

SAN DIEGO COUNTY SHERIFF'S DEPARTMENT



Use of Force/Internal Affairs Statistical Report 2010

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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 the 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 2009 and 2010. 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 Ridgehaven 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.

Another category of statistics that is worth looking at and comparing with is the number of arrests that are made. Making an arrest is an activity that is considered to pose a high risk/high frequency of potential harm to the deputy due to the subject's resistance during the encounter.

The following table compares overall activity and arrests with total number of use of force incidents.

	2009	2010	% Difference
Calls for Service	252,883	265,684	+5%
Deputy Initiated	297,940	281,239	-6%
Total Activity	550,823	546,923	-0.7%
Number of Arrests	29,254	29,285	+0.1%
Use of Force	2,269*	2,045*	-10%

*Use of Force totals merely reflect the numbers of incidents 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 ½ of 1% (.0039) of overall Department activity resulted in a use of force incident. Of that activity, 7% of arrests resulted in a use of force incident.

Use of Force

There were 2,045 Use of Force incidents reported in 2010 and 2,269 incidents reported in 2009. There was a ten percent (10%) decrease in incidents between 2009 and 2010. 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	
	2009	2010	2009	2010
Hands on Control	1332	1098	50	44
Spit Sock	16	20	.6	.8
Impact Weapons	35	22	1.3	.9
Forcible Stop	1	0	.03	0
Pro-Straint Chair	7	17	.26	.7
Less Lethal (Other than Taser) Displayed	7	26	.26	1
Less Lethal (Other than Taser) Deployed	247	266	9.3	11
Taser (Displayed)	183	120	6.9	5
Taser (Deployed)	188	186	7	7.5
Guns (Displayed)	635	705	24	28.5
Lethal Force (No hit)	0	0	0	0
Lethal Force (Hit)	1	3	.03	.1
Canine	7	10	.26	.4
Total Uses	2649	2473	99.9	99.9

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 seven 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	
	2009	2010	2009	2010
Hands on Control	758	582	41	35
Spit Sock	15	18	.8	1
Impact Weapons	26	18	2	1
Forcible Stop	1	0	.05	0
Pro-Straint Chair	0	0	0	0
Less Lethal (Other than Taser) Displayed	4	2	.2	.1
Less Lethal (Other than Taser) Deployed	57	74	3	4.4
Taser (Displayed)	170	100	9.2	6
Taser (Deployed)	173	169	9.3	10
Guns (Displayed)	631	703	34	41.8
Lethal Force (No hit)	0	0	0	0
Lethal Force (Hit)	1	3	.05	.2
Canine	7	10	.4	.5
Total Uses	1843	1679	100	100

Detention Services Bureau

Force Option	Times Used		% of Total Uses of Force	
	2009	2010	2009	2010
Hands on Control	522	478	69	65
Spit Sock	1	2	.1	.3
Impact Weapons	9	4	1.1	.5
Forcible Stop	0	0	0	0
Pro-Straint Chair	7	17	.9	2
Less Lethal (Other than Taser) Displayed	3	24	.4	3
Less Lethal (Other than Taser) Deployed	190	189	25	26
Taser (Displayed)	11	14	1.5	1.8
Taser (Deployed)	13	11	2	1.4
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	756	739	100	100

Court Services Bureau

Force Option	Times Used		% of Total Uses of Force	
	2009	2010	2009	2010
Hands on Control	42	38	84	69
Spit Sock	0	0	0	0
Impact Weapons	0	0	0	0
Forcible Stop	0	0	0	0
Pro-Straint Chair	0	0	0	0
Less Lethal (Other than Taser) Displayed	0	0	0	0
Less Lethal (Other than Taser) Deployed	0	3	0	5
Taser (Displayed)	2	6	4	11
Taser (Deployed)	2	6	4	11
Guns (Displayed)	4	2	8	4
Lethal Force (No hit)	0	0	0	0
Lethal Force (Hit)	0	0	0	0
Canine	0	0	0	0
Total Uses	50	55	100	100

Internal Affairs Statistics

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 a violation of policy or misconduct has been committed by another member of the Department, (see chart below).

Number of Investigations

	2009	2010
Citizen Initiated	90	103
Department Initiated	101	99
Total Number of Investigations	191	202

Types of Investigations by Allegation

Type of Allegation	Total		% of Investigations	
	2009	2010	2009	2010
Force	33	24	17	12
Courtesy/Conduct	71	79	37	39
Policy/Procedural	87	99	46	49
Total	191	202	100	100

Disposition of Closed Cases

Disposition	Total		% of Dispositions	
	2009	2010	2009	2010
Sustained	81	85	43	46
Not Sustained	39	47	21	25
Exonerated	12	15	6	8
Unfounded	46	32	24	17
Resolved	12	7	6	4
Total	190	186*	100	100

* In 2009 there were a total of 191 complaint investigations, 190 are complete leaving 1 open case. In 2010 there were a total of 202 complaint investigations, 186 are complete leaving 16 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

	2009	2010
Citizen Initiated	42	53
Department Initiated	36	31
Total Number of Investigations	78	84

Types of Investigations by Allegation

Type of Allegation	Total		% of Investigations	
	2009	2010	2009	2010
Force	10	6	13	7
Courtesy/Conduct	34	35	43.5	42
Policy/Procedural	34	43	43.5	51
Total	78	84	100	100

Disposition of Closed Cases

Disposition	Total		% of Dispositions	
	2009	2010	2009	2010
Sustained	32	26	41	34
Not Sustained	12	17	15	22
Exonerated	4	10	5	13
Unfounded	23	18	30	23
Resolved	7	6	9	8
Total	78	77*	100	100

* There were a total of 84 complaint investigations, 77 are complete leaving 7 open cases.

Detention Services Bureau Number of Investigations

	2009	2010
Citizen Initiated	34	36
Department Initiated	54	62
Total Number of Investigations	88	98

Types of Investigations by Allegation

Type of Allegation	Total		% of Investigations	
	2009	2010	2009	2010
Force	21	16	24	16
Courtesy/Conduct	28	30	32	31
Policy/Procedural	39	52	44	53
Total	88	98	100	100

Disposition of Closed Cases

Disposition	Total		% of Dispositions	
	2009	2010	2009	2010
Sustained	38	51	44	57
Not Sustained	25	23	28	26
Exonerated	5	4	6	4
Unfounded	14	11	16	12
Resolved	5	1	6	1
Total	87	90*	100	100

* There were a total of 98 complaint investigations, 90 are complete leaving 8 open cases.

**Court Services Bureau
Number of Investigations**

	2009	2010
Citizen Initiated	14	13
Department Initiated	7	4
Total Number of Investigations	21	17

Types of Investigations by Allegation

Type of Allegation	Total		% of Investigations	
	2009	2010	2009	2010
Force	2	2	10	12
Courtesy/Conduct	8	11	38	65
Policy/Procedural	11	4	52	23
Total	21	17	100	100

**Court Services Bureau
Disposition of Closed Cases**

Disposition	Total		% of Dispositions	
	2009	2010	2009	2010
Sustained	7	6	33	38
Not Sustained	2	7	10	44
Exonerated	3	1	14	6
Unfounded	9	2	43	12
Resolved	0	0	0	0
Total	21	16*	100	100

* There were a total of 17 complaint investigations, 16 are complete leaving 1 open case.

**Human Resource Services Bureau
Number of Investigations**

	2009	2010
Citizen Initiated	0	1
Department Initiated	0	1
Total Number of Investigations	0	2

Types of Investigations by Allegation

Type of Allegation	Total		% of Investigations	
	2009	2010	2009	2010
Force	0	0	0	0
Courtesy/Conduct	0	2	0	100
Policy/Procedural	0	0	0	0
Total	0	2	0	100

Disposition of Closed Cases

Disposition	Total		% of Dispositions	
	2009	2010	2009	2010
Sustained		1		50
Not Sustained				
Exonerated				
Unfounded		1		50
Resolved				
Total		2*		100

* There were a total of 2 complaint investigations, 2 are complete leaving no open cases.

Management Services Bureau Number of Investigations

	2009	2010
Citizen Initiated	0	0
Department Initiated	4	1
Total Number of Investigations	4	1

Types of Investigations by Allegation

Type of Allegation	Total		% of Investigations	
	2009	2010	2009	2010
Force	0	0	0	0
Courtesy/Conduct	1	1	25	100
Policy/Procedural	3	0	75	0
Total	4	1	100	100

Disposition of Closed Cases

Disposition	Total		% of Dispositions	
	2009	2010	2009	2010
Sustained	4	1	100	100
Not Sustained				
Exonerated				
Unfounded				
Resolved				
Total	4	1*	100	100

* There was a total of 1 complaint investigation, 1 is complete leaving no open cases.

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