

**BART Police
Use of Force
Annual Report**

2018

This report contains data and analysis of use of force incidents,
compiled by the Patrol Operations Bureau.

Report Content

Use of Force Policy 300.9 requires the following:

At least annually, the Patrol Division Commander should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police, the Office of the Independent Police Auditor, and the BART Police Citizen Review Board. The report should not contain the names of officers, suspects or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.*
- (b) Training needs recommendations.*
- (c) Equipment needs recommendations.*
- (d) Policy revision recommendations.*

This report will also incorporate the following statistics as they relate to the above topics:

1. Types of force used
2. Cause for use of force
3. Service being rendered at time of use of force
4. Suspect custody status
5. Suspect injuries
6. Officer injuries

Year in Review

A significant revision was made to the Use of Force Policy in 2017, through the collaborative efforts of the Department, the BART Police Citizen Review Board, The Office of the Independent Police Auditor, and the BART Police Officers and Managers Associations.

The policy revision included the following:

- *Officers shall use de-escalation techniques whenever feasible and appropriate: to potentially reduce or eliminate the need to use force; and to prevent injuries to the subject, the public and the officer(s). Use of de-escalation techniques must allow for the fact that officers are often forced to make split-second decisions, with limited information, and in circumstances that are tense, uncertain and rapidly evolving.*

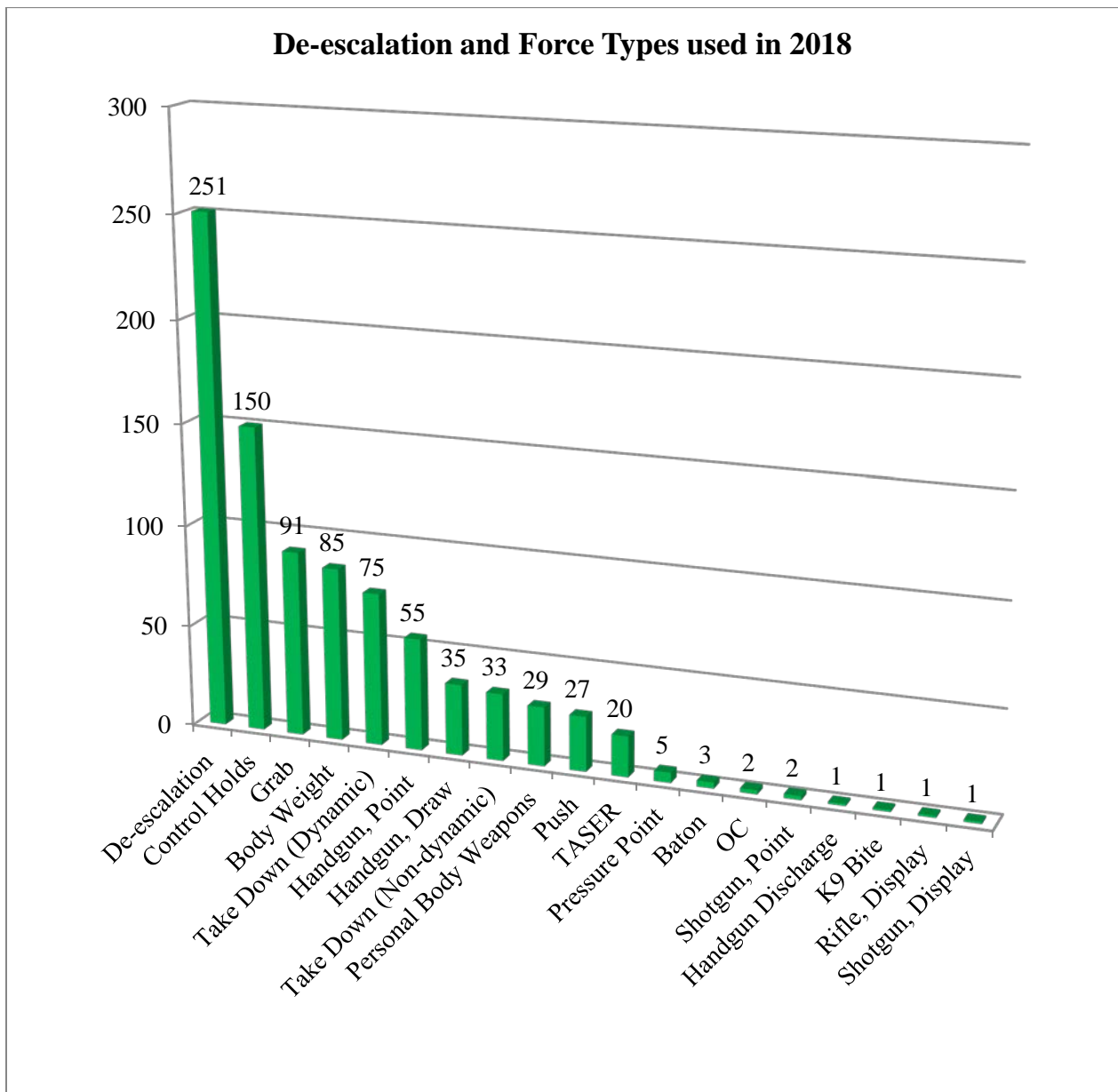
In order to document use of de-escalation techniques, the Department created a “de-escalation” category in the BlueTeam database. In all cases when a supervisor investigates a use of force incident, the supervisor is tasked with reviewing whether de-escalation was used. If de-escalation was used, the supervisor selects the de-escalation option, similar to selecting a force option. The BlueTeam database can then search and report on de-escalation. It should be noted that BlueTeam incidents are created only when force was used and investigated. There are many instances when de-escalation was employed and there was no force used by the officer. Such instances do not

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generate a BlueTeam entry, and so not all de-escalation is captured in this data. Our officers use de-escalation tactics frequently during the normal course of duty.

Documenting de-escalation in use of force incidents has been a relatively new process for supervisors in 2018. We are working to be consistent in documenting de-escalation, and the documentation is becoming more routine.

REPORT TOPIC: TRENDS IN THE USE OF FORCE



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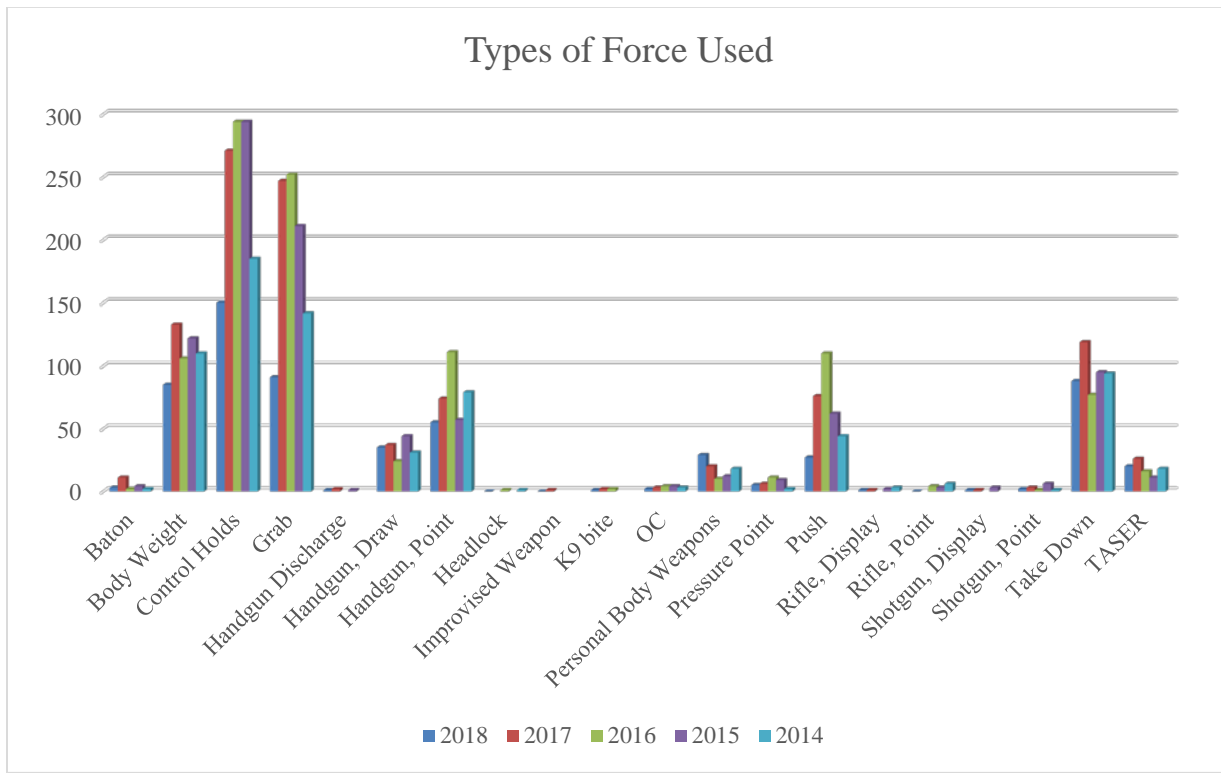
*There were 212 incidents where force were used; however, some incidents involved the use of multiple options, and/or the same option used by multiple officers.

This data shows that the most frequently used option is de-escalation. The next most-used options are the low-level options such as control holds and grabs. This data reflects our objective of using minimal force.

De-escalation options are further divided into categories of crisis intervention techniques (CIT), verbal techniques, and tactical techniques. De-escalation techniques in 2018 are as follows:

2018 De-escalation	
Verbal Techniques	133
Tactical Techniques (time, distance, etc.)	86
Crisis Intervention Techniques	32
Total	251

The following data compares year to year totals of the types of force used. The data shows that the comparative proportions of force options are similar from year to year.



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The following data shows a significant decrease in the number of use of force incidents in 2018, compared to the prior three years.

Use of Force Incidents - 2018

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2018	20	10	21	14	15	15	16	18	23	15	19	26	212
YTD 2018	20	30	51	65	80	95	111	129	152	167	186	212	

Use of Force Incidents - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2017	30	31	33	36	28	35	23	22	25	22	13	16	314
YTD 2017	30	61	94	130	158	193	216	238	263	285	298	314	

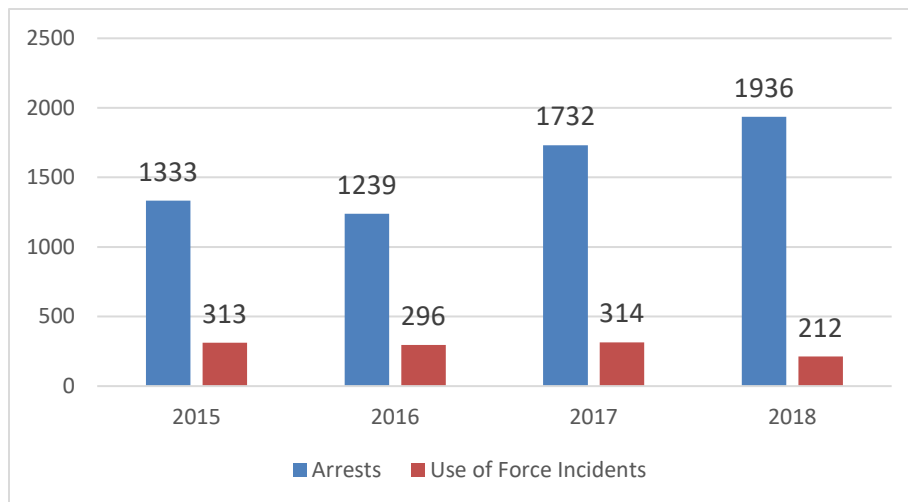
Use of Force Incidents - 2016

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2016	37	24	32	13	24	31	30	20	14	20	29	22	296
YTD 2016	37	61	93	106	130	161	191	211	225	245	274	296	

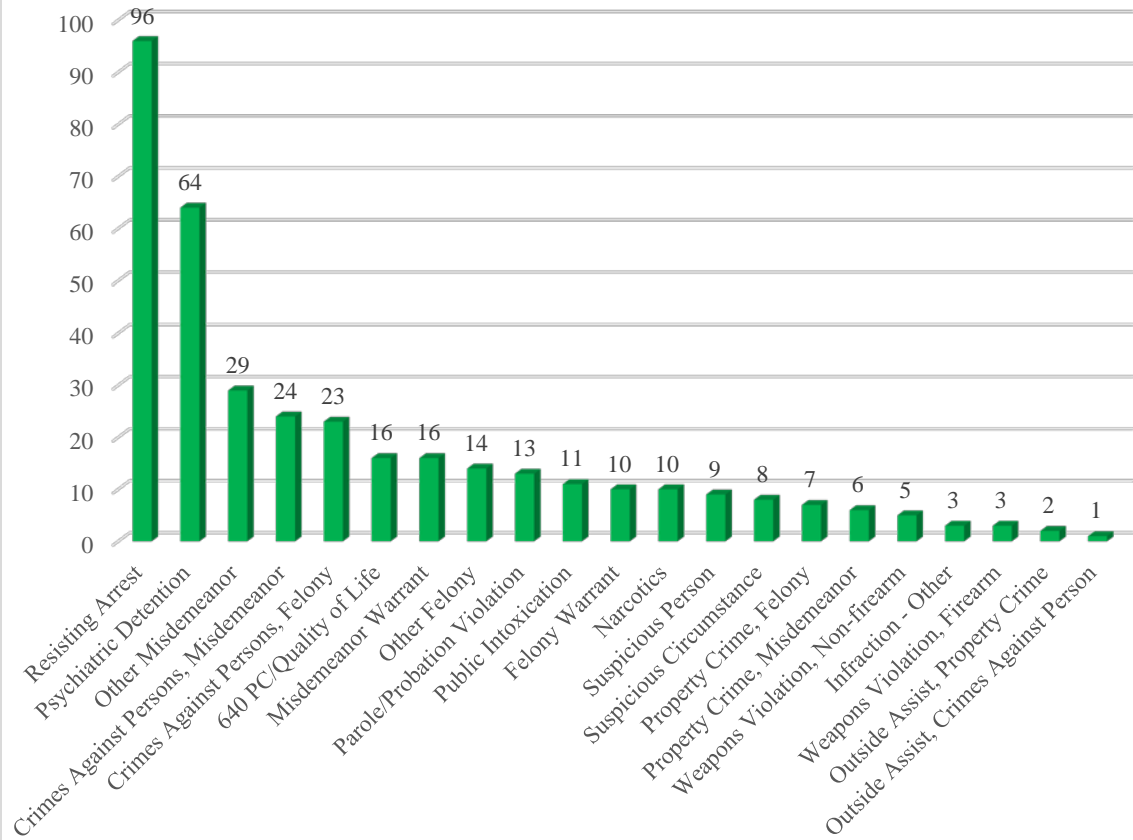
Use of Force Incidents - 2015

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2015	17	19	34	20	24	22	30	29	30	28	33	27	313
YTD 2015	17	36	70	90	114	136	166	195	225	253	286	313	

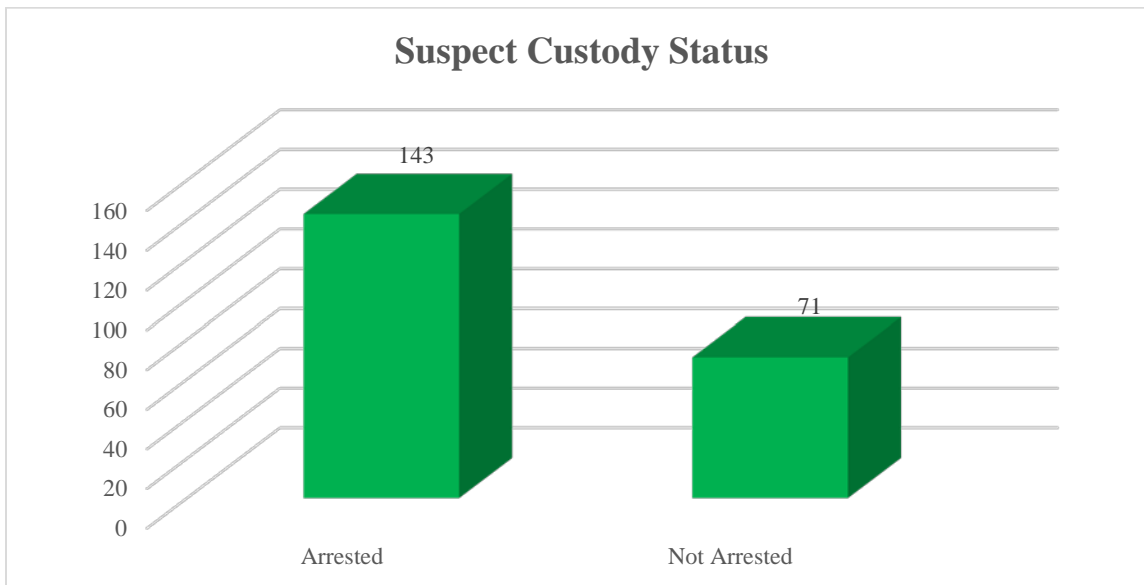
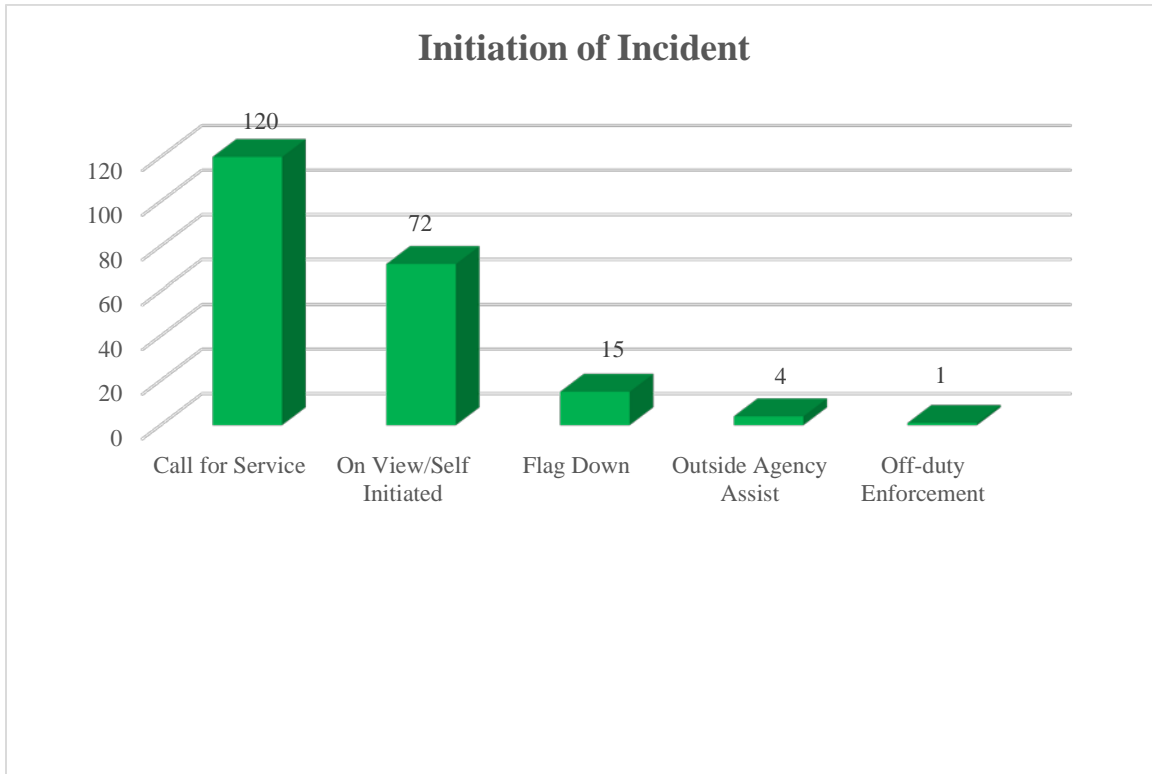
The following data shows that the number of arrests increased during the last 4 years; however, use of force incidents decreased in 2018.



Use of Force Incident Circumstances

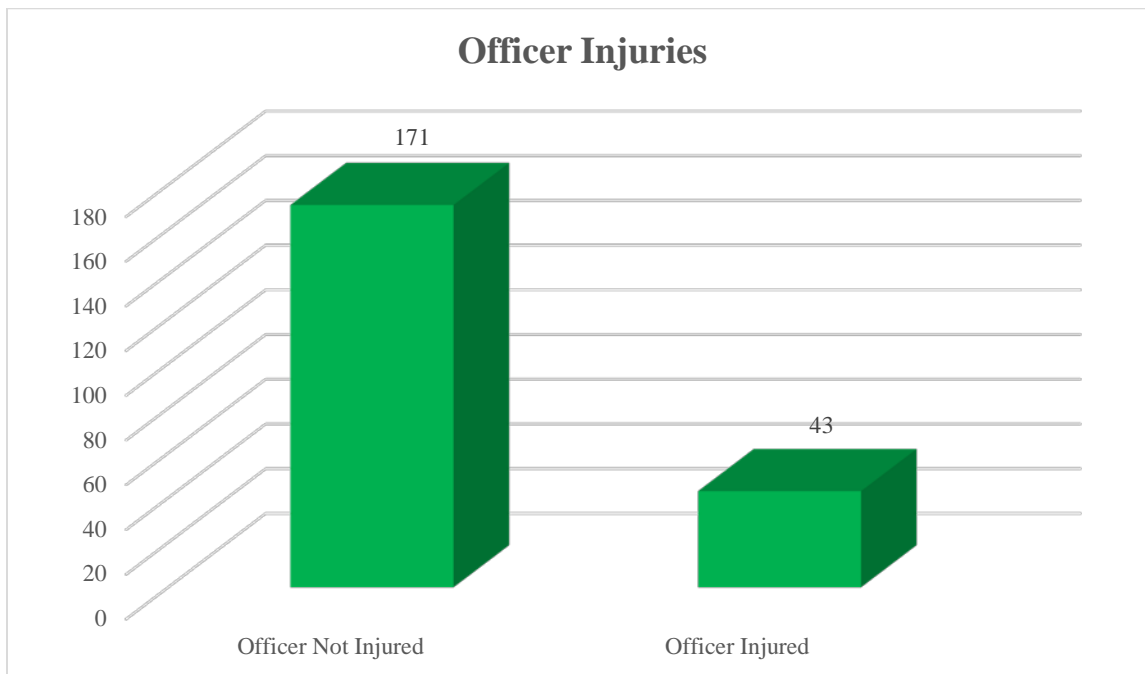
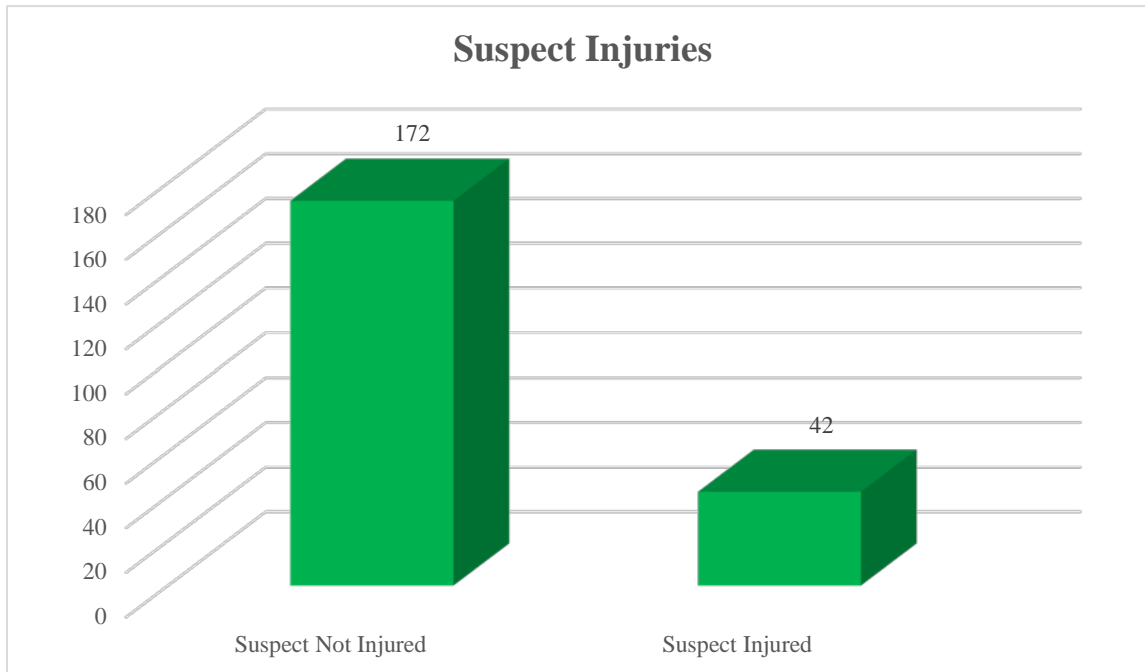


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Note: this data shows that 33% of instances when force was used, the suspect was not arrested. It is noted that 64 incident resulted in a psychiatric detention, which is not an arrest.

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Note: this data indicates that suspects were not injured in 80% of use of force incidents and officers were also not injured in 80% of incidents. This is an indication that officers are using minimal force upon suspects.

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Demographics from Use of Force Incidents

Age Groups of Involved Persons	Number of Persons	Percentage
under 20	36	15.8%
20 - 29	70	30.8%
30 - 39	48	21.1%
40 – 49	24	10.6%
50 and up	25	11.0%
no data entered (John Doe's)	24	10.6%
Total	227	

Ethnicity/Gender of Involved Persons	Number of Persons	Percentage
Black Males	110	48.5%
White Males	33	14.5%
Black Females	30	13.2%
Hispanic Males	25	11.0%
Other Male	8	3.5%
Unknown, Male	2	0.9%
White Females	5	2.2%
Middle Eastern Male	3	1.3%
Hispanic Females	4	1.4%
Pacific Islander Males	1	0.4%
Asian Males	2	0.9%
Asian Females	1	0.4%
Other, Transgender	1	0.4%
No data entered	2	0.9%
Total	227	

* There were 212 Use of Force incidents in 2018, and IAPro returned data for 227 persons associated with the 212 incidents. Some incidents involved more than one subject upon whom force was used.

REPORT TOPIC: TRAINING

Officers received the following advanced officer training in 2018:

Defensive Tactics/Arrest Control Techniques	4 hours
Impact Weapons	4 hours
Firearms Range Training	16 hours
Force Options Simulator	4 hours
Legal Update	1 hour 40 minutes

REPORT TOPIC: EQUIPMENT

An equipment issue related to Use of Force incidents was identified in 2018. The issue was with AXON Flex body worn cameras getting knocked off during a physical altercation, resulting in the camera pointing in a random direction. Stronger magnetic mounts were purchased, but even the stronger magnets are still susceptible to sliding apart. Also in 2018, officers were authorized to wear external carriers for ballistic vests. The external carriers allow for cameras to be clipped to the vest, and the camera is very secure. Many officers have switched to the external vest carrier, which has resulted in fewer incidents with the camera being knocked off. The Department will continue to look for additional reliable mounting solutions.

REPORT TOPIC: POLICY AND PROCEDURE

Each use of force incident is investigated by a supervisor and a report is written for review. The review procedure has included the on-duty Watch Commander, the Use of Force Review Board Chair, two members of the Use of Force Review Board, and the Patrol Operations Deputy Chief. Due to the number of individual reviewers, it generally takes months for an incident to make it through the review process.

The Department has decided to revise the review process so that the review can be completed more quickly. The chain of review will now become the on-duty Watch Commander, the Training Coordinator for Department Defensive Tactics, and the Patrol Operations Deputy Chief.