

2017 Use of Force Report

Cleveland Division of Police

City of Cleveland

January 2018



CITY OF CLEVELAND
Mayor Frank G. Jackson

A Message from Chief Williams

Police officers must constantly balance the actions they take with the outcomes that society demands. Fortunately, in this great country we have the United States Constitution and case law to provide bright line guidance on ensuring our citizens' protection against the excesses of government and its agents. To that end, the Cleveland Division is committed to engage in constitutional policing in providing equal and unbiased treatment for all people.

The ever-increasing challenge is to apply this commitment into practical real world action. In this real world, visuals of police officers enforcing the law can be less than pretty. Unlike fictional drama, incidents unfold in real time without benefit of script or rehearsal. Uncertainty and high stakes can cause officers to err on the side of safety, for themselves and for other innocents. In this hyper-connected world, videos showing the ugliness of conflict go viral instantaneously. Narratives become skewed, facts are reported with little context, and conflicting viewpoints paint the involved parties with broad brushes.

It is here that unvarnished statistics and data will drive an open and honest dialogue. Interestingly enough, the solutions and strategies for positive change are simple. It is only a matter of will and execution. The first task of the Cleveland Division of Police is to ensure that our officers know their roles and are trained in them. The second task is establishing open and effective communications with the public that we are sworn to serve.

The first task is nearly complete as all Cleveland police officers have received extensive training on use of force, de-escalation, and dealing with the mentally ill, along with other subjects. The in-service training was intense as it included scenario-based exercises and role play as well as using video technology to duplicate situations officers are most likely to face outside the classroom. This high level training is annually mandated and will be ongoing and updated as necessary. This report works toward the goal of the second task. The success or failure of re-constituting our working and living environment will hinge on communication; getting to know one another, transparency, and creating realistic expectations.

Use of force looms large over all other police activities. From deprivations of liberty to the taking of a life, use of force encompasses the extremes of police actions. That is why use of force is never and shall never be viewed or exercised lightly. This report is meant to shine a light on the numbers, the vital statistics so to speak, of the Division's performance as it relates to use of force.



Calvin D. Williams
Chief of Police

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Background

This is the first annual use of force report as part of the Settlement Agreement entered between the City of Cleveland (City) and the Department of Justice (DOJ) on May 26, 2015 and approved by the Court on June 12, 2015. The first annual use of force report provides comprehensive use of force data addressing items in the Settlement Agreement, highlights the progress made by Cleveland Division of Police (CDP) and sets forth the intended activities scheduled for 2018.

Revision of Use of Force Policies and Procedures

On November 16, 2016, the Department of Justice Monitor filed a motion recommending approval of five revisions to CDP's "Use of Force" policies. The five revised policies addressed included the following:

- (1) Use of Force – General**
- (2) Use of Force: Definitions**
- (3) De-Escalation**
- (4) Use of Force: Intermediate Weapons**
- (5) Use of Force: Reporting**

Since that motion was filed, CDP and the City of Cleveland have accomplished significant gains in the five policy areas, which are summarized below.

(1) Use of Force - General

The purpose of CDP's General use of force policy is to establish guidelines for officers of the Cleveland Division of Police relative to the use of force, and to provide direction and clarity, in those instances when a subject's actions require an appropriate use of force response. A concise overview of the policy guidelines adopted with the General policy provides:

“Consistent with the Division’s mission, including the commitment to carry out its duties with a reverence for the sanctity of human life, it is the policy of the Division to use only that force which is necessary, proportional to the level of resistance, and objectively reasonable based on the totality of circumstances confronting an officer. Officers shall also take all reasonable measures to de-escalate an incident and reduce the likelihood or level of force. Any use of force that is not necessary, proportional, and objectively reasonable and does not reflect reasonable de-escalation efforts, when safe and feasible to do so, is prohibited and inconsistent with Divisional policy” (Dkt. 83 at p. 2).

(2) Clarification of Use of Force Definitions

A separate policy was drafted that defines various terms used in CDP's Use of Force Policies. The definitions ensure understanding of certain terms and concepts that are used throughout the Use of Force policies. (Dkt. 88-1, Use of Force Definitions Policy). Considering the above described "General" policy (Dkt. 83-1), the Definitions policy (Dkt. 88-1) provides useful definitional context:

Force: Means the following actions by an officer: any physical strike, (e.g., punches, kicks), any intentional contact with an instrument, or any physical contact that restricts movement of a subject. The term includes, but is not limited to, the use of firearms, Conducted Electrical Weapon (CEW- e.g. Taser), ASP baton, chemical spray, hard empty hands, or the taking of a subject to the ground. Reportable force does not include escorting or handcuffing a subject, with no more than minimal resistance.

- **Necessary:** Officers will use physical force only when no reasonably effective alternative appears to exist, and only then to the degree which is reasonable to effect a lawful purpose.
- **Proportional:** To be proportional, the level of force applied must reflect the totality of circumstances surrounding the immediate situation, including the presence of an imminent danger to officers or others. Officers must rely on training, experience, and assessment of the situation to decide an appropriate level of force to be applied. Proportional force does not require officers to use the same type or amount of force as the subject. The more immediate the threat and the more likely that the threat will result in death or serious physical injury, the greater level of force that may be proportional, objectively reasonable, and necessary to counter it.

(3) De-Escalation

The Settlement Agreement recognized that CDP officers would "use de-escalation techniques whenever possible and appropriate." (Dkt. 7-1, ¶46). De-escalation is defined in the "Use of Force: Definitions" policy as:

"The process of taking action to stabilize the situation and reduce the immediacy and level of a threat so that more time, options, and resources are available to resolve the situation and gain voluntary compliance. De-escalation techniques may include, but are not limited to, gathering information about the incident, assessing the risks, verbal persuasion, advisements and warnings, and tactical de-escalation techniques, such as slowing down the pace of the incident, waiting out subjects, creating distance (reactionary gap) between the officer and the threat, repositioning, and requesting additional resources (e.g., specialized CIT officers or negotiators)" (Dkt. 88-1).

CDP's separate and now approved De-Escalation policy establishes "guidelines for officers of the Cleveland Division of Police relative to deescalating situations in order to gain voluntary compliance and to reduce the need to use force." (Dkt. 88-2, De-Escalation Policy). It is recognized as a matter of policy concerning the employment of de-escalation principles that:

"Officers have the ability to impact the direction and outcome of the situation with their decision making and employed tactics. Policing, at times, requires that an officer may need to exercise control of a violent or resisting subject, or a subject experiencing a mental or behavioral crisis. At other times, policing may require an officer to serve as a mediator between parties, or defuse a tense situation. Officers shall use de-escalation tactics and strategies when safe under the totality of the circumstances and time and circumstances permit" (Dkt. 88-2).

(4) Use of Force: Intermediate Weapons

Intermediate Weapons are defined by way of policy as "[w]eapons that interrupt a subject's threatening behavior so that officers may take control of the subject with less risk of injury to the subject or officer than posed by greater force applications, including but not limited to the ASP batons, and Conducted Electrical Weapon (CEW), Oleoresin Capsicum (OC) Spray and the beanbag shotgun." (Dkt. 88-1, Definitions). The separate policy addressing "Intermediate Weapons" was "to establish guidelines for officers of the Cleveland Division of Police relative to the use of force when deploying intermediate weapons, while providing direction and clarity, in those instances when a subject's actions require a use of force response." (Dkt. 83-4, Use of Force: Intermediate).

(5) Use of Force: Reporting

Paragraphs 257-268 of the Settlement Agreement address items that improve the data collection, analysis and reporting capacity of CDP for a number of use of force-related data points. During 2017, significant progress was achieved in the areas of data collection, analysis and reporting.

Staffing

The Settlement Agreement provides that:

"CDP will collect and maintain all data and records necessary to accurately evaluate its use of force practices and search and seizure practices and facilitate transparency and, as permitted by law, broad public access to information related to CDP's decision making and activities. To achieve this outcome, CDP will designate an individual or individuals as the "Data Collection and Analysis Coordinator" (Dkt. 7-1, ¶257).

In March 2017, CDP entered into a contract with The Begun Center at Case Western Reserve University to assist with data coordination, analysis and reporting. Team members consist of Rodney Thomas and Chase Klingenstein, led by Begun Center Director Daniel Flannery, Ph.D.

In September 2017, CDP hired a full-time Data Analysis and Collection Coordinator, Rania Issa, Ph.D., and a Data Analyst by the City of Cleveland in July of the same year.

Electronic Database Containing Use of Force Data

In addition, the Settlement Agreement provides that:

“The Data Analysis and Collection Coordinator will ensure the creation and maintenance of a reliable and accurate electronic system to track all data derived from force-related documents” (¶259).

Progress towards this objective includes the successful populating of all use of force data fields in IAPro, the software utilized for storing use of force data, and the ability of the Data Collection and Analysis Coordinator and other data staff to access, download, analyze and report out on the vast majority of these data points. Multiple data staff were trained on IAPro software and are now able to access, download and analyze all available Use of Force data in IAPro and Blueteam databases. In addition, the data team worked with IT staff from the City’s Department of Public Safety in order to perform quality assurance checks comparing downloaded IAPro data with raw datasets obtained from IT. In addition, CDP funded 4 employees in attending the annual IAPro Users’ Conference in Florida.

Methodology

Findings in this report follow the approved data collection and analysis protocol for all use of force data categories set forth in the paragraph 259 of the Department of Justice’s Cleveland Settlement Agreement. To prepare this report, the data team undertook a number of sequential data collection and analysis steps. Step 1 included working with the City’s IT Department to obtain raw datasets from the IAPro data system. Step 2 involved merging and cleaning datasets using STATA and SPSS software packages. Step 3 included running simple frequency procedures for key use of force variables using STATA and SPSS. After frequencies were completed, frequency tables were reviewed to identify potential missing data, outliers and data entry errors. In Step 4, potential data issues were remedied using STATA and SPSS to clean, recode and compute new variables. Step 5 involved performing drilldown analysis for key use of force variables set forth in the Settlement Agreement. Step 6 involved reviewing data findings with key stakeholders in order to obtain assistance with contextual interpretation of identified trends.

Quality Assessment

The Cleveland Division of Police continually assesses internal forms and data collection systems to improve the accuracy and consistency of all data collection efforts. Over the past three years, since the implementation of IAPro in 2015, CDP has developed and utilized a compendium of baseline measures to improve data mapping and protocols specifically related to the collection and analysis of Use of Force data. While these efforts are not limited to Use of Force data collection, this report currently concentrate primarily on use of force data points.

The implementation of IAPro allowed for electronic tracking of Use of force data - an improvement to the efficiency, quality, and reliability of the data collection systems. By developing mapping specifications and achieving data integration the CDP has increased reporting capacity and the effectiveness of data analysis within the department. Since the implementation of new data collection systems the CDP has improved on mapping all data elements, identifying sources of data (transfer, storage, collection, etc.), data formats (electronic data in IAPro, paper-based logbooks, Excel electronic files, etc.) and potential overlap between multiple data points collected. While the assessment of data systems is an ongoing process, CDP has already made significant strides toward improving systems of data collection and analysis.

As electronic collection of Use of Force data by the Cleveland Division of Police began in 2015, that year will serve as a rough baseline for reporting statistics. The term “rough baseline” is used to highlight the improvements to data collection, migration and analysis over 2016 and 2017. Some variable data points collected have changed, shifted, been added or eliminated. As 2015 was the first year of implementation, the process and procedures associated with data collection have evolved to improve accuracy, efficiency and effectiveness. Through relentless review and assessment by key stakeholders, the Data Collection and Analysis Coordinator and data committee, the data collection systems and methods for analysis endure quality assurance validation over the last three years to develop this reliable reporting. While each section of analysis regarding Use of Force data will highlight the trends and differences between the years of 2015, 2016, and 2017, notable changes to collection procedures have occurred and are discussed in the following section.

In 2015, officers entering a Use of Force Report were given 18 different choices to explain the “Service Type”, which provides how the use of force incident began. By 2017, those choices were limited to 9 options. In the Table below, all choices for Service Type were available in 2015 and by 2017 only the highlighted choices were made available.

Table 1 - Updated Variable Category Example 1

Arrest Warrant	District/Unit Assignment	Off Duty
Assignment	Investigation-Detective	Observe/Non-Traffic Stop
Traffic	Call for Service	Secondary Employment
SE-On View	Search Warrant	Observe/Traffic Stop
Crowd Control	On-View	Warrant Service
Felony Stop	RNC	Booking

These changes were made to provide better characterization of the type of service being rendered at the time of the incident. With all 18 available choices, there was too much ambiguity between the options provided. For instance, the options “Assignment” and “District/Unit Assignment” are too similar to differentiate. The variable choices “Arrest Warrant”, “Search Warrant”, and “Warrant Service” are in many cases indistinguishable which leads to a misrepresentation of collected data and frequencies. The 9 remaining choices assessed in 2017 allow the officer to more accurately enter the type of service being rendered during the use of force incident. This reduction in choices for service rendered also allows the data collected to be analyzed in a more reliable and useful manner. In the report section analyzing trends in Use of Force with regards to Service Type it is necessary to take these changes into account when assessing the frequency of the categorical variable.

Another measure that has changed from 2015 to 2017 is “Officer Perceived Subject Influence”, in which officers are asked to determine if the subject involved in the use of force incident was in any way impaired. In 2015, 11 choices (shown in Table 2) were available and by 2017, 5 options remain available. These changes resulted in several improvements including collapsing “Alcohol” and “Under Influence-Alcohol” into 1 category and replacing “Mental Crisis” with “Behavioral Crisis Event”.

Table 2 - Updated Variable Example Category 2

Mental Crisis	Behavioral Crisis Event
Alcohol	Under Influence-Alcohol
Alcohol and unknown drugs	Under Influence-Drugs
Unknown Drugs	Unimpaired
Unknown	Known Medical Condition
None Detected	

This reduction in variable options allows the officer entering the use of force report to categorically decide between easily identifiable options with no ambiguity. Throughout this report other changes will be evident, such as “Reason for Use of Force”. All changes were made in the best interest of all parties involved to accurately and consistently record the use of incident in a useful manner to officers, the public, and the administration of the CDP. As clearly stated before, this is an ongoing process of quality assurance and the Use of Force Report will continue to be a tool for analyzing the processes and procedures of data collection systems to insure the best practices for all key stakeholders.

Findings

Throughout the findings section, use of force is analyzed at both the incident as well as officer entry level. A use of force incident is defined as a single incident irrespective of the number of involved officers. Due to its nature, many use of force incidents involve multiple officers. *The distinction between incident and entry is essential in gaining accurate results and critical for understanding the data presented in the next section.* For instance as seen in Table 3, an incident with one subject (SUB) and two officers (OFF) would result in measuring subject demographics at the incident level and officer demographics at the officer entry level to ensure accuracy.

Table 3 - Incident Versus Officer Entry Example

Case #	SUB Last	SUB First	SUB Sex	SUB Race	SUB DOB	OFF Badge #	OFF Sex	OFF Race	OFF Age
2017-01	Doe	John	Male	White	1/1/1990	1111	Male	White	35
2017-01	Doe	John	Male	White	1/1/1990	2222	Female	Black	30

Findings presented below follow paragraph 259 of the Settlement Agreement which states:

“The Data Analysis and Collection Coordinator will ensure the creation and maintenance of a reliable and accurate electronic system to track all data derived from force-related documents, including: [ITEMS BELOW]”

Current availability of the Use of Force related items is represented by a YES/NO in the Table 4. A “NO” represents that the availability of the related item in question is not currently available or accessible through the IAPro or Blueteam data collection systems. These items will become available through data collection systems introduced in 2018, or through additions and revisions to the current systems. Item (d) is available through the current IAPro system, however, these data points are not represented in this report.

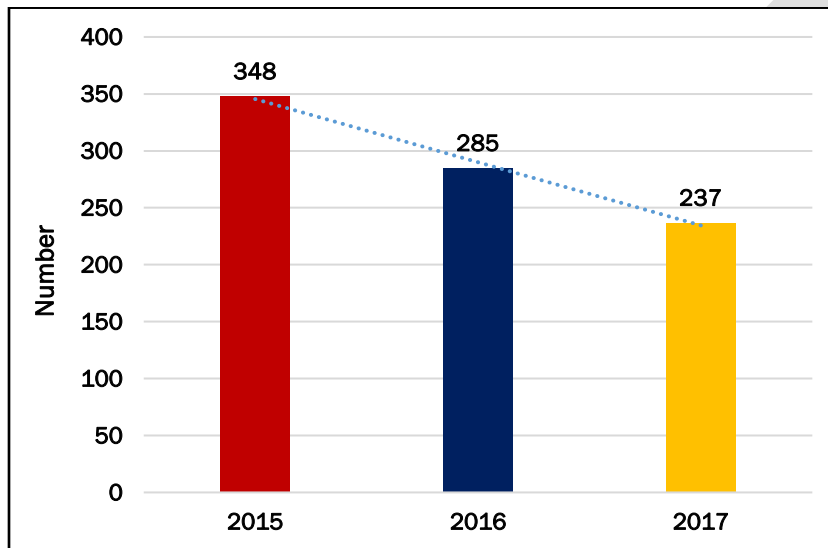
Table 4 - Settlement Agreement Use of Force Related Items - Availability

Use of Force-Related Items (¶259)	Availability
a. the type(s) of force used	YES
b. whether an officer unholstered a firearm	NO
c. the actual or perceived race, ethnicity, age, and gender of the subject	YES
d. the name, shift, and assignment of the officer(s) who used force	YES
e. the District where the use of force occurred	YES
f. whether the incident occurred during an officer-initiated contact or a call for service	YES
g. the subject’s perceived mental or medical condition, use of drugs or alcohol, or the presence of a disability, if indicated at the time force was used	YES
h. the subject’s actions that led to the use of force, including whether the subject was in possession of a weapon	YES
i. whether the subject was handcuffed or otherwise restrained during the use of force	YES
j. any injuries sustained by the officer or the subject or complaints of injury, and whether the officer or subject received medical services	YES
k. whether the subject was charged with an offense, and, if so, which offense(s)	YES
l. for deadly force incidents, the number of shots fired by each involved officer, the accuracy of the shots, and whether the subject was armed or unarmed	YES
m. the length of use of force and the completion of each step of the force investigation and review	YES

Use of Force Trends – Incident Level

Figure 1 shows the annual totals for use of force incidents from 2015 to 2017. As seen in Figure 1, use of force incidents have consistently declined. From 2015 to 2016, there was an 18 percent drop in the number of use of force incidents (N = 348 and 285) and a 17 percent drop from 2016 to 2017 (N = 285 and 237). From 2015 to 2017, use of force incidents decreased by 32 percent.

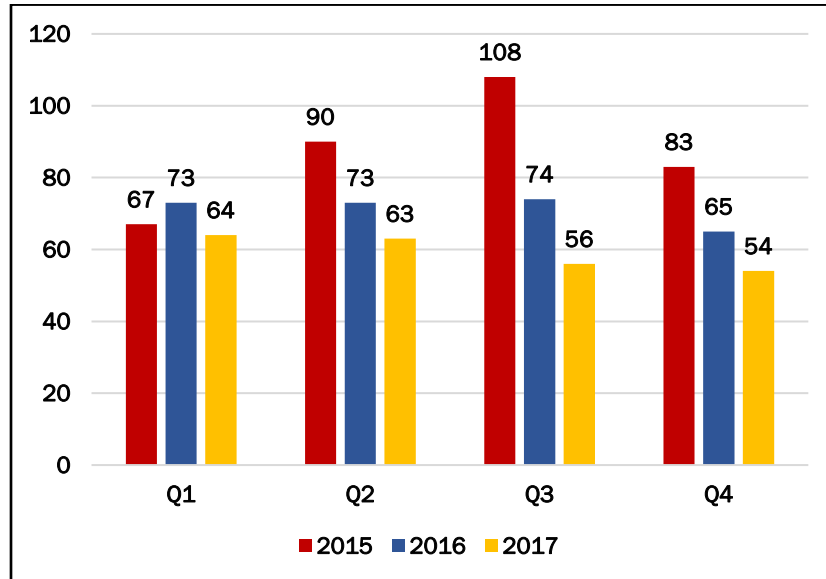
Figure 1 - Use of Force Incidents 2015-2017



“From 2015 to 2017, use of force incidents decreased by 32 percent”.

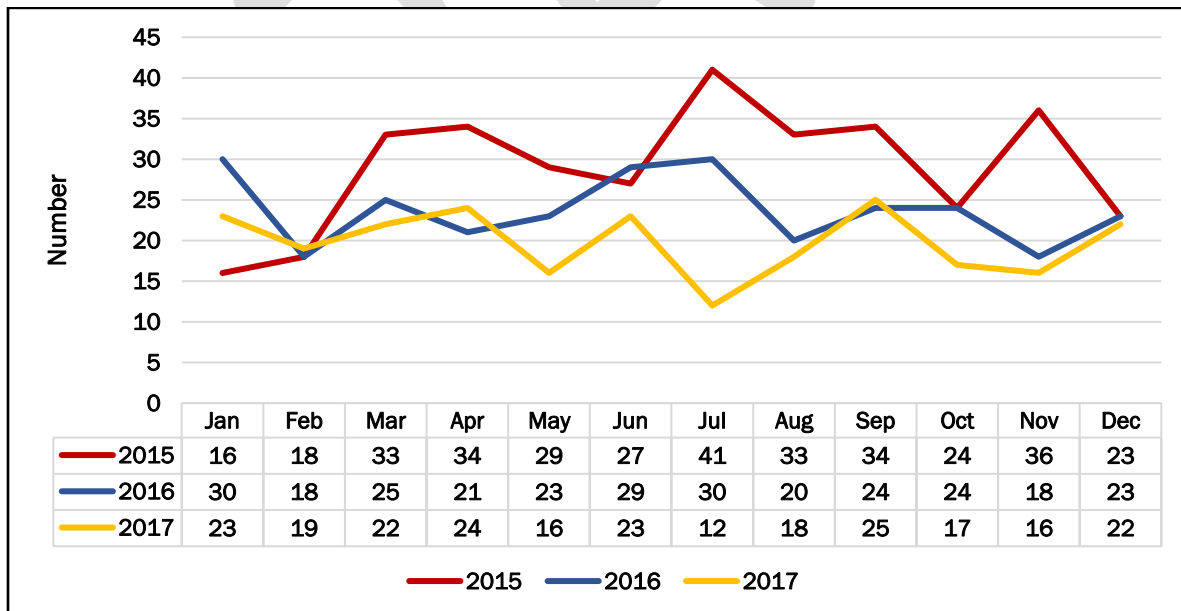
Figures 2 and 3 display the total number of use of force incidents quarterly and monthly. With the exception of the first quarter, 2015 consistently had more use of force incidents than 2016 and 2017. From 2016 to 2017 use of force incidents decreased in every quarter.

Figure 2 - UOF Incidents Quarterly 2015-2017



“From 2016 to 2017 use of force incidents decreased in every quarter.”

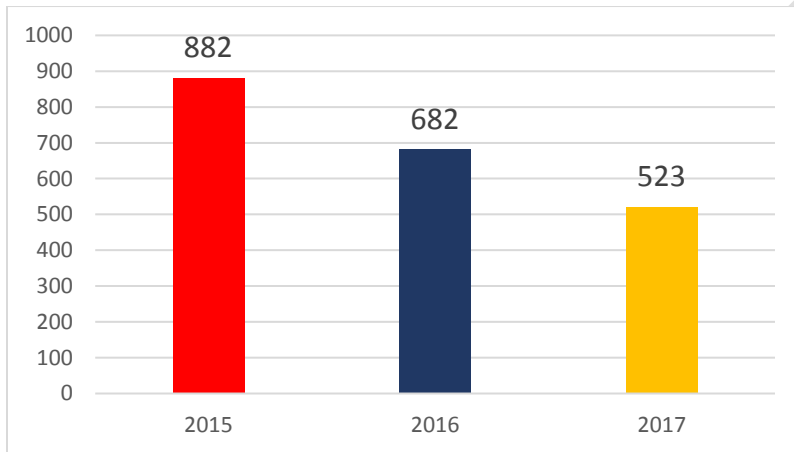
Figure 3 - UOF Incidents by Month 2015-2017



Use of Force Trends – Officer Entry Level

CDP requires every officer involved in a use of force incident to fill out a report. As seen in Figure 4, from 2015 to 2017 the number of officers involved in use have declined. In 2015, there were 882 officers involved in use of force compared to 523 in 2017, a 41 percent decline.

Figure 4 - Use of Force by Officer Entry 2015-2017



“In 2015, there were 882 officers involved in use of force compared to 523 in 2017, a 41 percent decline”.

As seen in Table 5, a majority of use of force incidents involve multiple officers. For example, in 2017, two out of every three incidents involved more than one officer. On average, 2 officers were involved in every use of force incident.

Table 5 - Use of Force Incident Level by Single/Multiple Involved Officer, 2015-2017

	2015		2016		2017	
Single Officer	92	26%	80	28%	79	33%
Multiple Officers	256	74%	205	72%	158	67%
Number of Incidents	N = 348		N = 285		N = 237	

Use of Force Trends – Calls for Service and Arrest

In 2017, CDP responded to 314,963 calls. As seen in Table 6, from 2015 to 2017 there have been a decline in calls for service, arrests and use of force incidents. Use of force incidents make up a small percentage of all calls for service and arrests. For example, in 2017, use of force incidents made up roughly 0.08 percent of all calls for service and 1.3 percent of all arrests.

Table 6 - Calls for Services and Arrest Totals 2015-2017

	2015	2016	2017
Calls for Service	322,752	324,887	314,963
Arrests	24,371	19,669	18,086
Use of Force Incidents	348	285	237

Table 7 - Subject Arrest by Use of Force Incident 2015-2017

	2015		2016		2017	
Yes	279	80.2%	227	79.7%	181	76.4%
No	61	17.5%	49	17.2%	51	21.5%
Missing Data	8	2.3%	9	3.2%	5	2.1%
Total	348		285		237	

As seen in the Table 7, subjects were arrested in three out of every four use of force incidents. Table 8 provides insight into “officer perceived subject assessment” for the 181 subjects who were arrested and the 51 who were not arrested. A majority of involved officers perceived subjects who were not arrested during a use of force incident as having experienced a “behavioral crisis event”.

Table 8 - Officer Perceived Subject Assessment and Arrest by Officer Entry 2017*

Officer Perceived Subject Assessment - 2017	Subject Arrested	
	Yes	No
Behavioral Crisis Event	52	71
Under Influence-Alcohol	126	7
Under Influence-Drugs	58	32
Unimpaired	143	7
Missing Data	20	4
Total (N)	399	121

*The data in Table 8 reflects officer level rather than not subject level, since perceived subject assessment is measured at the officer level. Therefore the total number (of subjects arrested) is equal to the number of involved officers.

Type of Use of Force¹ – Entry Level

Force type is measured at the officer level and captures the type of force(s) officers used during the use of force incident. Force type is categorized as bodily force, intermediate weapon and deadly force. As seen in Table 9, over 90 percent of the force used by Cleveland police officers in use of force incidents fall under bodily force. Intermediate weapons were used by 7.8 percent of officers and deadly force was used by 1.3 percent of officers involved in use of force incidents. As part of the settlement agreement, CDP has revised force type categorizations. As of January 2018, officers began categorizing force type using level 1, 2 and 3. In future reports, force type will be analyzed using the newly implemented categorization.

Table 9 - Type of Use of Force by Officer Entry 2017

Type	Number	Percent
Bodily Force	618	90.9%
Intermediate Weapon	53	7.8%
Deadly Force	9	1.3%
Total	680	100.0%

Table 10 - Bodily Force, Intermediate Weapon, and Deadly Force by Officer Entry 2017

Bodily Force	
Body weight	113
Control Hold-Restraint	126
Control Hold-Takedown	54
Feet/Leg Kick/Knee	5
Feet/Leg Sweep	23
Joint Manipulation	60
Leg Restraint	14
Open Hand Strike	1
Pressure Point	11
Pull	102
Punch/Elbow	10
Push	58
Tackling/Takedown	41

The most commonly used bodily force types include; control hold restraints, body weight and pulls.

Tasers were the most commonly used intermediate weapon.

Deadly force was used by less than 2 percent of all involved officers.

¹ Settlement Agreement paragraph 259.a

Intermediate Weapon	
ASP Baton	1
Beanbag Shotgun	1
Bicycle-Push	1
Chemical Agent-OC Spray	1
Chemical Agent-Other	1
Shield	1
Taser	47

Deadly Force	
FIT-Firearm-Pistol	5
FIT-Firearm-Rifle	3
Head strike	1

In 2017, there were 6 deadly force incidents. Table 11 provides background information regarding these incidents. It is noteworthy to mention that in all of the deadly force incidents the subject was armed with a lethal weapon, and in case 2017-06, the subject had two loaded handguns.

Table 11 - Use of Deadly Force - 2017

Case	Officer(s)	Subject(s)	Shots Fired	Hits	Misses	Subject Weapon	Weapon Type	Additional Info.
2017-01	6	2	56	23	33	Yes	Loaded handguns	SWAT situation
2017-02	2	1	14	11	4	Yes	Loaded handgun	1 GSW was self-inflicted
2017-03	1	1	9	1	8	Yes	Loaded handgun	
2017-04	1	1	11	0	11	Yes	Loaded handgun	
2017-05	1	1	4	0	4	Yes	Loaded handgun	
2017-06	1	1	5	4	1	Yes	2 loaded handguns	

Subject Characteristics²

According to the American Community Survey through the U.S. Census Bureau, 2016 population estimates of Cleveland, Ohio is approximately 389,165 residents. Females comprise 52.6 percent of the Cleveland population. Black or African American individuals make up 50.8 percent of the population, with people identifying as White encompassing 40.3 percent. The Hispanic population of Cleveland is estimated at 10.8 percent while individuals identifying as two or more races is about 4.7 percent. The median age of an individual living in Cleveland is about 35 years old while 77 percent of the population is older than 18 years of age.

This section provides demographic information for subjects involved in use of force incidents from 2015-2017 including sex, race/ethnicity, and age. As nearly all incidents involve only one subject, these subject characteristics are displayed on the incident level.

From 2015 to 2017, three out of every four use of force incidents involved male subjects. These frequencies remain relatively stable throughout the 3-year span.

Table 12 - Sex of the Subject Involved by Incident 2015-2017

	2015		2016		2017	
Female	84	23%	73	24%	55	24%
Male	274	77%	221	76%	189	76%
	358		294		244	

*There were several incidents that involved multiple subjects, therefore the total number of subjects does not equal the total number of incidents.

² Settlement Agreement paragraph 259.c

Figure 5 presents the 2017 subject age distribution for use of force incidents. Overall, the age range is quite wide from 14 to 71 years old. During the 3-year period juveniles did not make up more than 10 percent of subjects involved in use of force incidents. Nearly half of the subjects from 2015 to 2017 were between the ages of 18 and 29 years old.

Figure 5 - Distribution of Subject Age per UOF Incident - 2017

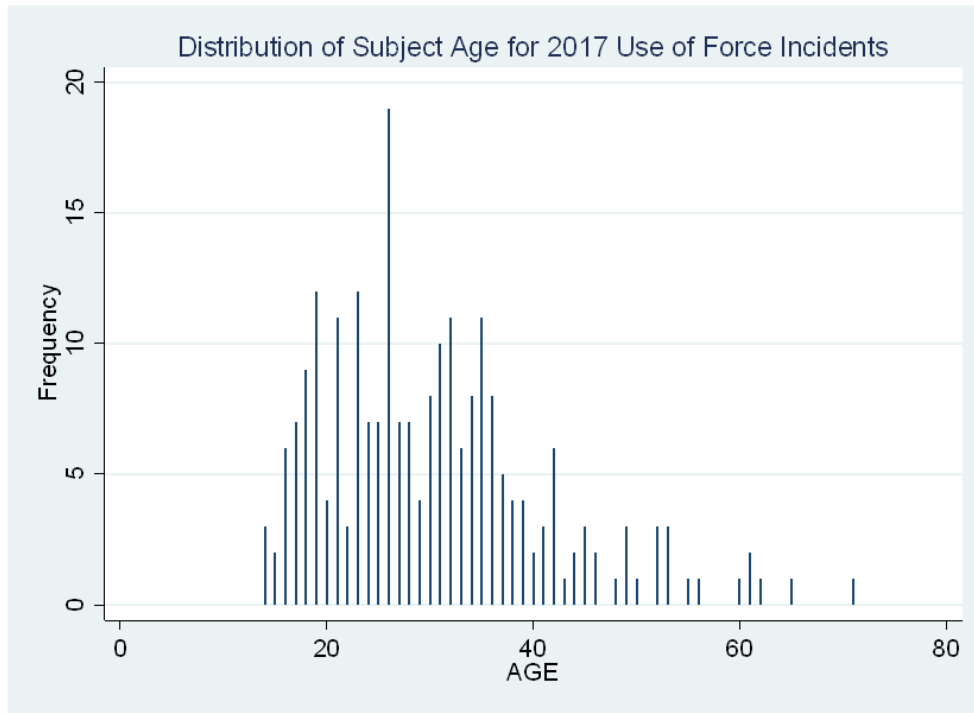
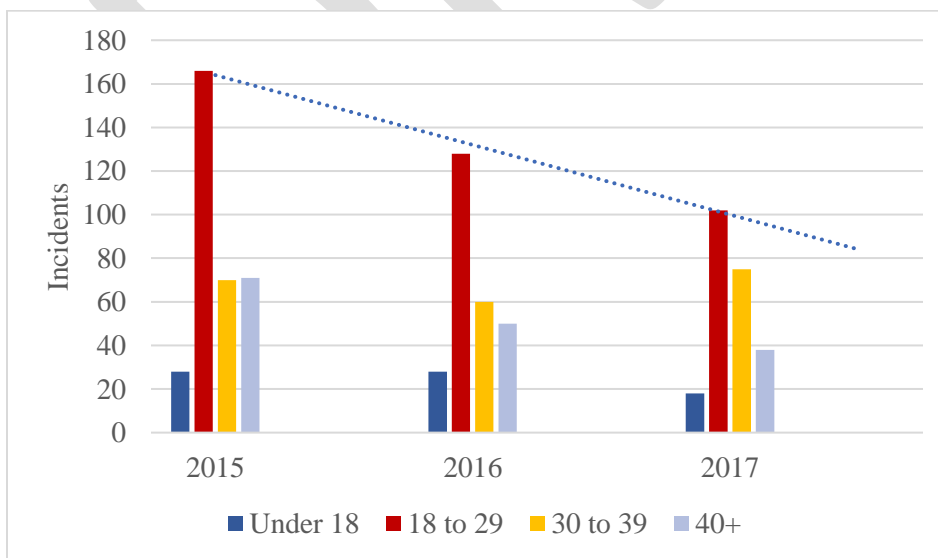


Figure 6 - Age Group for Subject Involved Trend



While 23% of Cleveland’s population remains under 18 years of age, only 7% of Use of Force incidents in 2017 involved subjects under 18.

Due to current restrictions in the IAPro system, Hispanic appears as an option under the race variable. The Cleveland Division of Police recognizes the term Hispanic is a description of ethnicity rather than race and until the issue in IAPro can be addressed, it was decided not to exclude any group due to this error and rather analyze and report the data as collected. Officer race/ethnicity is measured in the same way, therefore the same limitations apply. In 2017, 68 percent of subjects were identified as Black, 26 percent involved White subjects and 4 percent involved in Hispanic subjects.

Table 13 - Race/Ethnicity of Subject Involved in UOF 2015-2017

	2015		2016		2017	
Asian	1	0.3%	1	0.3%	0	0%
Black	264	73.5%	214	71.1%	170	68.3%
Hispanic	10	2.8%	12	4.0%	10	4.0%
Other	1	0.3%	3	1.0%	4	1.6%
White	81	22.6%	68	22.6%	64	25.7%
Missing Data	2	0.6%	3	1.0%	1	0.4%
Total	359	100%	301	100%	249	100 %

Use of Force Location Trends³

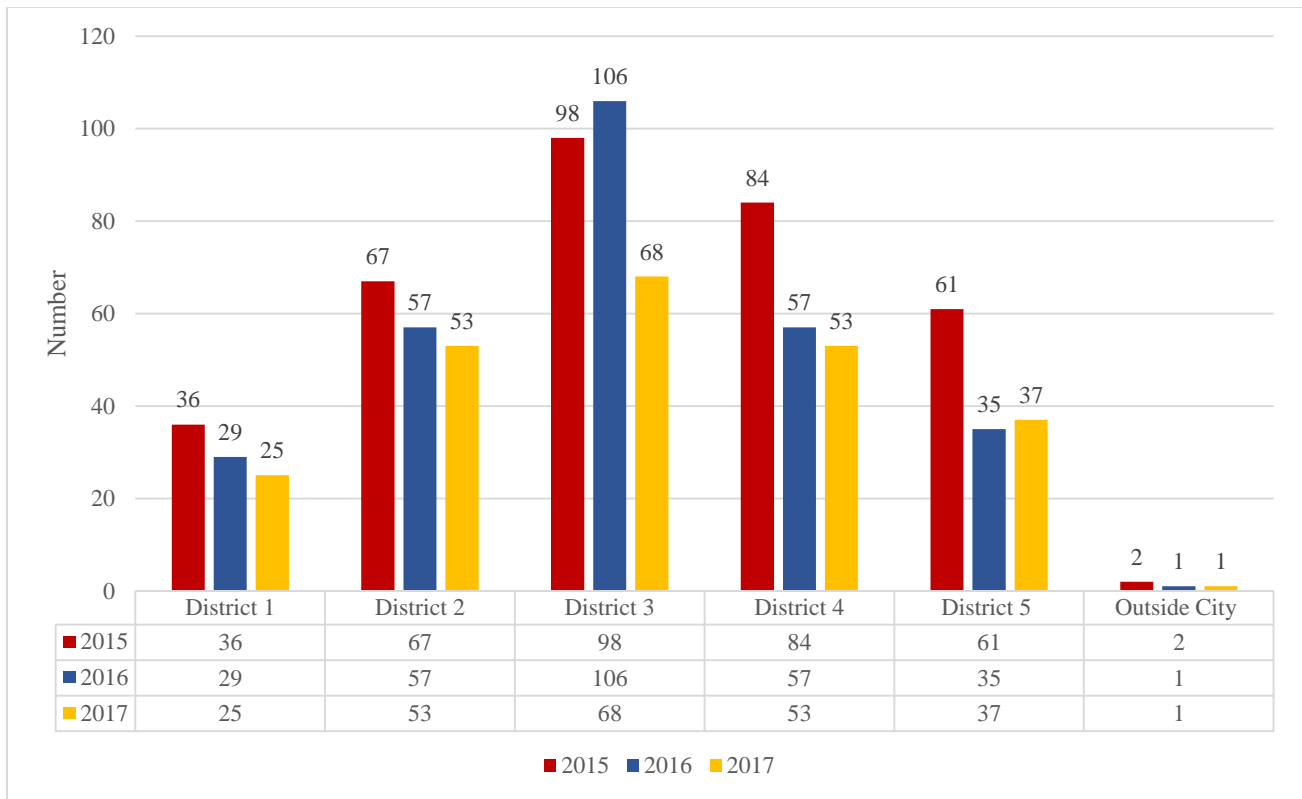
As shown in Table 14, districts 2, 3 and 4 consistently have the highest number of use of force incidents from 2015 to 2017. Popular, high traffic destinations such as Progressive Field, Quicken Loans Area, First Energy Stadium, the Warehouse District and Public Square are all located in the 3rd District and may play a role in explaining why use of force incidents are the highest in this district.

Table 14 - Use of Force Incidents, District of Occurrence Percentages

District	2015	2016	2017
District 1	10.3%	10.2%	10.6%
District 2	19.2%	20.0%	22.4%
District 3	28.2%	37.2%	28.7%
District 4	24.1%	20%	22.3%
District 5	17.5%	12.3%	15.6%
Outside City	0.6%	0.4%	0.4%
Totals	348	285	237

³ Settlement Agreement paragraph 259.e

Figure 7 - Use of Force Incidents by District of Occurrence 2015-2017



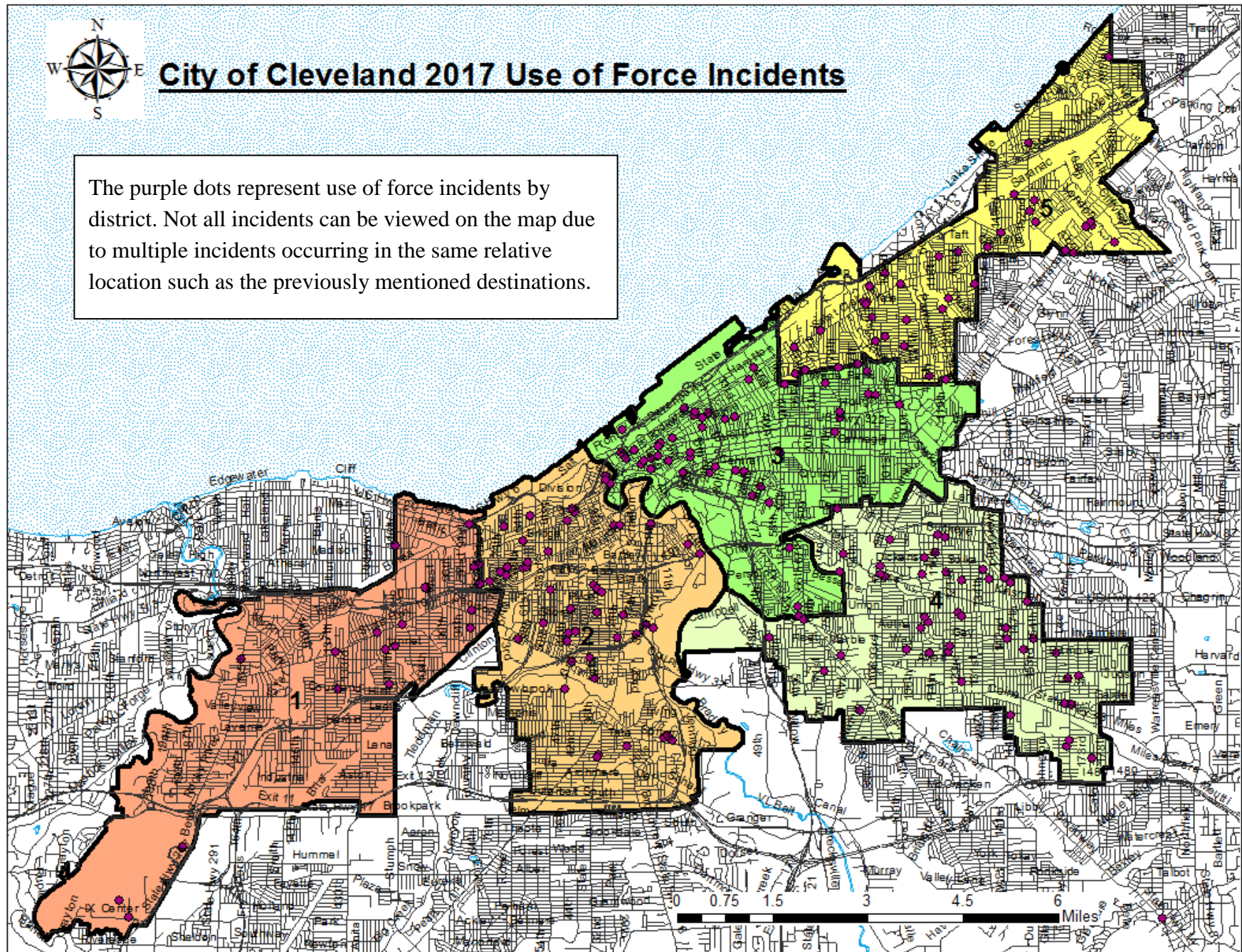
As seen in Table 15, districts 2, 3 and 4 have the highest volume of calls for service, which is consistent with the prevalence of use of force incidents.

Table 15 - Calls for Service by District 2015-2017

District	2015		2016		2017	
	Number	Percentage	Number	Percentage	Number	Percentage
District 1	53,693	17%	53,973	17%	53,306	17%
District 2	70,153	22%	70,444	22%	70,411	22%
District 3	62,770	19%	64,473	20%	61,492	20%
District 4	73,156	23%	74,471	23%	71,081	23%
District 5	55,306	17%	54,687	17%	52,316	17%
Other *	7,674	2%	6,839	2%	6,360	2%
Total	322,752	100%	324,887	100%	314,966	100%

*Other includes tow, warrant, transfer and other events.

Figure 8 - City of Cleveland Mapping UOF Incidents 2017



Use of Force - Service Rendered and Reason for Force⁴

As previously discussed in the Quality Assessment section the number of service type categories has decreased over the last 3 years, largely due to gaining a better understanding of the data and utilizing a concise set of categorizations. Service type is measured at the officer level and represents the initial type of service which resulted in the use of force incident. As seen in the table below, most use of force incidents stemmed from a call for service. In other words, most use of force incidents are reactive, wherein Cleveland police officers were called and responded to a call for service. Other prevalent categories include observe/non-traffic stop, observe traffic stop and secondary employment.

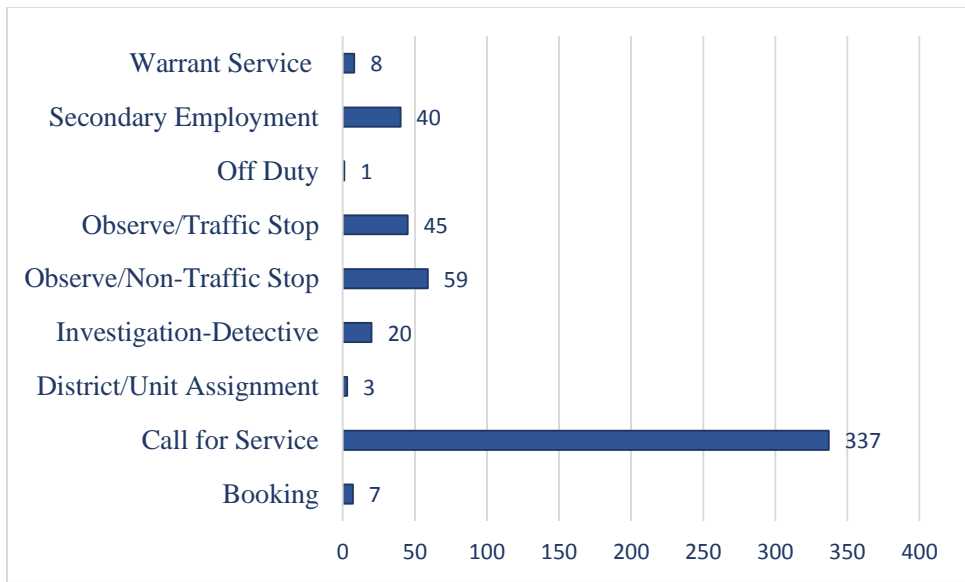
Table 16 - Service Type Rendered by Officer Entry

Service Type	2015	2016	2017
Arrest Warrant	3	-	-
Assignment	355	2	-
Booking	5	11	7
Call for Service	218	421	337
Crowd Control	6	-	-
Felony Stop	1	-	-
District/Unit Assignment	-	-	3
Investigation-Detective	-	15	20
Observe/Non-Traffic Stop	30	72	59
Observe/Traffic Stop	26	53	45
On-View	170	-	-
SE-On View	1	-	-
Off Duty	-	11	1
RNC	-	18	-
Search Warrant	11	-	-
Secondary Employment	26	60	40
Traffic	24	-	-
Warrant Service	4	20	8
Total	880	683	520

Over the 3 year span, secondary employment represented 6% of all officer entry service types rendered during a use of force incident.

⁴ Settlement Agreement paragraph 259.f, 259.h

Figure 9 - Service Type by Officer Entry – 2017 (N= 520)

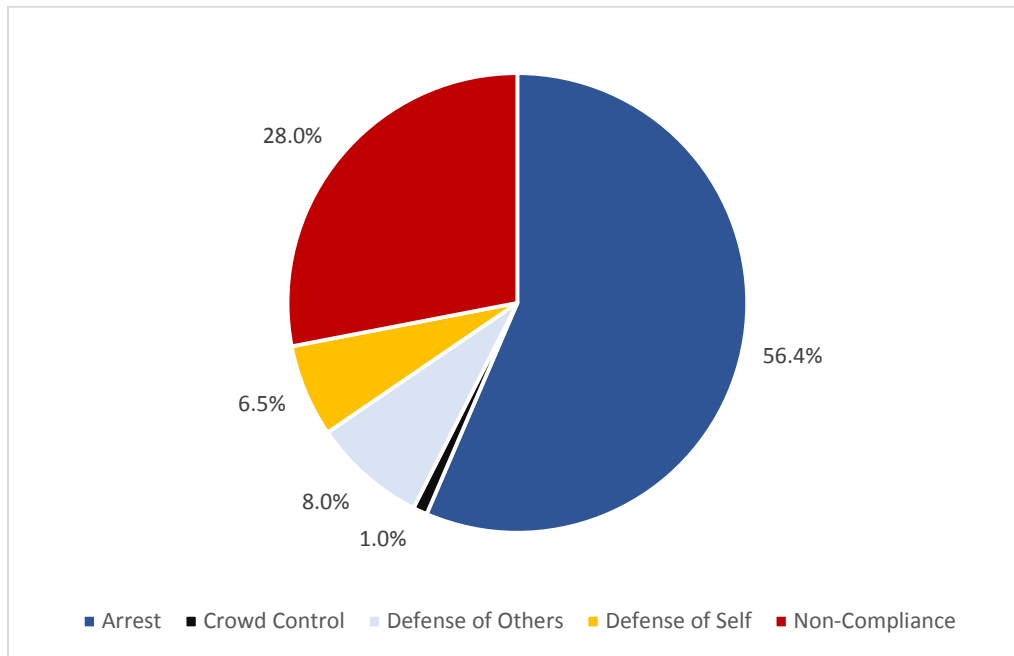


Similar to service type rendered, reason for the use of force has also undergone some changes in categorization. Reason for force is also measured at the officer level and represents the primary reason for the use of force. Officers most often attribute arrest (56.4%) and non-compliance (28%) for the reason behind the use of force as seen below.

Table 17 - Reason for Use of Force by Officer Entry 2015-2017

	2015		2016		2017	
	Count	Percentage	Count	Percentage	Count	Percentage
Alcohol	23	2.6%	-	-	-	-
Arrest	315	36.2%	396	58.0%	294	56.4%
Assault on Officer	35	4.0%	-	-	-	-
Crowd Control	10	1.2%	5	0.7%	5	1.0%
Defense of Others	17	2.0%	28	4.1%	42	8.1%
Defense of Self	16	1.8%	40	5.9%	34	6.5%
Disorderly Conduct	68	7.8%	-	-	-	-
Drugs	68	7.8%	-	-	-	-
Fight	50	5.7%	-	-	-	-
Flight/Escape	66	7.6%	-	-	-	-
Mental	15	1.7%	-	-	-	-
Mental Health	74	8.5%	-	-	-	-
Non-Compliance	92	10.6%	213	31.2%	145	28.0%
Protection Property/Evidence	-	-	1	0.2%	-	-
Suicidal	20	2.3%	-	-	-	-
Missing	2	0.2%	-	-	1	0.2%
Total	N = 871		N = 683		N = 521	

Figure 10 - Reason for Use of Force by Officer Entry - 2017



Officer Characteristics – Cleveland Division of Police

The number of officers employed by the Cleveland Division of Police has steadily declined over the last three years. From 2015 to 2017, the size of the Cleveland Division of Police has decreased by 4 percent.

Table 18 - CDP Officer Demographics by Sex 2015-2017

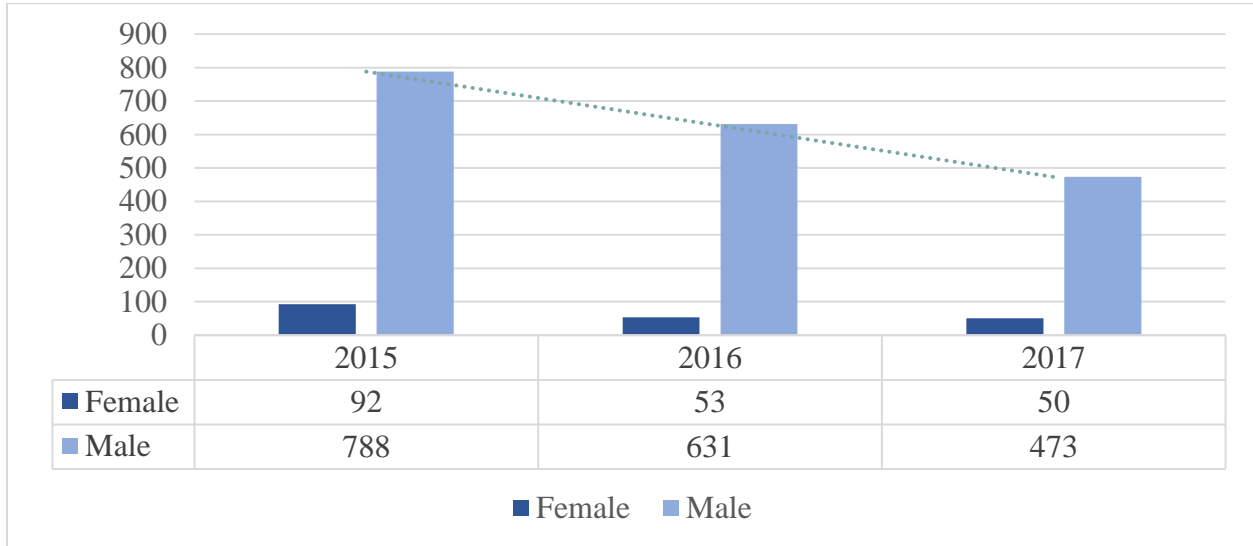
	2015		2016		2017	
Male	1313	86%	1264	85%	1256	85%
Female	217	14%	221	15%	215	15%
Total	N = 1530		N = 1485		N = 1471	

Table 19 - CDP Officer Demographics by Race/Ethnicity, 2015-2017

	2015		2016		2017	
White	1002	65%	984	66%	986	67%
Black	362	24%	343	23%	327	22%
Hispanic	146	10%	137	9%	138	9%
Other	20	1%	21	1%	20	1%
Total	N = 1,530		N = 1,485		N = 1,471	

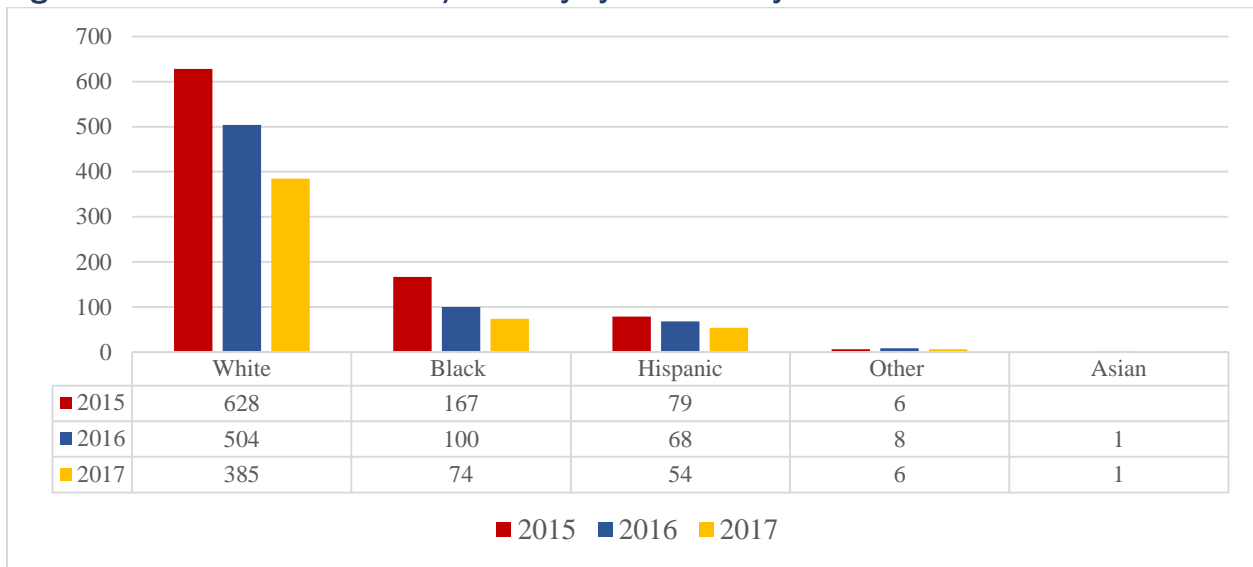
From 2015 to 2017, 90 percent of officers involved in use of force incidents were males.

Table 20 - Sex of Officer Involved in UOF by Officer Entry 2015-2017



Sex	2015	2016	2017
Female	10.4%	7.7%	9.6%
Male	89.4%	92.2%	90.4%
Total	N = 881	N = 684	N = 523

Figure 11 - Officer involved Race/Ethnicity by Officer Entry



The Cleveland Division of police experienced a 3.9% decrease in officer employment from 2015 to 2017, a loss of 59 full-time officers.

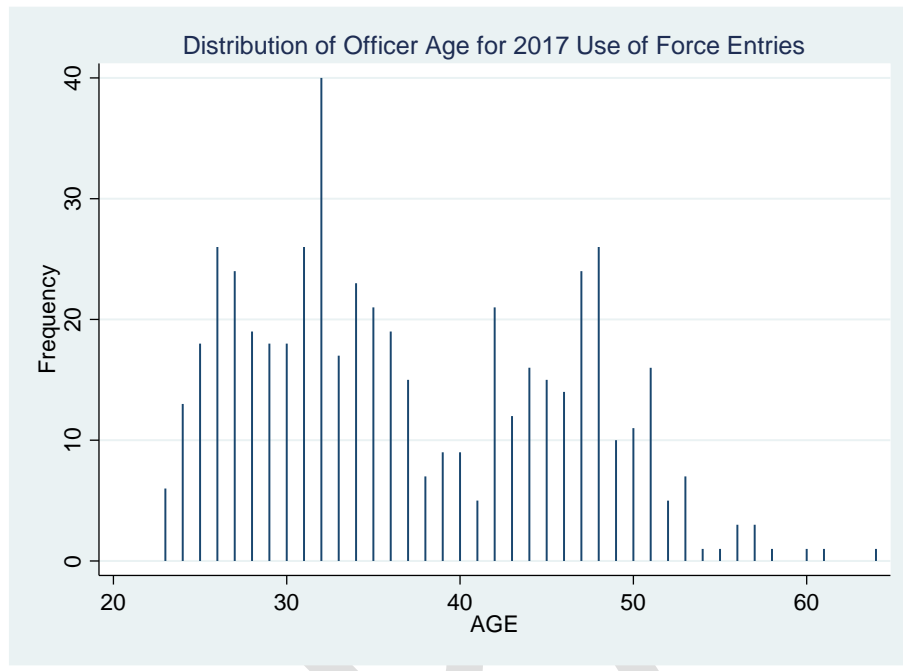
As far as race/ethnicity, 74 percent of officers involved in use of force were White, 14 percent Black and 10 percent Hispanic.

Table 21 - Officer involved Race/Ethnicity Percentages 2015-2017

Race/Ethnicity	2015	2016	2017
Asian	0.0%	0.2%	0.2%
Black	19.0%	14.8%	14.1%
Hispanic	9.0%	10.0%	10.3%
Other	0.7%	1.2%	1.5%
White	71.3%	73.9%	73.7%
Missing	0.1%	0.0%	0.2%
Total	N = 881	N = 682	N = 524

Figure 12 below shows the age distribution of involved officers in use of force incidents for 2017. Officers involved in use of force were between 23 and 64 years old. In 2017, the average age of an officer involved in a use of force incident was 38 years old. In Figure 13, age is arranged into groups beginning with 21, the required age of hire for a Cleveland police officer.

Figure 12 Distribution of Officer Age in 2017 by UOF Entries



“In 2017, the average age of an officer involved in a use of force incident was 38 years old”.

Figure 13 - Age Group of Officer Involved in UOF Incident 2015-2017

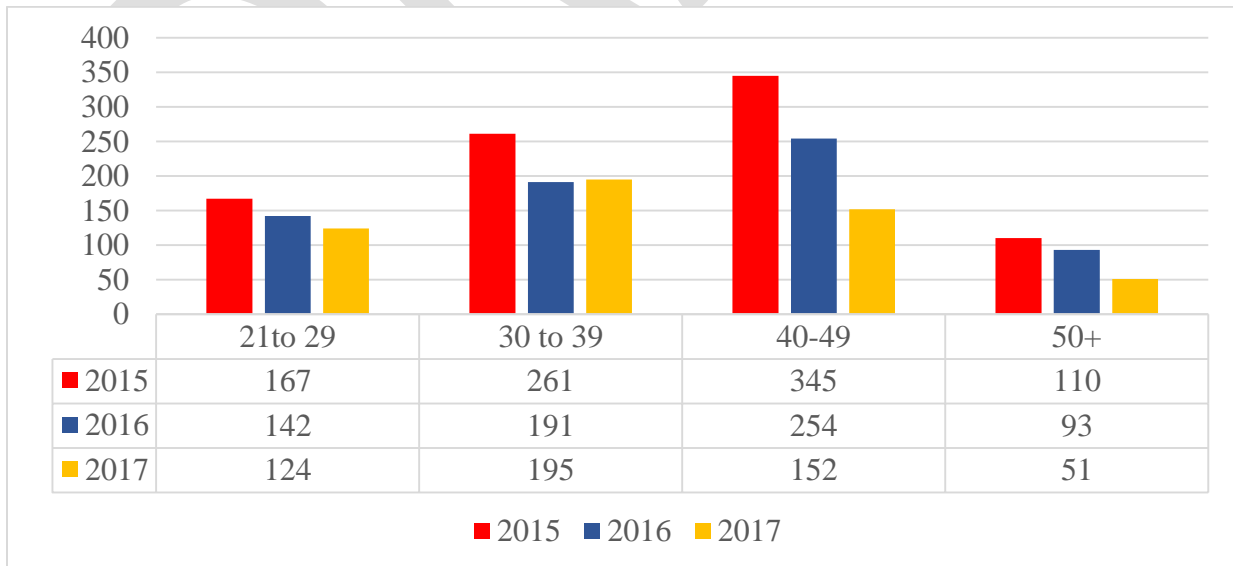


Figure 14 represents all use of force types by officer level assessment of effectiveness. Limited is a categorization reserved only for the use of a Taser on a subject and represented 1% of officer entries of perceived effectiveness. Nearly 73 percent of officers believed the type of force used (during the use of force incident) was effective. Figure 15 takes a closer look at the effectiveness of the Taser during use of force incidents.

Figure 14 - Force Type Effectiveness by Officer Perception - 2017

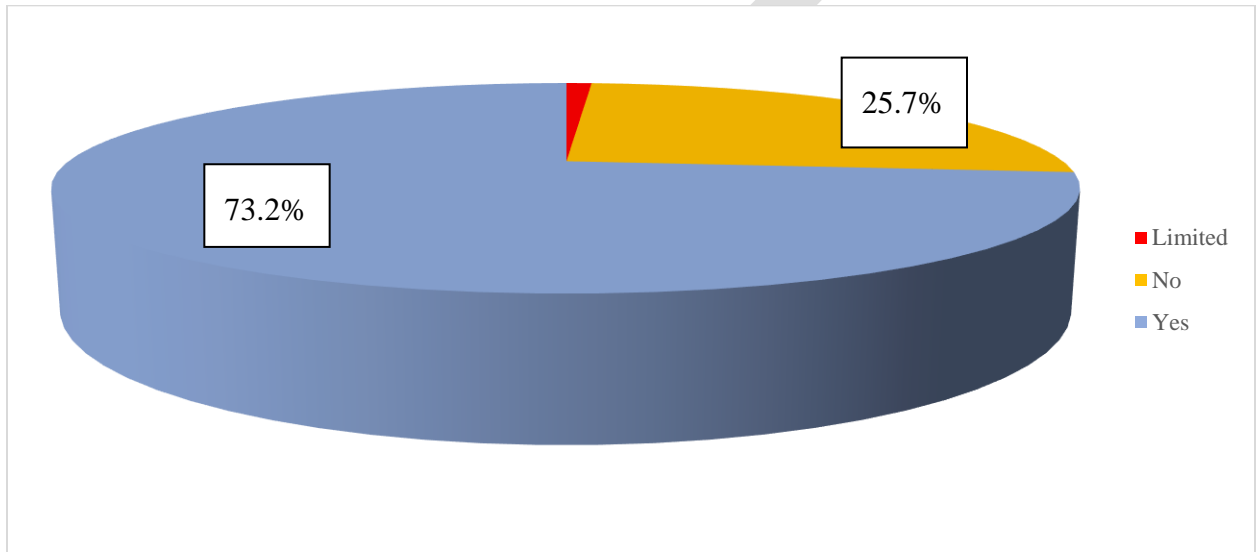
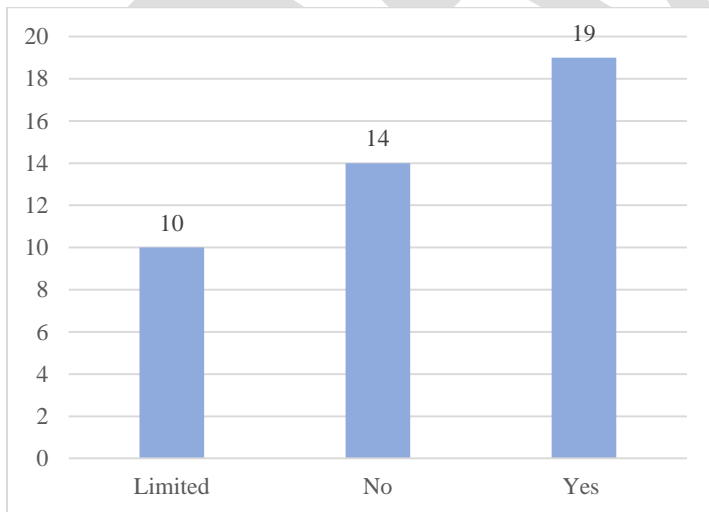


Figure 15 - Taser Level of Effectiveness - 2017



The Taser was perceived by the officer as effective or somewhat effective during a use of force incident 67% of the time.

As previously mentioned in the Quality Assessment section, “perceived officer assessment of subject influence” evolved over the 3-year period. Due to changing measures, comparisons between 2015, 2016, and 2017 will not be made. In 2017, almost half of subjects were under the influence of alcohol or drugs, 28 percent were unimpaired and 24 percent experienced a behavioral crisis event.

Table 22 - Perceived Officer Assessment of Subject Influence by Officer Entry 2015-2017

Officer Assessment	2015		2016		2017	
Alcohol	120	13.6%	-	-	-	-
Alcohol and unknown drugs	48	5.4%	-	-	-	-
Behavioral Crisis Event	44	5.0%	169	24.7%	123	23.6%
Known Medical Condition			7	1.0%	1	0.2%
Mental Crisis	126	14.3%	-	-	-	-
None Detected	63	7.1%	1	0.2%	-	-
Under Influence-Alcohol	91	10.3%	177	25.9%	133	25.5%
Under Influence-Drugs	57	6.5%	138	20.2%	90	17.3%
Unimpaired	96	10.9%	186	27.2%	150	28.8%
Unknown	171	19.3%	-	-	-	-
Unknown Drugs	59	6.7%	-	-	-	-
Missing Data	9	1%	5	0.7%	24	4.6%
Total	884		683		521	

In 2017, subject resistance types were measured using the categories seen in Table 23. The most common forms of subject resistance are resisting handcuffing, pull and resisting restraint. In 2018, CDP implemented a new subject resistance categorization system. Moving forward, officers involved in use of force incidents will categorize subject resistance as passive, active or aggressive physical.

Table 23 - Subject Resistance 2017

Resistance Type	2017
Attempt to Disarm Member	2
Attempt to Harm Another	28
Attempt Escape	91
Attempt Suicide	7
Biting	17
Blunt Object Brandish	1
Blunt Object Use	4
Bodily Fluid-Threat	7
Bodily Fluid-Use	10
Bodyweight	63
Break Free Control Hold	93
Carotid/Neck Restraint	1
Control Hold-Restraint	9
Control Hold-Takedown	4
Cues of Imminent Attack	38
Dangerous Ordinance	3
Dead Weight	57
Destroying Evidence	6
Disarming Member	2
Feet/Leg Kick/Knee	50
Feet/Leg Sweep	3
Harming Self	12
Open Hand Strike	8
Passive Noncompliance	38
Pull	116
Punch/Elbow	30
Push	74
Resist Handcuffing	149
Resist Restraint/Hold	103
Weapon-Firearm	6
Weapon-Edge Brandish	2
Weapon-Edge Use	11
Weapon-Firearm Impact	3
Weapon-Firearm Point	3
Wrestling	35
Total	1086

Use of Force –Subject Condition and Officer Injuries

The following section covers the prevalence of subject and officer injury and hospitalization. In 2017, 32 percent of subjects were injured and 40 percent were hospitalized. Unfortunately, at this time, CDP does not have the data regarding the type of injury or details surrounding hospitalization in IAPro. More subjects were hospitalized than injured mainly due to subjects who experienced a behavioral crisis event and were taken to the hospital.

Table 24 - Subject Injuries by UOF Incident 2015-2017

Subject Injury	2015		2016		2017	
No	250	72%	208	73%	145	61%
Yes	87	24%	59	21%	76	32%
Missing data	11	3%	18	6%	16	7%

“... the number of overall subject injuries decreased from 2015-2017 by 12.6%.”

Table 25 - Subject Hospitalization after UOF Incident 2015-2017

Subject Hospitalization						
	2015		2016		2017	
No	207	59%	173	61%	136	57%
Yes	137	40%	103	36%	99	42%
Missing Data	4	1%	9	3%	2	1%

In 2017, 18 percent of officers were injured and 13 percent were hospitalized. As previously mentioned, there is no information regarding the type of injury or the extent of the hospitalization in IAPro, which CDP is working to correct this issue.

Table 26 - Officer Injuries during UOF Incidents 2015-2017

	2015		2016		2017	
No	799	91%	594	87%	430	82%
Yes	82	9%	88	13%	94	18%
Total	N= 881		N= 682		N= 524	

Table 27 - Officer Hospitalization due to UOF incident

	2015		2016		2017	
No	811	92%	627	92%	455	87%
Yes	70	8%	55	8%	69	13%
	N = 881		N = 683		N = 524	

In 2017, 13 % of officers were hospitalized after a use of force incident, an increase from the 8% in 2015 and 2016.

Subject Charges

Item (K) paragraph 259 of the Settlement Agreement requires the collection of data pertaining to whether the subject was charged in relation to the use of force incident and, if so, what was the charge. Table 28 provides the type and number of charges against subjects in use of force incidents. In 2017, subjects involved in use of force incidents most commonly faced charges for resisting arrest, city misdemeanors and assault on a police officer.

Table 28 - Subject Charges Related to UOF Incident 2015-2017

Subject Charge	2015	2016	2017
Aggravated Disorderly Conduct	6	-	-
Assault	73	46	33
Assault on Police Officer	8	65	69
Burglary	7	9	4
Cleveland Codified Ordinance-Part 4 (Traffic)	9	24	22
Cleveland Codified Ordinance-Part 6 (City Misdemeanor)	76	114	76
Corrupt Activity	1	-	3
Criminal Damaging	1	-	-
Crisis Intervention	-	-	12
Crisis Intervention-Pink Slip-CDP	56	43	40
Crisis Intervention-Pink Slip-MH	-	3	3
Crisis Intervention-Pink Slip-Probate Warrant	-	4	6
Damage to Property	1	-	-
Disorderly Conduct	2	-	-
Domestic Violence	2	-	-
Drug Offense	40	28	31
Endangering Children	3	-	-
Homicide	1	1	1
Menacing	1	-	-
Kidnapping	6	4	4
ORC-Arson Related Offense	2	4	1
ORC-Miscellaneous Offense	16	30	34
ORC-Offense Against Justice	102	11	17
ORC-Offense Against Public Peace	51	19	10
ORC-Offense Against the Family	49	57	38
ORC-Sex Offense	-	4	1
ORC-Theft	14	14	9
ORC-Title 45 (State Traffic)	-	6	1
ORC-Weapons Offense	17	22	28
Obstructing Justice	2	-	28
Obstructing Official Business	13	30	-
Resisting Arrest	53	179	145
Robbery	14	19	16
Trespass	13	9	4
Violation of State Drug Law	1	-	-
Violation of TPO	1	-	-
Warrant-Felony	2	7	15
Warrant-Misdemeanor	3	7	2
Warrant-Probate	-	-	1
Total	646	759	654

Timeline for Use of Force Investigations

CDP conducts a full investigation of all use of force cases (incidents and officer entries). Therefore, all cases start with the officers' immediate supervisor, continue through the chain of command and finish with the Chief of Police. As seen in Figure 16, in 2017 some use of force investigations were completed in as little as 11 days and others took longer, up to 307 days. On average, investigations took about 3 months to complete. As of January 2018, 67 percent of 2017 use of force officer entries were completed and 30 percent remain open. Additionally, 2 percent of incidents were suspended and sent to Internal Affairs for investigation.

Figure 16 - Use of Force Entry Level from Occurrence to Completion

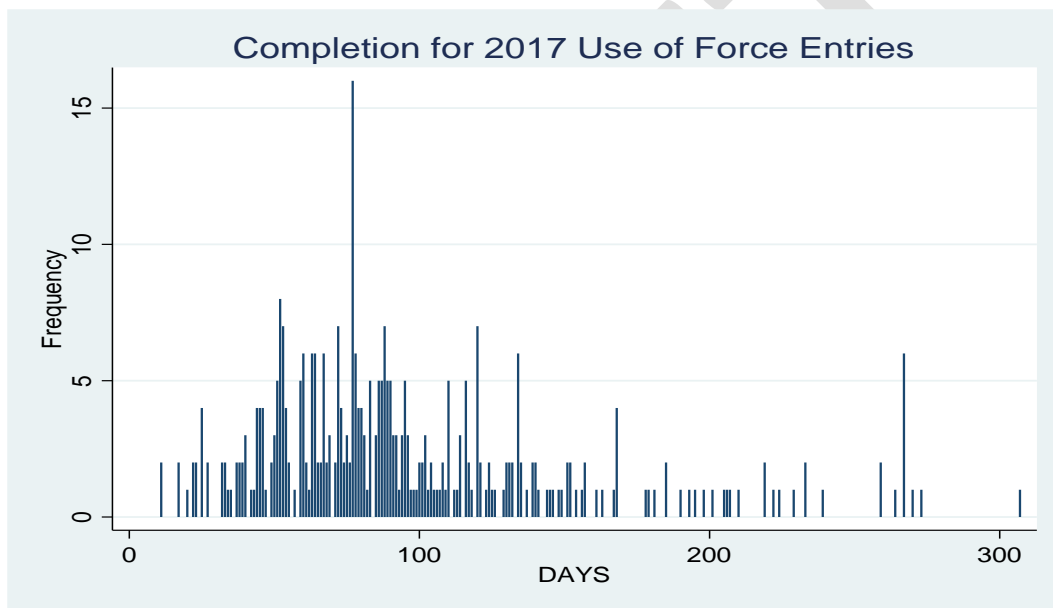
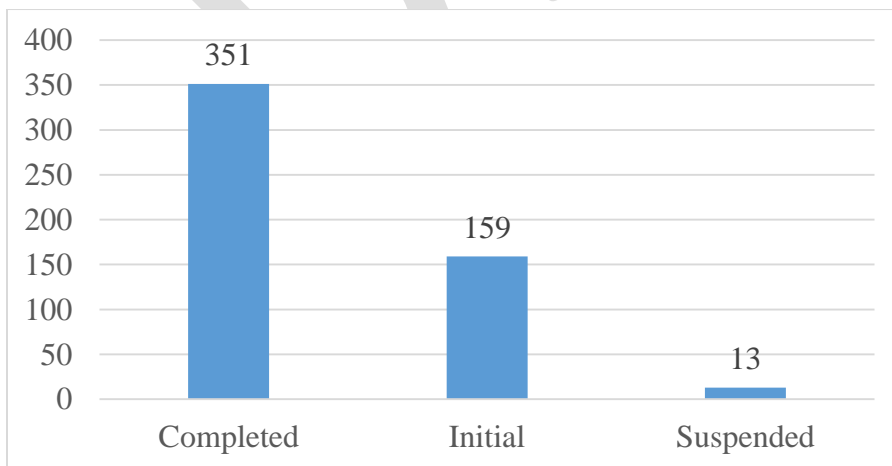


Table 29 - Number of Use of Force Officer Entry by Status - 2017



Completed = 67.1%
Initial = 30.4%
Suspended = 2.5%

Goals - 2018

The main purpose of this report is twofold, 1) for CDP to gain an improved understanding of Cleveland's use of force cases, and 2) to provide the monitoring team with use of force information highlighted in the settlement agreement. During the process of analyzing the data contained in this report, CDP realizes this is only the beginning and much more information, time and effort are needed to gain an improved understanding of use of force. Between meeting with CDP staff and members of the monitoring team, relevant questions continue to arise. Moving forward the Cleveland Division of Police strives to advance beyond collecting the information contained in the settlement agreement, with a focus aimed at understanding the context surrounding use of force cases in order to keep Cleveland residents and officers safe. Below are a set of goals the Cleveland Division of Police have pertaining to use of force reporting in 2018.

Goal 1. Continue Improving Data Collection Efforts.

Continue collaborating with CDP staff to improve data measures and collection efforts, as the City continues to meet the requirements of the settlement agreement.

Goal 2. Continue Development of COMPSTAT Datasheets.

Continue holding monthly use of force COMPSTAT meetings for CDP staff and the monitoring team. Work with key stakeholders from each COMPSTAT data area.

Goal 3. Analysis of Officer Force and Subject Resistance.

Begin analyzing officer force and subject resistance levels (newly implemented in January 2018).

Goal 4. Technical Assistance to Officer Intervention Program.

Begin efforts to develop systems to collect Officer Intervention Program (OIP) data for all data points listed in Settlement Agreement paragraph 328, including helping set OIP thresholds and reporting mechanisms.

Goal 5. Technical Assistance to Force Review Board.

Once established, develop COMPSTAT meetings for the Force Review Board (FRB).

DRAFT