

AN OVERVIEW OF MILWAUKEE POLICE DEPARTMENT USE OF FORCE INCIDENTS: JANUARY 1, 2010 TO JUNE 30, 2010



REPORT OF THE FIRE AND POLICE COMMISSION

September 9, 2010

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The purpose of this report is to provide an overview of use of force incidents recorded by the Milwaukee Police Department (MPD) from January 1, 2010 to June 30, 2010. This is an interim report that provides information about trends and frequency of use of force incidents during the first six months of 2010. More detailed analyses of annual trends, patterns, and baseline measures will be provided in the 2010 annual report.

As with the 2009 interim and annual reports, the data analyzed here were contained in the MPD AIM System. The AIM database contains a comprehensive list of variables on each use of force incident recorded by the MPD. Some data were related directly to the incident (e.g., date of incident, district of incident, number of officers involved in incident) but most of the data were related to the officers (e.g., officer race, officer rank, type of force used by officer, etc.) and subjects (e.g., subject age, race, charge, etc.) involved in the incidents. There were separate variables for each officer (up to six officers) and each subject (up to seven subjects) involved in the incident. In addition, narrative reports were completed by supervisory officers at the time of the incident. In preparing this report, the narrative reports were reviewed and used to verify and, in some cases, supplement the quantitative data in AIM. Additional data on the number of arrests made by MPD officers was obtained separately from the MPD.

Frequency of Use of Force Incidents

From January 1, 2010 to June 30, 2010 there were 262 use of force incidents recorded by the MPD. Of the 262 incidents, nine were for the purpose of euthanizing an injured animal (all nine of these incidents involved deer). As these nine incidents are fundamentally different from other use of force incidents in purpose and intent of the

force, these incidents are excluded from all subsequent analyses. Accordingly, 253 incidents are analyzed in this report. In addition, of the 253 incidents, 14 involved force being used against one or more dogs. These incidents are included in most of the analyses and are also analyzed separately later in the report.

Table 1 provides a breakdown of the 253 incidents by month. As seen in Table 1, there was minimal variation in the frequency of incidents across month. The mean number of incidents per month was 42.2, with a high of 51 incidents in May and a low of 33 incidents in February. There was an average of approximately 1.40 use of force incidents per day from January 2010 to June 2010. For comparison, from January 2009 to June 2009, there was a total of 220 use of force incidents recorded by the MPD which translates into approximately 1.22 use of force incidents per day. Accordingly, the 2010 total represents a 15 percent increase in use of force incidents over the same time period in 2009; however, as discussed below, it is essential to note that the number of arrests in the first six months of 2010 also increased by more than 18 percent over the same time period in 2009.

Table 1. Month of Incident, 2010

Jan	Feb	March	April	May	June	TOTAL
47	33	47	36	51	39	253

Note: No missing data.

Frequency of Use of Force Incidents and Arrests

Because most use of force incidents occur during arrests, it is important to consider the number of use of force incidents in relation to the number of arrests made. Further, in this calculation, it is reasonable to include only the use of force incidents that involved an arrest. Again, from January 1, 2010 to June 30, 2010, there were 253 use of force incidents. Of these 253 incidents, 239 involved a person who could have been arrested (the other 14 incidents involved a dog). Of these 239 incidents where someone could have been arrested, in 223 of them a subject was actually arrested (in two additional incidents the subject died prior to arrest). Also during this time period, MPD officers made a total of 19,987 arrests.¹ Accordingly, for each arrest where force was used, there were 89.6 arrests where force was *not* used ($19,987 / 223 = 89.6$). Overall, an average of approximately 1.12 percent of all arrests involved the use of force ($223 / 19,987 * 100 = 1.12\%$). During the same time period in 2009, for each arrest where force was used, there were 95.1 arrests where force was not used ($16,934 / 178 = 95.1$). As such, during the first six months of 2009, approximately 1.05 percent of all arrests involved the use of force ($178 / 16,934 * 100 = 1.05\%$). In short, while there were more use of force incidents during the first six months of 2010 than during the same time period in 2009, the percentage of arrests that involved use of force was essentially the same in the two time periods.

¹ As defined here, an arrest refers to when an officer physically takes a subject into custody. Included here are arrests for felonies, misdemeanors, and ordinance violations.

Also, during the January 1 to June 30, 2009 time period, MPD officers made 16,934 arrests. As noted, 2010 arrest totals represent an 18.03 percent increase over 2009 arrest totals.

In addition, during the 2009 time period, 178 of the 220 incidents involved an arrest (81%). As such, from January to June 2009, a smaller proportion of incidents involved an arrest being made, compared to the same time period in 2010 (223 of 239; 93%)

Table 2 provides an analysis of 2010 use of force incidents where an arrest was made in relation to the total number of arrests made, by month.

Table 2. Rate of Use of Force Arrest Incidents by Arrests Made, by Month, 2010

	Jan	Feb	March	April	May	June	TOTAL
Number of Use of Force Incidents That Involved an Arrest*	44	27	40	34	45	33	223
Total Number of Arrests Made	3056	2845	3902	3381	3529	3274	19987
Number Arrests per Use of Force Incident	69.5	105.4	97.6	99.4	78.4	99.2	89.6

Note: * Two cases are excluded from the analyses.

Interestingly, and as expected, there is a moderately strong correlation between the number of use of force incidents that involved an arrest and the total number of arrests, by month ($r = .49$). In essence, one can reasonably (but not perfectly) predict the number of use of force incidents that involved an arrest based on the total number of arrests that were made. In other words, more arrests translate into more use of force incidents, fewer arrests translate into fewer use of force incidents.

Characteristics of Officers and Subjects Involved in Use of Force Incidents

The 253 use of force incidents involved 308 different officers (17 of these officers were involved in more than one incident). Most incidents involved one officer (185 incidents out of 253; 73%) and one subject (227 incidents out of 239; 95%).²

In 93 percent of incidents, the first officer involved was male, in 72 percent the officer was white, in 95 percent the officer was the rank of police officer, and in 99 percent of the incidents the officer was on duty. The average (mean) age of the first officer involved was 34.8 years and the first officer's mean length of service was 8.8 years.³ In 87 percent of the incidents, the first subject involved was male, in 77 percent the subject was Black, in 38 percent the subject was under the influence of alcohol and/or drugs, and in 93 percent of the incidents the subject was arrested. The most common charges were "resisting/obstructing an officer" or "disorderly conduct/resisting an officer." In 76 percent of incidents, the first subject had a criminal record. The average (mean) age of the first subject involved in the incident was 29.8 years. The characteristics of officers and subjects involved in use of force incidents did not differ significantly from first six months of 2009.

The Type of Force Used in Use of Force Incidents

With regard to the type of force used, it is seen in Table 3 that the largest proportion of incidents involved bodily force only, followed by use of a chemical agent

² In this section, analyses relating to "subjects" do not include incidents involving dogs (n = 14).

³ The statistical statements relating to officer (and subject) characteristics are not unambiguous. Ideally, one would like to be able to state the overall representation of officers who were involved in use of force incidents (e.g., "The average age of all officers involved in use of force incidents was 34.8 years"). Rather, due to the structure of the database and that each officer involved in the incident is listed as a separate variable, the closest corresponding statement is that "the average age of the first officer involved in use of force incidents was 34.8 years." The latter statement is less meaningful than the first.

only, ECD only, firearm only, or baton only. It is important to note that the most significant change in the type of force used from 2009 to 2010 is that from January to June 2009 there were 27 firearm incidents (12.3% of the total), compared to only 18 in the same time period of 2010 (7.1% of total, as seen in Table 3).

Table 3. Type of Force Used

Type of Forced Used	Frequency	Percentage
Bodily Force Only	92	36.5
Chemical Agent Only	43	17.1
ECD Only	38	15.1
Firearm Only	18	7.1
Baton Only	1	.4
Bodily Force and Chemical	35	13.9
Other Combination (no firearm)	25	9.9
Total	252	100.0

Note: Missing data (1 case) are excluded from the analyses.

Firearm Force

Given the absolute and relative seriousness of force delivered via a firearm, additional details about these incidents are provided here. Of the 18 incidents in which a firearm was used, two involved a fatal shooting of a subject, one involved a non-fatal shooting of a subject, one involved shooting *at* a subject (it is unknown if this subject was struck as he fled the scene after the shooting), and 14 incidents involved the shooting of a dog(s).⁴ The four incidents involving subjects stemmed from two traffic stops, a “subject

⁴ As noted, from January to June 2009, there were 27 incidents that involved the use of a firearm (5 involved a subject, 21 involved a dog, and one involved a subject and a dog).

wanted” arrest, and a “battery-cutting” complaint to which officers were dispatched. All four of these incidents involved a subject with a weapon (three guns, one knife).

The 14 incidents that involved a dog resulted in 12 dogs being killed. Of the 14 incidents, 13 involved one dog, one incident involved two dogs. In 13 of the incidents, a dog was struck with at least one bullet (in 12 of these incidents the dog died; in one incident a dog was fired upon but was not struck). The 14 incidents involved 12 pit bulls, one Doberman pinscher, and one Bullmastiff. Ten of the incidents stemmed from a call for service or other assignment that did not relate to a dog. Four incidents involved a “loose dog” or “dog bite” complaint.

Location of Use of Force Incidents

Two variables are provided in the AIM database that relate to the geographic location of the incidents: police district (Table 4) and aldermanic district (Table 5).

By far, the largest proportion of use of force incidents occurred in Police District Seven (33.3%), the smallest proportion occurred in Police District One (2.7%) (Table 4). This pattern is similar to that reported in the 2009 and is related to the number of arrests in each of the districts.

As for aldermanic district, District Seven had the largest share of use of force incidents (18.6%), while District Eleven had the smallest share (1.6%) (Table 5). This pattern is also similar to that reported in 2009.

Table 4. Location of Use of Force Incidents: Police District

Police District	Frequency	Percentage
1	7	2.8
2	34	13.7
3	33	13.3
4	40	16.1
5	32	12.9
6	20	8.0
7	83	33.3
Total	249	100.0

Note: Missing data (4 cases) are excluded from the analyses.

Table 5. Location of Use of Force Incidents: Aldermanic District

Aldermanic District	Frequency	Percentage
1	15	6.1
2	21	8.5
3	8	3.2
4	15	6.1
5	10	4.0
6	28	11.3
7	46	18.6
8	8	3.2
9	11	4.5
10	5	2.0
11	4	1.6
12	28	11.3
13	7	2.8
14	7	2.8
15	34	13.8
Total	247	100.0

Note: Missing data (6 cases) are excluded from the analyses.

Conclusion

Based on an analysis of the 253 incidents that occurred between January 1, 2010 and June 30, 2010, it is seen that incidents were relatively stable across month, they were infrequent in relation to the number of arrests made, they involved relatively few officers, and most incidents involved officers using bodily force only. Most incidents involved white male police officers who were on duty. Most incidents involved Black male subjects with a prior criminal record and, in the large majority of incidents, the subjects involved were arrested. Finally, the largest proportion of incidents occurred in Police District Seven and in Aldermanic District Six. In these ways, 2010 incidents were quite similar to those that occurred during of the first six months of 2009.

There are two significant differences between use of force incidents from January to June 2010 compared to January to June 2009. First, as noted earlier, the number of use of force incidents increased from 2009 to 2010, from 220 to 253. However, in relation to arrests, use of force is still a very unlikely event in 2010. In fact, as discussed in the report, most of the increase in use of force incidents appears to be a function of the increased number of arrests made by officers in 2010 compared to 2009. Second, in spite of the overall increase in the number of use of force incidents, the frequency of the most extreme form of force – that which involved a firearm – decreased in frequency. From January to June 2010, four incidents involved the use of a firearm against a subject and 14 involved the use of a firearm against a dog. In the same time period in 2009, there were six incidents that involved a subject and 21 that involved a dog.

It is also important to note here that the quality of the data contained in the AIM System has improved drastically from 2009 to the first six months of 2010. The narrative

reports are much more thoroughly written and the amount of missing data in the database is minimal. This represents a major improvement in the quality of the data and has implications regarding the quality of the findings and the confidence one can have in the conclusions drawn from the data. As noted in the 2009 annual use of force report, the construction of another database organized by all police officers in the Department and includes information on their background characteristics, work assignments, and involvement in use of force incidents would be valuable and could address other important questions about officer involvement in use of force incidents.