome resistance, or in self-defense or defense of others. It is the responsibility of the Department and all sworn personnel to ensure force and restraint are used in a manner that not only provides for the greater public safety, but provides for officer safety as well.

The Sheriff and the Undersheriff, in their continuous efforts to improve organizational transparency, are making these statistics available to the public on an annual basis. The first part of this report contains the use of force data for the years 2007 and 2008. This collection of data includes the use of all types of force by members of the Department. The Department believes that by providing this information to the public, it will clearly show how infrequently deputies use force when compared to the number of calls for service and deputy initiated activities.

The second part of this report contains statistical information from the Internal Affairs Unit. Internal Affairs is the central controlling point for investigating complaints of alleged employee misconduct. The Internal Affairs Unit prides itself in its ability to conduct fair, thorough and impartial internal investigations. This collection of data includes the number, types, and disposition of investigations. The Department believes that by providing this information to the public, it will clearly show that the Sheriff holds his personnel accountable for their actions.

These findings are published annually and posted to the Department's web site. They are also available for review at the John F. Duffy Administrative Center, 9621 Ridgeway Court San Diego CA 92123.

Use of Force Statistics

Overall Activity and Use of Force Incidents

Before presenting the use of force data, it is important to understand the mechanism by which a deputy gets involved in a use of force incident. A deputy either responds to a call for service or makes an observation requiring action. It is important to look at the overall Department activity compared to the number of force incidents.

Overall Department activity is categorized and tracked as either calls for service or deputy initiated activity. A call for service is a request from a member of the public or another agency for public safety services. Deputy initiated activity results from a deputy's own initiative or observation and does not require a request from the public or another agency. Examples include; traffic stops, field interviews, transports, or other situations observed by the deputy.

Other noteworthy statistics include the number of arrests that are made versus the number of uses of force. Making an arrest is an activity that is considered to have a high risk/high frequency of potential harm to the deputy due to a subject's potential resistance during an encounter.

The following table provides overall activity and arrests, as well as, the total number of incidents involving uses of force.

	2007	2008	% Difference
Calls for Service	252,428	242,410	- 4%
Deputy Initiated	243,024	241,877	- 0.5%
Total Activity	495,452	484,287	- 2%
Number of Arrests	26,626	27,278	+ 2%
Use of Force	2,261*	2,264*	No significant Diff.

*Use of Force totals merely reflect the number of incidents where force was used. The number does not reflect multiple uses of force occurring within the same incident.

The data reflects, for both years, that less than 1/2 of 1% (.0045) of overall Department activity resulted in a use of force incident. Of that activity, 8% of arrests resulted in a use of force incident.

Use of Force

There were 2,264 Use of Force incidents reported in 2008 and 2,261 incidents reported in 2007. No significant increases or decreases in the number of force incidents were realized between 2007 and 2008. The following table depicts the force options used in those incidents. More than one option may have been reported per deputy for each incident, along with force used on more than one person per incident.

Definitions of Force Options:

Hands on Control includes grab, push or pull, control holds, pressure points, and carotid restraint technique.

Spit Sock is a tool that is used on subjects who are spitting as a means of assaulting or attacking a deputy or other person.

Impact Weapons include the use of batons, saps, and flashlights as a means of delivering a strike to a subject.

Forcible Stop is the use of a Sheriff's vehicle to stop or control the movement of a vehicle.

Pro-Strait Chair is a restraining device used to control people who are violent and in need of maximum restraint.

Less Lethal includes the use of non lethal chemical agents like OC spray and pepper ball launcher. Other less lethal weapons include the use of the bean bag, sting ball grenades, super sock, Nova Shield, Ultran II, and REACT belt.

Taser is an electronic control device that is effective for the temporary immobilization of subjects. The Department considers not only deployment of the Taser, but also the display of the Taser as a use of force.

Guns Displayed is the use of a firearm to hold a subject at "gunpoint".

Lethal Force, "No Hit" is the intentional discharge of a firearm that misses the intended target, dispatches an animal or impacts property.

Lethal Force, "Hit" is the intentional discharge of a firearm that causes death or serious bodily injury.

Canine is a tool that is used by a K-9 handler to apprehend fleeing subjects.

Force Option	Times Used		% of Total Uses of Force	
	2007	2008	2007	2008
Hands on Control	1272	1337	45	50
Spit Sock	14	5	.5	.3
Impact Weapons	44	32	1.5	1.2
Forcible Stop	9	0	.3	0
Pro-Strait Chair	4	7	.1	.3
Less Lethal (Other than Taser) Displayed	78	8	3	.3
Less Lethal (Other than Taser) Deployed	270	232	10	8.7
Taser (Displayed)	281	170	10	6.3
Taser (Deployed)	185	168	7	6.2
Guns (Displayed)	602	681	21.5	25.5
Lethal Force (No hit)	2	0	.1	0
Lethal Force (Hit)	0	2	0	.1
Canine	29	29	1	1.1
Total Uses	2790	2671	100	100

Use of Force by Bureau

The following tables further depict use of force by bureau type. The Law Enforcement Services Bureau provides law enforcement services to nine contract cities and the unincorporated areas of San Diego County. The Detention Services Bureau operates eight detention facilities providing services to those incarcerated in San Diego County. The Court Services Bureau provides court security services for the ten courthouse facilities operating within San Diego County.

Law Enforcement Services Bureau

Force Option	Times Used		% of Total Uses of Force	
	2007	2008	2007	2008
Hands on Control	576	685	32	38
Spit Sock	6	4	.33	.2
Impact Weapons	36	29	2	1.8
Forcible Stop	9	0	.50	0
Pro-Strait Chair	0	0	0	0
Less Lethal (Other than Taser) Displayed	3	3	.16	.2
Less Lethal (Other than Taser) Deployed	72	55	4	3.1
Taser (Displayed)	281	167	16	9
Taser (Deployed)	182	158	10	9
Guns (Displayed)	597	674	33.3	37
Lethal Force (No hit)	2	0	.11	0
Lethal Force (Hit)	0	2	0	.1
Canine	29	29	1.6	1.6
Total Uses	1793	1806	100	100

Detention Services Bureau

Force Option	Times Used		% of Total Uses of Force	
	2007	2008	2007	2008
Hands on Control	664	618	70	76
Spit Sock	7	0	.74	0
Impact Weapons	6	3	.63	.4
Forcible Stop	0	0	0	0
Pro-Straint Chair	4	7	.42	.9
Less Lethal (Other than Taser) Displayed	74	5	8	.6
Less Lethal (Other than Taser) Deployed	193	177	20	22
Taser (Displayed)	0	0	0	0
Taser (Deployed)	1	0	.11	0
Guns (Displayed)	0	0	0	0
Lethal Force (No hit)	0	0	0	0
Lethal Force (Hit)	0	0	0	0
Canine	0	0	0	0
Total Uses	949	810	99.9	99.9

Court Services Bureau

Force Option	Times Used		% of Total Uses of Force	
	2007	2008	2007	2008
Hands on Control	32	34	66	62
Spit Sock	1	1	2	2
Impact Weapons	2	0	4	0
Forcible Stop	0	0	0	0
Pro-Straint Chair	0	0	0	0
Less Lethal (Other than Taser) Displayed	1	0	2	0
Less Lethal (Other than Taser) Deployed	5	0	11	0
Taser (Displayed)	0	3	0	5
Taser (Deployed)	2	10	4	18
Guns (Displayed)	5	7	11	13
Lethal Force (No hit)	0	0	0	0
Lethal Force (Hit)	0	0	0	0
Canine	0	0	0	0
Total Uses	48	55	100	100

Internal Affairs Statistics

The Internal Affairs Unit receives complaints that are initiated in two ways. Citizen initiated investigations are a result of complaints from the public. Department initiated investigations are a result of Department personnel alleging that a violation of policy or misconduct has been committed by another member of the Department. In 2008, approximately half of all internal affairs investigations were Department initiated (see chart below).

Number of Investigations

	2007	2008
Citizen Initiated	91	109
Department Initiated	111	112
Total Number of Investigations	202	221

Types of Investigations by Allegation

Type of Allegation	Total		% of Investigations	
	2007	2008	2007	2008
Force	39	29	19	13
Courtesy/Conduct	74	80	37	36
Policy/Procedural	89	112	44	51
Total	202	221	100	100

Disposition of Closed Cases

Disposition	Total		% of Dispositions	
	2007	2008	2007	2008
Sustained	77	80	45	41
Not Sustained	33	37	19	19
Exonerated	11	10	6	5
Unfounded	34	54	20	28
Resolved	18	13	10	7
Total	173	194*	100	100

* In 2007 there were a total of 202 complaint investigations, 173 are complete leaving 29 open cases. In 2008 there were a total of 221 complaint investigations, 194 are complete leaving 27 open cases.

Dispositions are defined as follows:

SUSTAINED: A true finding supported by facts

NOT SUSTAINED: Facts revealed do not substantiate the allegation

UNFOUNDED: Not true. Actions alleged did not occur

EXONERATED: Allegation is true but actions were lawful

RESOLVED: Case was closed as matter was resolved

Internal Affairs Statistics by Bureau

The following tables reflect Internal Affairs statistics by bureau type. The Law Enforcement Services Bureau provides law enforcement services to nine contract cities and the unincorporated areas of San Diego County. The Detention Services Bureau operates eight detention facilities providing services to those incarcerated in San Diego County. The Court Services Bureau provides court security services for the ten courthouse facilities operating within San Diego County. The Human Resource Services Bureau provides services to Department employees ranging from hiring to retirement. The Management Services Bureau provides internal financial, budget, facility planning and construction, and information technology services.

Law Enforcement Services Bureau Number of Investigations

	2007	2008
Citizen Initiated	45	56
Department Initiated	33	22
Total Number of Investigations	78	78

Types of Investigations by Allegation

Type of Allegation	Total		% of Investigations	
	2007	2008	2007	2008
Force	13	8	17	10
Courtesy/Conduct	33	38	42	49
Policy/Procedural	32	32	41	41
Total	78	78	100	100

Disposition of Closed Cases

Disposition	Total		% of Dispositions	
	2007	2008	2007	2008
Sustained	25	21	38	32
Not Sustained	12	11	18	17
Exonerated	5	6	8	9
Unfounded	18	24	27	36
Resolved	6	4	9	6
Total	66	66*	100	100

* There were a total of 78 complaint investigations, 66 are complete leaving 12 open cases.

Detention Services Bureau Number of Investigations

	2007	2008
Citizen Initiated	37	40
Department Initiated	66	71
Total Number of Investigations	103	111

Types of Investigations by Allegation

Type of Allegation	Total		% of Investigations	
	2007	2008	2007	2008
Force	24	18	23	16
Courtesy/Conduct	31	27	30	24
Policy/Procedural	48	66	47	60
Total	103	111	100	100

Disposition of Closed Cases

Disposition	Total		% of Dispositions	
	2007	2008	2007	2008
Sustained	47	49	51	48
Not Sustained	20	21	22	21
Exonerated	4	3	4	3
Unfounded	13	22	14	22
Resolved	8	6	9	6
Total	92	101*	100	100

* There were a total of 111 complaint investigations, 101 are complete leaving 10 open cases

**Court Services Bureau
Number of Investigations**

	2007	2008
Citizen Initiated	8	9
Department Initiated	9	15
Total Number of Investigations	17	24

Types of Investigations by Allegation

Type of Allegation	Total		% of Investigations	
	2007	2008	2007	2008
Force	2	2	12	8
Courtesy/Conduct	7	11	41	46
Policy/Procedural	8	11	47	46
Total	17	24	100	100

**Court Services Bureau
Disposition of Closed Cases**

Disposition	Total		% of Dispositions	
	2007	2008	2007	2008
Sustained	4	7	28.5	33
Not Sustained	1	4	7	19
Exonerated	2	1	14	5
Unfounded	3	6	22	29
Resolved	4	3	28.5	14
Total	14	21*	100	100

* There were a total of 24 complaint investigations, 21 are complete leaving 3 open cases.

**Human Resource Services Bureau
Number of Investigations**

	2007	2008
Citizen Initiated	0	3
Department Initiated	2	3
Total Number of Investigations	2	6

Types of Investigations by Allegation

Type of Allegation	Total		% of Investigations	
	2007	2008	2007	2008
Force	0	1	0	17
Courtesy/Conduct	2	4	100	66
Policy/Procedural	0	1	0	17
Total	2	6	100	100

Disposition of Closed Cases

Disposition	Total		% of Dispositions	
	2007	2008	2007	2008
Sustained	1	3	100	60
Not Sustained				
Exonerated				
Unfounded		2		40
Resolved				
Total	1	5*	100	100

* There were a total of 6 complaint investigations, 5 are complete leaving 1 open case.

Management Services Bureau Number of Investigations

	2007	2008
Citizen Initiated	1	1
Department Initiated	1	1
Total Number of Investigations	2	2

Types of Investigations by Allegation

Type of Allegation	Total		% of Investigations	
	2007	2008	2007	2008
Force	0		0	
Courtesy/Conduct	1		50	
Policy/Procedural	1	2	50	100
Total	2	2	100	100

Disposition of Closed Cases

Disposition	Total		% of Dispositions	
	2007	2008	2007	2008
Sustained	0		0	
Not Sustained	0	1	0	100
Exonerated	0		0	
Unfounded	0		0	
Resolved	0		0	
Total	0	1*	0	100

* There were a total of 2 complaint investigations; 1 is complete leaving 1 open case.