

**TYPES OF FORCE USED BY THE
MILWAUKEE POLICE DEPARTMENT IN 2010:**

**THE ROLE OF OFFICER, SUBJECT,
AND OTHER SITUATIONAL CHARACTERISTICS**



**REPORT OF THE
FIRE AND POLICE COMMISSION**

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Introduction

This report is part of a continuing systematic effort that began in 2009 to provide an understanding of the nature, frequency, and circumstances of use of force incidents in the Milwaukee Police Department (MPD). Previous analyses of MPD use of force incidents (Brandl, 2010; Brandl, 2011a) revealed that bodily force, the use of an electronic control device (i.e., Taser), and the use of Oleoresin Capsicum (OC) spray were the most frequently used types of force in “use of force” situations. It was also found that officers with certain characteristics, assignments, and arrest productivity used force more frequently than others (Brandl, 2011b). These findings raise interesting questions about how specific types use of force vary by the characteristics of officers, subjects, and incidents. As such, this report addresses the following question: How do situations where OC, a Taser, or bodily force was used differ, if at all, in terms of the characteristics of officers who used the force, the characteristics of subjects upon who force was used, and the characteristics of the incidents where force was used? In addressing this question, “use of force” incidents recorded by the MPD from January 1, 2010 to December 31, 2010 were analyzed.

The data for these analyses were obtained from the AIM (Administrative Investigations Management) System of the MPD. The use of force data contained in AIMS was based on “Use of Force Reports” which were completed by supervisory officers when a “use of force” incident occurred. According to the official policy of the department:

The Use of Force Report shall be completed by a supervisory officer when a Department member: discharges a firearm, uses a baton in the line of duty, discharges an irritant, chemical, or inflammatory agent, deploys an Electronic Control Device, Department canine bites a subject in the performance of their duty, [or] uses any other type of force which results in an injury to a person.

In addition, according to the Order, even if a subject claims to have been injured without those injuries being visible, a report is to be completed. Clearly, this is a relatively narrow definition

of use of force as it does not include physical force that does not result in injury (or a complaint of an injury) to a subject.

The database (and reports) contained a comprehensive list of variables on each use of force incident recorded by the MPD. Some data related directly to the incident (e.g., date of incident, time of incident, location of incident, number of officers who used force in incident) but most of the data related to the officer(s) who used force (e.g., officer race, type of force used by officer, etc.) and subject(s) upon whom force was used (e.g., subject age, race, charge, etc.). There were separate variables for each officer (up to five officers) and each subject (up to four subjects) involved in the incident. To facilitate the analysis, additional variables were manually created (e.g., activity that led to the force incident) based on the report narratives that were contained within the AIM system.

Frequency of Use of Force Incidents

From January 1, 2010 to December 31, 2010, there were 529 “use of force” incidents recorded by the MPD. Of these 529 incidents, three were accidental discharges of weapons and 15 were for the purpose of euthanizing an injured or diseased animal. As these 18 incidents are fundamentally different from other use of force incidents in the purpose and intent of the force, these incidents were excluded from the analyses. In addition, 35 incidents involved force being used against one or more dogs (see Brandl, 2011 for more details). These incidents were also excluded from the analyses. Given these exclusions, 476 incidents were available for analyses. However, for analytic reasons, incidents that involved more than one officer and/or more than one subject were also excluded from the analyses. As a result, 334 incidents remained for

analysis.¹ Finally, given the interest in comparing situations where specific forms of force were used, only those incidents that involved bodily force (n = 132), OC (n = 70), and/or a Taser (n = 84) were included (N = 286).

Analyses and Findings

The analyses are performed via ANOVA (Analysis of Variance) which requires a comparison of mean values of variables of interest. Because of the relatively small sample sizes, probability differences that are less than .10 are considered statistically significant. Table 1 shows how officer characteristics vary by the type of force used. Again, the statistics listed in the table represent mean values. Accordingly, where a variable has two values (e.g., officer race; white/minority) the mean can be interpreted as a proportion/percentage. For example, 97% of the officers who used bodily force were male (3% were female), 87% who used a Taser were male (13% were female).

In Table 1 it is seen that there are no statistically significant differences across the “type of force used” by officer race or officer age. However, with regard to officer sex, in comparison to officers who used bodily force, officers who used a Taser were more likely to be female.² In addition, with regard to officer years of service, officers who used a Taser tended to have the most years of experience, while officers who used OC had significantly fewer years of experience. Finally, officers who used bodily force tended to be significantly taller and heavier than officers who used OC or a Taser.

¹ The 334 incidents that involved one officer and one subject represent 70.2% of all incidents (334/476). 123 out of the 476 incidents (25.8%) involved one subject and more than one officer. Ten incidents (2.1%) involved one officer and more than one subject. Nine incidents (1.9%) involved more than one officer and more than one subject.

² As of 2010, approximately 25% of police officers in the department were trained and authorized to carry a Taser. In addition, at each of the seven districts and during each of the three main shifts, there were six to eight officers who typically carried a Taser while on patrol. With the data available here, it is not possible to specify the characteristics of the officers who actually routinely carry a Taser.

Table 1. Officer Characteristics in Use of Force Incidents
by Type of Force Used (N = 286)

Variable	All Cases N=286	Bodily Force Only N=132	OC Only N=70	Taser Only N=84	Sig
Officer Race 0=white 1=minority	.30	.26	.29	.38	-
Officer Sex 0 = female 1 = male	.93	.97	.91	.87	**
Officer Age	35.26	34.62	35.12	36.39	-
Officer Years of Service	8.70	8.73	7.45	9.69	**
Officer Height	72.24	72.83	71.59	71.86	*
Officer Weight	190.34	197.43	184.24	184.73	*

Note: Means reported; * $p < .10$, ** $p < .05$.

Table 2 shows how subject characteristics vary by the type of force used. Table 2 shows that there are no statistical differences in type of force by subject race, subject sex, subject age, whether the subject was under the influence of drugs or alcohol, or whether the subject attacked the officer. However, a Taser was significantly more likely to be used on taller and heavier subjects compared to bodily force which was more likely to be used on shorter subjects and subjects who weighed less. In addition, a Taser was significantly more likely to be used on subjects who were armed, compared to either bodily force or OC. Finally, OC was more likely used on subjects who were charged with resisting/obstructing only, compared to bodily force or the Taser; bodily force and a Taser were more likely to be used on subjects who were charged with offenses other than (or besides) resisting/obstructing.

Table 2. Subject Characteristics in Use of Force Incidents by Type of Force Used (N = 286)

Variable	All Cases N=286	Bodily Force Only N=132	OC Only N=70	Taser Only N=84	Sig
Subject Race 0=white 1=minority	.82	.85	.84	.74	-
Subject Sex 0=female 1=male	.86	.82	.88	.90	-
Subject Age	29.65	28.88	30.26	30.37	-
Subject Height	69.05	68.41	69.57	69.60	*
Subject Weight	179.98	171.11	184.74	189.67	**
Subject Under The Influence 0=no 1=yes	.41	.39	.40	.43	-
Subject Attack Officer 0=no 1=yes	.40	.35	.44	.43	-
Subject Armed 0=no 1=yes	.21	.15	.13	.37	**
Subject Charges 0=resisting 1=other	.52	.57	.37	.56	**

Note: Means reported; * p < .10, ** p < .05.

Finally, Table 3 shows how the characteristics of “use of force” incidents vary by type of force used. Among the situations in which force may be used, the only significant difference was with regard to foot pursuits: OC was significantly less likely to be used in a foot pursuit situation compared to bodily force or a Taser.

Table 3. Characteristics of Use of Force Incidents by Type of Force Used
(N=286)

Variable	All Cases N=286	Bodily Force Only N=312	OC Only N=70	Taser Only N=84	Sig
Location/ Indoors 0=no 1=yes	.33	.26	.39	.40	-
If outdoors... Lighting/ Dark 0=no 1=yes	.46	.47	.46	.43	-
Activity that Led to Force Incident...					
Call for Service 0=no 1=yes	.57	.52	.63	.61	-
Traffic Stop 0=no 1=yes	.10	.09	.13	.08	-
Field Interview 0=no 1=yes	.12	.13	.10	.11	-
Foot Pursuit 0=no 1=yes	.11	.13	.03	.14	*
Vehicle Pursuit 0=no 1=yes	.02	.02	.01	.02	-
Other 0=no 1=yes	.09	.11	.10	.04	-

Note: Means reported; * $p < .10$, ** $p < .05$.

Summary

This report is part of a continuing effort to better understand use of force incidents in the Milwaukee Police Department. Based on “use of force” incidents from 2010, the analyses conducted here provide insight into how the application of specific type of force varied by officer, subject, and other incident characteristics. Based on the statistical analyses, the following summary statements can be made:

- Subject race, sex, and age do not appear to make a difference in what type of force is used by the officer. To the extent that there are “costs” associated with the use of a Taser, bodily force, or OC, they appear to be distributed equally across subject race, sex, and age.
- A Taser was used more commonly on subjects who were armed, compared to either bodily force or OC.
- Officers tended to use bodily force on smaller subjects and the Taser on larger subjects. From a practical and officer injury avoidance standpoint, this finding is reasonable and not surprising.
- A Taser was more likely used by officers with more years of experience compared to officers who used OC; officers who used OC tended to have the least years of experience.
- In the infrequent instance where female officers used force, that force was most likely applied via a Taser, least likely via bodily force.
- Relatedly, bodily force was most likely used by larger officers, least likely to be used by smaller officers.

The analyses discussed here examined how situations where bodily force, the Taser, and OC varied by officer, subject and other incident characteristics. The study provides police

administrators, policy makers, and trainers insight into the actual application of specific forms of force in the field setting and provides a basis for policy and training development.

References

Brandl, S.G. (2010) An Analysis of 2009 Use of Force Incidents in the Milwaukee Police Department. Milwaukee: City of Milwaukee Fire and Police Commission.

Brandl, S.G. (2011a) An Analysis of 2010 Use of Force Incidents in the Milwaukee Police Department. Milwaukee: City of Milwaukee Fire and Police Commission.

Brandl, S.G. (2011b) An Analysis of Officers Who Used Force in the Milwaukee Police Department in 2010. Milwaukee: City of Milwaukee Fire and Police Commission.