

Council Business Meeting

August 2, 2022

Agenda Item	Ashland Police Department Annual Report to Council (Formerly Use of Force)	
From	Tighe O'Meara	Police Chief
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SUMMARY

Since 2008 the police department has come before Council to provide an annual use of force report. This presentation has grown in scope and now includes use of force, crime and clearance rates, an update on the enhanced law enforcement area (ELEA), as well as the most recent data from Statistical Transparency Of Policing (STOP).

POLICIES, PLANS & GOALS SUPPORTED

47. Keep the Council informed of organizational activity and provide timely information for Council decision-making.

PREVIOUS COUNCIL ACTION

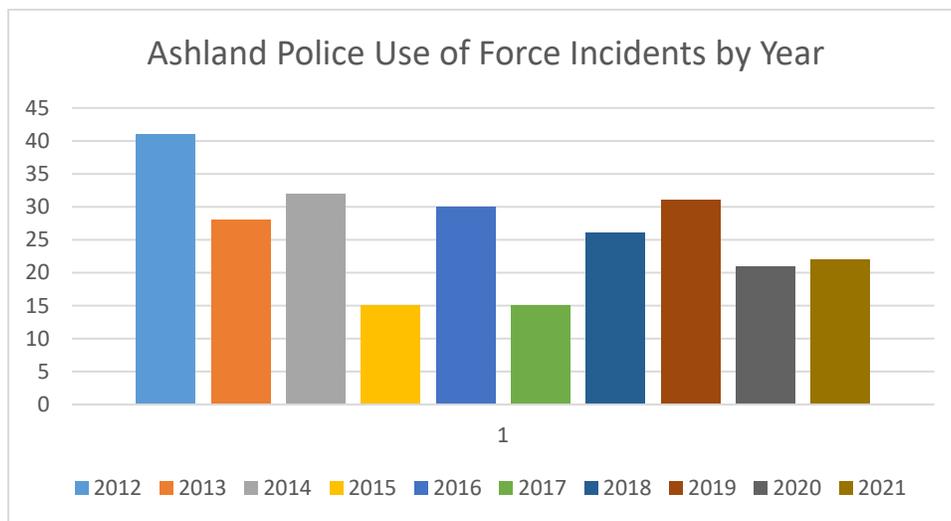
N/A

BACKGROUND AND ADDITIONAL INFORMATION

Use of Force Information

During 2021 the Police Department used force 22 times.

Number of Use of Force Incidents Since 2012



The department's use of force review board reviews all instances of use of force. All the incidents of use of force in 2021 were deemed to be within policy.

In 2021 all use of force incidents involved suspects who were identified as being white, 21 male and 1 female.

Of the 22 uses of force:

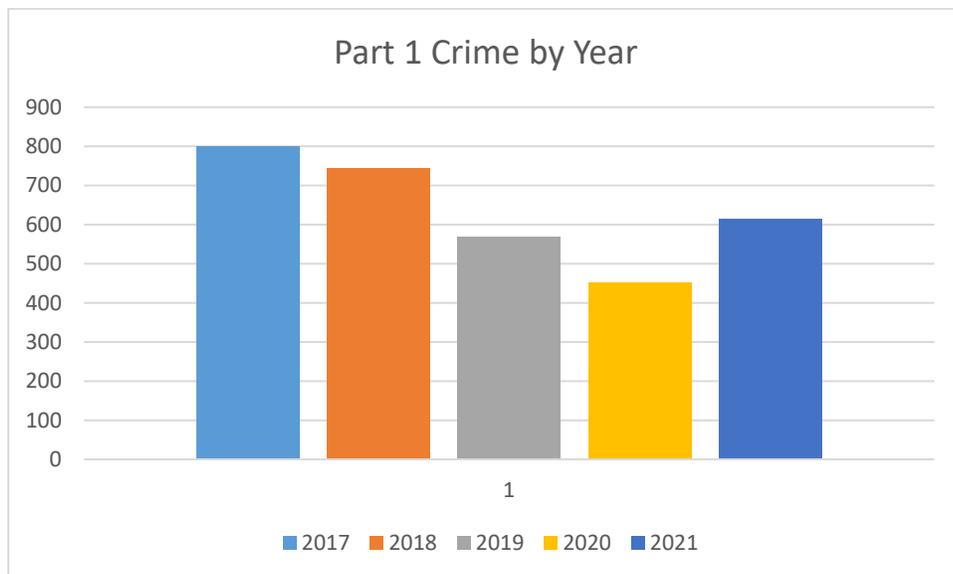
- the TASER was deployed but not used on 6 occasions
- the TASER was deployed and used on 2 occasions
- OC (pepper) spray was used 2 occasions
- the less lethal shotgun (which shoots a bean bag projectile to incapacitate a suspect) was not used in 2021
- an officer displayed a firearm on 1 occasion in 2021
- the rest of the incidents involved empty hand techniques such as take downs, joint locks, control holds and empty-handed strikes

During 2020 Ashland officers received a total of 1,367 hours of use of force training. This is a significant (74%) increase from the previous year.

The deputy chief’s memo on annual use of force information has more detailed information and is attached.

Crime Rates and Clearances

In previous years APD has brought info to Council on what had been termed “Part 1 Crimes.” “Part 1 crimes” were those that were reported annually to the FBI for inclusion in the Uniform Crime Report. They were homicide, rape, robbery, aggravated assault, burglary, auto theft, arson and larceny. Nationally all law enforcement agencies have moved from Uniform Crime Reporting to a new system called National Incident Based Reporting System that has re-categorized reported crimes. However, for purposes of continuity APD is still reporting what were previously called “Part 1 crimes.” In 2021 the city saw a total of 421 “Part 1 crimes.” This is down from the 452 reported in 2020. Violent crime is defined as homicide, rape, robbery and aggravated assault. There were 31 violent crimes reported to the Ashland Police Department in 2021, up from 22 in 2020. Clearance rates for violent crime remains very high at 63%.



Enhances Law Enforcement Area

The Enhanced Law Enforcement Area (ELEA) ordinance has been in effect since August of 2012. The ELEA is roughly defined as downtown. In this area we see a concentrated number of complaints and disorderly behavior as this is the focal gathering point for many members of the community. A conviction of three or more qualifying violations (or crimes) in Ashland Municipal Court within a six-month period may result in a person being expelled from the downtown area. The expulsion has judicial review, in that only the Municipal Court Judge can authorize it.

The qualifying violations are: scattering rubbish; unnecessary noise; dogs-control required; consumption of alcohol; open container of alcohol; dog license required; or use of marijuana in public. In 2020 there were 56 ELEA violation convictions in the municipal court. There were three people expelled from the downtown area and there were two people charged with persistent violator failure to appear under the city ordinance. The ELEA continues to be a valuable tool to address chronic negative behavior.

For several years we have used calls for service downtown for disorderly-type behavior as a metric for quality of life issues downtown. 2021 saw a continued decrease from the high in 2017. The metric tracks calls for service such as disorderly behavior, drinking in public, urinating in public as well as others.

2014: 199 **2015:** 322 **2016:** 335 **2017:** 360 **2018:** 216 **2019:** 198 **2020:** 126 **2021:**137

Statistical Transparency of Policing (STOP) Data

The Oregon legislature has mandated that all police officers in the state record certain demographic and enforcement data for officer-initiated enforcement stops. The most recent data that is available is for the period of July 1, 2020 through June 30, 2021. This data is available through the department’s webpage under the “STOP Data” button.

For that period of time data for the Ashland Police Department indicates that officers initiated enforcement stops involving individuals identified as follows:

Asian or Pacific Islander	2.6%	Middle Eastern	1.2%
Black	5%	Native American	0.2%
Latinx	7.5%	White	83.5%

This data is dependent on officers’ observations, not an inquiry, and seems to be consistent with Ashland’s demographics.

The Ashland Police Department will always strive to equitably serve the entire community. With that in mind, we need to recognize that STOP data will never match up perfectly with demographic data for the community. Demographic data varies from source to source, so the exact representation of a specific race within the community cannot be perfectly known. Also, we need to recognize that STOP data is solely dependent on an officer’s perception and is not derived from an inquiry into how the person identifies. STOP data does not allow for a person to be identified as multi-racial, which many people do. Demographic data does allow for this, and 3-4% of the Ashland population identifies as such. Ashland is a tourist town, a university town, and is on the I-5 corridor as well. All of this information skews the data on who is actually present in the community and how they might be perceived by the

officer. Again, this all comes together to create a situation that will never allow the STOP to perfectly match up with the demographic data.

Also, again, and most importantly, we will always work to make sure all members of the community are being treated equitably.

FISCAL IMPACTS

None

STAFF RECOMMENDATION

None

ACTIONS, OPTIONS & POTENTIAL MOTIONS

None

REFERENCES & ATTACHMENTS

Deputy Chief's Use of Force Memo



Memo

DATE: May 31, 2022

TO: Chief Tighe O'Meara

CC: Lieutenant Dan Moulin

FROM: Deputy Chief Art LeCours (Support Division Commander)

RE: 2020 Annual Use of Force Review

The Ashland Police Department Policy 300.10 (Annual Review) states that each January, the Support Division Commander will ensure that an annual review of all Use of Force (UoF) Reports for the previous calendar year is conducted. The analysis will focus on the effectiveness and trends in the use of force that might suggest training or equipment needs, or policy modification. Specific detail including items such as officer names, case numbers and location of occurrence are not needed for this purpose and therefore will not be part of this process.

The Ashland Police Department Policy 300.09, Use of Force Review Board states; every use of force as described in this Policy Manual will be reviewed by the Departments Use of Force Review Board. The Use of Force Review Board will consist of the Support Division Commander, Defensive Tactics instructor, and a Patrol Sergeant.

The Use of Force Review Board (UoFRB) for 2021 was composed of the Operations Division Commander, a Patrol Sergeant, and three patrol officers who are all Use of Force instructors in different disciplines. The board reviews the incidents as to whether the UoF was within policy, outside of policy and any recommendations on training issues. The review is then forward to the Support Division Commander for further review and then documented into Guardian Tracking.

UoFRB reviewed all the UoF incidents that occurred during 2021. All involved officers acted appropriately and within the established guidelines of the Ashland Police Department, with the exception of one UoF incident. That incident resulted in corrective coaching for the officer involved.

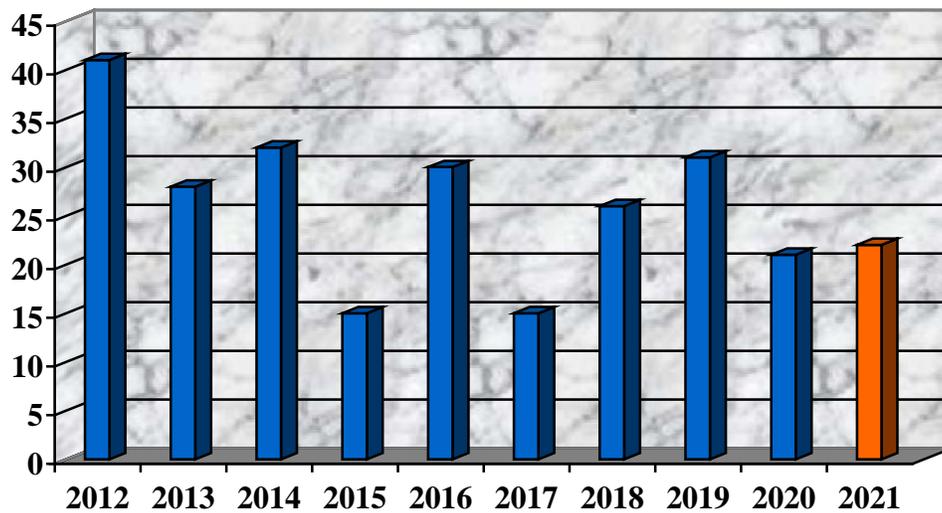
The City of Ashland Police Department was involved in twenty-two (22) UoF incidents in 2021. This was a 4.65% increase from 2020 where the Ashland Police Department was involved in twenty-one (21) UoF Incidents.

The global pandemic continued into 2021 and many businesses and operations throughout the US, Oregon, Jackson County, and the City of Ashland closed or limited their hours of operations. This did not affect the operations of APD; however, it did stifle pro-active police activities during 2021.

In 2021, the UoFRB recommended acquiring protective head gear, such as boxing headgear, to be utilized when suspects attempt to harm themselves by banging their head against the rear partition or rear windows both inside and outside of the vehicle. APD is conducting research and review of appropriate and approved head gear which would limit suspects harming themselves.



To identify trends, the Ashland Police Department keeps track of past UoF incidents. Twenty-six (26) UoF in 2018, thirteen (13) UoF incidents in 2017, thirty (30) UoF Incidents in 2016, fifteen (15) UoF Incidents in 2015, thirty-two UoF incidents in 2014, twenty-eight (28) UoF incidents in 2013 and forty-one (41) UoF incidents in 2012.



All the incidents in 2021 involved varying degrees of force specifically directed against a subject to gain compliance.

- The Less Lethal Shotgun was not used nor displayed in 2021.
- The Taser was displayed on six (6) occasions:
 - Case # 21-131 – Warrant, Trespass, and Interfering with Police Officer
 - Case # 21-849 – Harassment, DV Assault, Menacing, Resisting arrest, Assault on a Police Officer
 - Case # 21-864 – DOC, Interfering with Police Officer, Harassment
 - Case # 21-1632 – Resisting arrest, Criminal Mischief, DOC, Attempted assault on a Police Officer
 - Case # 21-1824 – Trespassing, Resisting arrest, Interfering with Police Officer, Assault on a Police Officer, Assault, Harassment, DOC.
- The Taser was used on two (2) occasions:
 - Case # 21-864 – DOC, Interfering with Police Officer, Harassment
 - Case # 21-1824 – Trespassing, Resisting arrest, Interfering with Police Officer, Assault on a Police Officer, Assault, Harassment, DOC.
- OC was used on two (2) occasions:
 - Case # 21-849 – Harassment, DV Assault, Menacing, Resisting arrest, Assault on a Police Officer
 - Case # 21-1824 – Trespassing, Resisting arrest, Interfering with Police Officer, Assault on a Police Officer, Assault, Harassment, DOC.
- An officer displayed his firearm once in 2021.
 - Case # 21-125 – Felon in Possess of a weapon, Interfering with a Police Officer, Resisting arrest, 4 warrants for arrest.



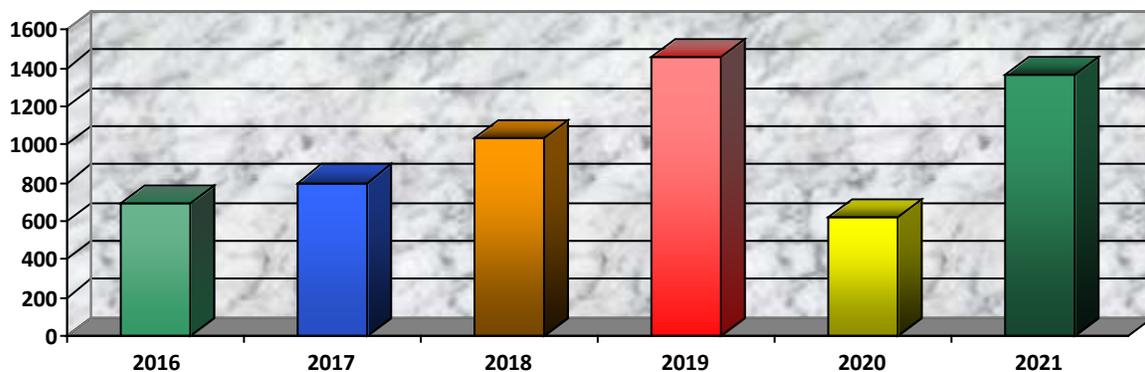
- Nine (9) officers reported injuries. The reported injuries consisted of, but not limited to; being spit on, bites, abrasions, broken skin, cuts, and bruising, kneed, kick to the groin and a dog bite. In 2019, APD reported seven (7) officer injuries and in 2020 APD reported six (6) officer injuries.
- Eight (8) suspects reported injuries or complaints of pain. This is a decrease of 47.05 % from 2019, seventeen (17) suspects complained of injury or pain and a decrease from 11% where nine (9) suspects from 2020 reported injuries or complaints of pain.
- All involved suspects received the following: cuts, scrapes, bruises, road rash, laceration, bumps and a dislocated thumb. Only one (1) of the eight (8) were pepper sprayed.
- Ten (10) of the twenty-two (22) incidents were Alcohol and/or Drug related (54.54%). Five (5) incidents involved alcohol only (50%), three (3) involved drugs only (30%) and two (2) incidents involved alcohol and drugs (20%).
- Two (2) of the incidents involved individuals in mental health crisis (20%).
- Fourteen (14) of the twenty-two (22) incidents occurred at night (57.14 %).
- Six (6) of the twenty-two (22) incidents involved a foot, bike or vehicle pursuit (5%).
- All UoF suspects were white. Of the persons involved, twenty-one (21) were male (95.24%) and one (1) was female (4.76%)

There were 2713 cases generated in 2021, of which twenty-two (22) resulted in a UoF incident. Therefore, less than one percent (0.82%) resulted in a UoF

When compared to UoF cases in 2021, the Ashland Police Department saw a 0.08% increase between 2021 & 2020.

The Ashland Police Department conducted 1,367 hours of UoF training in 2021. This is any increase of 74.9 % from 2020.

The Oregon Department of Public Safety Standards and Training (DPSST) requires 8 hours of Use of Force training per year for officers. Ashland Police Department encourages its members to attend outside training, and always strives to exceed training hours.



Total Hours of Ashland Police Department Use of Force Training

