

An Analysis of Use of Force Incidents in the Milwaukee Police Department in 2022

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- ❑ Data based on MPD “Use of Force Reports” (AIM System)

MPD Use of Force Reporting Policy

According to MPD Use of Force policy 460.50: “The Use of Force Report shall be completed by a supervisory officer when a Department member:

- (a) Discharges a firearm;
- (b) Points a firearm at a person;
- (c) Uses a baton to strike a subject or animal;
- (d) Discharges an irritant, chemical, or inflammatory agent;
- (e) Deploys an Electronic Control Device, to include contact stun and probe deployment;
- (f) Department canine bites a person;
- (g) Forcible blood draws requiring use of force to obtain a sample where a subject claims injury or is injured as a result of police action;
- (h) Uses bodily force that involves focused strikes, diffused strikes, or decentralizations to the ground;
- (i) Uses any type of force in which a person is injured or claims injury, whether or not the injury is immediately visible;
- (j) Draws or displays a firearm to effect an arrest or seizure of a person.

Two Use of Force Policy Changes

- ❑ First, beginning in December 2020, additional incidents were required to be documented as uses of force:
 - ❑ Pointing a firearm at a person
 - ❑ Drawing or displaying a firearm to effect an arrest or seizure of a person
- ❑ Therefore, total number of force incidents in 2022 is not comparable to years prior to 2021 when these types of force were not required to be documented.

Two Use of Force Policy Changes

- ❑ Second, prior to 2013, incidents that involved “bodily force only” without injury or complaint of injury from the subject were not required to be documented. Since 2013 these incidents are required to be reported.
- ❑ Therefore, comparison of “total number of use of force” incidents and “bodily force only” incidents in 2022 to those in years before 2013 is not valid.

Select Findings

- There were 2,059 use of force incidents recorded in 2022
 - 3 involved euthanizing an injured animal
 - 9 were accidental
 - These 12 incidents were excluded from the aggregate analysis

- So... 2,047 incidents analyzed in this report
 - 1,242 involved displaying and/or pointing a firearm only
 - 805 involved hands-on physical force or the discharge of a weapon

Most of the analyses in the report focus on the subset of 805 incidents

Select Findings: Types of Force Used

- ❑ 5 most common types of force were:
 - ❑ 31.8% involved pointing firearm only (650 incidents)
 - ❑ 18.7% involved bodily force only (383)
 - ❑ 16.5% involved pointing and display of firearm only (338)
 - ❑ 12.4% involved display of firearm only (254)
 - ❑ 4.8% involved bodily force and pointing firearm (99)
- ❑ These types of force accounted for over 84% of all incidents (see Table 1, p. 7)

Select Findings: Types of Force Used

- ❑ 14 incidents (.5% of total incidents) involved the discharge of a firearm (Table 2, p. 9).
 - ❑ 10 of the 14 involved a discharge at a subject
 - ❑ 3 fatal, 3 non-fatal, 4 no injuries
 - ❑ 4 of the 14 involved a discharge at a dog
 - ❑ 3 fatal, 1 no injuries

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- ❑ There were 21 officers who discharged their firearms in 2022 (including 4 accidental discharges, and discharges directed toward a person or a dog). No officers were involved in more than one of these incidents.

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- ❑ There were 21 officers who discharged their firearms in 2022 (including 4 accidental discharges, and discharges directed toward a person or a dog). No officers were involved in more than one of these incidents.
- ❑ Since 2009 there has been a decline in firearm discharges with subjects (Table 12, p. 23) and especially with dogs (Table 14, p. 24).

Select Findings: Types of Force Used

- Since 2009, use of a chemical agent (“OC spray”) has declined steadily and substantially (150 such incidents in 2009 and 28 in 2022; Table 2, p. 9).
- The use of an ECD (“Taser”) has fluctuated since 2009 (Table 2, p. 9).

Select Findings: Frequency of Force

- ❑ Considering the subset of 805 incidents that involved hands-on force and/or a weapon, in 713 of the incidents a person was arrested.
- ❑ In 2022 MPD officers made a total of 11,902 arrests.
- ❑ Accordingly, in 2022, 5.99% of all arrests involved the use of force ($713 / 11,902 \times 100 = 5.99$).
- ❑ When “display and/or pointing of firearm only” incidents are included in the calculation, 14.64% of arrests involved the use of force in 2022.

Select Findings: Frequency of Force

- ❑ Considering the subset of 805 incidents that involved hands-on force and/or a weapon, .29% of calls for service involved police use of force. In other words, for every 1,000 calls for service, 3 involved the use of force.
- ❑ When “display and/or pointing of firearm only” incidents are included in the calculation, .75% of calls for service involved police use of force.

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- ❑ When “display and/or pointing of firearm only” incidents are included in the calculation, .75% of calls for service involved police use of force.
- ❑ The largest proportion of force incidents occur during the summer months. The largest proportion of *arrests* also occur during the summer months (Table 4, p. 11).

Select Findings: Frequency of Force

- ❑ Police Districts 3, 5, and 7 account for the largest share of force incidents in 2022 (Table 7, p. 14) as well as in previous years (Figure 2, p. 14).
- ❑ Police Districts 3, 5, and 7 also account for the largest share of arrests in 2022 (Table 8, p. 15).

Select Findings: Accidental Force

- ❑ In 2022, there were 9 incidents in which force was used accidentally (Table 15, p. 25).
 - ❑ 4 involved a firearm discharge
 - ❑ 3 involved an ECD discharge
 - ❑ 2 involved a police canine bite

- ❑ From 2009 to 2022 there have been 50 accidental police firearm discharges. In 4 of the incidents an officer was injured as a result of the accidental discharge, in 4 other incidents a subject was injured. None of the injuries were life-threatening.

Other Select Findings

- ❑ Considering the subset of 805 incidents that involved hands-on force and/or a weapon, the typical use of force incident in 2022:
 - ❑ Involved 1 uniformed police officer and 1 subject
 - ❑ The officer was a white male, 35 years old, with 8 years of experience
 - ❑ The officer was in uniform and on-duty
 - ❑ The officer used “bodily force only” in the incident
 - ❑ The officer was not injured
 - ❑ The subject was a Black male, 29 years old
 - ❑ The subject resisted arrest and was not injured
 - ❑ The subject was not armed with a weapon
 - ❑ The incident occurred in Police District 7 during the “Early” shift
- ❑ When “pointing /display of firearm” incidents were included, the type of force used was most often “pointed firearm only” and most subjects did not resist arrest.

Use of Force Internal Investigations

- ❑ In 2022, 21 use of force incidents were investigated by MPD Internal Affairs.
- ❑ These 21 incidents involved 39 use of force allegations.
- ❑ These 21 incidents involved 35 officers.
- ❑ Of the 39 allegations:
 - ❑ 15 involved the use of a firearm
 - ❑ 1 involved the use of an ECD
 - ❑ 23 involved the use of bodily force

Continued...

Use of Force Internal Investigations

- The 21 investigations resulted in the following outcomes:
 - 9 remain open
 - In 1 investigation, remedial training was ordered for the officer
 - In 6 investigations, charges were not sustained
 - In 2 investigations, officers were exonerated
 - In 1 investigation, an officer received a district-level reprimand
 - In 1 investigation, officers each received a one-day suspension
 - 1 investigation was covered and closed

Questions and Comments