

MONTGOMERY COUNTY POLICE DEPARTMENT



ANNUAL USE OF FORCE REPORT 2015

POLICY AND PLANNING DIVISION

APRIL 2016

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**4/26/16 - A map showing the locations of ECD use by Police Reporting Area (PRA) has been added to the ECD Use Section on Page 18.*

Chief's Message:

Recent events in Ferguson, Missouri and Baltimore, Maryland began a nationwide discussion on Police use of force, especially the use of deadly force. Today, the public—all segments of our community—is paying much closer attention to the actions of their police department.

I am frequently asked questions about our policies, our training, and how members of the Department are held accountable for their actions. While I believe we have a very strong use of force policy, Function Code 131, and stress de-escalation techniques in our training, the fact remains that police officers occasionally must engage a person physically either to take them into custody, to protect them, or to restore safety and order to a situation.



Any use of force must always be lawful and objectively reasonable. The *objectively reasonable standard* requires police officers' actions to be reasonable in light of the facts and circumstances presented to the officer at the time the force was used. Over the years, the use of force by police officers has changed, and the policies and training have improved. Experience has taught us that we needed to focus more on non-lethal options and dealing effectively with folks who are mentally ill. I believe that our *Crisis Intervention Training* (CIT) has had a profound impact on reducing the number of use of force cases involving people with mental illness.

Every use of force is reviewed by a supervisor and a police Commander. Every excessive force complaint is investigated by the Internal Affairs Division. As you will see in this report, the Montgomery County Police used some level of force in about 2.5 percent of the arrests we made in 2015. The vast majority (82 percent) of our uses of force were officers using only their hands. This could mean anything from grabbing and guiding a person who is passively resisting, to engaging in a violent struggle to gain control of an individual. There was one incident where an officer used deadly force which resulted in no civilian fatalities. The officer fired one shot into a vehicle which accelerated towards the officer after issuing commands for the vehicle to stop. The vehicle struck the officer, but luckily the officer sustained only minor, non-life threatening injuries.

As I reviewed this report, I was pleased to see that no in-custody deaths occurred in 2015, and use of *Electronic Control Devices* decreased by 6% compared to 2014, and 65.5% since 2011. I did note, however, assaults on officers increased 23% in 2015, with 128 officers sustaining some type of injury during a use of force incident.

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

There is a great deal of information contained in this report. Some of it may prompt other questions from you and I encourage you to contact me via e-mail [MCPDChief@montgomerycountymd.gov] and we will respond to your inquiries.

A handwritten signature in black ink, appearing to read "J. Thomas Manger". Below the signature, the text "J. Thomas Manger" and "Chief of Police" is printed in a small, sans-serif font.

J. Thomas Manger
Chief of Police

INTRODUCTION

The information presented in this annual report is obtained from the *Use of Force* reports completed by officers for incidents in calendar year 2015 where some type of force was used. This report is intended to provide an overview of the incidents involving use of force by police officers and to also identify trends or any training areas that need to be addressed. Because each report is reviewed by supervisors and command staff at various levels within the department, individual events are not captured in this report, except for those that may involve unusual circumstances or need further clarification. Moreover, the reporting and annual analysis of department use of force policies and procedures 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 with the community it serves.

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

Officers may only use force which is objectively reasonable to make an arrest; an investigatory stop/detention or other seizure; or in the performance of their lawful duties, to protect themselves or others from personal attack, physical resistance, harm, or death. The decision to exercise force must be based upon the circumstances that the officer reasonably believes to exist. In determining the appropriate level of force to be used by an officer, the nature of the threat or resistance faced or perceived by the officer as compared to the force employed should be considered.

However, officers must sometimes make split-second decisions about the amount of force that is necessary in a particular situation with limited information and in circumstances that are tense, uncertain, and rapidly evolving. Nevertheless, when it is practicable, officers strive to always de-escalate a situation before resorting to using any type of force.

The need to use force, whether deadly or non-deadly, is one of the most demanding and critical decisions that a law enforcement officer must make. The department respects the sanctity of every human life and the application of deadly force is a measure only employed in the most extreme circumstances.

Per department policy, an officer is required to complete a MCP 37 - *Use of Force Report*, and an incident report, for an incident that involves any of the following circumstances:

- Anytime force is used to counteract a physical struggle
- Following the use of any force which results in an injury to an individual
- When an individual claims to have been injured as a result of use of force
- Whenever force is applied using a protective instrument
- Whenever a firearm is discharged other than authorized target practice

- Whenever a department canine inflicts injury on any subject or suspect in conjunction with a search, arrest, or attempted apprehension
- Anytime an officer is assaulted or ambushed

All reports are reviewed to verify compliance with department policy by a patrol supervisor, a District Commander, and the Assistant Chiefs of the Patrol Services Bureau (PSB), the Field Services Bureau (FSB), or the Investigative Services Bureau (ISB), depending on the bureau the officer(s) using force is assigned to.

The Montgomery County Department of Police remains dedicated to creating a culture of safety, transparency, and accountability. The department's use of force training goes beyond addressing use of force options, levels of resistance, and case law. Most importantly, it emphasizes gaining compliance through understanding of psychological factors and using communication skills to de-escalate situations when possible, and to minimize the force used. The concepts of accountability, professionalism, and integrity for all officers are woven into the agency's entire training program.

OVERVIEW

Based on a comprehensive review and analysis of the use of force reports submitted by MCPD officers in 2015, the following are highlights of the results that are detailed in various sections throughout this report:

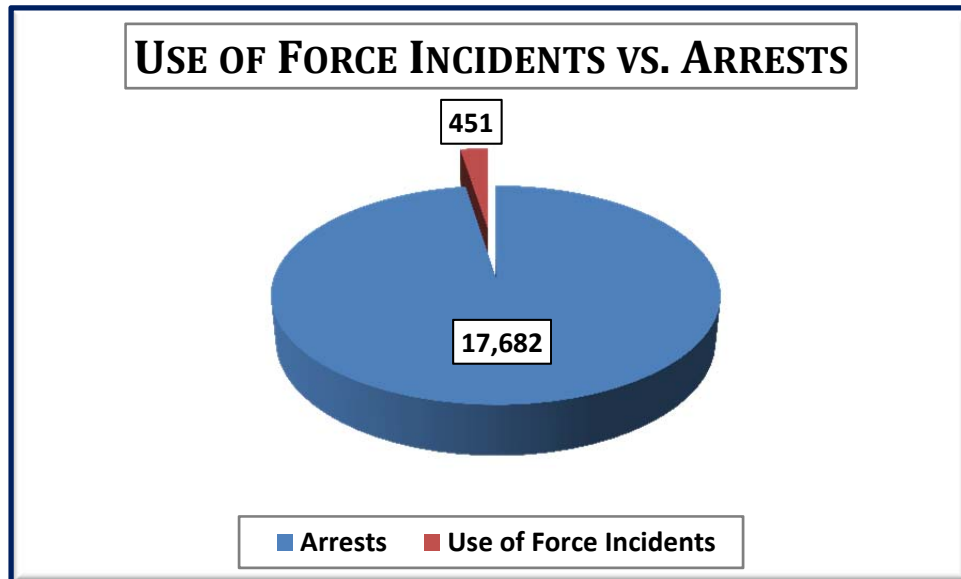
- MCPD officers reported a total of 451 use of force incidents.
- Force was used by officers in less than one percent of the total calls for service.
- Force was only used in 2.5 percent of all arrests made by officers.
- Four districts experienced an increase in the number of reported use of force incidents from the previous year, while two districts reported a decrease.
- Making arrests (or attempting to make arrests), serving emergency evaluation petitions, and defending against assaults constituted approximately 95 percent of the incidents where some type of force was necessary to be used.
- Officers responding to reports of assaults accounted for almost 42 percent of all reported use of force incidents, which is a significant increase compared to the previous year.
- Calls for service involving assaults, narcotics/DUI offenses, and disorderly conduct accounted for approximately two-thirds of all reported use of force incidents.
- The type of force most commonly used by officers was hands, which was used in 82 percent of use of force incidents, and it was also the most common type of force used against officers by defendants (78 percent).
- Use of *Electronic Control Devices* (ECDs) decreased 6 percent from the previous year.
- Injuries sustained by officers increased 6 percent from the previous year, while injuries to defendants increased less than one percent (0.8).

- Officers reported being injured in 28 percent of reported use of force incidents, and defendants were injured (or claimed to be injured) in 54 percent of incidents.
- Officers required medical treatment in 42 percent of the reported use of force incidents, and defendants required treatment in 47 percent of incidents.
- In 65 percent of the incidents where officers employed some type of force, the defendants were reported to be under the influence of alcohol and/or drugs.
- The number of reported assaults on officers increased almost 23 percent compared to the previous year.
- Defendants suffering from some form of mental illness were involved in 27 percent of the reported use of force incidents, an increase of almost 3 percent compared to the previous year.
- 87 percent of the defendants involved in use of force incidents were *African American* and *Caucasian*.
- Defendants ages 18-39 accounted for almost 70 percent of the reported use of force incidents.
- The average age of the defendants involved in use of force incidents was 30, and the average age of the officers involved in these incidents was 33.
- 78 percent of the *defendants* and 89 percent of the *officers* involved in reported use of force incidents were male. 22 percent of the *defendants* and 11 percent of the *officers* involved in reported use of force incidents were female.
- 67 percent of the officers involved in use of force incidents served on the department between one to 10 years.
- There were 12 use of force-related complaints made against officers compared to 10 complaints the previous year.
- Deadly force was only used in one incident, compared to three incidents reported the previous year.
- No in-custody deaths occurred.

ANALYSIS

The population in Montgomery County in 2014, based on U.S. Census Bureau data, is estimated at 1,030,447, and the crime rate per capita remains very low; 5,057 crimes for every 100,000 people. In 2015, Montgomery County police officers were dispatched to 209,207 calls for service, made 17,682 arrests, and force was only used in 451 incidents. This translates to force being used in approximately 0.22 percent of the total calls for service, and only 2.5 percent of arrest situations.

The incidence rate of the use of force compared to the calls for service and arrests has remained relatively consistent since 2012 (*an average of 0.21 percent of the calls for service and two percent of arrests*). This data reflects that, for the overwhelming majority of calls for service and arrest situations, officers are rarely required to use force to safely resolve a situation.



The following chart provides a district summary of calls for service, reported crimes, arrests, and use of force incidents reported in 2015.

2015 SUMMARY				
DISTRICT	TOTAL CALLS FOR SERVICE	TOTAL CRIME REPORTED*	TOTAL ARRESTS	TOTAL USE OF FORCE INCIDENTS
1D	32,101	6,568	1,656	22
2D	33,317	7,168	1,813	63
3D	42,635	11,283	4,630	140
4D	41,104	10,224	4,632	95
5D	25,706	6,135	1,911	71
6D	34,344	9,054	3,040	60
TOTAL	209,207	50,432	17,682	451

**Includes Part I and Part II Offenses reported in accordance with the Uniform Crime Reporting (UCR) Program.*

USE OF FORCE BY DISTRICT

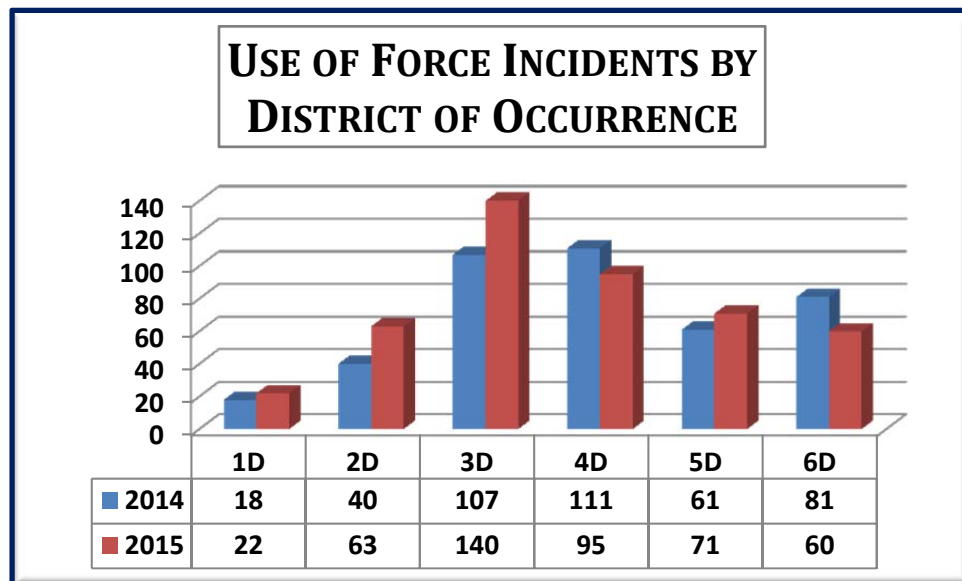
A summary of the calls for service for each district based on available data for the last four years is presented in the table below.

NUMBER OF DISPATCHED CALLS FOR SERVICE*					
DISTRICT	LOCATION	2012	2013	2014	2015
1D	Rockville	38,938	34,650	31,710	32,101
2D	Bethesda	31,864	34,576	32,777	33,317
3D	Silver Spring	43,592	43,048	40,684	42,635
4D	Wheaton	40,421	41,662	39,117	41,104
5D	Germantown	27,375	26,113	24,287	25,706
6D	Gaithersburg	35,823	34,757	33,236	34,344
TOTAL		218,013	214,806	201,811	209,207**

*The numbers reflected for each district do not include animal services-related calls for service

**Represents an increase of approximately 4% from 2014.

In 2015, all districts experienced an increase in the number of use of force incidents that were reported compared to 2014, except for 4D and 6D which experienced decreases (14% and 26% respectively) as shown in the chart below.



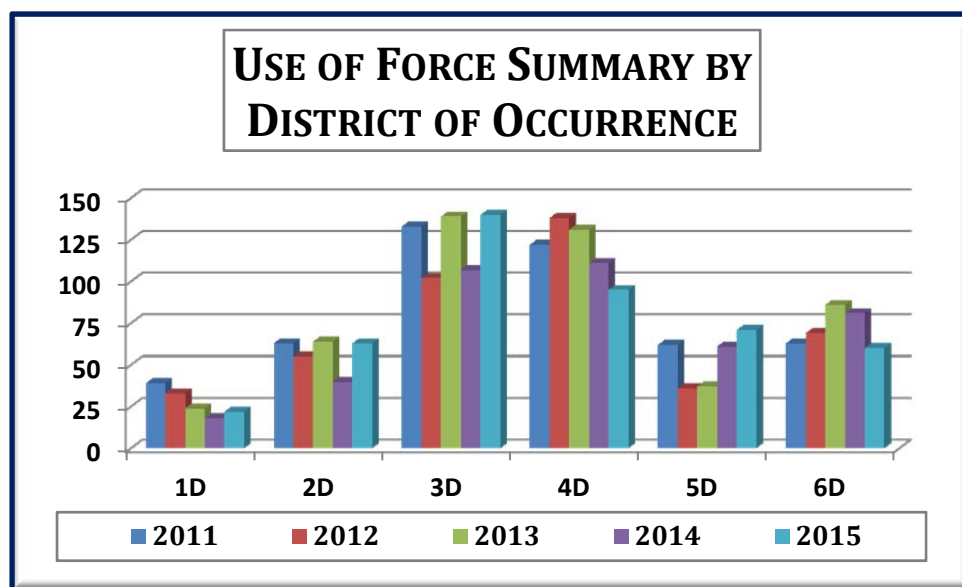
Note: The use of force incident reports are based on the location (district) where force was used, not necessarily the district that the officers are assigned to or where the event may have originated.

The table below is a summary of use of force incidents by *district of occurrence* reported from 2011-2015.

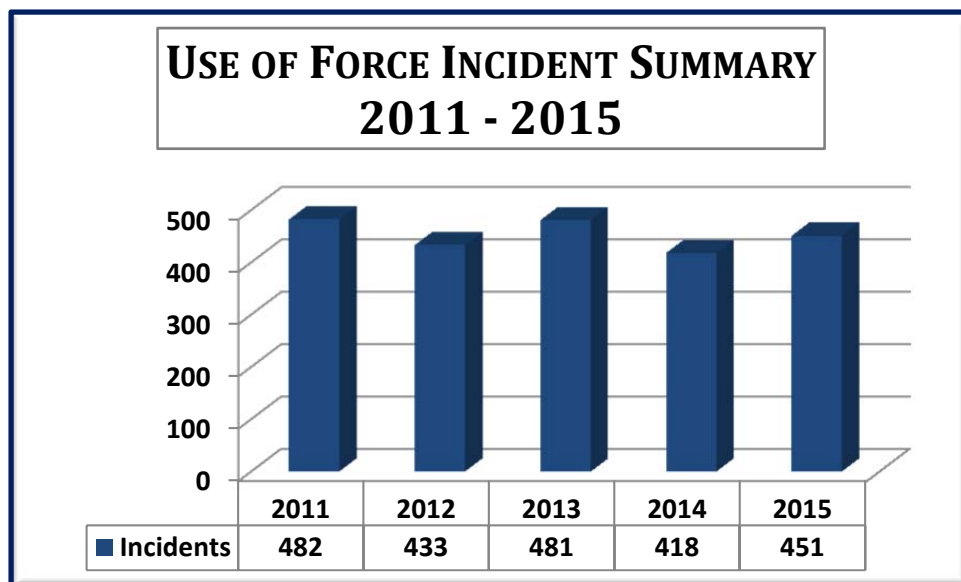
DISTRICT	2011	2012	2013	2014	2015
1D	39	33	24	18	22
2D	63	55	64	40	63
3D	133	102	139	107	140
4D	122	138	131	111	95
5D	62	36	37	61	71
6D	63	69	86	81	60
TOTAL	482	433	481	418	451*

**This total does not include the use of force reports filed in 2015 by MCPD officers for 231 incidents where force was used for animal destructions (primarily deer).*

A five year summary of reported use of force incidents for each police district is provided in the chart below.



The following chart shows the total number of use of force incidents reported county-wide from 2011-2015.

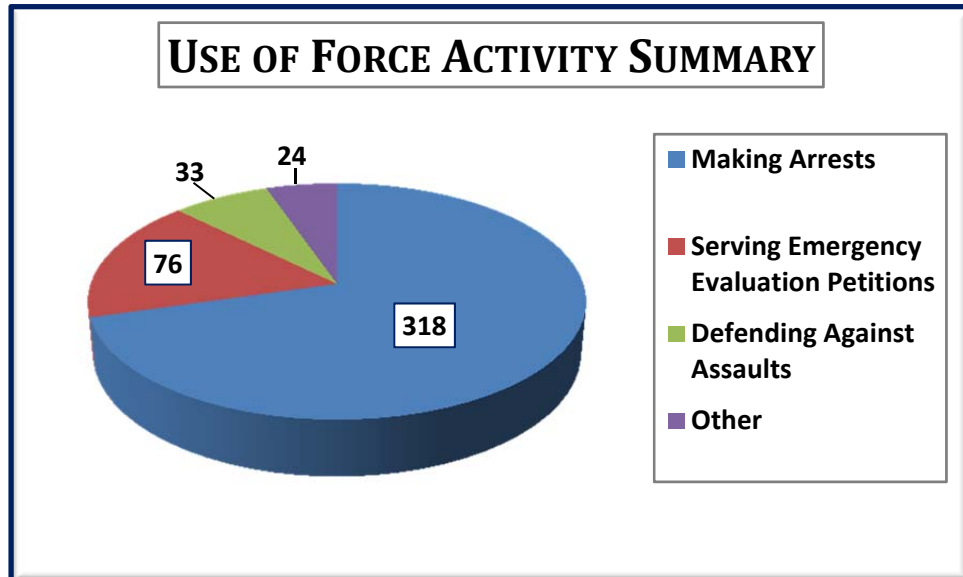


This data shows that there has been an average of 453 use of force incidents reported over the last five years, and a 6 percent decrease in the overall number of incidents reported over this same period.

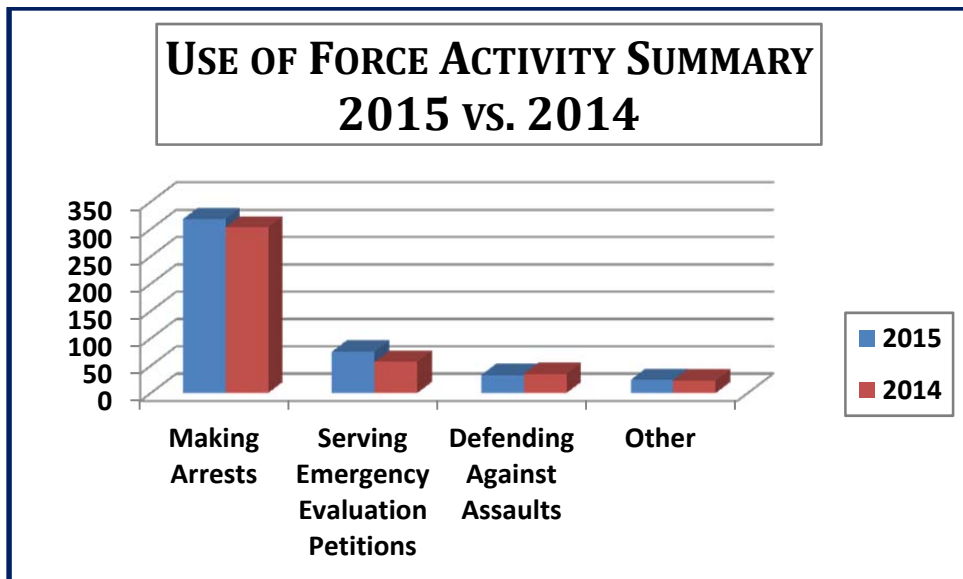
ACTIVITY WHEN FORCE WAS USED

In 2015, force was used in approximately 318 incidents (71 percent) when officers were involved in *making arrests* for various offenses. The next highest reported activity, *serving an emergency evaluation petition* (EEP), accounted for 76 incidents (17 percent), followed by *defending an assault*, which accounted for 33 incidents (7 percent) where some level of force was necessary to be used. Other various activities such as transporting prisoners, serving search warrants, and traffic stops accounted for the remaining 24 incidents (5 percent) reported in 2015.

A summary of these activities is presented in the chart below.

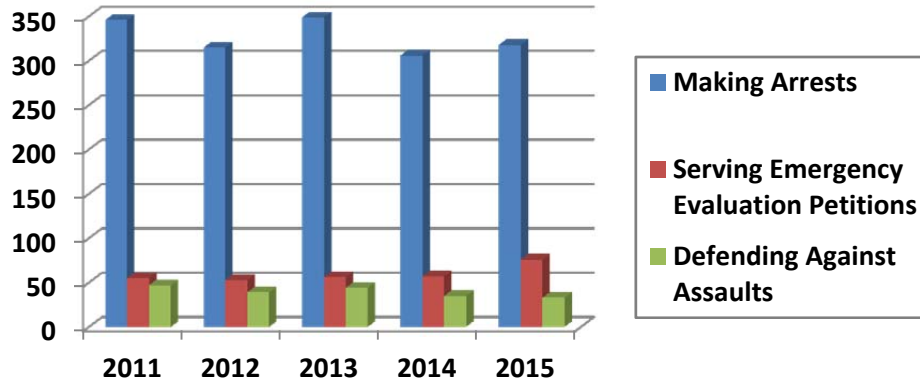


The data reported in 2015 indicates approximately the same overall totals for these categories as reported in 2014 as shown below.



In 2015, *making or attempting to make an arrest, serving emergency evaluation petitions, and defending against assaults* accounted for 95 percent of the activities where officers needed to employ some type of force, which is similar to the experience reported for these same categories in 2014, and in prior years as shown in the chart on the next page.

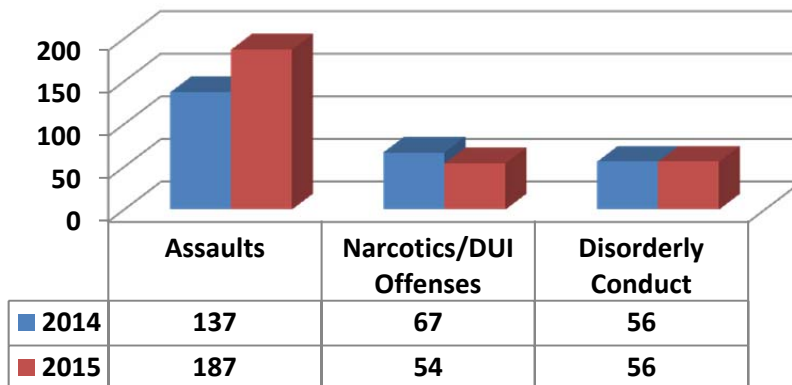
USE OF FORCE ACTIVITY SUMMARY 2011 - 2015



OFFENSES WHERE FORCE WAS USED

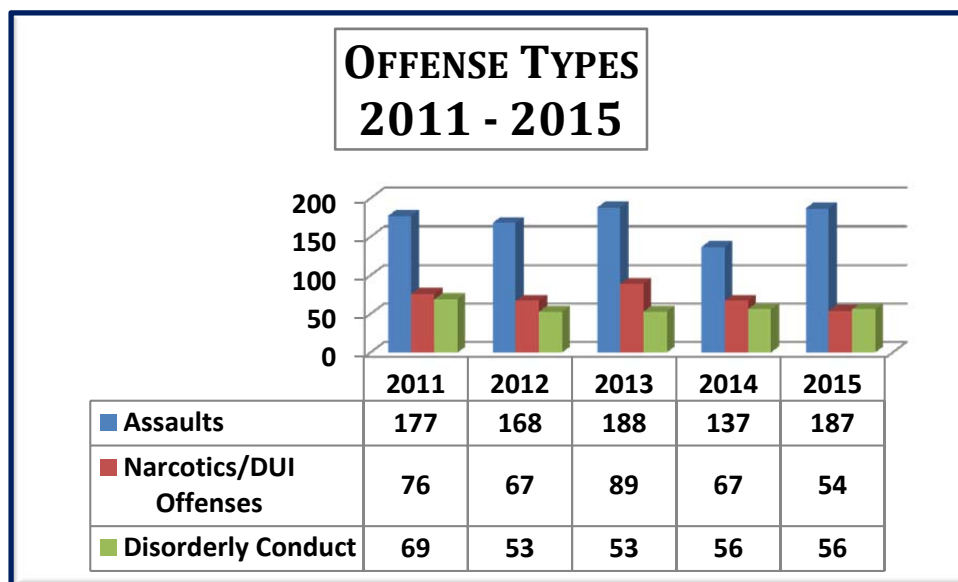
Officers responding to reports of assaults accounted for 187 of the total use of force incidents reported in 2015 (41.5 percent), compared to 137 incidents (33 percent) reported in 2014, an increase of 36.5 percent. Other leading offenses where force was used in 2015 included encounters with subjects under the influence of drugs and/or alcohol (54), and disorderly conduct (56) as shown in the following chart.

OFFENSE TYPES 2015 vs. 2014



Assaults, narcotics/DUI-related offenses, and disorderly conduct accounted for 297 (66 percent) of the total use of force incidents reported in 2015. The remaining 154 incidents (34 percent) involved numerous other offenses including larceny, burglary, auto theft, vandalism, weapons offenses, trespassing, and other miscellaneous calls for service.

The chart below summarizes the offense types where force used by *officers* was most prevalent from 2011 - 2015.



Over the five year period from 2011 - 2015, the need to use force in situations involving assaults increased 6 percent, while incidents involving narcotics/DUI offenses decreased 29 percent, and calls for service involving disorderly conduct where force was used decreased 19 percent.

TYPE OF FORCE USED BY OFFICERS AND DEFENDANTS

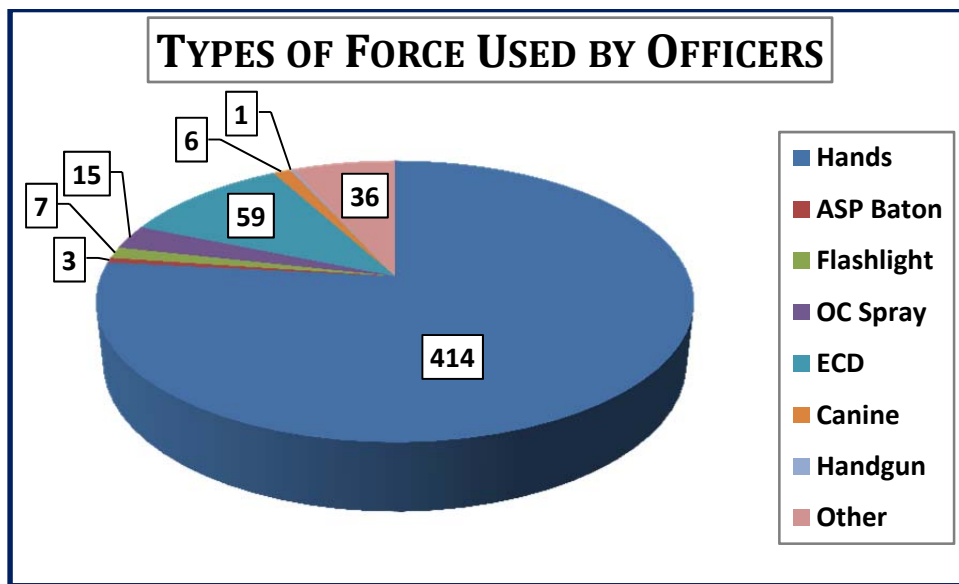
Officers

The type of force most widely used by officers in 2015 was hands, which were used 414 times (82 percent), compared to 344 times in 2014, an increase of 20 percent. *Electronic Control Devices* were used 59 times (13 percent of total use of force incidents), which are detailed in the ***Electronic Control Devices Section*** of this report, compared to 63 incidents in 2014, a decrease of 6 percent.

Oleoresin Capsicum (OC) Spray was the next most common type of force noted and it was used in 15 incidents (3 percent), compared to 27 incidents in 2014, a decrease of 44 percent. The *flashlight* was used in 7 incidents (1.4 percent) in 2015, compared to 14 incidents in 2014, a decrease of 50 percent. *Police canines* were deployed in 6 incidents (1.2 percent), the same number of incidents reported in 2014. The *ASP (expandable baton)* was used in 3 incidents (0.6 percent), compared to 5 incidents in 2014, a decrease of 40 percent.

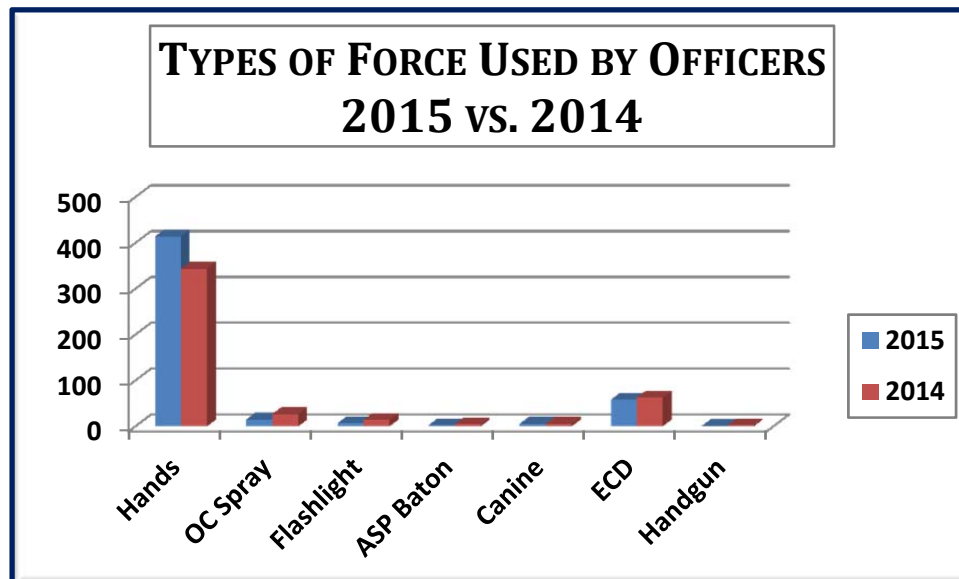
There was one incident involving the use of deadly force in 2015 (0.2 percent), which is summarized in the ***Deadly Force Incidents*** section of this report, compared to three incidents reported in 2014, a 67 percent decrease.

The chart below shows the breakdown of the most common types of force used by *officers* in 2015.

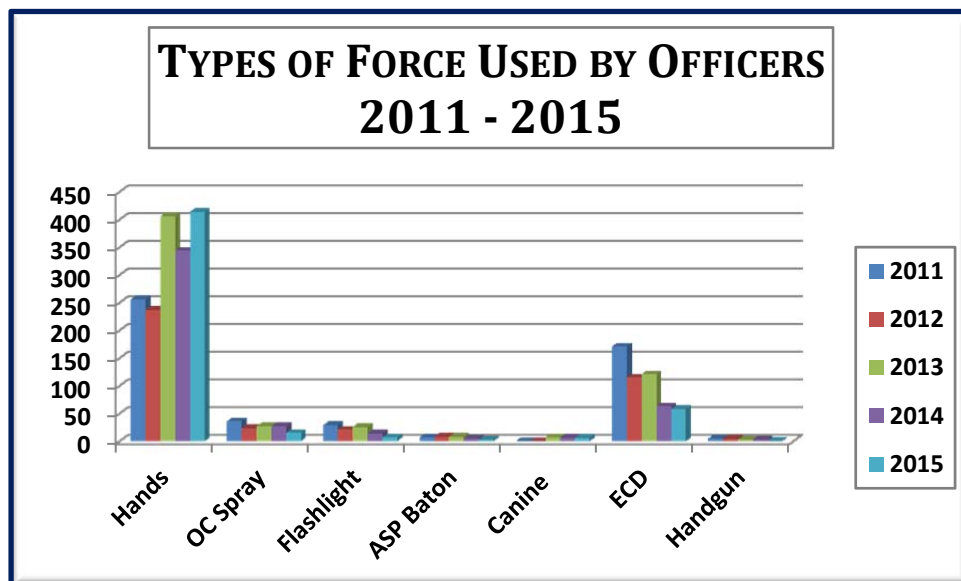


Note: In some instances, more than one type of use of force may be used by multiple officers in an attempt to affect an arrest or control a situation. During many calls for service, a primary officer is dispatched and at least one additional officer responds as a back-up unit. It is important to point out that in approximately 72 percent of the circumstances where force was applied in 2015, two or more officers were involved.

The chart below summarizes the recurrent types of force used by *officers* in 2015 compared to 2014.



The chart below summarizes the recurrent types of force used by *officers* from 2011 – 2015.

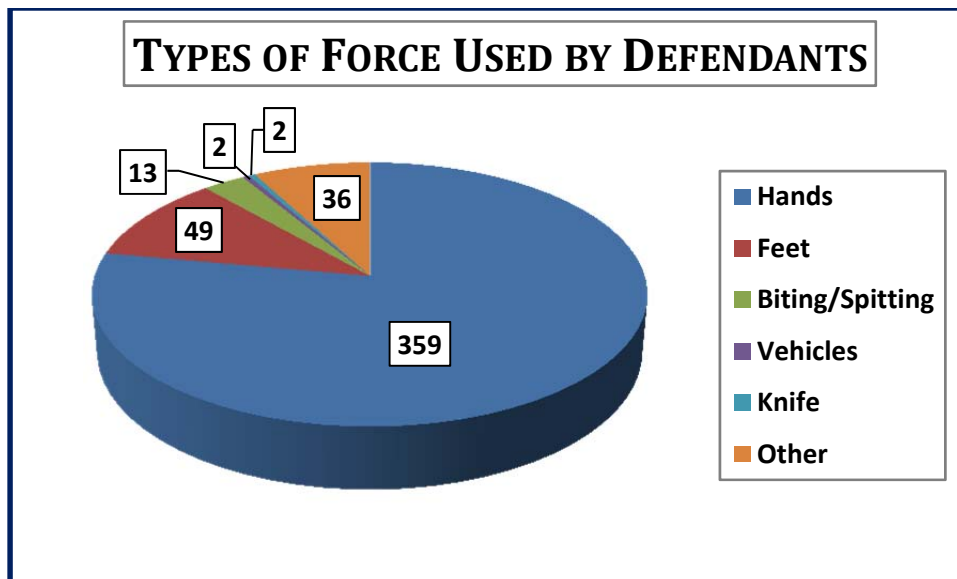


Defendants

The most common type of force used by defendants against officers in 2015 was hands which were used 359 times (78 percent), compared to 323 times in 2014, an increase of 11 percent. The next most common type of force used by defendants was feet which were used 49 times (11 percent), compared to 56 times in 2014, a decrease of 12.5 percent. Incidents involving biting and/or spitting at officers occurred 13 times (3 percent), compared to 8 times in 2014, a decrease of 38.5 percent.

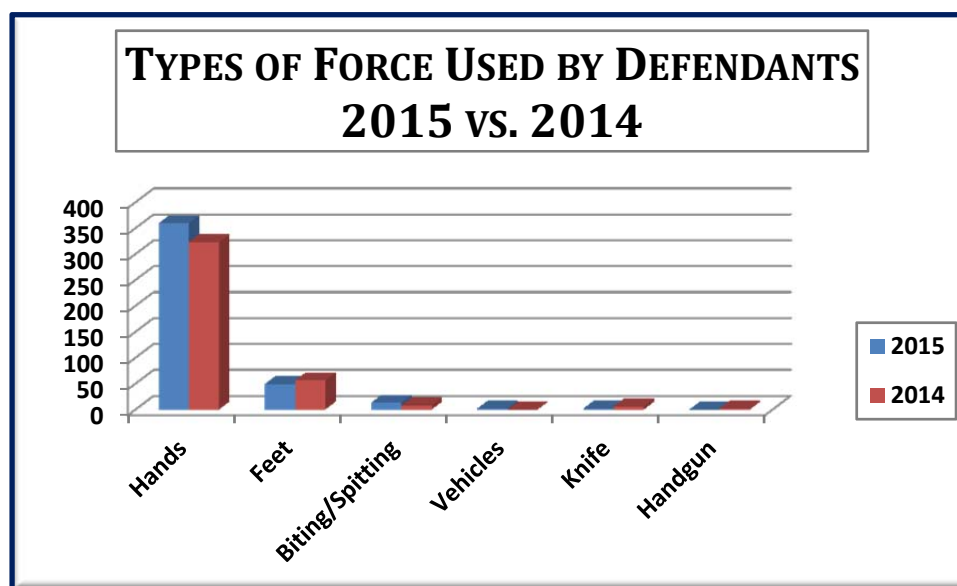
A knife was used by defendants in two incidents (0.4 percent), compared to 6 incidents in 2014, a decrease of 67 percent. Vehicles were reported used in two incidents (0.4 percent), compared to no incidents reported in 2014. Defendants resisting arrest and using their bodies to push or pull away from officers, and other types of force not otherwise specified, comprised the remaining percentage of incidents (7.8 percent) reported in 2015, as was the case in 2014.

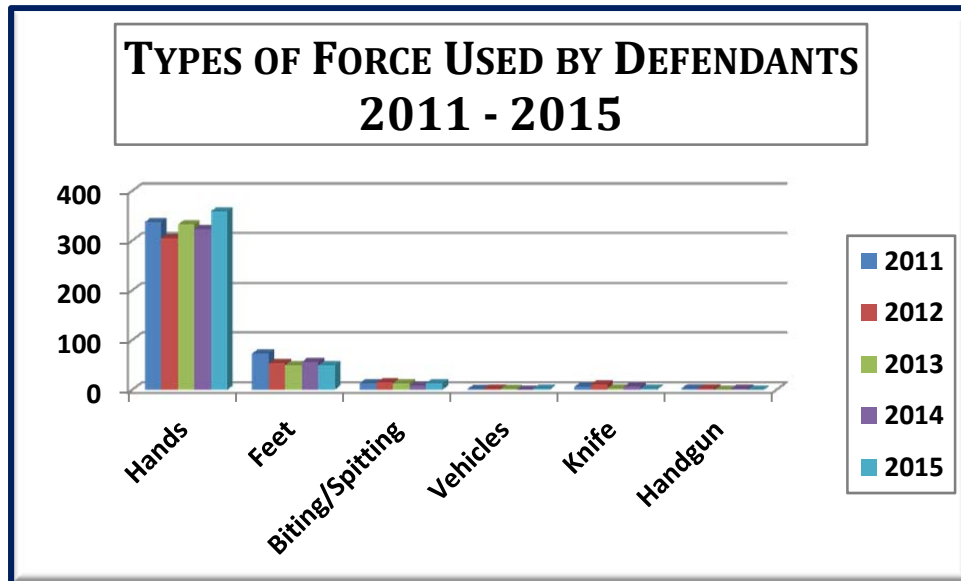
The chart below shows the breakdown of the most common types of force used by *defendants* in 2015.



Note: In some incidents, there were multiple defendants that used more than one type of force against officers.

The chart below summarizes the recurrent types of force used by *defendants* in 2015 compared to 2014, which is also consistent with the most common types of force used by *defendants* in 2011 – 2015.





Electronic Control Devices (ECD)

The department currently has 562 *Electronic Control Devices* (ECDs) that are issued to qualified officers after they complete extensive training and certification in its use. In addition, officers must attend 40 hours of *Crisis Intervention Training* (CIT) before an ECD can be carried. Once certified, officers are also required to complete annual recertification training to be authorized to continue to carry an ECD.

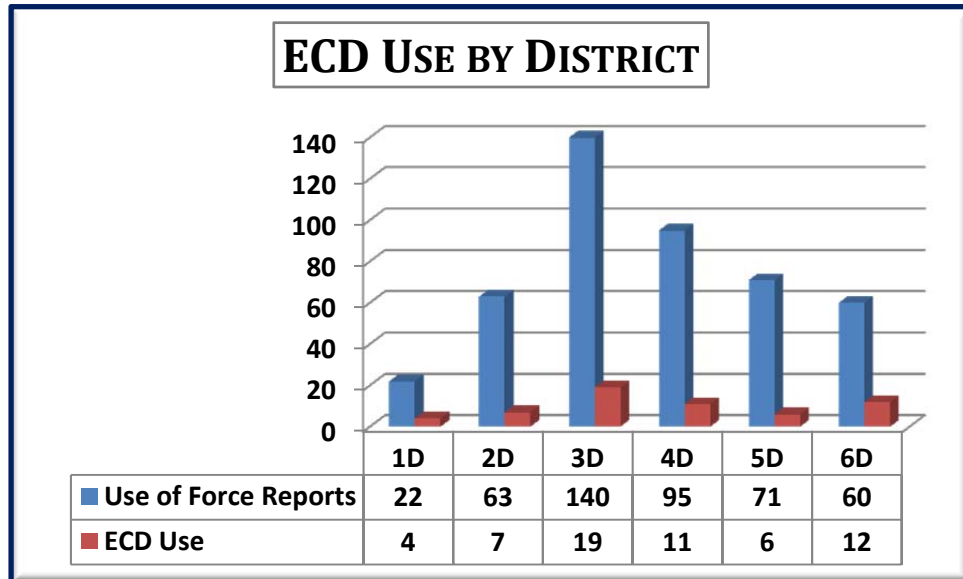
In 2015, an ECD was deployed 59 times (13 percent of total use of force incidents), compared to 63 times in 2014¹, a decrease of 6 percent. A breakdown of ECD deployments and percentages of the total use of force reports by district for 2015 is provided in the table below.

2015			
DISTRICT	TOTAL USE OF FORCE INCIDENTS REPORTED	ECD DEPLOYMENTS	% ECD DEPLOYMENTS OF TOTAL USE OF FORCE INCIDENTS
1D	22	4	18
2D	63	7	11
3D	140	19	14
4D	95	11	12
5D	71	6	9
6D	60	12	20
TOTAL	451	59	13

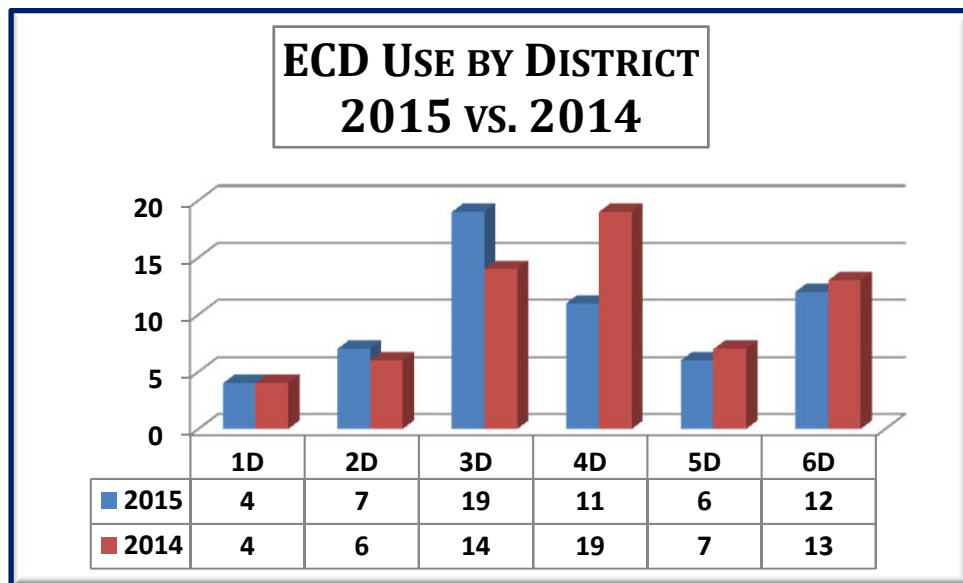
**For purposes of this chart, ECD use is reported by location of the incident, not by duty assignment of the officer.*

¹ The number of ECD uses in 2014 was revised to 63 after release of the 2014 Annual Use of Force Report.

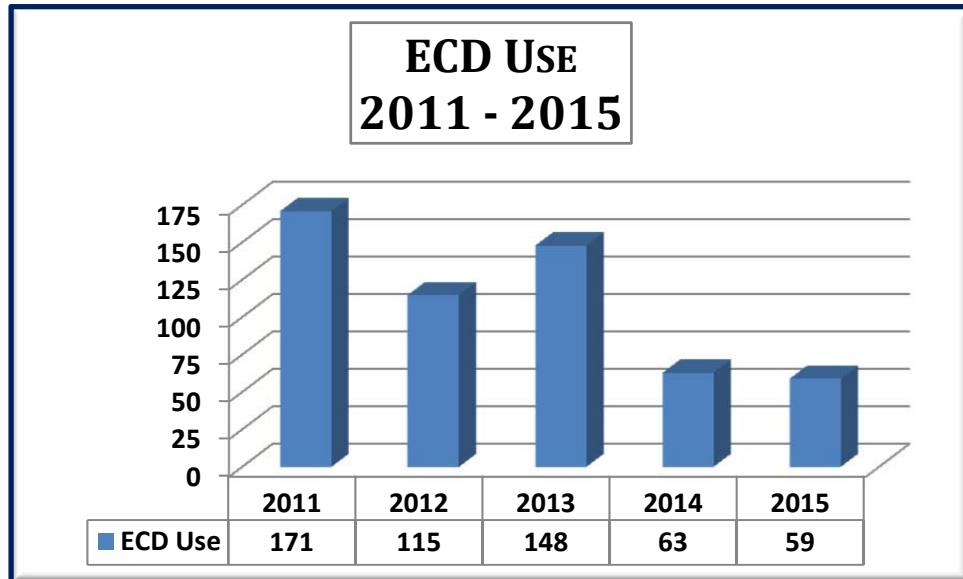
A chart summarizing the ECD data presented in the table on the previous page is presented below.



The chart below compares *ECD use* by District for 2015 and 2014.



The chart below summarizes *ECD use* for all districts (county-wide) from 2011 – 2015.



Since 2011, ECD deployments have decreased 65.5 percent. Since 2013, ECD deployments have decreased 60 percent, while the number of officers trained and certified has remained relatively constant (approximately 44 percent of the department's sworn personnel complement).

The map on the following page shows the locations of reported ECD uses by police reporting area (PRA) for each police district from 2011 – 2015.



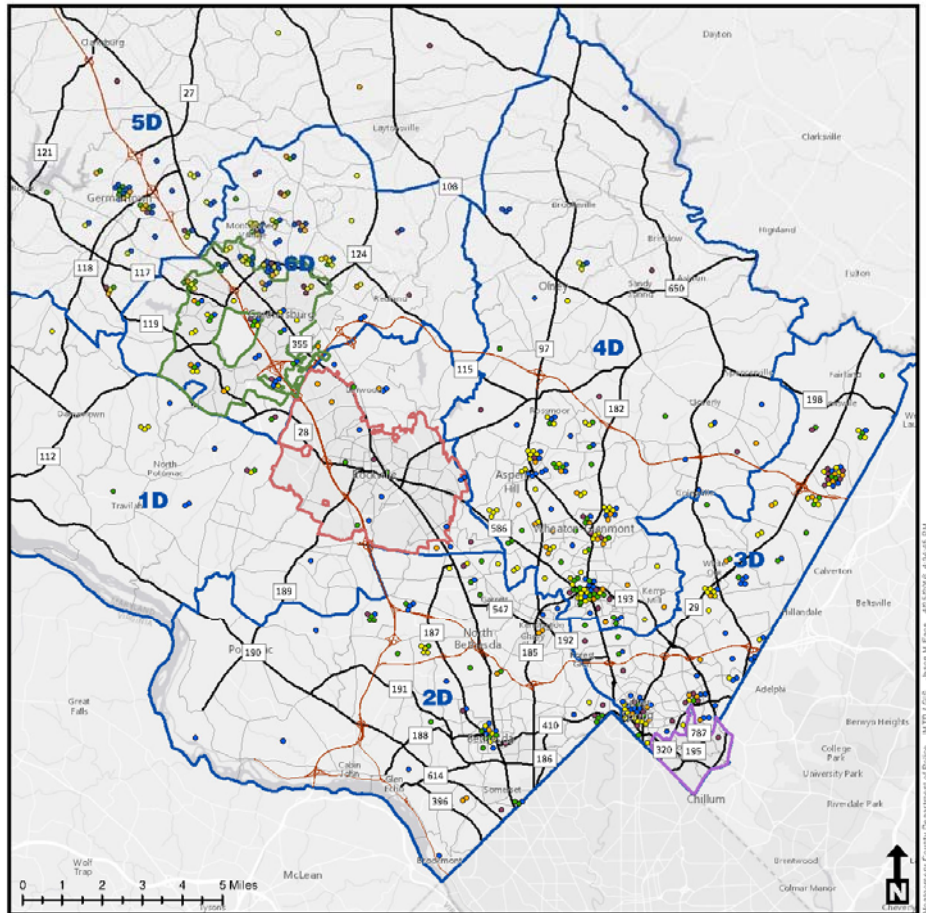
Taser Use 2011 - 2015

Taser Uses by Year

- 2011
- 2012
- 2013
- 2014
- 2015

- Police Districts
- PRAs *

- 1D = Rockville
- 2D = Bethesda
- 3D = Silver Spring
- 4D = Wheaton
- 5D = Germantown
- 6D = Gaithersburg

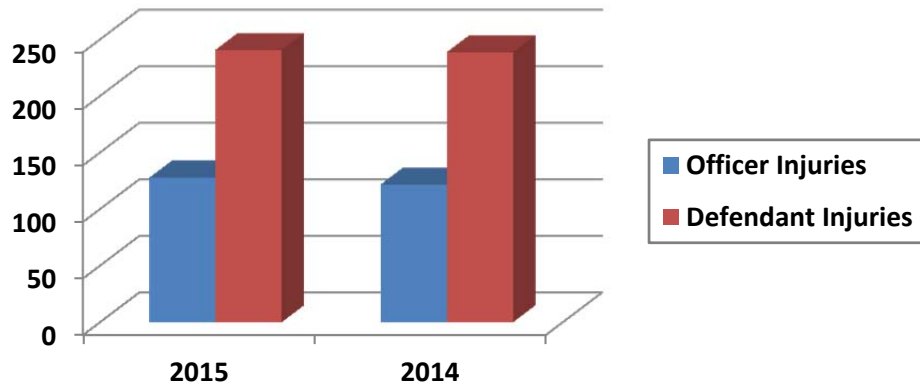


This data highlights significant concentrations of Taser use by officers in certain areas of the 3rd and 4th districts (50 percent of the Taser uses reported from 2011 – 2015), and smaller concentrations of Taser uses reported in specific areas of 5D and 6D. The Silver Spring and Wheaton districts are also the districts where officers traditionally respond to the largest number of calls for service, and the districts that are generally responsible for 50 percent or more of the arrests reported by the department on an annual basis.

INJURIES TO OFFICERS AND DEFENDANTS

In 2015, 128 *officers* reported sustaining some type of injury (or multiple injuries) during a use of force incident. This represents a 6 percent increase from 2014 when there were 121 reported injuries to officers. The number of *defendant* injuries increased from 239 injuries reported in 2014 to 241 injuries in 2015, a 0.8 percent increase.

OFFICER AND DEFENDANT INJURIES 2015 vs. 2014

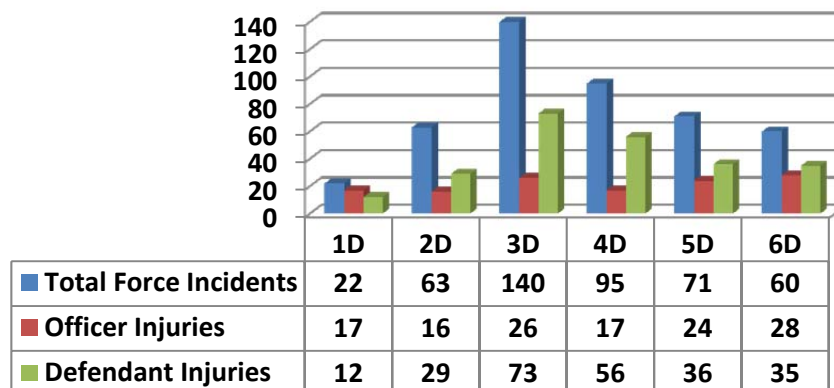


Note: For defendants, an injury is recorded on the Use of Force Report regardless of whether it is a visible injury or the defendant claims an injury.

In 2015, 91 percent of the reported injuries to *officers* involved bruises/soreness or lacerations and abrasions. Similarly, 82 percent of the injuries reported sustained by *defendants* (or claims of an injury by defendants) also involved bruises/soreness or lacerations and abrasions.

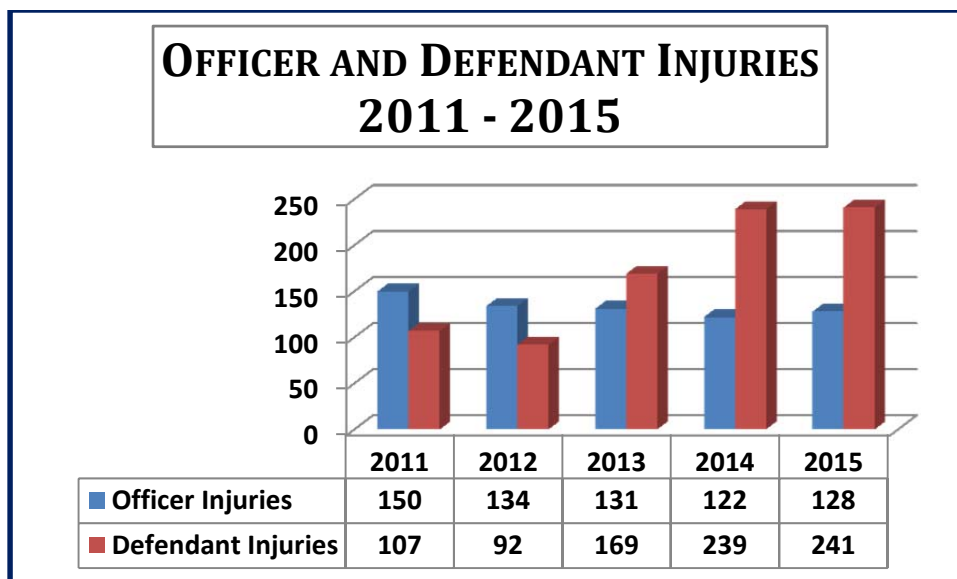
The chart below provides a breakdown of the *Use of Force Reports* that were completed, the number of injuries sustained by *officers*, and the number of injuries sustained (or claimed) by *defendants* by district of occurrence in 2015.

OFFICER AND DEFENDANT INJURIES DISTRICT SUMMARY



Based on the total use of force incidents reported by all districts in 2015, officers reported being injured in approximately 28 percent of use of force incidents, while defendants reported being injured (or claimed being injured) in approximately 54 percent of the incidents.

The following chart shows a five year summary of reported *officer* and *defendant* injuries related to incidents where some type of force was used.



Since 2011, injuries to officers have decreased approximately 15 percent, and defendant injuries (or claims of injuries), have increased approximately 125 percent during the same timeframe. The average number of officers reported being injured for this five year period is 133, and the average number of defendants sustaining or claiming some type of injury is 170.

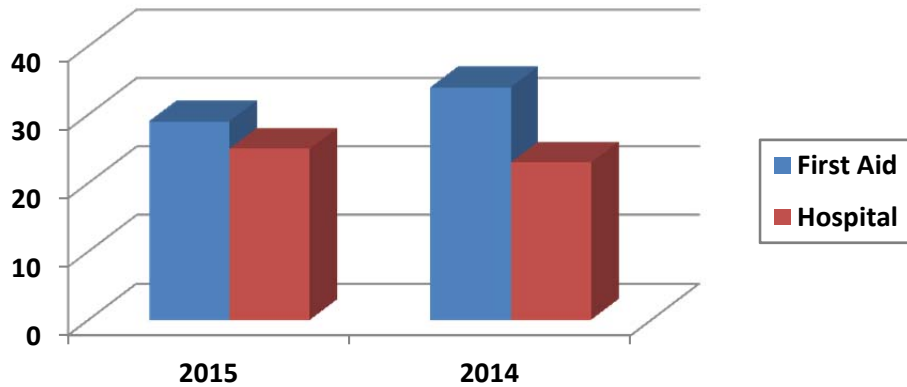
MEDICAL TREATMENT FOR OFFICERS AND DEFENDANTS

Officers

In 2015, 54 officers (42 percent) required some form of medical treatment (*first aid administered on scene or medical follow-up at a hospital*), a 5 percent decrease compared to 2014 when 57 officers sought some type of medical treatment. Nine officers that reported injuries in 2015 refused treatment (7 percent).

The chart on the next page shows the type of medical treatment needed for *officers* as a result of reporting being injured in 2015.

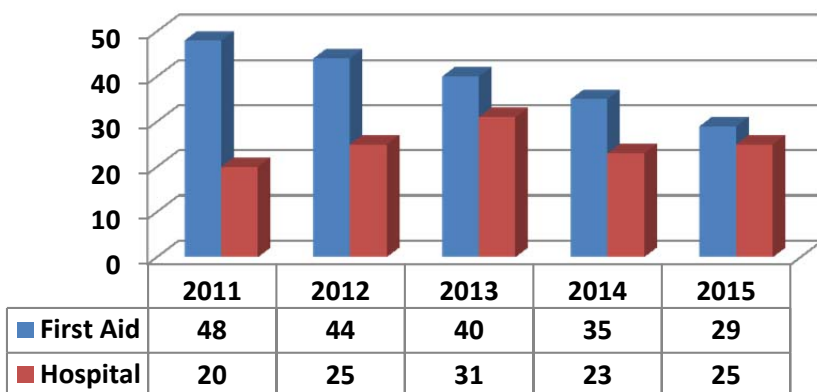
MEDICAL TREATMENT FOR OFFICERS 2015 vs. 2014



In one incident involving a bite, officers were requested to respond to assist fire and rescue personnel with an individual threatening them and exhibiting signs and symptoms of excited delirium. As the officers attempted to control the subject and place him into custody, he bit down on one of the officers' fingers and would not let go. Despite the extent of the injury, the officer continued to attempt to gain control of the subject's hands until he and other officers were eventually able to handcuff the subject. The subject was transported to the hospital for an emergency evaluation petition.

The chart below summarizes the number of *officers* requiring medical treatment (*first aid and/or treatment at a hospital*) for injuries sustained in use of force incidents reported from 2011 – 2015.

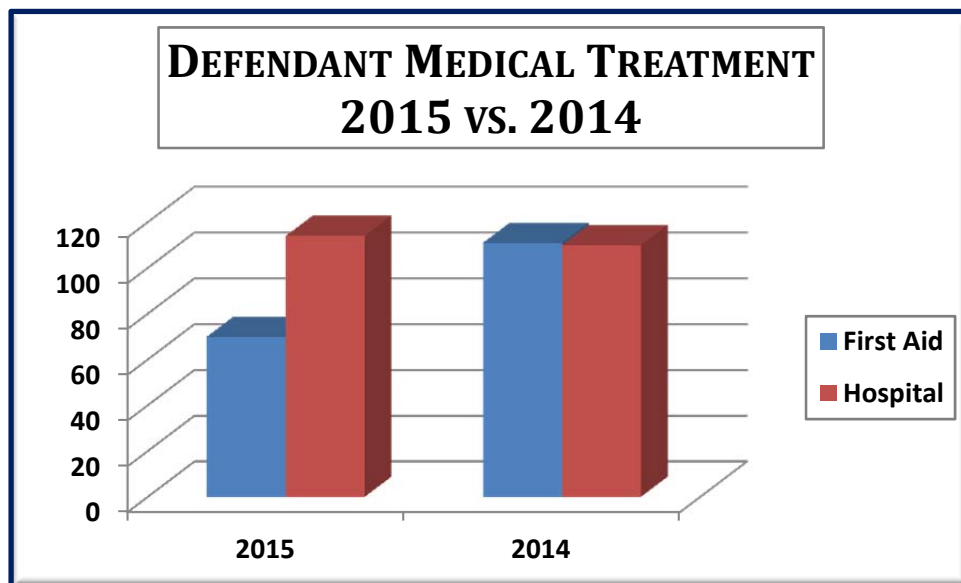
MEDICAL TREATMENT FOR OFFICERS 2011 - 2015



Since 2011, the number of *officers* requiring medical treatment for injuries sustained during use of force incidents has decreased 21 percent.

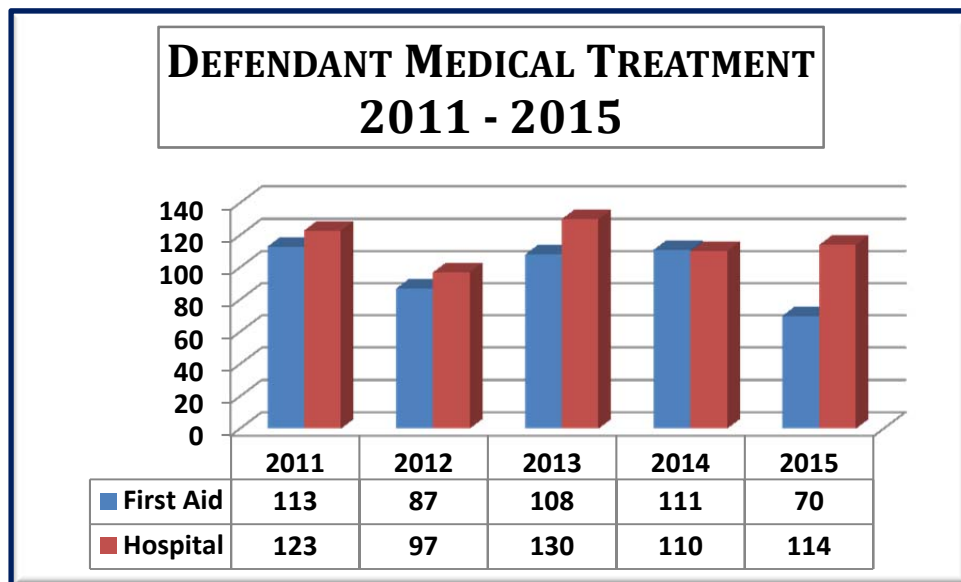
Defendants

In 2015, 114 defendants (47 percent) were transported to hospitals for some type of medical treatment, and 70 defendants (29 percent) were treated on-scene with first aid administered by police or fire/rescue personnel. In addition, 43 defendants (18 percent) refused any type of medical treatment. This information is summarized in the chart below.



Compared to 2014, the data reported for 2015 associated with *defendant* medical treatment reflects a decrease of 37 percent in the number of defendants requiring first aid, a 4 percent increase in the number of defendants transported to hospitals for treatment, and a 54 percent increase in the number of defendants that refused treatment.

The chart below summarizes the number of *defendants* requiring medical treatment (*first aid and/or treatment at a hospital*) for injuries sustained (or claimed) in use of force incidents reported from 2011 – 2015.

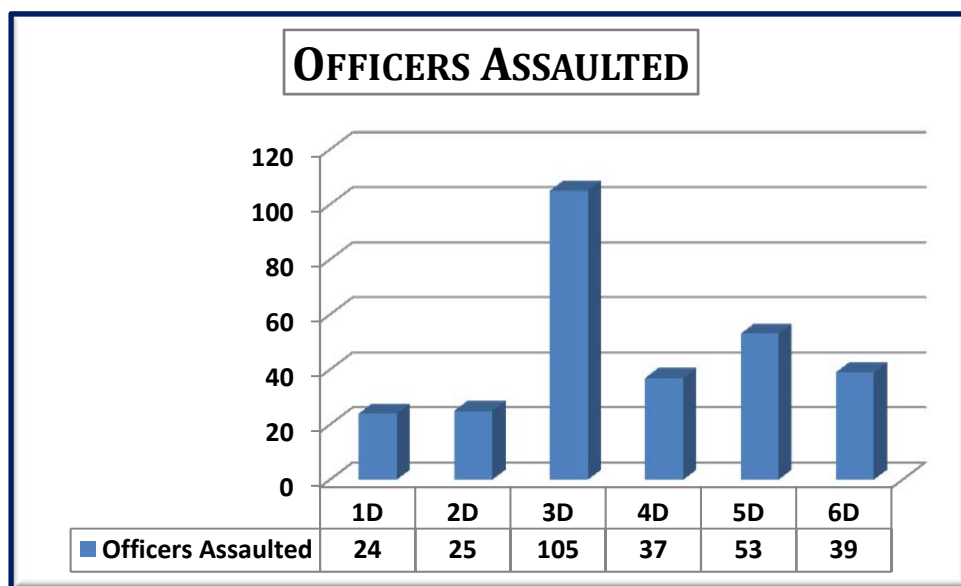


Since 2011, the number of *defendants* requiring medical treatment for injuries sustained during use of force incidents (or claims of an injury) has decreased 22 percent.

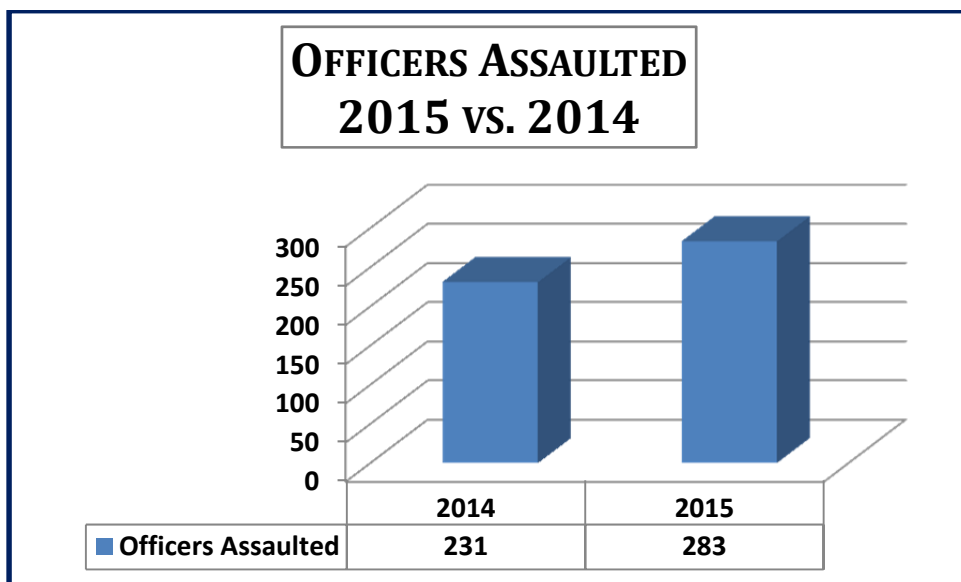
OFFICERS ASSAULTED/AMBUSHED

For state and federal reporting requirements, the department captures information when an officer reports being assaulted or ambushed. In 2015, 283 officers reported being assaulted, an increase of 22.5 percent compared to 2014 when 231 officers reported being assaulted.

A summary of these incidents reported by district in 2015 is shown below.

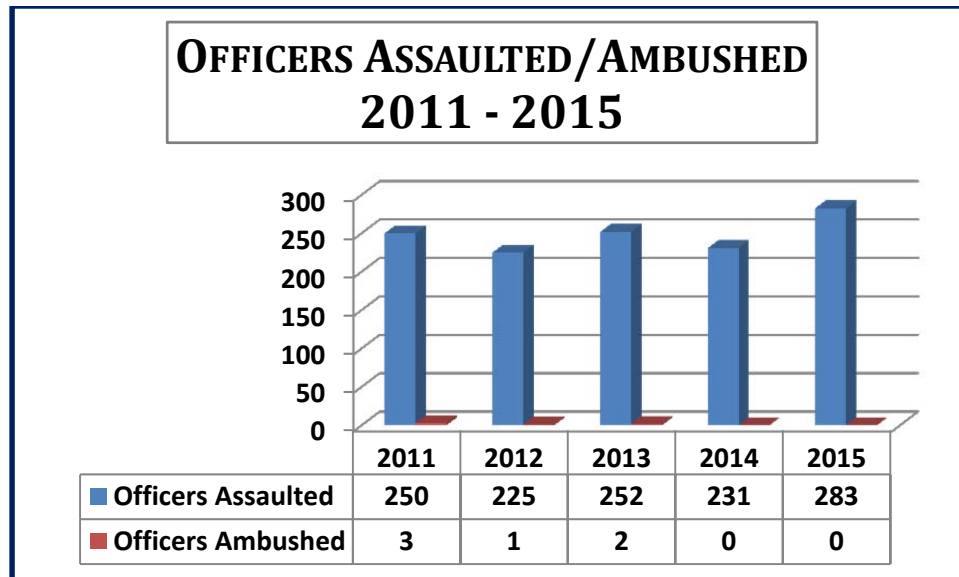


The chart below compares the number of officers reported being assaulted in 2015 and 2014.



In 2015, no officers reported being ambushed, the same number reported in 2014.

The following chart is a five year summary of officers who reported being assaulted and/or ambushed.



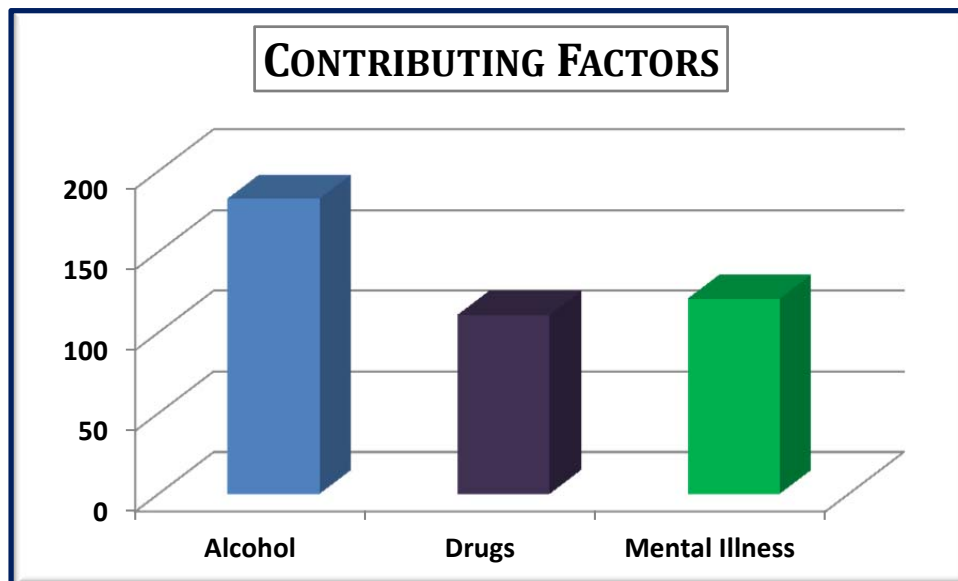
From 2011 – 2015, the number of officers who reported being assaulted related to a use of force incident increased 13 percent.

CONTRIBUTING FACTORS

In approximately 183 (41 percent) of the use of force incidents reported in 2015, defendants were reported to have consumed alcohol, compared to 190 incidents in 2014, a decrease of 4 percent. In addition, some form of drug use (other than alcohol) was reported in 111 incidents (25 percent) in 2015, compared to 109 incidents in 2014, an increase of 2 percent. In 65 percent of the incidents reported in 2015 where officers employed some type of force, the defendants were under the influence of alcohol and/or drugs.

In 2015, 121 defendants (27 percent) encountered by police were reported to be suffering from some form of mental illness. This is a 2.5 percent increase compared to 2014 when 118 of the reported incidents involved individuals suffering from some form of mental illness. The 121 incidents involving defendants reported to be suffering from mental illness constitutes approximately 2 percent of the total events classified as mental illness-related in 2015.

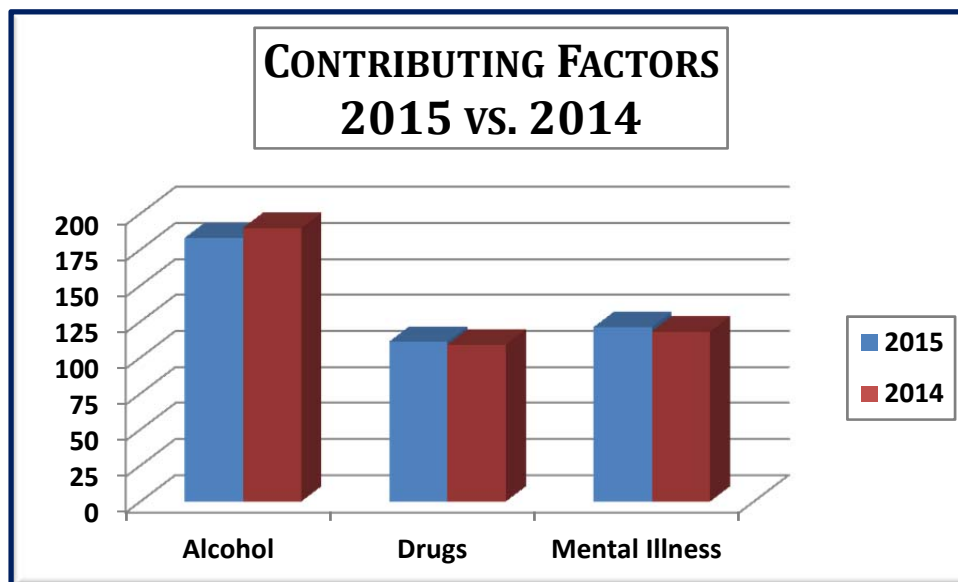
The chart below is a summary of the contributing factors reported in 2015.



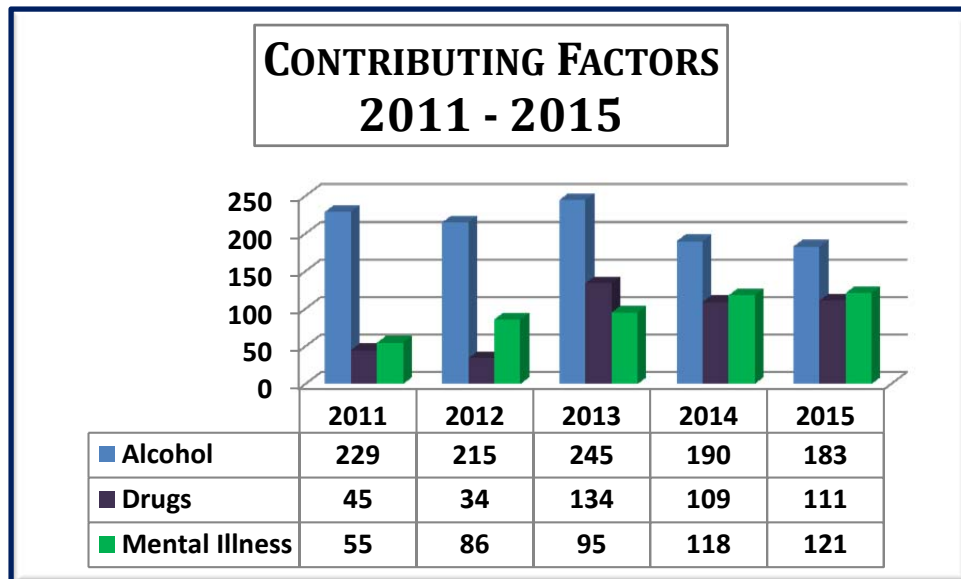
Note: In several incidents, defendants were reported to be under the influence of alcohol and drugs, and in some instances, also suffering from some form of mental illness.

It is also important to note that in some situations, defendants under the influence of alcohol and/or drugs or suffering from mental illness, may not comply with an officer's presence or verbal commands, thereby necessitating the use of some type of physical force to gain compliance.

The chart below shows a summary of the contributing factors reported in 2015 compared to 2014.



The following chart shows a five-year summary of use of force incidents where defendants were reported to be under the influence of alcohol and/or drugs, or suffering from mental illness.

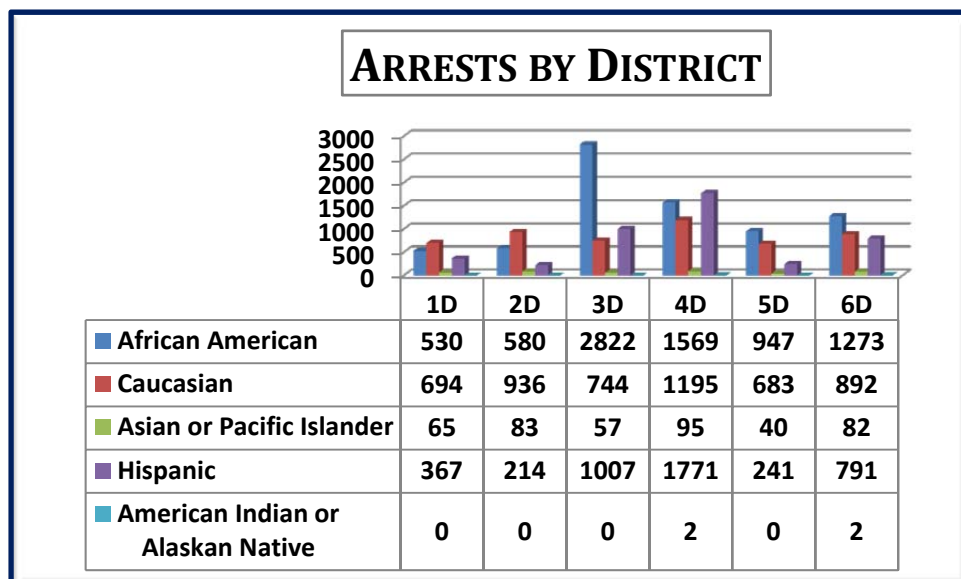


The data shows that over the five year period from 2011 – 2015, there has been a 20 percent decrease in the number of incidents where alcohol was a contributing factor, a 147 percent increase in the incidents where some type of drug(s) were involved, and a 120 percent increase in incidents where individuals were suffering from some form of mental illness.

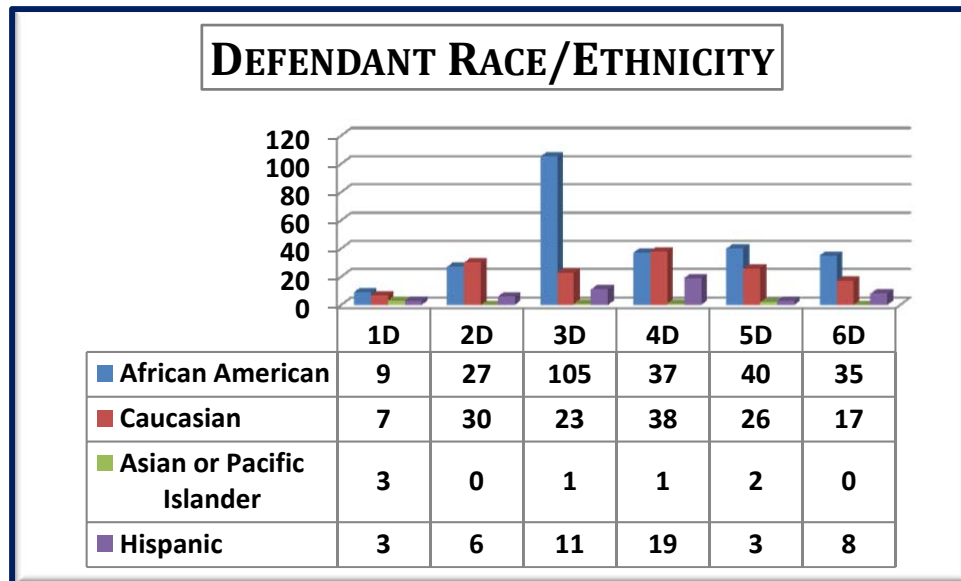
AGE-RACE-ETHNICITY AND GENDER OF DEFENDANTS AND OFFICERS

Race/Ethnicity

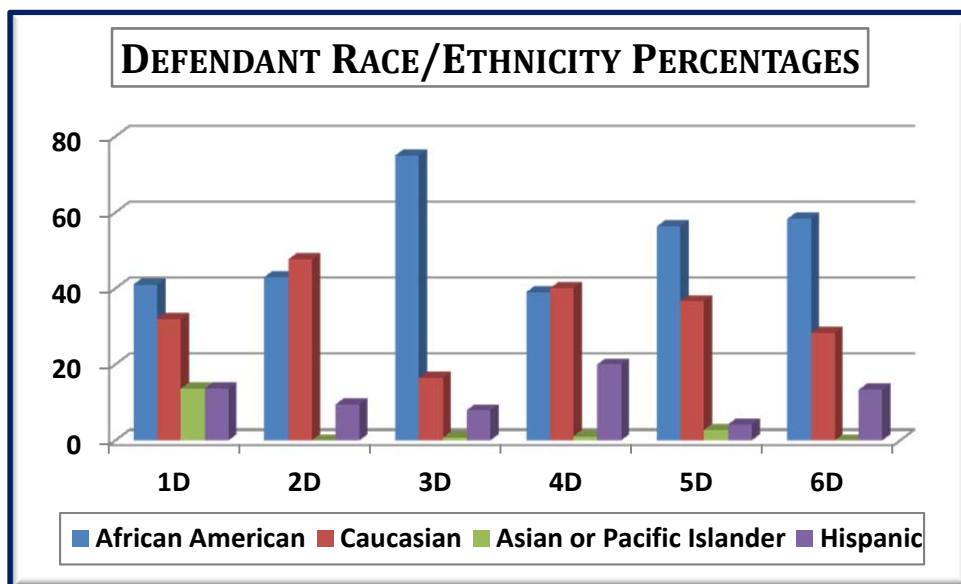
The following chart shows a breakdown of the race/ethnicity of *defendants* for arrests made in 2015.



The chart below shows the number of *use of force incidents* reported in 2015 by district, and a breakdown of the race/ethnicity of the *defendants* involved in those incidents.

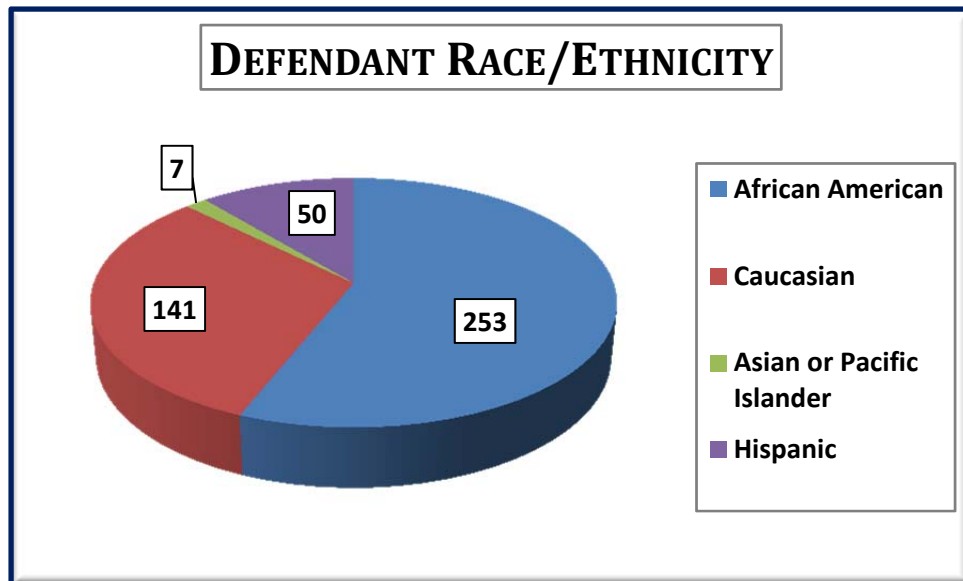


The following chart shows the *percentage* of the race/ethnicity of the *defendants* involved in the use of force incidents reported by each district in 2015.

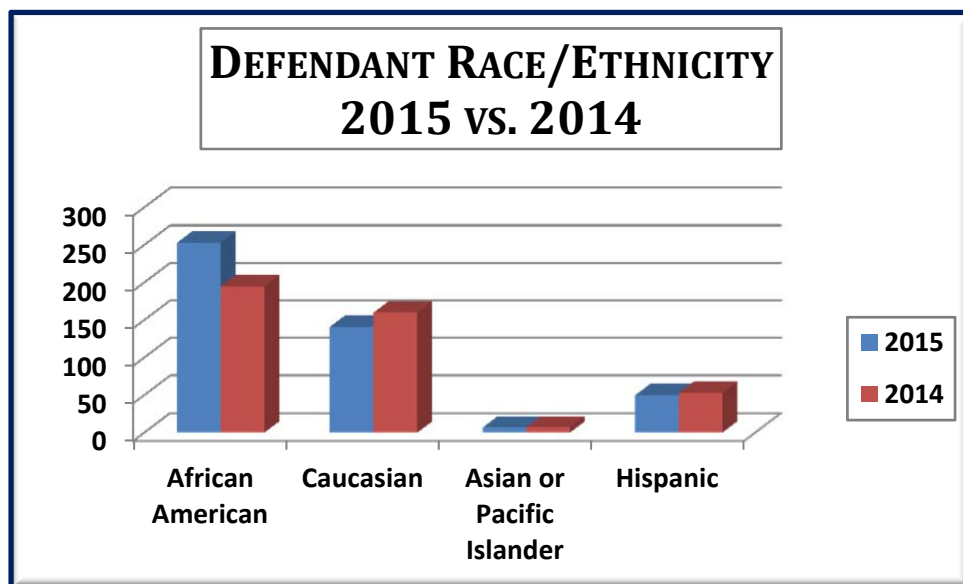


The majority of *defendants* involved in use of force incidents reported in 2015 were *African American and Caucasian*, comprising approximately 87 percent (394) of the use of force incidents reported. *Asian or Pacific Islander* defendants comprised approximately 2 percent (7), and *Hispanic* defendants accounted for the remaining 11 percent (50) of defendants involved in use of force incidents.

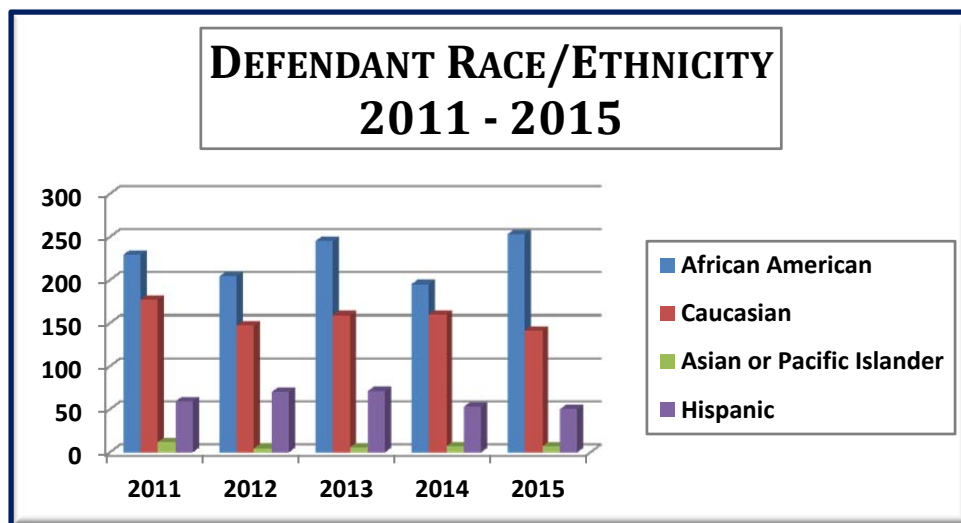
The chart below shows a summary of the *defendants'* race/ethnicity based on the number of use of force incidents reported in 2015.



The chart below shows a summary of the *defendants'* race/ethnicity in use of force incidents reported in 2015 compared to 2014.



The following chart shows the race/ethnicity of the *defendants* involved in use of force incidents reported county-wide from 2011 - 2015.



Over the five year period from 2011 – 2015, the following demographic-related trends are notable:

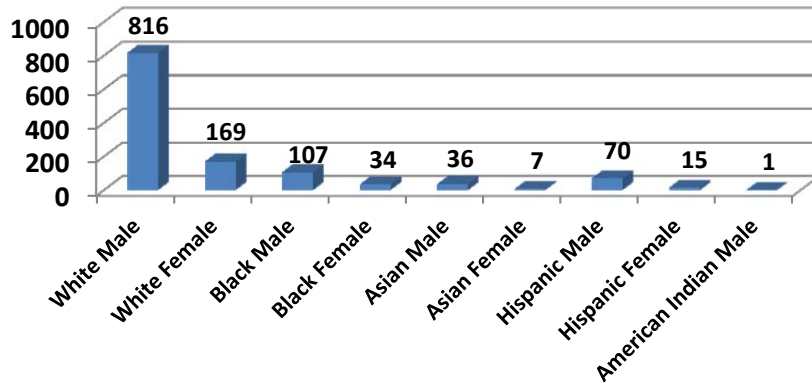
- The number of *African American* defendants involved in reported use of force incidents increased 10.5 percent.
- The number of *Caucasian* defendants involved in reported use of force incidents decreased 20 percent.
- The number of *Asian/Pacific Islander* defendants involved in reported use of force incidents decreased 42 percent.
- The number of *Hispanic* defendants involved in reported use of force incidents decreased 15 percent.

Since 2011, *African Americans* have been involved in 50 percent of the reported use of force incidents, *Caucasians* have been involved in 35 percent of reported incidents, *Asian/Pacific Islanders* have been involved in 1.6 percent of incidents, and *Hispanics* have been involved in 13.4 percent of reported use of force incidents.

Race/Ethnicity & Age of Defendants and Officer

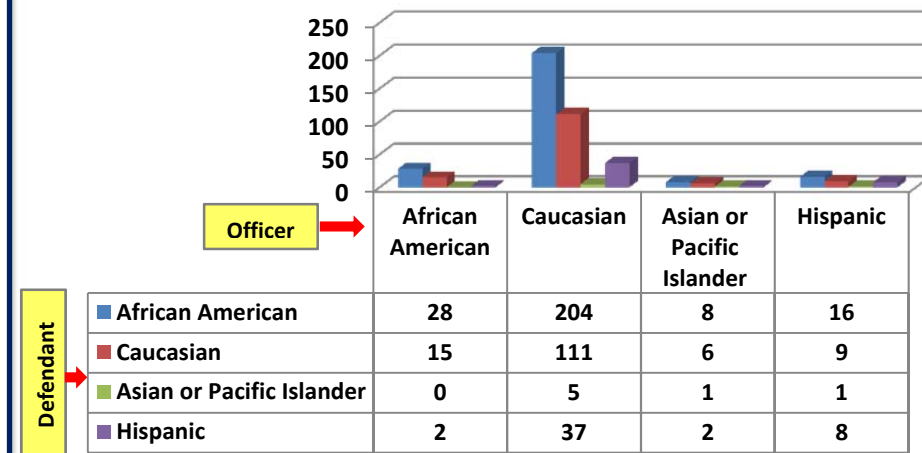
The chart on the next page shows the department demographics of its sworn personnel complement as of December 2015.

DEPARTMENT DEMOGRAPHICS SWORN PERSONNEL



The following section includes a summary based on information compiled from the *Use of Force Reports* submitted in 2015 where the race-ethnicity and age of the *defendant* and primary *officer* were noted on the MCP Form 37. As noted earlier, in the majority of use of force incidents, there are more than two officers involved. However, the data reflected in the chart only indicates the race-ethnicity of the primary officers that were responsible for completing the MCP Form 37.

DEFENDANT-OFFICER RACE/ETHNICITY



Ages of Defendants and Officers

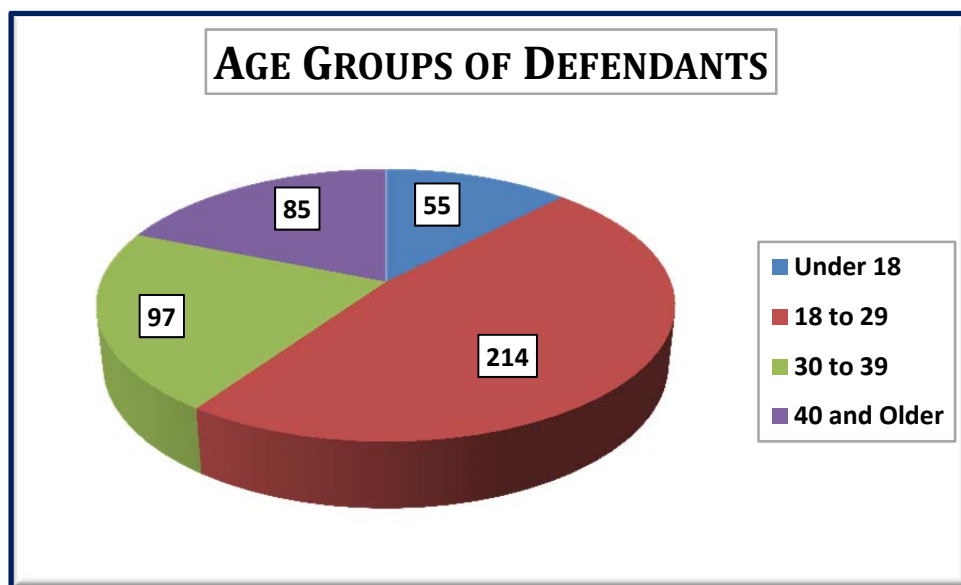
Ages of Defendants

The charts on the next page show a breakdown of the age groups of the defendants and officers based on the information reported on use of force reports completed by officers in 2015. *Defendants* ages 18 to 29 and 30 to 39 accounted for approximately 69 percent of the total individuals involved in use of force incidents reported in 2015, compared to 68 percent in 2014.

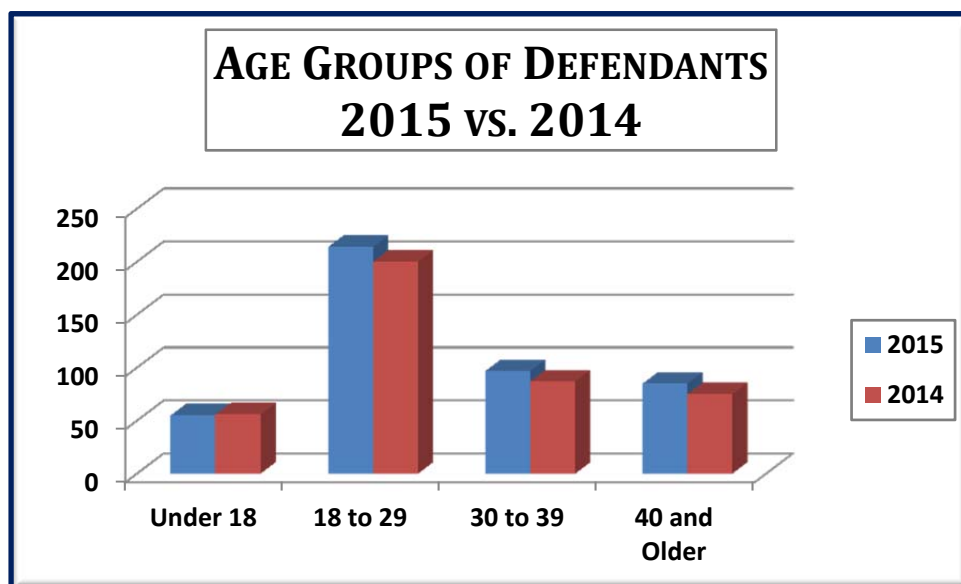
Defendants under the age of 18 were involved in 12 percent (55) of the incidents reported in 2015, while *defendants* ages 40 and older comprised the remaining 19 percent (85).

For all age categories in 2015, the average age of the *defendants* involved in use of force incidents was 30; compared to 29 in 2014.

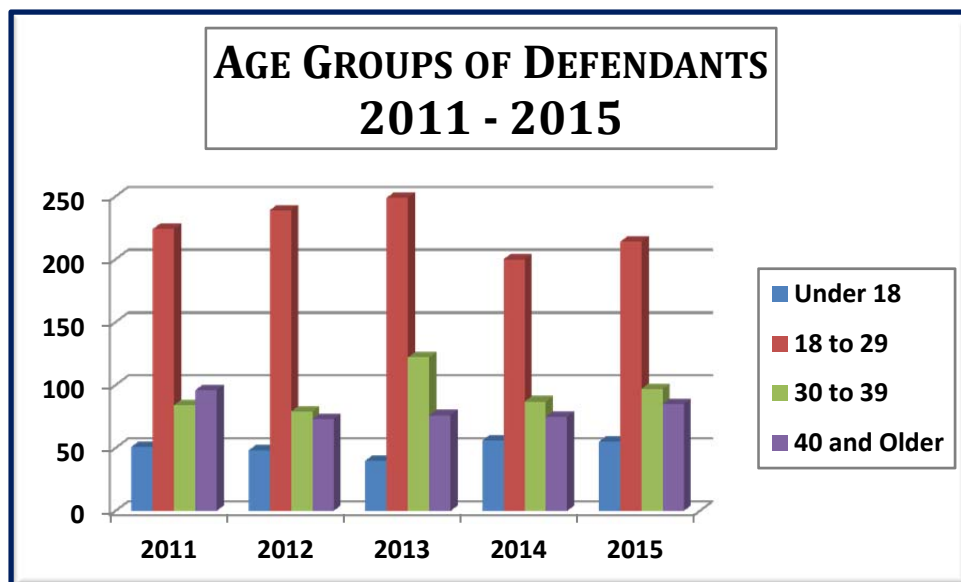
The following chart provides a breakdown of the age groups of the *defendants* involved use of force incidents in 2015.



The chart below shows a summary of the age groups of the *defendants* involved in use of force incidents reported in 2015 compared to 2014.



The chart below shows the age groups of the *defendants* involved in use of force incidents reported county-wide from 2011 - 2015. The average age of the *defendants* across all age groups is 29.7.

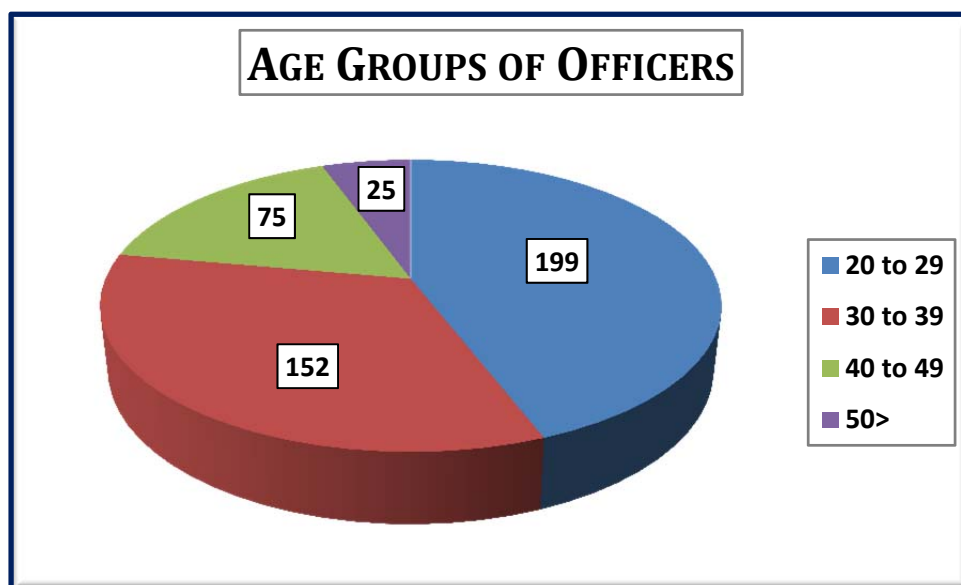


A review of the data over this five year span shows an increase of 8 percent in the number of *defendants* under the age of 18, a 4.5 percent decrease in the number of *defendants* ages 18 to 29, a 15.5 percent increase in *defendants* in the 30-39 age group, and an 11.5 percent decrease in the number of *defendants* ages 40 and older.

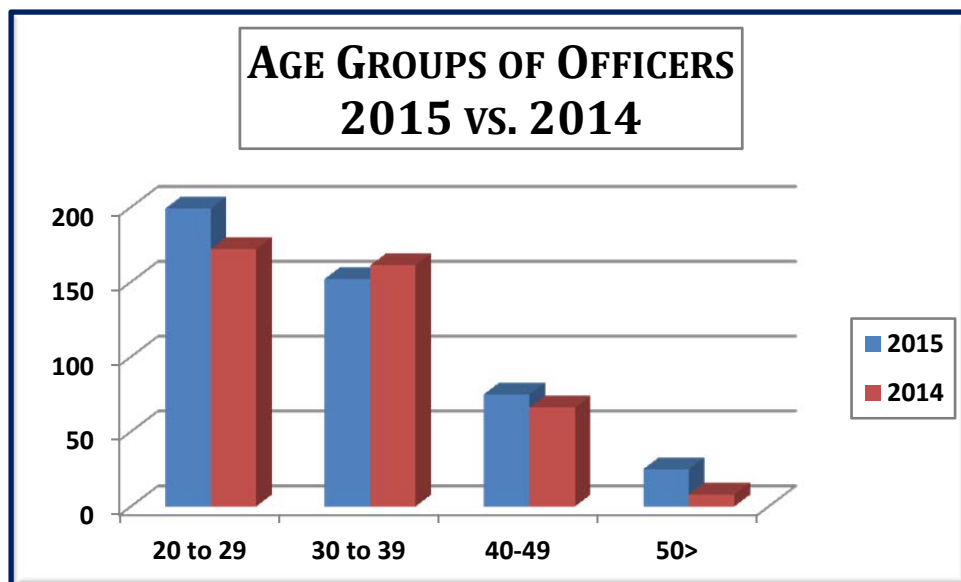
Ages of Officers

For all age categories in 2015, the average age of the *officers* involved in use of force incidents was 33, compared to 32 in 2014.

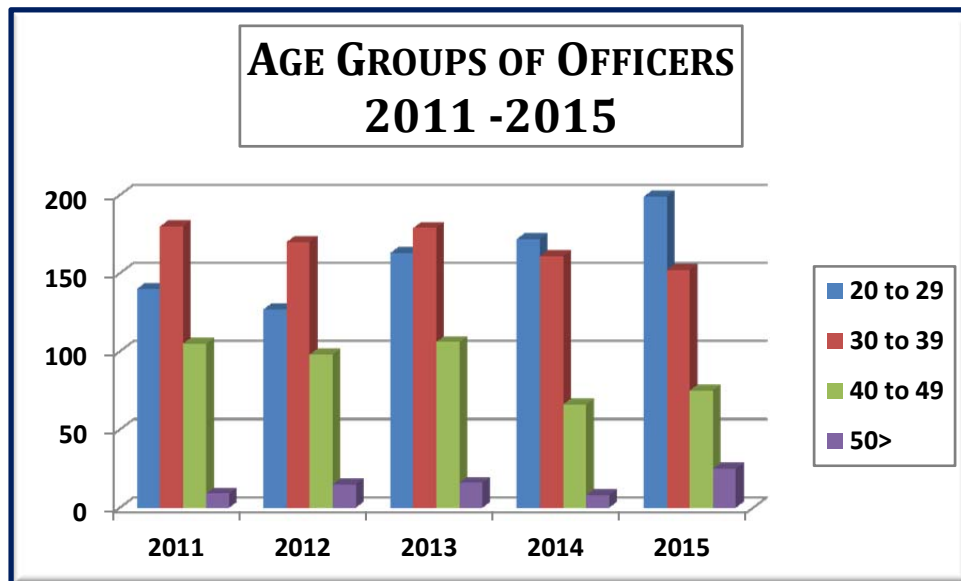
The following chart provides a breakdown of the age groups of the *officers* involved use of force incidents in 2015.



The chart below shows a summary of the age groups of the *officers* involved in use of force incidents reported in 2015 compared to 2014.



The chart below shows the age groups of the *officers* involved in use of force incidents reported county-wide from 2011 - 2015. The average age of *officers* across all age groups for this period is 34.

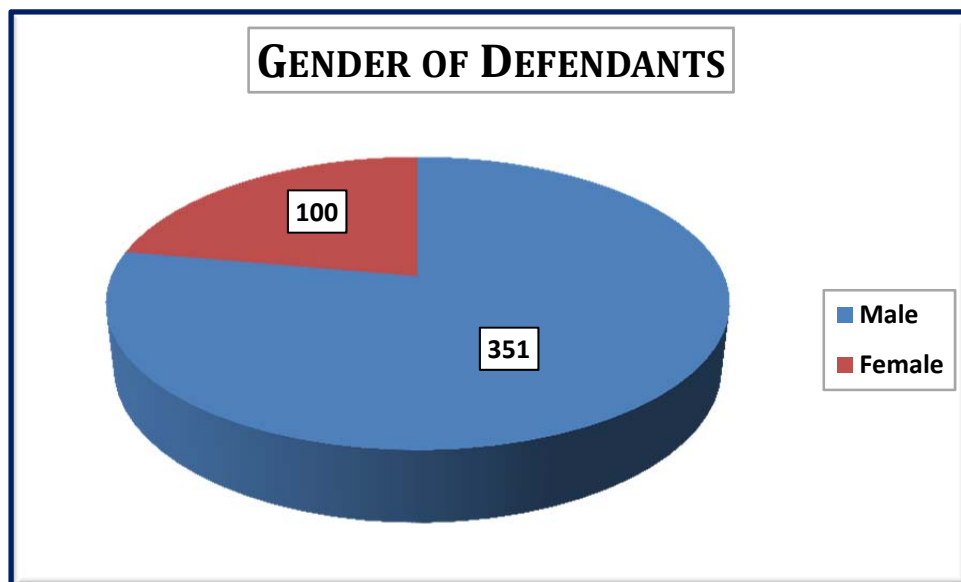


A review of the data over this five year span shows an increase of 42 percent in the number of *officers* in the 20 to 29 age group, a 16 percent decrease in the number of *officers* ages 30 to 39, a 29 percent decrease in the number of *officers* in the 40-49 age group, and a 178 percent increase in the number of *officers* ages 50 and older.

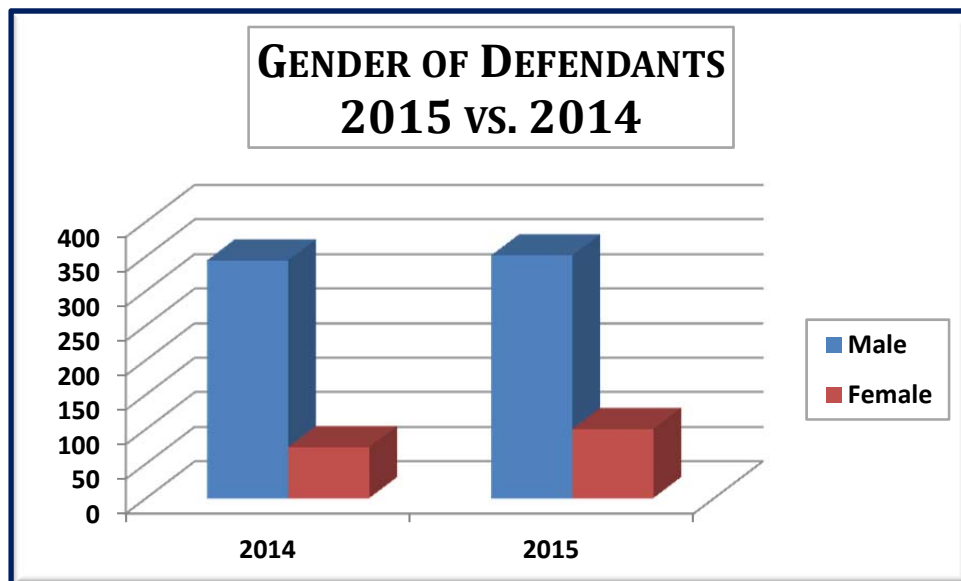
Gender

Defendants

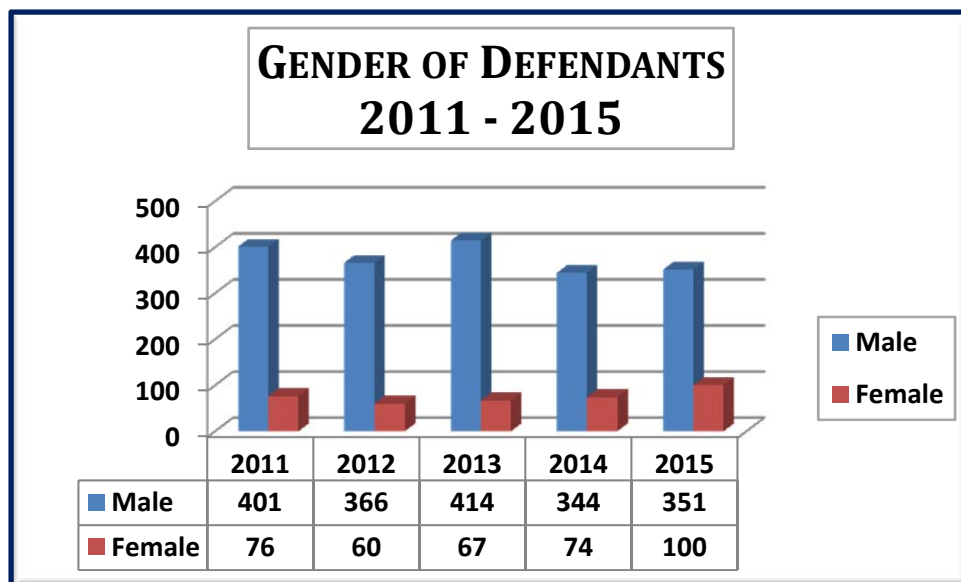
Of the *defendants* involved in use of force incidents in 2015, 78 percent (351) were *male* and 22 percent (100) were *female*, as shown in the chart below.



In 2014, *males* were involved in 344 (82 percent) use of force incidents and *females* were involved in 74 (18 percent) of the incidents. This represents a 2 percent decrease in the number of *males* involved in use of force incidents, and a 35 percent increase in the number of *females* involved, compared to 2015 as shown below.

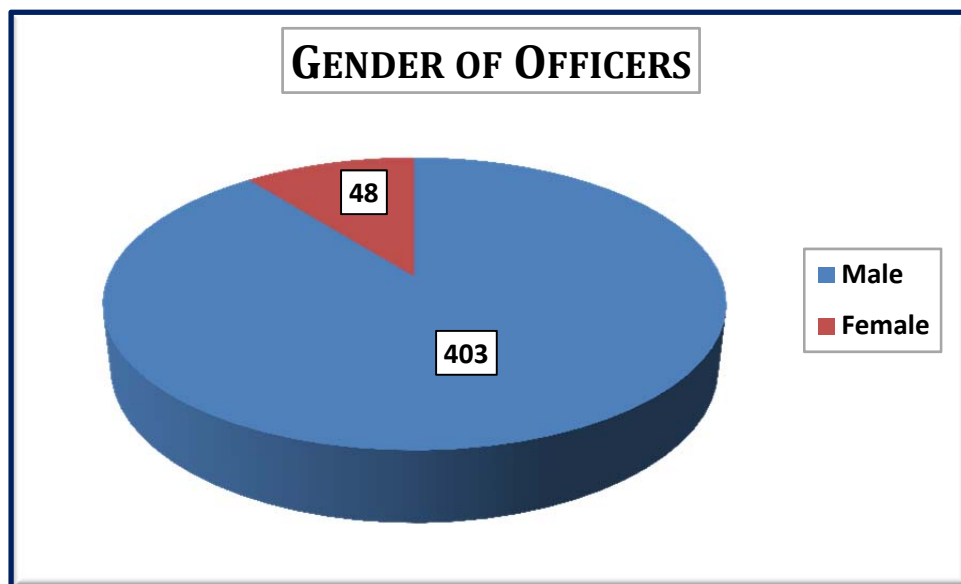


A five year summary of the gender of the *defendants* involved in reported use of force incidents is provided below.



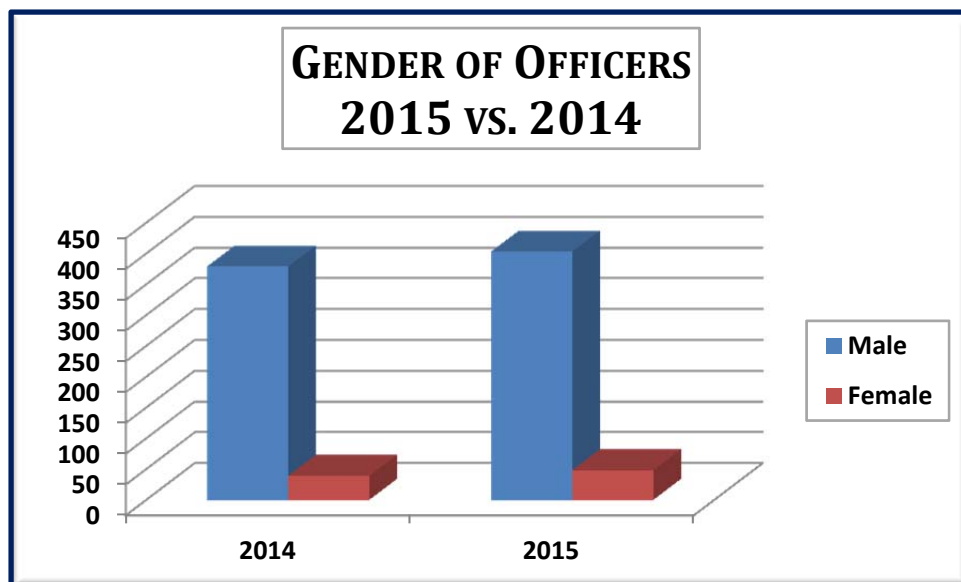
Officers

Of the *officers* involved in use of force incidents reported in 2015, 89 percent (403) were *male* and approximately 11 percent (48) were *female*, as shown in the chart below.

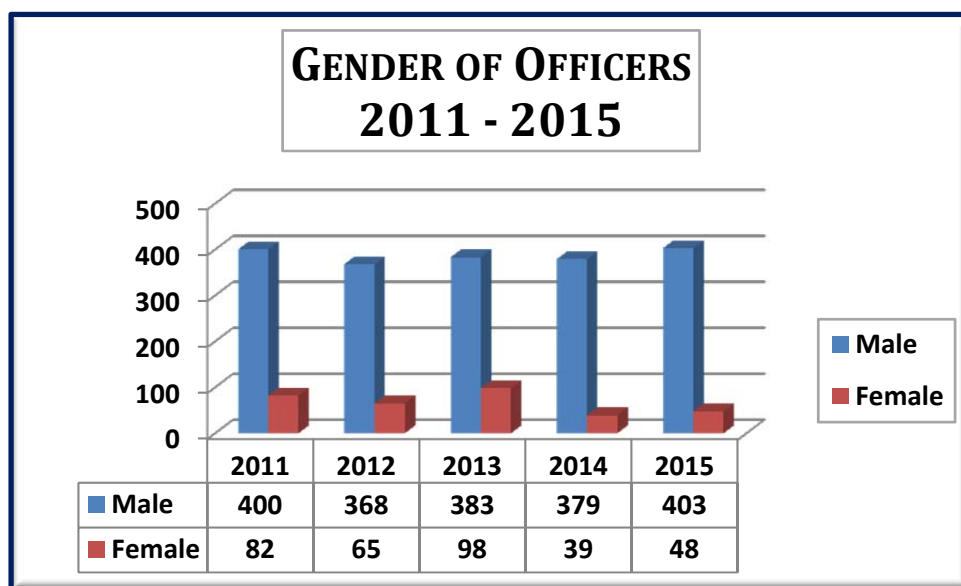


In 2014, *male* officers were involved in 379 (91 percent) use of force incidents, and *female* officers were involved in 39 (9 percent) of the incidents. This represents an 8 percent increase in the number of *males* involved in use of force incidents and a 23 percent increase in the number of *females* involved compared to 2015.

The chart below provides a comparison of the gender of the *officers* involved in the use of force incidents reported in 2015 and 2014.



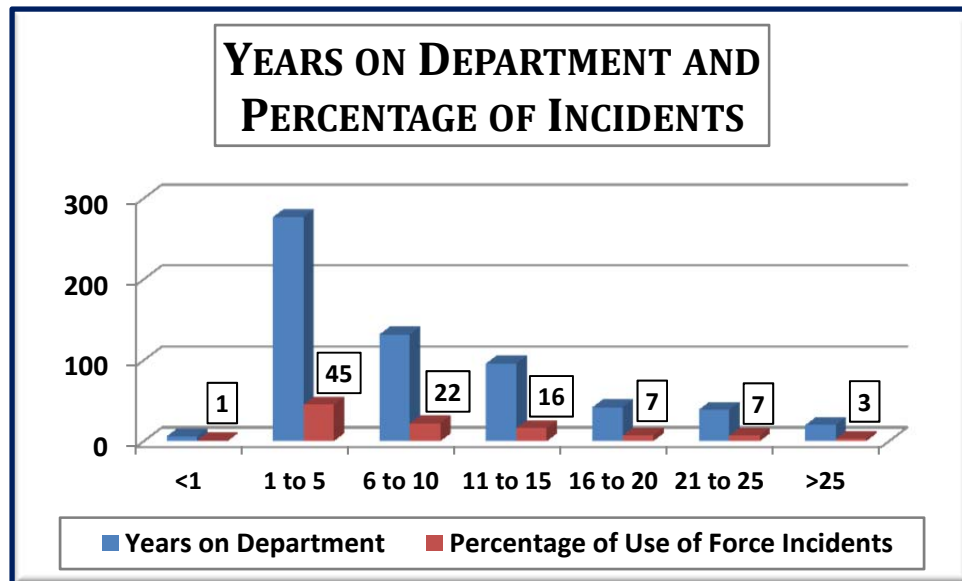
A five year summary of the gender of the *officers* involved in reported use of force incidents is provided in the following chart.



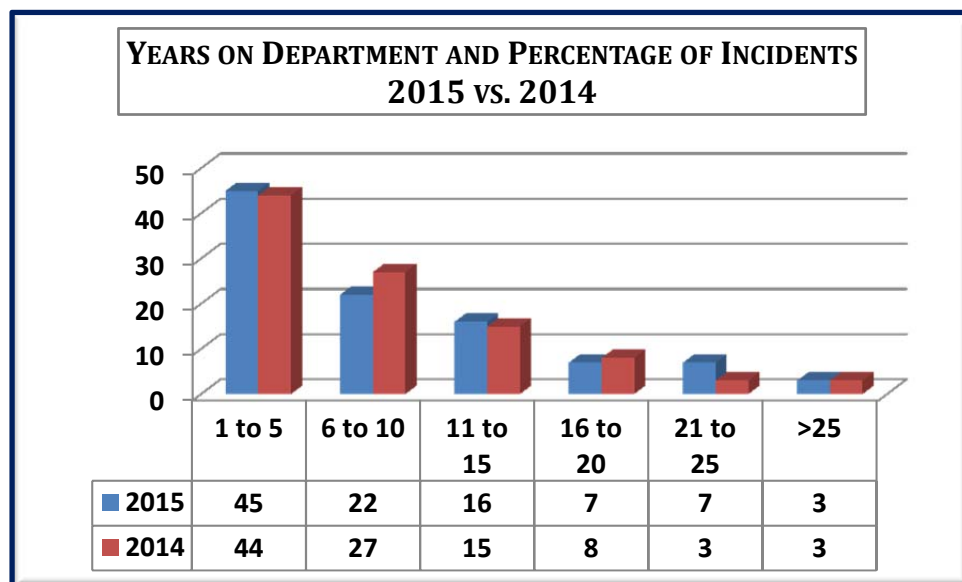
YEARS ON DEPARTMENT OF OFFICERS

In 2015, 67 percent of the officers involved in reported use of force incidents served on the department between one to 10 years, compared to 71 percent in 2014. Officers serving on the department for more than 10 years comprised the remaining 33 percent of officers involved, compared to 29 percent in 2014.

A summary of the officers' *years of experience* and *percentage* of use of force incidents for 2015 is shown in the following chart.



A comparison of the officers' *years of experience* and their *percentage* of involvement in use of force incidents for 2015 and 2014 based on available data is presented below.

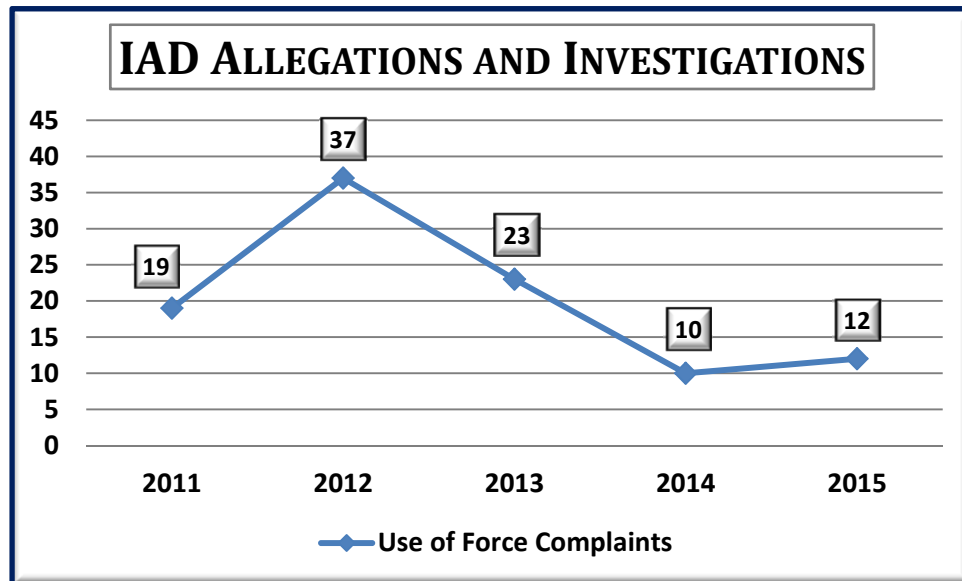


This data reflects minor variations in the percentages in each experience category, except for the officers with 6 to 10 years of experience which shows a 19 percent decrease in 2015 compared to 2014, and a 133 percent increase in the 21 to 25 years of experience category.

ALLEGATIONS AND INVESTIGATIONS

There were 12 use of force-related complaints made to the department's Internal Affairs Division (IAD) in 2015 that prompted formal investigations, an increase of 20 percent compared to the number of complaints received in 2014 (10). These investigations are formal investigations conducted by IAD in accordance with the *Law Enforcement Officer's Bill of Rights*.

A summary of the complaints related to use of force incidents received by IAD from 2011 – 2015 is outlined below.



Since 2011, the data indicates a 37 percent decrease in the number of use of force-related complaints made against officers.

IN-CUSTODY DEATHS

An in-custody death generally refers to the death of an individual while in the custody of law enforcement officers when the death is not directly caused by a use of deadly force. Death may occur from contributing circumstances, such as medical problems, that are identified or develop while a person is in police custody.

No in-custody deaths occurred in 2015, the same number reported in 2014.

DEADLY FORCE INCIDENTS

Deadly force is defined as *any use of force that is intended to or likely to cause a substantial risk of death or serious physical injury*. Officers may use deadly force to defend themselves or another person from what they reasonably believe is an imminent threat of death or serious physical injury. All incidents that involve the use of deadly force or in-custody deaths are investigated by the department's Major Crimes Division (MCD).

An on-duty patrol supervisor is required to respond to all ECD deployments, firearm discharges (except for the humane destruction of non-domestic animals), use of 12-gauge impact projectiles, and any use of force that results in serious bodily injury or in-custody death. Supervisors are required to notify MCD of any situations that meet the following criteria:

- All intentional firearm discharges by an employee, whether injuries occur or not, with the exception of authorized range practice or the destruction of dangerous or injured animals;
- All accidental firearm discharges by an employee that result in an injury to anyone, including the involved officer; and
- All incidents where an individual sustains life-threatening injury as a result of police action.

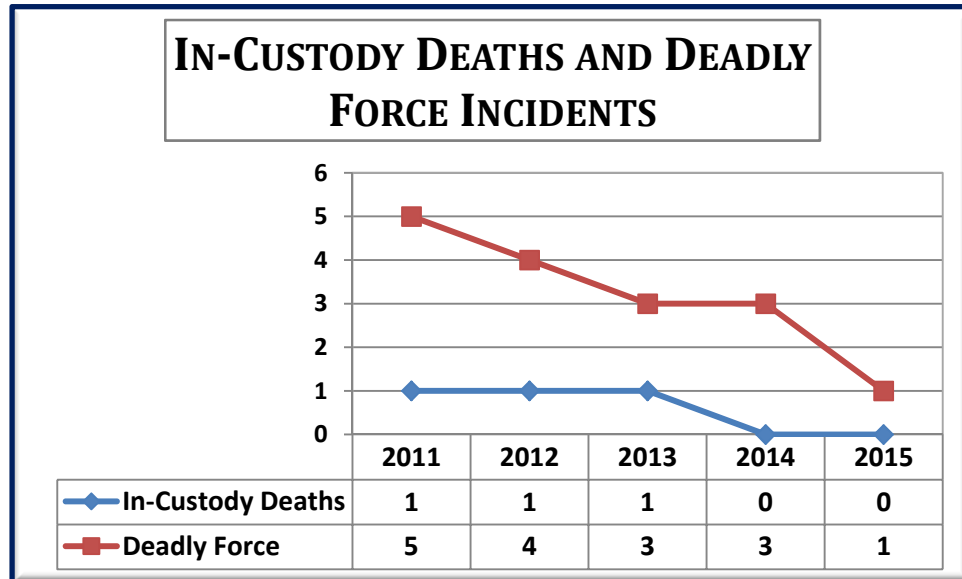
Deadly Force Incidents

Deadly force was used in only one incident in 2015 that resulted in no civilian fatalities. This incident was presented to a Montgomery County Grand Jury and was determined to be justified. In 2014, there were three deadly force incidents reported. These incidents were also reviewed by a Grand Jury and determined to be justified uses of deadly force.

On December 9, 2015, a MCPD Officer attempted to conduct a traffic stop on a vehicle. The vehicle refused to stop and a pursuit of the suspected drunk driver ensued. The pursuit led to the end of a residential street and the officer observed the vehicle pull into a driveway and strike the garage of a residence. Officers approached the vehicle and issued commands to the driver to exit the vehicle. Instead, the driver placed the vehicle in reverse and attempted to flee again. The vehicle continued to back up into the street, then came to a momentary stop. The quick movement of the vehicle caused an officer who was at the side of it to now be in front. The officer again issued commands to stop, but the driver accelerated quickly towards the officer and the officer fired one shot into the vehicle. The round did not strike the driver.

The vehicle continued and struck the officer, causing him to roll onto the hood of the vehicle and then fall onto the street. The driver drove away and a pursuit ensued that lasted for several minutes until the driver was involved in a collision that disabled the vehicle. The suspect fled on foot for a short distance, at which time an officer deployed an ECD and the subject was successfully apprehended.

A five year summary of *in-custody deaths* and *deadly force incidents* is shown in the chart below.



Since 2011, the data indicates a decrease of 80 percent in the number of deadly force incidents in the county.

SUMMARY

In 2015, officers reported 451 use of force incidents, an increase of 8 percent from 2014. All districts experienced an increase in the number of reported use of force incidents, except for Wheaton (4D) and Gaithersburg (6D). The Wheaton District experienced a 14 percent decrease in use of force incidents, and the Gaithersburg District experienced a 26 percent decrease.

The use of any type of force by MCPD officers continues to constitute a very small percentage of the overall calls for service that officers respond to on a daily basis. In 2015, officers only used force in 0.22 percent of the total calls for service, and in only 2.5 percent of all arrest situations. Over the past five years, Montgomery County has averaged approximately 453 reported use of force incidents annually. During this same timeframe, there has also been a 6 percent decrease in the overall number of incidents reported.

Officers responding to reports of assaults accounted for 42 percent of all reported use of force incidents in 2015, which is a significant increase compared to the previous year. Making arrests (or attempting to make arrests), serving emergency evaluation petitions, and defending against assaults constituted 95 percent of incidents where some type of force was used.

Calls for service involving assaults, narcotics/DUI offenses, and disorderly conduct accounted for 66 percent of all reported use of force incidents. Over the five year period from 2011 - 2015, the need to use force in situations involving assaults increased 6 percent, while incidents involving narcotics/DUI offenses decreased 29 percent, and calls for service involving disorderly conduct where force was used decreased 19 percent.

The type of force most commonly used by officers was hands, which increased 20 percent compared to 2014. The type of force most commonly used against officers by defendants was hands, which increased 11 percent compared to 2014. Defendants also used their feet attempting to kick officers, and attempted to bite or spit at officers in 14 percent of the incidents reported in 2015. The use of hands and/or feet as a means to prevent being placed into custody continues to be the most common means of force/resistance used by defendants.

The use of ECDs by officers continued to decline in 2015. ECDs were deployed in only 13 percent of all reported use of force incidents in 2015. Use of ECDs declined 6 percent from the previous year, and since 2013, ECD use by officers has declined 60 percent.

In 2015, the number of reported assaults on officers increased almost 23 percent compared to the previous year. Over the past five years, the number of officers reported being assaulted in use of force incidents has increased 13 percent. In addition, injuries sustained by officers increased 6 percent from 2014, while injuries to defendants increased less than one percent. In 2015, officers reported being injured in 28 percent of reported use of force incidents, and defendants were injured (or claimed to be injured) in 54 percent of incidents. Since 2011, the number of officers injured has declined 23 percent, while the number of defendants reported being injured (or claiming they were injured) has decreased 24 percent.

Officers required medical treatment in 42 percent of the reported use of force incidents in 2015, and defendants required treatment in 47 percent of incidents. Since 2011, the number of officers requiring medical treatment for injuries sustained during use of force incidents has decreased 21 percent, and the number of defendants requiring medical treatment for injuries sustained during a use of force incident (or claiming to be injured), has decreased 22 percent.

In 65 percent of the incidents where officers employed some type of force in 2015, defendants were reported to be under the influence of alcohol and/or drugs. The data shows that over the five year period from 2011 – 2015, there has been a 20 percent decrease in the number of incidents reported where alcohol was a contributing factor, and a 147 percent increase in incidents where some type of drug(s) are involved. Defendants suffering from some form of mental illness were involved in 27 percent of the reported use of force incidents in 2015, an increase of almost 3 percent compared to the previous year. Since 2011, there has been a 120 percent increase in incidents where individuals encountered by officers were suffering from some form of mental illness.

In 2015, 87 percent of the defendants involved in use of force incidents were *African American* and *Caucasian*, compared to 86 percent in 2014. Since 2011, *African American* and *Caucasian* defendants have been involved in 85 percent of the reported use of force incidents in the county. *Asian/Pacific Islander* defendants have been involved in approximately 2 percent of incidents, and *Hispanics* have been involved in approximately 13 percent of use of force incidents.

Defendants in the 18-39 age category accounted for 69 percent of the use of force incidents in 2015. Defendants under the age of 18 were involved in 12 percent of the incidents reported in 2015, while defendants ages 40 and older comprised the remaining 19 percent. This breakdown is essentially the same as the experience reported in 2014, and fairly consistent with the data reported over the last five years.

The average ages of the defendants and officers involved in use of force incidents reported in 2015 were very similar, with the average age of defendants being 30, and 33 for officers.

A review of the data over the last five years shows modest increases (approximately 8 percent) in the number of defendants under the age of 18, and a 15.5 percent increase in defendants in the 30-39 age group.

For officers over the same five year period, the data reflects an increase of 42 percent in the number of officers ages 20 to 29, and a 178 percent increase in the number of officers ages 50 and older. The data also indicates decreases in the number of officers in the age groups of 30-39 and 40-49 of 16 percent and 29 percent, respectively.

In terms of gender, male defendants and male officers continue to be involved in the majority of use of force incidents. Male *defendants* were involved in 78 percent of the use of force incidents reported in 2015, while male *officers* were involved in 89 percent of the incidents. Female *defendants* were reported to be involved in 22 percent of incidents, while female *officers* were involved in 11 percent of use of force incidents.

In 2015, 67 percent of the officers involved in use of force incidents served on the department between one to 10 years. This is consistent with the current composition of the department's sworn personnel complement which, in the last five years, has seen an influx of younger officers as older, more experienced officers have retired.

There were 12 use of force-related complaints made against officers in 2015 compared to 10 complaints in 2014, an increase of 20 percent.

Deadly force was only used in one incident in 2015, compared to three incidents reported in 2014, a 67 percent decrease. Since 2011, there has been an 80 percent decrease in the number of deadly force incidents reported in the county. Furthermore, no in-custody deaths occurred in 2015, as was the case in 2014.

The Montgomery County Police Department regularly provides information to educate the community on its use of force training and policy guidelines. District Commanders and police executive staff meet regularly with various community groups and stakeholder organizations to share information and listen to concerns. Another extremely positive department initiative designed to educate citizens about police work, including police use of force, is the department's *Citizen Academy*. This program was originally developed as an extension of the department's community policing efforts and it continues to provide the department with an excellent opportunity to help citizens increase their knowledge and understanding about the complex nature of police work, including police use of force.

The Montgomery County Police Department is committed to ensuring the safety of the public and its officers. Moving forward, the department's continued commitment to community policing is a critical component to maintaining public trust and confidence, and establishing and maintaining valuable relationships that directly contribute to enhanced police-citizen engagement that builds mutual respect among officers and the communities they protect and serve.

MONTGOMERY COUNTY
DEPARTMENT OF POLICE

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